

Mormugao Port Employees' (Grant of Ex-Gratia Pension to Retired Employees) Regulations, 1977

In exercise of the powers conferred by Section 28 read with Section 124 (1) & (2) of the Major Port Trusts Act, 1963 (38 of 1963), the Board of Trustees of the Mormugao Port Trust, hereby makes the following Regulations, namely:-

1. **SHORT TITLE AND COMMENCEMENT :**

(1) These regulations shall be called the Mormugao Port Employees' (Grant of Ex-Gratia pension to Retired employees') Regulations, 1977.

(2) Provisions of sub regulation (2) of regulation 4 shall be deemed to have come into force on the day specified in that sub regulation and the rest of the provisions shall be deemed to have come into force on the 1st day of January, 1969.

2. **DEFINITIONS:-**

In these regulations, unless the context otherwise requires:-

(1). "Accounts Officer" means the Financial Adviser & Chief Accounts Officer of the Board and such Officer (s) from the Accounts Department of the Board as may be nominated by the Financial Adviser and Chief Accounts Officer to regulate claims under these regulations.

(2). "Board", "Chairman", "Deputy Chairman" shall have the meanings respectively assigned to them in the Major Port Trusts Act, 1963 (38 of 1963).

(3). "Ex-gratia Pension" means the ex-gratia pension admissible under these regulations.

(4). "Pay" means the pay which the employee was receiving immediately before retirement or resignation from Board's service and shall include:

(i) Pay other than special pay or pay granted in view of his personal qualifications, which has been sanctioned for a post held by him substantively or in an officiating capacity, or to which he is entitled by reason of his position in a cadre, and

(ii) technical pay, special pay, and personal pay, and

(iii) any other emoluments which may specially be classed as pay by the

appropriate

authority.

EXPLANATION: If an employee immediately before his retirement or resignation from Board's service was on leave (other than leave preparatory to retirement after attaining the age of superannuation) the pay which he would have drawn had he not been on leave shall be treated as his pay for the purposes of this sub- regulation.

3. **EXTENT** **OF** **APPLICATION:-**

(1) The ex-gratia pension is admissible to every employee who was governed by the Mormugao Port Employees' (Contributory Provident Fund) Regulations, 1965 and

(a).who retired from Board's service prior to 1st February, 1967 after completing not less than 20 years of continuous service; or

(b).who resigned from the Board's service prior to 1st February, 1967 after completing not less than 30 years of continuous service or after completing not

less than 30 years of continuous service; or

(c).who retired from Board's service during the period from 1st February, 1967 upto 31st December, 1968; or

(d).who resigned from the Board's service during the period from 1st February, 1967 upto 31st December, 1968.

(2) The ex-gratia pension is not admissible to-

(a).an employee who was dismissed or removed or discharged from the Board's service before 1st February, 1967 or during the period from 1st February, 1967 upto 31st December, 1968.

(b).an employee who resigned from the Board's service before the 1st February, 1967 or during the period from 1st February, 1967 upto 31st December, 1968 with less than 30 years of service; and

(c).an employee who retired or ceased to be in service on or after 1st January, 1969.

4. **AMOUNT OF EX- GRATIA PENSION:-**

(1) The amount of ex-gratia pension shall be the appropriate amount as set out below, namely:-

Pay of employee(in Rupees)	Amount of ex-gratia Pension (in Rupees per mensem) Rs. Ps.
80 and below	25.00
Above 80 and upto 130	27.50
Above 130 and upto 200	30.00
Above 200 and upto 500	32.50

(2) The amount of ex-gratia pension shall be increased with effect from 1st January, 1973, 1st day of August, 1973, 1st day of January, 1974, 1st day of April, 1974 and 1st October, 1975 by the appropriate amount as set out below, namely:-

Pay of employees	Ex-Gratia Pension admissible prior to 1.1.1973	Adhoc Increase in amount of ex-gratia pension (in Rupees per mensem)
1	2	3

with effect from

		1.1.73	1.8.73	1.1.74	1.4.64	1.10.75
80 and below	25.00	15.00	5.00	5.00	5.00	10.00
Above 80 and upto 130	27.50	15.00	5.00	5.00	5.00	10.00
Above 130 and upto 200	30.00	15.00	5.50	5.50	5.50	11.00
Above 200 and upto 500	32.00	21.00	9.00	9.00	9.00	18.00

(3).The above adhoc increase in ex-gratia pension shall also be allowed to those who retired under the Portuguese Pension Scheme.

(4).The amount of ex-gratia pension shall be increased at the same rates, on the same terms and with effect from the same dates as applicable to the Central Government Employees who retired on Contributory Provident Fund before 18th November, 1960, except as provided in sub regulation (3) above.

The increase shall also be allowed to those who retired under the Portuguese Pension Scheme.

NOTE :- No employee of the Port will be adversely affected as a result of the retrospective effect being given to the regulations.

(5).EX-GRATIA PENSION NOT ADMISSIBLE DURING PERIOD OF RE-EMPLOYMENT:-

The ex-gratia pension shall not be granted during the period its recipient is re-employed under the Board.

(6).APPLICATION FOR AND SANCTION OF EX-GRATIA PENSION:-

The procedure relating to application for pension, verification of service, preparation of pension papers, issue of pension payment order and furnishing of life certificate, prescribed in the Mormugao Port Employees' (Pension and Gratuity) Regulations, 1966 shall apply mutatis mutandis to the ex-gratia pension granted under these regulations.

(7).RECORD OF EX-GRATIA PENSIONS :-The Accounts Officer shall maintain a suitable record of all ex-gratia pensions granted under these regulations.

(8).MODE OF PAYMENT :- The ex-gratia pension shall be payable on or after the first day of the month following that to which it relates from the office of the Accounts Officer. If a pensioner desires payment of ex-gratia pension through postal money order, the same shall be remitted to him through postal money order and the cost of such remittance shall be borne by the Board subject to the conditions that the amount to be remitted is Rs. 500/- or less.

9. INTERPRETATION:-If any question arises relating to the interpretation of these regulations, it shall be referred to the Chairman, whose decision thereon shall be final.

FOOT NOTE:

1. B.R. No. 6 of 1/4/1978 “ Central Govt. sanction No. PEG-21/78 of 4/11/1978.

SUBSEQUENT AMENDMENTS:

(i) B.R. No. 53 of 21/7/1978 “ Central Govt. sanction No. PW/PEG-29/78 of 7/2/1981.

(ii) B.R. No. 164 of 23/3/1979

(iii) B.R. No. 114 of 16/10/92.