

# **Mormugao Port Employees' (Educational Assistance) Regulations, 2000**

UNION OF INDIA

India

## **Mormugao Port Employees' (Educational Assistance) Regulations, 2000**

### **Rule**

### **MORMUGAO-PORT-EMPLOYEES-EDUCATIONAL-ASSISTANCE-REGU of 2000**

- Published on 19 April 2000
- Commenced on 19 April 2000
- [This is the version of this document from 19 April 2000.]
- [Note: The original publication document is not available and this content could not be verified.]

Mormugao Port Employees' (Educational Assistance) Regulations, 2000Published vide Notification No. G.S.R. 342(E), dated 19th April 2000Ministry of Surface Transport(Ports Wing)G.S.R. 342(E). - In exercise of the powers conferred by Sub-section (i) of Section 124 read with Sub-section (i) of Section 132 of the Major Ports Act 1963(38 of 1963), the Central Government hereby approves the Mormugao Pori Employees' (Educational Assistance) Regulations, 2000 made by the Board of Trustees for the Port of Mormugao Port 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.**

Mormugao Port Trust

### **Schedule**

In suppression of the existing Mormugao Port Employees' (Children's Education Allowance) Regulations, 1974 and the Mormugao Port Employees' (Reimbursement of Tuition Fees) Regulations, 1973 and in terms of Section 124(2) read with Section 28 of the Major Port Trusts Act, 1963 (38 of 1963), the Board of Trustees of the Port of Mormugao hereby consolidates and updates both the sets of the aforesaid Regulations under the revised title "The Mormugao Port Employees (Educational Assistance) Regulations, 2000".

## **1. Short title and commencement.**

(1) These Regulations may be called the Mormugao Port Employees' (Educational Assistance) Regulations, 2000. (2) They shall come into force with effect from the date of publication in the Gazette of India.

## **2. Applications.**

(1) These Regulations shall apply to all employees of the Board, except persons in casual or daily-rated or part-time employment. (2) Employees of the Board deputed to Central/State Government on foreign service in India would be eligible to draw of educational assistance under these orders from such Central/State Government or foreign employer, provided provision to this effect is expressly made in the terms of deputation or foreign service.

## **3. Definitions.**

- In these Regulations, unless the context otherwise requires: (i) 'Board' shall have the same meaning assigned in the Major Port Trusts Act, 1963. (ii) 'Employee' means an employee of the Board. (iii) 'Child' means a child of an employee of the Board and includes a step-child and an adopted child, who is wholly dependent on the employee. (iv) 'Higher Secondary or Senior Secondary Classes' means Classes XI and XII and includes Classes upto the equivalent of XII under the 10+2+3 scheme like Pre-University class or the first year class of an Intermediate College, a Technical College, or a Polytechnic, provided the child has passed the Secondary or equivalent but not the Higher Secondary Examination before joining such class. (v) 'Primary Classes' means Classes I To V but does not include Kindergarten or Nursery classes. (vi) 'Recognised School/college' means Government school/college or any educational institution, whether in receipt of Government aid or non-recognised by the Central or State Government or Union Territory Administration or by a University or a recognised educational authority having jurisdiction over the area where the institution is situated. For the purpose of these Regulations, education upto the senior level shall be treated as school/college education. (vii) 'Secondary Classes' means Classes VI to X. (viii) 'Tuition Fee' means tuition fee payable and actually paid, and includes: (a) Science fee. (b) Laboratory fee, in case Science fee is not separately charged. (c) Special fee charged for agriculture as an elective additional subject and (d) Any fee charged for subjects like music, which are taught as part of the regular school/college curriculum or subject requiring practical work under the programme of work experience. Provided that if tuition fee charged from a Science student is higher than that charged from a non-science student, science fee, though separately charged, shall not be included in the tuition fee for the purpose of these Regulations. Explanation. - "Tuition Fee" does not, however, include: - (a) Domestic Science fund charges (b) Library fee (c) Games fee. (d) Admission fee and (e) Extra-curricular activity fee. General Conditions:

## **4. Eligibility.**

(1) Subject to the provisions of Regulation No. 11 to 24 of these Regulations, all employees of the

Board, except persons in casual or daily-rated or part-time employment, without any pay limit shall be eligible to draw children's educational assistance, reimbursement of tuition fee and hostel subsidy.

## **5.**

(1) In case both wife and husband are employees of the Board and are governed by the provisions of these Regulations, the Children's Educational Allowance or Reimbursement of Tuition Fee or Hostel Subsidy as the case may be shall be admissible to one of them only. (2) In case the wife or husband of an employee is employed outside the Board's service, the employee shall be able to draw the allowance or reimbursement or subsidy under these regulations, only if his/her spouse is not entitled to the benefit of any such allowance or reimbursement or subsidy from his/her employer and a declaration to that effect shall be obtained from the employee.

## **6.**

(1) The Children's Educational Allowance or the Reimbursement of Tuition Fees or Hostel Subsidy shall be admissible to an employee while he/she is on duty or is under suspension or is on leave (including extraordinary leave). Provided that during any period, which is treated as "Dies-non", the employee shall not be eligible for the allowance/reimbursement/subsidy for that period. (2) If an employee dies or ceases to be in service by reason of retirement, resignation, discharge, dismissal or removal from service in the course of an academic year, the allowance or reimbursement or hostel subsidy shall be admissible till the end of academic year in which the event takes place.

## **7.**

Children's Educational Allowance or Hotel Subsidy shall be admissible only in respect of children between the age limits of 5 and 20 years while Reimbursement of Tuition Fees shall be admissible only in respect of children between the age limits of 5 and 25 years, even if the child completes 20 years or 25 years, as the case may be, half way during the academic session. An employee shall not be eligible to draw Children's Educational Allowance, Reimbursement of Tuition Fees or Hostel Subsidy for more than two academic years in the same class.

## **8.**

Assistance under these Regulations shall be available upto 3 children born upto 31.12.1987 and shall be restricted to two children born thereafter.

## **9.**

The Children's Education Allowance, Reimbursement of Tuition Fees or Hostel Subsidy, as the case may be, shall be admissible to an employee in respect of a child only if the child attends the school/college regularly. Provided that no such allowance, reimbursement of tuition fee or hostel

subsidy, shall be admissible in any case where the period of absence from the school/college without proper leave exceeds one month notwithstanding that the name of the child remains on the rolls of the school/college.

## 10.

The Children's Educational Allowance, Reimbursement of Tuition Fees or Hostel Subsidy as the case may be, shall be admissible to an employee in respect of his children, regardless of the fact that any scholarship is received, provided that if freeship is awarded, reimbursement of Tuition Fees/Hostel Subsidy shall be admissible only to the extent of the fee actually paid. Children's Education Allowance:

## 11.

(1) An employee is eligible to draw Children's Education Allowance when he is compelled to send his child to a school/college away from the station at which he is posted and/or residing owing to the absence of a school/college of the requisite standard at that station. Explanation-1: "A" has his headquarters at the Harbour/Vasco-da-Gama and is residing at Margao. The Allowance will not be admissible if his children study in a school/college either at Harbour/Vasco-da-Gama or Margao. Explanation-2: Notwithstanding Regulation 11(1) above, the Children's Educational shall be admissible to an employee, who on transfer from one station to another, is compelled to keep his child/children studying in the final year of the Secondary/ Higher Secondary/Senior Secondary Classes at the old station for Board examination in the interest of continuity of studies. (2) For the purpose of this order, the following school/colleges shall not be deemed to be school/colleges of the requisite standard: -(a) Insofar as an Anglo-Indian child is concerned, a school/college not run by the Anglo-Indian community or a school/college not affiliated to the Council for Indian School Certificate Examination of the Indian Council of Secondary Education. (b) A school/college run by a body of certain religious persuasion, which the child is prevented by the tenets of his religious persuasion from attending due to religious instructions being compulsorily imparted in such a school/college and (c) A school/college where teaching is conducted in a language different from the language of the child. Explanation (1): - The language of the child will be medium of instruction in the school where the child was getting educated earlier and in the case of child admitted in a school for the first time, the mother-tongue of the child by birth or by adoption. Explanation (2): - The admissibility of Children's Education Allowance will have to be determined with reference to the standard of the school/college viz. Primary, Secondary or Higher Secondary or Senior Secondary and the medium of instruction and the language of the child and not due to the absence of a particular subject in a particular institution.

## 12.

The allowance shall be admissible to an employee of the Board at a station where there is no school/college of the requisite standard, only if the nearest school/college of such standard is so situated that there is no convenient train or bus service to take the child from his residence near the time of the opening of the school/college and bring him back not too long" after the school/college is

closed for the day and the journey by such train/bus service takes more than an hour.

**13.**

If an employee is transferred from a station where there is no school/college of the requisite standard to a station where there is such a school/college and if he was in receipt of the allowance at the former station in respect of any child, he shall remain eligible for such allowance as long as the child studies in that school/college.

**14.**

If a child of an employee is denied admission to a school/college of the requisite standard at the station, at which the employee is posted and/or residing because of there being no vacancy, or any other reasons, and the child is, controlled to attend a school/college away from the employee's place of posting and/or residence, the employee shall be entitled to the allowance as if there were no school/colleges of the requisite standard at that station. Explanation. - The availability of a vacancy in a school/college shall be determined with reference to the position existing at the time of the admission of the child in the school/college, whether it be at the start or in the middle of the session, in consultation with the competent educational authorities of the area and not on the basis of the certificate of the school/college authorised.

**15.**

An employee in receipt of the allowance shall continue to be eligible to draw such allowance during any period, not exceeding four months. (1) When he may go and stay with the child in respect of whom the allowance is drawn while on leave or during suspension or temporary transfer. (2) When the child may come to live with the employee provided it is certified by a registered medical practitioner that the child is forced to remain away from studies due to illness, and (3) When the child may come to live with the employee during vacation, provided the child continues to be on the rolls of the school/college.

**16.**

The allowance will be admissible at the rate of Rs.100/- per month per child for Primary, Secondary and Higher Secondary Classes (Classes I to XII).

**17.**

(1) The allowance shall be admissible to an employee throughout the year notwithstanding that no tuition fee is paid during the vacation. (2) In the case of the child who is successful at the final secondary/higher secondary/senior secondary examination, the allowance shall be admissible to the employee upto the end of the month in which the examination is completed or upto the end of one month upto which the school/college fees are charged, whichever is later. (3) In the case of a child

who fails in the final secondary/higher secondary /senior secondary examination Board of Intermediate Examination or Pre-University Examination, but resumes his studies the allowance shall be admissible to the employee for the period of vacation intervening provided that fees are paid for the period of vacation.Reimbursement of Tuition Fees.

## **18.**

An employee shall be eligible to the reimbursement of tuition fee payable and actually paid in respect of his child provided that no Children's Educational Allowance under these regulations is admissible to him.

## **19.**

The tuition fee payable' and actually paid by an employee in respect of his child may be reimbursed subject to the following limits:(a)Classes I to X ..... Rs. 40/- per month per child.(b)Classes XI to XII .... Rs. 50/- per month per child.(c)Classes I to XII - in respect of physically handicapped and mentally retarded children ..... Rs. 100/- per month per child.Note: Science fee upto the limit of Rs.10/- p.m. will be reimbursable in addition to the tuition fee in respect of children studying Classes ix to xii and offering Science subjects.

## **20.**

The reimbursement of tuition fee charged by a college run by a University or affiliated to a University for Pre-University two years class of an intermediate college or of a technical college of Engineering! Medical or three years class of polytechnic or for a correspondence course shall, however, be reimbursed in full subject to their being restricted to the rates prescribed by Government College for corresponding classes, including correspondence classes.In cases where minimum qualification for admission in the three year diploma course in polytechnic is 10th class of the revised pattern of education and the student joins the polytechnic after passing X class of the revised pattern of education, the reimbursement of tuition fees shall also be allowed for the I, IInd and IIIrd year classes of the above course.

## **21.**

Notwithstanding anything to the contrary in these orders, tuition fee payable and paid in respect of physically handicapped or a mentally retarded child of an employee shall be reimbursed, subject to the following conditions:(a)The institution in which the child is studying is one, which is recognised or approved or aided by the Central Government or State Government or Union Territory Administration.(b)The fees charged are approved by the Central Government or State Government or Union Territory Administration, as the case may be.Explanation: If the institution is recognised or approved or aided but the fees charged are not approved by Central or State Government or Union Territory Administration, the fee shall be subject to a ceiling of Rs.50/- per month

## **22. Hostel subsidy:**

An employee shall be eligible to the grant of subsidy at the rate of Rs.300/- per month per child, if because of transfer he is obliged to keep his children in the hostel of a residential school/college far away from the station at which he is posted and/or is residing. However, if the date of admission to the hostel is earlier than the date of transfer, and if such admission is made in anticipation of the transfer, the Hostel Subsidy may be made from the effective date of transfer.

## **23.**

The Hostel subsidy shall be payable upto 10+2 stage in States and Union Territories, where the pattern of 10+2+3 has been adopted and upto higher secondary and senior secondary stage in other States and Union Territories, irrespective of the fact that the children study in a Kendriya Vidyalaya or any other recognised school/college.

## **24.**

The Hostel Subsidy shall not be admissible in respect of a child for whom children's Educational Allowance is drawn by an employee. Procedure For Payment of Children's Education Allowance, Reimbursement of Tuition Fees and Hostel Subsidy"

## **25.**

An employee claiming Children's Educational Allowance, Reimbursement of Tuition fees or Hostel Subsidy shall furnish a certificate in the prescribed forms 1, 2, 3 and 4 as the case may be, to the Head of Department at the time of preferring his initial claim and thereafter in the months of March and July every year. Where the employee is himself the Head of the Department, he shall furnish a certificate to the next higher authority. Note: For reimbursement of tuition fees to an employee, a certificate from the Head of the Institution where the child is studying need not be insisted upon. However, at the time of accepting the initial claims, production of the cash receipt given by the school/college or counterfoil of the bank credit voucher, if the tuition's fee is paid through bank by the employee as a proof of having actually paid the tuition fee will be sufficient. For the subsequent occasion, a declaration from the employee to the effect that he continues to incur the expenditure on tuition fee etc. should be accepted. The employee may also be asked to certify that his child/children is/are actually studying in a recognised school/college and that he is actually incurring expenditure on tuition fee.

## **26.**

The Head of the Department in regard to employees working in his department and the next higher authority viz. the Chairman in regard to the Head of Department shall, after making such enquiry as may be considered necessary, issue a certificate indicating the amount of allowance admissible to the employee on the basis of which the allowance shall be drawn. Provided that in the case of

Children's Educational Allowance, it shall be permissible for the allowance being drawn on a provisional basis, pending verification as above, for short periods not exceeding three months, subject to an undertaking being obtained from the employee that, if, as a result of verification, it is established that a school/college of the requisite standard does exist at the station of posting/residence or near such station as referred to in Regulation No.12, he shall refund the allowance paid to him. Provided further that the Head of Department or the next higher authority viz. the Chairman as the case may be may at his discretion, make enquiry at periodic intervals regarding admissibility of assistance under these orders.

## **27.**

The Head of Department shall certify on the pay bill that the certificates mentioned in Regulation No. 26 above have been obtained in respect of the employees covered in the pay bill.

## **28.**

An employee transferred from one station to another shall furnish a fresh certificate at the new station in case he continues to be eligible to draw Children's Educational Allowance or Hostel Subsidy.

## **29.**

The Head of Department should maintain a suitable record of the claims received, admitted/rejected and reimbursed in respect of such Port employee and make it available to the Financial Adviser and Chief Accounts Officer along with the certificate and information furnished by the Port employees, the receipts of educational authorities in support of the claims preferred by them and other documents, if any. The record to be maintained shall be in the form as in Form No.5.

## **30. Interpretation of regulations.**

- If any question arises relating to the interpretation of these Regulations, the same shall be decided by the Board.

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



## **32. Central government orders/instructions /rules to be followed in the application of these regulations.**

- In applying the foregoing regulations and in respect of matters not dealt within these Regulations, the Central Civil Services (Educational Assistance) Orders, 1988 and the orders/instructions of the Central Government issued thereunder from time to time shall be followed insofar as they are not inconsistent with the provisions in these Regulations, subject to such exceptions and modifications as the Board may from time to time determine.