

## **VISAKHAPATNAM PORT TRUST**

### **NOTIFICATION**

**G.S.R. 558 (E) DT.17-8-1993**

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 Visakhapatnam Port hereby makes the following Regulations, in super session of the Visakhapatnam Port Employees' (L.T.C.) Regulations, 1964 published as G.S.R. 322, dt.24-2-1964 in the Gazette of India; via.

1. Short title and commencement:- (1) These Regulations may be called the Visakhapatnam Port Trust Employees' (Leave Travel Concession) Regulations, 1993.  
(2) They shall come into force on the date of their publication in the Central Government Gazette.
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 of the Officer nominated by him.
  - (b) "Board" "Chairman", "Dy.Chairman" and "Head of Department" shall have the same meanings as assigned to them in the Major Port Trusts Act, 1963.
  - (c) "Concession" means the Leave Travel Concession" admissible under these Regulations.
  - (d) "Disciplinary Authority" shall have the same meaning as assigned to it in the Visakhapatnam Port Employees' (Classification, Control & Appeal) Regulations, 1968.
  - (e) "Employee" means an employee of the Board.
  - (f) "First, Second, Third, Fourth Grade Employees" will have the same meanings as assigned to them in the Fundamental Rules and Supplementary Rules of the Central Government.
  - (g) "A place in India" will cover any place within the territory of India, whether it is on the Mainland or overseas.
  - (h) "Shortest direct route" shall have the same meaning as given in Supplementary Rule 30 and orders issued thereunder from time to time.

- (i) "Family" means:
- (i) the Government servant's wife or husband, as the case may be, and two surviving unmarried children or step children wholly dependent on the Government servant irrespective of whether they are residing with the Government servant or not;
- (ii) married daughters who have been divorced, abandoned or separated from their husbands and are residing with the Government servant and are wholly dependent on the Government servant;
- (iii) parents and/or step mother residing with and wholly dependent on the Government servant;
- (iv) unmarried minor brothers as well as unmarried, divorced, abandoned, separated from their husbands widows sisters residing with and wholly dependent on the Government servant, provided their parents are either not alive or are themselves wholly dependent on the Government servant.

#### EXPLANATIONS:

1. The restriction of the concession to only two surviving children or step children shall not be applicable in respect of (i) these employees who already have more than two children prior to the coming into force of this restriction i.e. 20-10-1997; (ii) children born within one year of the coming into force of the restriction; (iii) where the number of children exceeds two as a result of second child birth resulting in multiple births.
2. Not more than one wife is included in the term "family" for the purpose of these Rules. However, if a Government servant has two legally wedded wives and the second marriage is with the specific permission of the Government, the second wife shall also be included in the definition of "Family".
3. Though it is not necessary for the spouse and children to reside with the Government servant so as to be eligible for the Leave Travel Concession, the concession in their cases shall, however, be restricted to the actual distance travelled or the distance between the headquarters/place of posting of the Government servant and the hometown/place of visit, whichever is less.
4. Children of divorced, abandoned, separated from their husbands or widowed sisters are not included in the term "Family".

5. A member of the family whose income from all sources, including pension temporary increase in pension but excluding dearness relief on pension or stipend etc., does not exceed Rs.1500 p.m. is deemed to be wholly dependent on the Government servant.
- (j) "Near Relation" means – any relation by blood/affinity.
3. Extent of application:- (1) Subject to the provisions of Sub-Regulation (2) these Regulations shall apply to the employees of the Board of all grades including:-
- (a) The industrial and work charged staff who are entitled to regular leave;
  - (b) The employees appointed on contract basis.
  - (c) The re-employed employees.
  - (d) The employees under the State Government who are on deputation to the Port Trust.
- (2) These Regulations shall not apply to:
- (a) Employees not in whole time employment.
  - (b) Employees in casual and daily rated employment.
  - (c) Employees paid from contingencies.
  - (d) Employees eligible to any other form of travel concession available during leave or otherwise.
4. Special provisions regarding certain categories of employees –
- (1) In the case of employees belonging to categories mentioned in clauses (b), (c) and (d) of Sub-Regulation (1) of Regulation 3, the leave travel concession shall be admissible on completion of one year's continuous service under the Board and provided that it is certified by the appropriate authority, that the employee concerned is likely to continue to serve under the Board for a period of atleast two years in the case of Leave Travel Concession to Hometown and atleast four years in the case of Leave Travel Concession to any place in India to be reckoned from the date of his joining the post under the Board.
- (2) In the case of Officers appointed on contract basis, where the initial contract is for one year but is later extended, the total duration of the contract will be taken into account for the purpose of leave travel concession.

(3) In the case of persons re-employed, immediately after retirement without any break, the period of re-employed service will be treated as continuous with the previous service for the purpose of leave travel concession and the concession allowed for the re-employed period, provided that the leave travel concession would have been admissible to the re-employed Officer, had he not retired but had continued as serving officer.

Illustration:- If an Officer has availed of the concession to visit any place in India in respect of a block of four years before his retirement and he is reemployed without any break, he cannot avail this concession till the expiry of the particular block of four years.

5. Scope:- The leave travel concession will cover the employee himself and his family.
6. Change of Hometown:- (1) The home town once declared shall be treated as final. In exceptional circumstances, the Chairman or Dy. Chairman may authorize a change in such declaration provided that such a change shall not be made more than once during the service of an employee.
  - (2) 'Home Town' means the permanent home town or village as entered in the service book or other appropriate official record of the employee concerned or such other place as has been declared by him, and accepted by the Chairman or the Dy. Chairman.
    - (a) For detailed check, the following criteria shall be applied one after the other:-
      - i) Whether the place declared by the employee is the one which requires his physical presence at intervals for discharging various domestic and social obligations, and, if so, whether after his entry into service, the employee had been visiting that place frequently.
      - ii) Whether the employee owns residential property in that place or whether he is a member of a joint family having such property there:
      - iii) Whether his near relations are residents in that place; and
      - iv) Whether, prior to his entry into the Board's service, the employee had been living there for some years.



The criteria, one after the other, need be applied only in cases where the immediate proceeding criterion is not satisfied.

(b) Where the employee or the family of which he is a member owns residential or landed property in more than one place, it shall be left to the employee to make a choice of any such place as his home town giving reasons for the same provided that the decision of the Chairman or Dy. Chairman whether or not to accept such a place as the home town of the employee shall be final.

(c) Where the presence of near relations at a particular place is to be the determining criterion for the acceptance of declaration of 'Home Town', the presence of near relations should be of more or less permanent nature.

7. Declaration of place of visit under LTC to any place in India -

When the concession to visit any place in India is proposed to be availed of by an employee or any member of the family of such employee, the intended place of visit shall be declared by the employee to his controlling Officer. The declared place of visit may be changed before the commencement of the journey with the approval of his controlling Officer but it may not be changed after the commencement of the journey except in exceptional circumstances where it is established that the request for change could not be made before the commencement of the journey owing to the circumstances beyond the control of the employee. This relaxation may be made by the Chairman or Dy. Chairman as the case may be.

8. Admissibility of LTC: (1) The Leave Travel Concession shall be admissible to persons of the categories specified in clauses (b), (c) and (d) of sub-regulation (1) OF regulation-3 only if they have completed one year service under the Board on the date of journey performed by him or his family, as the case may be, to avail of the concession.

(2) The leave travel concession shall be admissible during any period of leave, including casual leave and special casual leave.

(3) Where both the husband and wife are employees of the Board the concession shall be admissible to the family on the scale admissible to the husband or wife but not both.

9. Types of Leave Travel Concession: - (a) The leave travel concession to home town shall be admissible irrespective of the distance between the head quarters of the employee and his home town once in a block of two calendar years, such as 1992-93, 1994-97 and so on.

(b) The leave travel concession to any place in India shall be admissible irrespective of the distance of the place of visit from the head quarters of the employee, once in a block of four calendar years, such as 1990-93, 1994-97 and so on.

Provided that in the case of an employee to whom leave travel concession to home town is admissible, the leave travel concession to any place in India availed of by him shall be in lieu, of and adjusted against the leave travel concession to home town available to him at the time of the commencement of the journey;

(c) An employee whose family lives away from him at his home town may, in lieu of all concessions under this scheme, including the leave travel concession to visit any place in India once in a block of four years which would otherwise be admissible to him and members of his family choose to avail of leave travel concession for self only to visit the home town every year.

10. Counting of L.T.C. against particular blocks: An employee and member of his family availing of Leave Travel Concession may travel in different groups at different times during a block of two or four years, as the case may be. The concession so availed of will be counted against the block of two years or four years within which the outward journey commenced, even if the return journey was performed after the expiry of the block of two years or four years. This will apply to availing of leave travel concession carried forward in terms of Regulation-II.

11. Carry over of Leave Travel Concession: An employee who is unable to avail of the leave travel concession within a particular block of two years or four years may avail of the same within the first year of the next block of two year or four years. If an employee is entitled to Leave Travel Concession to Home Town, he can carry forward the Leave Travel Concession to any place in India, for a block of four years only if he has carried forward the leave travel concession to home town in respect of the second block of two years within the block of four years.

12. Place to be visited by employees and members of his family under LTC to any place in India: An employee and each member of his family may visit different places of their choice during a block of four years. It shall not be necessary for members of family of an employee to visit the same place as that visited by the employee himself at any time earlier during the same block.
13. Entitlement (1) Journey by rail: For travel by train under leave travel concession, entitlement to different classes of accommodation shall be as under:-
- (i) Employees in respect of pay of Rs.9,000/- and above but below Rs.12,000/- 2<sup>nd</sup> AC 2 tier sleeper/1st Class/AC.3 tier in normal trains and 2<sup>nd</sup> AC 2 tier sleeper in Rajdhani and AC chair car in Shatabdi express
  - (ii) Employees in respect of pay of Rs.5,000/- and above but below Rs.9000/- 1st Class/AC 3 Tier Sleeper/ AC Chair Car in normal trains

NOTE: (a) Where none of the classes of accommodation is provided in any train connecting the concerned stations by the direct shortest route the employee may travel by A.C. Two tier.

(b) Claim for travel by Rajdhani / Shatabdi trains will be allowed only where journeys is actually undertaken by these trains. Both ends of journey should be directly connected by Shatabdi/ Rajdhani trains.

(ii) Employee in respect of pay of less than Rs.5,000/- per annum Second Class sleeper in normal trains.

(2) Journey by Road: The Board's assistance towards the cost of journeys between places not concerned by rail will be admissible to the employee as under:-

(i) Where a public transport system with vehicles running between fixed points, at regular intervals and charging fixed rates exists, the assistance is the fare actually charged by such a system for the appropriate class of accommodation of the transport system.

NOTE: Appropriate Class' means as follows:

(a) Officers entitled to :	By any type of Bus including
travel by I Class on rail	Super, Deluxe, Deluxe, Express, etc. but excluding Air-conditioned Bus.



(b) Other Officers : By ordinary bus only. The claims for travel in Express Bus may also be admitted, if the journey is actually performed by such bus on account of non-availability of seats in ordinary bus.

(ii) For the portion of journey not connected by a recognized public transport system, the assistance shall be on the basis of road mileage at the appropriate scheduled rate as laid down under Government of India order (ii) below S.R. 46.

(iii) Notwithstanding anything contained in sub-regulation (1) or clauses (i) and (ii) of Sub-regulation (2) where an employee travelling by road takes a seat or seats in a bus, Van or other vehicles operated by Tourism Development Corporation in the Public Sector,

States Transport Corporation and Transport Services run by other Government or local bodies to visit any place in India, the reimbursement shall be either the actual hire charges or the amount reimburseable on the journey to the declared place of visit had the journey been undertaken by entitled class by rail by the shortest direct route, whichever is less. Reimbursement shall not be admissible for journey by a private car (owned, borrowed or hired, or a bus, van or other vehicle owned by Private operators).

(3) By Air: The employee may travel by air between places not connected by rail, where an alternative means of travel is either not available or is more expensive.

(4) In regard to places in territory of India connected by shipping services: The entitlement of an employee to travel by ship will be regulated in accordance with the provisions of S.R. 40.

(5) Travel between places not connected by any means of Transport: for travel between place not connected by any other means of transport, an employee can avail of animal transport like pony, elephant, camel, etc. In such cases, mileage allowance will be admissible at the same rate as per journeys on transfer.



Explanation: For the purpose of this Regulation 'Pay' shall mean pay as defined in Fundamental Rule 9 (21) (a) (i) drawn as on the date of commencement of the journey.

- (6) An employee who declares, subject to the satisfaction of the Chairman or Dy. Chairman that his Home Town is outside India, shall be entitled to the concession for visiting Home Town. The Board's assistance in such a case shall be limited to the share of the fares for journeys (i) upto and from the Railways Station by the shortest route, nearest to the home town in India or (ii) the railway station for the nearest port of embarkation/dis-embarkation in India.

Explanation:- In this regulation 'nearest Port' means the Port in India nearest to the home town of the employee.

14. Concession for one way journey:- The concession shall be admissible to the members of employees family with reference to the facts existing at the time of the forward and return journeys independently.

- (i) Illustration: 1. Entitled to reimbursement in respect of the outward journey only:-

- (i) A dependent son or daughter getting employment or getting married after going to home town or remaining there for prosecution of studies:

- (ii) The family having performed the journey to home town have not intention of completing the return journey from the home town provided the employee forgoes in writing the concession in respect of the return journey if performed by the family members at a subsequent date.

- II. Entitled to re-imbusement in respect of return journey only:-

- (i) A newly married wife coming from home town to head quarter's station or a wife who has been living at home town and did not avail herself of the leave travel concession in respect of the outward journey.

- (ii) A dependent son or daughter returning with parents or coming one from home town where he or she has been prosecuting studies or living with grand parents etc.

- (iii) A child who was previously below three or twelve years of age but has completed three or twelve years of age only at the time of the return journey:

- (iv) A child legally adopted by an employee while staying in the home town.

15. LEAVE TRAVEL CONCESSION IN COMBINATION WITH TRANSFER OR TOUR:

- (1) Where an employee going to home town on regular leave proceeds there from on transfer to the new head quarters he may be allowed as his minimum entitlement, transfer travelling allowance admissible under the Regulations. He may be allowed, in addition, leave travel concession under the regulations to the extent the distance from old head quarters to home town and from home town to the new head quarters exceeds the total distance for which transfer travelling allowance is admissible plus 800 Kilometers (320 Kilometers in the case of employees of fourth grade).

Illustration: If 'A' is the old head quarters, 'B' home town and 'C' the new head quarters, the entitlement of the employee on account of leave travel concession will be, distance AB plus distance BC minus (distance for 320 Kilometers, as the case may be).

- (2) In case where the distance for which the concession admissible as above is negligible, it will be open to the employee not to avail of it at all, he being permitted to avail of it on some other occasions within the block period, subject to the other conditions being fulfilled. The option has to be exercised in respect of self and the members of the family at the time of preferring claim for Transfer Travelling Allowance. When the concession is not availed of, the concession advance, if any, taken by the employee shall be adjusted against his transfer traveling allowance entitlement.
- (3) When an employee proceeds with proper prior permission to home town on regular leave from a tour station and returns to Head Quarters direct home town, travelling allowance as on tour may be allowed to him for the journey from the head quarters to the tour station from which the employee proceeds to home town and the concession for the journey from tour station to home town and back to head quarters, the tour station being deemed to be the starting point for the onward journey.

- (4) In case employee proceeds to a tour station from home town with proper prior permission and returns to head quarters there from, he may be allowed the concession as admissible under these regulations from head quarter to home town and travelling allowance as on tour from the journey from home town to tour station and back to head quarters.

16. Reimbursement:- Reimbursement under leave travel concession scheme shall not cover incidental expenses and expenditure incurred on local journeys. Reimbursement for expenses of journey shall be allowed only on the basis of a point to point journey on a through ticket over the shortest direct route. Cash Reimbursement shall be made on presentation of claims in Travelling allowance bill forms with the usual certificate to the effect that they had actually performed such journeys and travelled by the class of accommodation not lower than the one for which reimbursement is claimed.

Two certificates, one from the Controlling Officer and the other from the employee concerned as at Appendices I and II shall be submitted to the Accounts Officer along with Travelling Allowance bills for travel concession.

17. Forfeiture of claim – A claim for reimbursement of expenditure incurred on journey under leave travel concession shall be submitted within three months after the completion of the return journey if no advance had been drawn. Failure to do so will entail forfeiture of the claim and no relaxation shall be permissible in this regard.

18. Grant of advance and adjustment thereof:-

- i) Advance may be granted to employees to enable them to avail themselves of the concession. The amount of such advance in each case shall be limited to 90 per cent of the estimated amount which Board would have to reimburse in respect of the cost of the journey both ways.
- ii) If the family travels separately from the employees, the advance may also be drawn separately to the extent admissible.
- iii) The advance may be drawn both for the forward and return journeys at the time of the commencement of the forward journey, provided the period of leave taken by the employee



or the period of anticipated absence of the members of the family does not exceed three months or ninety days. If this limit is exceeded, then the advance may be drawn for the outward journey only.

- iv) If the limit of three months or ninety days is exceeded after the advance had already been drawn for both the journeys, one half of the advance should be refunded to the Board forthwith.
- (v) The advance should be refunded in full if the outward journey is not commenced within 30 days of the grant of advance. However, in cases where reservation can be made sixty five days before the proposed date of the outward journeys and advance is granted accordingly, the employees should produce the tickets within ten days of the drawal of advance, irrespective of the date of commencement of journey.
- (vi) Where an advance has been drawn by an employee, the claim for re-imbursement of the expenditure incurred on the journey shall be submitted within one month of the completion of the return journey. On an employee (s) failure to do so, he shall be required to refund the entire amount of advance forthwith in one lumpsum.
- (vii) The advance in respect of temporary employees and their families will be sanctioned subject to the production by them of surety of a permanent employee.
- (viii) In cases of advances regulated under these regulations, while issuing the sanction granting the LTC advance, the sanctions should invariably stipulate that in cases where the employees have not properly used and LTC advance in time to the satisfaction of the competent authority or the conditions laid down in the sanction are not complied with or if the rules for granting advances for LTC have been violated a penal interest @ 2 ½ percent above the rate of interest for purchase of conveyance (other than Motor cars) shall be charged.

19. Fraudulent claim, of leave travel concession:-

- (1) If a decision is taken by the Disciplinary Authority to initiate disciplinary proceedings against an employee on the charge of preferring a fraudulent claim of leave travel concession, such employee shall not be allowed, the leave travel concession till the finalisation of such disciplinary proceedings.



- (2) If the disciplinary proceedings result in imposition of any of the penalties, specified in Regulation 8 of the Visakhapatnam Port Employees' (Classification, Control and Appeal) Regulations, 1968 the employee shall not be allowed the next two sets of the LTC in addition to the set already withheld during the pendency of the disciplinary proceedings. For reasons to be recorded in writing, the controlling authority can also disallow more than two sets of leave travel concession.
- (3) If the employee is fully exonerated of the charge of fraudulent claim of leave travel concession, he shall be allowed to avail of the concession withhold earlier as additional set(s) in future block years but before the normal date of his superannuation.

Explanation – For the purpose of this regulation, leave travel concession to home town and leave travel concession to any place in India as specified in clauses (a) (b) of Regulation 8 shall constitute two sets of the leave travel concession.

20. Interpretation – If there is any doubt regarding any of the provisions in these regulations the matter shall be referred to the Board which shall decide the same.
21. Power to relax - Save as otherwise provided in these regulations, where Chairman or Dy. Chairman is satisfied that the operation of any of these regulations causes undue hardship in any particular case, the Chairman or Dy. Chairman as the case may be, may by order, for reasons to be recorded in writing dispense with or relax the requirements of that Regulation to such extent and subject to such exceptions and conditions as it may consider necessary for dealing with the case in a just and equitable manner.  
  
Provided that no such order shall be made except with the concurrence of the Accounts Department.
22. Notwithstanding anything contained in Regulation 13, the Board shall reclassify the pay ranger for the purpose of eligibility of travel from time to time, depending upon the revision of scales of pay or the employees of the Board.
23. Saving – All the existing instructions of the Govt. which are not contrary to any of the provisions of these regulations and all instructions issued from time to time by the Govt. which cover matters not specifically covered by these regulations, shall continue to be in force until they are amended, modified or cancelled.

## **APPENDIX – I**

Certificate to be given by the Controlling Officer certified:-

- (a) that Shri/Shrimathi/Kumari (name of the employee) \_\_\_\_\_ has rendered continuous service for one year or more on the date of commencing the outward journey.
- (b) that necessary entries as required under Regulation-24 of these Regulations have been made in the service book of Shri/Shrimathi/Kumari \_\_\_\_\_

Signature of the Chairman/  
Dy. Chairman

## **APPENDIX – II**

Certificate to be given by an employee

1. I have not submitted any other claim so far for Leave Travel Concession in respect of myself or my family members in respect of the block two years 19\_\_\_\_\_ and 19\_\_\_\_\_
2. I have already drawn T.A. for the Leave Travel Concession in respect of a journey performed by me/my wife with \_\_\_\_\_ children/\_\_\_\_\_ children. This claim is in respect of journey performed by my wife/myself with children/\_\_\_\_\_  
\_\_\_\_\_ none of whom travelled with the party on the earlier occasion.
3. I have already drawn T.A. for the Leave Travel Concession in respect of a journey performed by me/my wife with \_\_\_\_\_ children \_\_\_\_\_ children in respect of the block of two years 19\_\_\_\_\_ 19\*\_\_\_\_\_ by my wife/myself with \_\_\_\_\_ children \_\_\_\_\_  
Children none of whom availed of the concession relating to that block.  
This claim is in respect of the journey performed.
4. I have already drawn T.A. for the Leave Travel Concession in respect of journey performed by me in the year 19\_\_\_\_\_ in respect of block f two years 19\_\_\_\_\_ this claim is in respect of the journey performed by me in the year 19\_\_\_\_\_. This is against the concession

admissible once in every year in a prescribed block for visiting home town as all the members of my family are living away from my place of work.

5. The Journey has been performed by me/my wife with \_\_\_\_\_ Children \_\_\_\_\_  
Children to the declared home town viz., \_\_\_\_\_

6. That my husband/wife is not employed in

That my husband/wife is employed in Board's service and the concession has not been

Board's service

Availed of by him/her separately for himself or for any of the family members for the concerned block of two years.

SIGNATURE OF THE EMPLOYEES