

THE COCHIN PORT EMPLOYEES (LEAVE TRAVEL CONCESSION) REGULATIONS, 1964

G.S.R. 312 :- In exercise of the powers conferred by Section 126, read with Section 28 of the Major Port Trust Act 1963 (38 of 1963) the Central Government hereby makes the following regulations, namely:-

1. Short title and commencement

- (1) These regulations shall be called the Cochin Port Employees (Leave Travel Concession) Regulation, 1964.
- (2) They shall come into force on the 29th February, 1964.

2. Interpretation

In these regulations, unless the context otherwise requires

- (1) 'Accounts Officer' means the Financial Adviser & Chief Accounts Officer of the Board
- (2) 'Board', 'Chairman', 'Deputy Chairman' and 'Head of a Department' shall have the meanings assigned to them in the Major Port Trust Act, 1963.
- (3) 'Concession' means the leave travel concession admissible under these regulations.
- (4) 'Employee' means an employee of the Board.
- (5) ¹First, Second, Third, and Fourth Grade employees will have the same meanings assigned to them in the rule applicable to an employee, as amended from time to time, for the purpose of travelling allowance.

3. Extent of application

- (1) The concession is admissible to the Board's employees of all grades including:
 - (a) The industrial and work-charged staff who are entitled to regular leave;
 - (b) The officers appointed on a contract basis if the period of contract is more than one year, and re-employed officers on completion of one year's continuous service.
- (2) The concession is not admissible to persons who are
 - (i) not in the whole - time employ of the Board, or
 - (ii) paid from contingencies.
- (3) The concession is not admissible to an employee who has not completed one year of continuous service on the date of the journey performed by him or his family, as the case may be.

The condition of one year's continuous service on the date of the Journey for admissibility of the concession is applicable equally to permanent employees and probationers as well as the temporary and officiating employees.

¹ Substituted w. e. f. 22-6-1976 vide Notification No. P.O. M./ 32 / 74 dated 10-6-76 approved vide Ministry's letter No. PEX (31) / 76 dated 3/6-5-1976.

4. ¹ Frequency of entitlement

(1) The concession shall be admissible to the employees.

- (i) Once in a period of two calendar years for visiting his home town;
- (ii) Once in a period of four calendar years for journeys to any place in India.

²[Note: Unmarried employees who have left their wholly dependent parents, sisters and minor brothers at their home town may also avail of the benefit of Leave Travel Concession to visit their home town every year. This concession will be in lieu of all other Leave Travel Concession facilities admissible to the employee himself and the aforesaid parents, sisters and minor brothers]

It shall cover the employees and their families as defined hereunder.

Explanation-I: The term "Once in a period of two calendar years" means once in each block of two calendar years starting from the year 1976. Thus the concession on the first occasion will be admissible during the block of two consecutive years 1976-77 on subsequent occasions it will be admissible during the calendar years 1978-79, 1980-81 and so on.

Explanation-II: The term "Once in a period of four calendar years" means once in each block of four calendar years starting from the year 1976. Thus, the concession on the first occasion will be admissible during the block of four consecutive years 1976- 79. On subsequent occasions it will be admissible during the calendar years 1980-83, 1984-87 and so on. Employees who are entitled to the concession for journeys to their home town shall also be eligible to avail themselves of the concession for journeys to any place in India once in a block of four years but, if this concession is utilised it will be in lieu of and adjusted against the concession for journeys to home town including the concession, if any, carried forward to which they may be entitled at the time the journey to any place in India is undertaken. Such employees shall be entitled to carry forward the concession to travel to any place in India to the first year of the next block of four years only if they are entitled to a carried forward concession to home town for that year.

It is also clarified that in the case of such employees as have carried forward the concession to the home town pertaining to the block 1974-75 to 1976, only one out of the three journeys (including the above carried forward) that they are entitled to in the block of years 1976-79 can be utilised for performing a journey to a place other than the home town. In view of the provision for carry forward, this journey can either be performed in the period 1976-79 or if not performed, it can be carried forward to 1980, the first year of the next block provided the concession for the home town for the block year 1978-79 has not been utilised

- (2) An employee who has a family living away from his place of work may instead of having the concession for his family as well as for himself once in a block of two years, avail of the concession for himself alone once every year during each block for visiting his home town.
- (3) The employees and their families, who are unable to avail themselves of the concession in a block of two years or four years as the case may be, may be permitted to avail of the concession before the end of the first year of the next block.

¹ Substituted w. e. f. 22-6-1976 vide Notification No. P.O. M./ 32 / 74 dated 10-6-76 approved vide Ministry's letter No. PEX (31) / 76 dated 3/6-5-1976

² Inserted vide Ministry's Notification No. PR-12016/25/94-PE-II and published in the Gazette of India under G.S.R. 596 (E) dated 27-7-94

Illustration: In a case where the employee and his family could not avail themselves of the concessions in the 1976-77 block / 1976-79 block they may avail of it in the year 1978/80, as the case may be. The concession due for 1976-77 block should, however, be availed of by them before 31st December, 1978 and that due for 1976-79 block before 31st December, 1980. In case they fail to avail themselves of the concessions before that date, their title to the concession for that block shall be treated as having lapsed. The benefit of the concession shall be available to the employees and their families separately. The usual prescribed blocks, namely, 1976-77, 1978-79 etc. 1976-79, 1980-83 etc. as the case may be, shall remain unchanged.

(4) In the event of the return journey falling in the succeeding year, the concession shall be counted against the year in which the outward journey had commenced.

5. ¹ [Entitlement

- (1) Every employee shall be entitled to Leave Travel Concession for visiting his / her home town / any place in India and the Board shall reimburse the actual fares in full for the entire distance. In every case, the journey should be to the 'home town' and back or to 'any Place in India' and back, as the case may be, and the claim should be for both outward and return journeys. The journey need not necessarily commence from or end at the head quarters of an employee either on his/her own case or in the case of his/ her family. But the assistance admissible shall be the amount admissible for the actual distance travelled, limited to the amount that would have been admissible had the journey been performed between the head quarters and the home town of the employees or any place in India, as the case may be.
- (2) An employee may travel in any class, higher or lower but the Board's assistance shall be limited to the actual fare for accommodation by the entitled class or lower class as the case may be, to the extent actually used, at single rate for the employee himself / herself and each entitled member of his / her family for whom full fares are payable and at half the rates for children between the ages of five and twelve years for whom half fares are payable.]

6. ² [Definition of family

The term 'family' means an employee's wife or husband, as the case may be, residing with the employee, legitimate children and stepchildren, parents, Step-mother, unmarried sisters and minor brothers residing with and wholly dependent upon the employee. Where the spouse of an employee is also employed in the Board's service / State or Central Government Departments / Public sector Undertaking / Corporations / Autonomous Bodies / Local Bodies etc. which provide Leave Travel Concession facilities the claim for the concession shall be preferred by one of them only and not both and the concession shall be admissible to the family on the scale admissible to the husband or wife, as the case may be.

Only one wife is included in the term 'family'

An adopted child shall be considered to a legitimate child. If under the personal law of the employee, adoption is legally recognised as conferring on it the status of a natural child.

Major sons and married daughters who have been divorced abandoned or separated from the husband (including widowed daughters) are included in the term 'family' so long

¹ Substituted vide Ministry's Notification No PR-12016/14 / 87-PE I published in the Gazette of India under GSR 336(E) dated 10-3-1988

² Substituted vide Ministry's Notification No. PR-12016/25/94-PE-II and published in the Gazette of India under G.S.R. 596 (E) dated 27-7-94

as they are residing with and wholly dependent upon the employee.

Widowed sisters residing with and wholly dependent upon the employee (provided their father is either not alive or is himself wholly dependent on the employee concerned) are also included in the definition of 'family'.

A member of the family whose income from all sources including pension (inclusive of temporary increase in pension and pension equivalent of DCRG benefit) or stipend etc does not exceed Rs 500 p.m is deemed to be 'wholly dependent' upon the employee.

Note: 1. For spouse and minor children including unmarried daughters the condition 'residing with' has been waived. In the case of other members failing within the definition of 'family', the existing conditions and restrictions will continue to be in force.

Note: 2. In cases where the employee has left his / her spouse and the dependent children at place other than his / her Headquarters, he may be allowed Leave Travel Concession in respect of them from the place of their residence to home town in a block of 2 years or any place in India in a block of 4 years, as the case may be but the reimbursement should in no case exceed the actual distance travelled by the family or the distance between the Headquarters / place of posting of the employee and the place visited / home town, whichever is less.]

7. ¹ Employees and family independent units

An employee and the members of his family may travel either independently or together as may be convenient to them and the claim for reimbursement in respect of the journey of the one need not depend on the journey performed by the other. The members of the family of an employee (other than those who actually accompany him) may either travel together or separately in different groups as may be convenient to them. Where they travel in different groups at different times, reimbursement of expenditure shall be allowed in respect of each such group if the outward journey is performed during the currency or the block in respect of which the first group performed its journey and the return journey of each group is completed within six months from the date of commencement of the outward journey by that group. This condition may be relaxed in special cases - by the Chairman or the Deputy Chairman. Carry forward of the concession by those groups who have not availed of it shall be permitted even if the other groups have availed of it during the block period itself.

8. Home Town

'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, duly supported by reasons such as, ownership of immovable property, permanent residence of near relatives, e.g. parents, brothers etc. as the place where he would normally reside but for his absence from such a station for service in the Board. The criteria mentioned below may be applied to determine whether the employee's declaration of home town may be accepted.

- (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

¹ Substituted w. e. f. 29-7-78 vide Ministry's Notification No.PEX 34/78 dated 7-7-78 published under G.S.R. 963 dated 29-7-78.

member of a joint family having such property there;

- (iii) Whether his near relations are resident in that place;
- (iv) Whether, prior to this 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 case where the immediately preceding criterion is not satisfied. 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 Deputy Chairman whether or not to accept such a place as the home town of the employee shall be final. 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.

9. Declaration of Home Town

- (1) Every employee shall make a declaration of his home-town within six months from the date of commencement of these regulations. Every new entrant to the Board's service shall make a declaration as to his home town before the expiry of six months from the date of his entry into the Board's service.

¹[**Note:**Where both husband and wife are employed in the Board's service, or either of them is employed in the State Or Central Government Department / Public Sector Undertakings / Corporations/ Autonomous Bodies / Local Bodies etc. which provide Leave Travel Concession facilities, they could, at their option, choose to declare separate home town and both of them may claim the concession separately under the normal provisions of Regulations / Rules in respect of the members of their respective families subject to the condition that if husband or wife avails the facility as a member of the family of the other, he or she will not be entitled for claiming the concession for self independently . Similarly, the children shall be eligible for the benefit in one particular block as members of the family of one of the parents only. All other conditions for admissibility of the Leave Travel Concession shall continue to be applicable as per normal provisions of the Regulations.]

- (2) ²[The declaration made by an employee shall be subject to in each case to the acceptance by the Authority competent to sanction the concession who shall satisfy himself about the correctness thereof after calling for such evidence as he may consider necessary. The effective date of declaration of home town shall be the date on which employee made it and not the date of its acceptance by the competent authority or the date of communication conveying such acceptance.]
- (3) A declaration of 'home town' once made shall ordinarily be treated as ' final' but in exceptional circumstances the Chairman or Deputy Chairman may authorise a change in such declaration provided that such a change shall not be made more than once during the period of service of the employee. In the case of person on deputation to the Board, such requests shall be affected only with the approval of the lending authority.
- (4) ² [The declaration of home town made after the prescribed time limit may be accepted by the authority competent to sanction the concession, against the one chance for

¹ Inserted vide Ministry's Notification No. PR-12016/25/94-PE-II and published in the Gazette of India under G.S.R. 596 (E) dated 27-7-94

² Substituted vide Ministry's Notification No PR-12016/14 / 87-PE I and published in the Gazette of India under GSR 336(E) dated 10-3-1988

changing the declaration of home town and this shall be treated as a final declaration of home town and no further change of home town shall be allowed in such cases.

- (5) The authority competent to sanction the concession shall maintain a register of home towns in respect of the employee under his control.]

10. Journey between places Connected by Rail

- (1) The class of railway accommodation to which an employee and his family shall be entitled is the class to which he is entitled under the normal travelling allowance rules at the time the journeys are undertaken. It is permissible for an employee or his family or both to travel in a class higher or lower than that to which he or his family is entitled; in the former case ¹ [the Board's liability under sub-regulation (1) of regulation 5] shall be restricted to [] the fare by the class to which the employee is entitled and in the latter case [] the fare by the class in which the employee or his family had actually travelled.
- (2) ² [An employee or members of his / her family may avail of any concessional return journey tickets offered by the railway authorities (i.e. seasonal concession, student's concession etc.) in conjunction with the leave travel concession. It will be permissible while utilising such a concessional ticket to travel in any class, higher or lower than the entitled class. In such cases, both in respect of journeys to 'Home Town' and 'any place in India / in India', the amount reimbursable shall be the fare for the shortest route between the headquarters and 'home town' / 'any place in India' as the case may be, calculated on the basis of the concessional fare charged.]
- (3) ²[An employee who is normally entitled to travel by the first class or second class, may travel by 3rd class in the delux air-conditioned train while availing himself / herself of the concession. The cost on account of the surcharge over the third class fare which is levied in such a case shall be borne by the Board in full.]
- (4) An employee (or his family members) normally entitled to travel by I or II class of railway accommodation may travel by III class and avail of the sleeper accommodation. In such cases extra cost incurred for sleeper accommodation shall be borne by the Board.
- (5) Employees of the third and fourth grades may travel by mail or express trains when availing themselves of the concession, and may claim reimbursement accordingly. In such cases, a certificate to the effect that the journey was actually performed by a mail or express train should be recorded by the claimant on his Travelling allowance bill.
- (6) ² [When an employee or any member of his / her family performs the journey by a long route (which is not the cheapest) in to different classes of railway accommodation, for example, partly by second class to which he / she is entitled and partly by third class, the entitled class rate is admissible for the corresponding proportion of the shortest or the cheapest route and the lower class rate for the remaining mileage by such route.]
- (7) ² [Where an employee or his / her family or both travel (s) by air or by road or by steamer, between two places connected by rail the Board's assistance shall be limited to what would have been admissible had the employee or his/ her family travelled by rail in the authorised class or the actual expenses, whichever is less.

¹ Substituted w. e. f. 1-9-78 vide Ministry's Notification No.PW / PEX -29 /79 dated 20-3-81 published in the Gazette of India dated 2-5-81 under GSR 446.

² Substituted vide Ministry's Notification No PR-12016/14 / 87-PE I and published in the Gazette of India under GSR 336(E) dated 10-3-1988

¹[The tours conducted by IRCTC will also qualify for the purpose of availing LTC on the lines of ITDC / STDCs subject to the following conditions:-

- (i) A Certificate will be issued by the IRCTC Ltd. that the journey has actually been performed by the Govt. servant and his family members for which he is claiming the Leave Travel Concession.
- (ii) IRCTC Ltd. will indicate separately the rail fare and bus fare component]

In the case of travel by road, no assistance shall be allowed for journeys performed by private cars, private chartered vehicles, vehicles taken on hire by private parties from Tourism Development Corporation or State Transport Corporation or Transport undertakings of local bodies and run on charter by such private parties and vehicles owned or borrowed or hired by the employees of the Board / Government servants. However, Board's assistance shall be allowed in case the employee or any member of his / her family performs the journey by private buses operating as regular transport service from point to point (as distinct from private chartered buses) at regular interval on fixed fare rates; with the approval of the Regional Transport Authority / State Government (s) concerned.]

11. Journeys between places not connected by rail

- (1) ²[The Board's assistance for journeys between places which are not connected by rail shall be admissible to the employees as under :-]
- (i) ²[For the journey which is covered by a recognized public transport system operated by Tourism Development corporations, State Transport Corporations and Transport services run by other Government or local bodies, the Board's assistance shall be allowed on the basis of the fares actually charged by such a system for the appropriate class of accommodation. Where there are more than one class of accommodation the appropriate class may be determined as follows:-]
- (a) Where there are only two classes, employees drawing pay Rs.500/- per mensem or above shall be entitled to the higher class and those drawing pay less than Rs.500/- per mensem shall be entitled to the lower class.
- (b) Where there are more than two classes, employees drawing pay of Rs.500/- per mensem or above shall be entitled to the highest class, those drawing less than Rs.500/- per mensem other than Class IV employees shall be entitled to the second highest class and class IV employees shall be entitled to the lowest class:

³[**Explanation** The term "recognised public transport system" means vehicles operated by Tourism Development Corporations, State Transport Corporations and Transport service run by other Government or Local Bodies otherwise than on Charter and includes private buses operating as regular transport service from point to point (as distinct from private chartered buses) at regular intervals on fixed fare rates, with the approval of the Regional Transport Authority / State Government (s) concerned.]

¹ Inserted vide Ministry's Notification No. PR-12016/1/2010-PE-I and published in the Gazette of India under G.S.R. 439(E) dated 07-06-2012.

² Substituted vide Ministry's Notification No PR-12016/14 / 87-PE I and published in the Gazette of India under GSR 336(E) dated 10-3-1988

³ Inserted vide Ministry's Notification No PR-12016/14 / 87-PE I and published in the Gazette of India under GSR 336(E) dated 10-3-1988

- (2) ¹[In respect of places which are not connected by rail, the employee may travel by steamer or air where an alternative means of travel is either not available or is more expensive. In such cases, the surface journey to the nearest Port shall be regulated under the normal 'Leave Travel concession rules and the Sea Passage shall be regulated in accordance with the provisions of SR 40.]
- (3) ²[Where an employee or his / her family or both travel (s) by air or road or steamer between two places not connected by rail, Board's assistance shall be allowed on the basis of actual fares at single rate for the employee himself / herself and each entitled member of his / her family for whom full fares are payable and at half the rates for children between the ages of five and twelve years for whom half fares are payable.]

12. No incidentals admissible

No incidental expenses shall be admissible for journeys performed under the concession.

13. ¹ [Concession based on shortest route

The employee or his / her family may travel by any route or halt any where on the way to or from home town / any place in India, as the case may be, but the Board's assistance for the cost of railway fare between the Employee's headquarters and his / her home town / any place in India as the case may be, shall be limited to the fare, by the shortest route calculated on a through ticket basis.]

³ Provided that in cases where the shortest route by which the journey is required to be performed is disrupted due to accidents or other causes, the reimbursement by the actual route travelled shall be granted.

Explanation: The term 'shortest route" shall carry the same interpretation as recognised for travel on duty.

14. ¹[Journeys of Weighted Mileage

If for a part or for the entire Leave Travel Journey to the home town / any place in India, an employee has to pay railway fare on the basis of an assumed or weighted mileage (as for example, on the Kalka-Simla Section) or at inflated rates, (for example, on the Siliguri-Dargeeling Section), the employee concerned shall be entitled to reimbursement of the actual railway fare (inclusive of passenger tax) from the railway station nearest to his head quarters to his home town / any place in India for both the outward and return journeys.]

15. Concession for one way journey

The concession shall be admissible to the members of employee's family with reference to the facts existing at the time of the forward and return journeys independently.

Illustrations:-

- I. Entitled to reimbursement in respect of the outward journey only.

¹ Substituted vide Ministry's Notification No PR-12016/14 / 87-PE I and published in the Gazette of India under GSR 336(E) dated 10-3-1988

² Inserted vide Ministry's Notification No PR-12016/14 / 87-PE I and published in the Gazette of India under GSR 336(E) dated 10-3-1988

³ Inserted w.e.f. 29-7-1978 vide Ministry's Notification No PEX-34/78 dated 7-7-1978 and published in the Gazette of India under GSR 963 dated 29-7-1978

- (i) A dependent son or daughter getting employment or getting married after going to home town / any place in India or remaining there for prosecution of studies.
 - (ii) The family having performed the journey to home town / any place in India have not intention of completing the return journey from home town / any place in India 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 reimbursement in respect of return journey only.
- (i) A newly married wife coming from home town / any place in India to headquarters station or wife who was been living at home town / any place in India 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 coming alone from home town/ any place in India where he or she has been prosecuting studies or living with grandparents 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 / any place in India.

16. Leave Travel Concession in combination with transfer or tour

- (1) ¹[Where an employee going to home town any place in India on leave proceeds there from on transfer to the new headquarters, he / she may be allowed as his / her minimum entitlement, Transfer Travelling Allowance admissible under the rules. He / she may be allowed, in addition, leave travel concession under these regulations, to the extent the distances from the old headquarters to the home town / any place in India and from the home town / any place in India to the new headquarters exceeds the total distance for which Transfer Travelling Allowance is admissible.

Illustration:- If 'A' is the old headquarters, 'B' home town / any place in India and 'C' the new headquarters, the entitlement of the employee on account of leave travel concession will be (distance AB plus distance BC) minus distance for which Transfer Travelling Allowance is admissible.]

- (2) In a case where the distance for which the concession admissible as a 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 occasion 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 of 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 travelling allowance entitlement.
- (3) When an employee proceeds with proper prior permission to ² [home town / any place in India] on regular leave from a tour station and returns to headquarters direct from ²[home town / any place in India] 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 ²[home town / any place in India] and the concession for the journey from tour station to ²[home town / any place in India] and back to headquarters, the tour station being deemed to be the starting point for the onward journey.

¹ Substituted vide Ministry's Notification No PR-12016/14 / 87-PE I and published in the Gazette of India under GSR 336(E) dated 10-3-1988

² Substituted w. e. f. 22-6-76 vide Notification No. P./ OM / 32 / 74 dated 10-6-76 approved vide Ministry's letter No. PEX (31) / 76 dated 3 / 6-5-76.

- (4) In case an employee proceeds to a tour station from ¹[home town /any place in India] with proper prior permission and returns to headquarters there from he may be allowed the concession as admissible under these regulations from headquarters to ¹[home town / any place in India] and travelling allowance as on tour for the journey from ¹[home town / any place in India] to tour station and back to headquarters.

17. Concession Restricted within India

- (1) The concession shall be restricted to journeys within India shall be admissible for journeys between places connected by rail or partly connected by rail and partly connected by road or by steamer services and not connected by rail.
- (2) An employee who declares, subject to the satisfaction of the Chairman or Deputy Chairman that his home town is, outside India shall be entitled to the concession for visiting his 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 railway station (by the shortest route) nearest to the home town in India or
- (ii) the railway station for the nearest port of embarkation / disembarkation in India.

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

18. Nature of leave

- (1) The concession shall be admissible in the case of journeys performed by the employees during casual leave. ¹ [including special casual leave] and regular leave including, medical leave, leave on average pay, earned leave, leave on half-average pay, or extra ordinary leave, maternity leave. The concession shall not be admissible to an employee who proceeds on leave and then resigns his post without returning to duty. The above mentioned condition shall not apply to journeys performed by the members of family of the employee. ² [The concession shall not be admissible to an employee under suspension however members of his family are entitled to the concession

Provided that no leave Travel Concession is admissible when an employee undertakes a journey during the weekend or any other period of holidays alone]

- (2) ³ The concession shall be admissible to an employee and his family during leave preparatory to retirement provided that the return journey is completed before the expiry of leave and that the concession had not been availed of earlier during that particular block of calendar years.
- (3) ⁴ [The concession shall be admissible to the employee while on study leave. In such cases, the claims are to be regulated as under:

¹ Substituted w. e. f. 22-6-76 vide Notification No. P/ OM / 32 / 74 dated 10-6-76 approved vide Ministry's letter No. PEX (31) / 76 dated 3 / 6-5-76.

² Inserted vide Ministry's Notification No. PR-12016/25/94-PE-II and published in the Gazette of India under G.S.R. 596 (E) dated 27-7-94

³ Substituted w. e. f. 29-7-78 vide Ministry's Notification No. PEX 34 / 78 dated 7-7-78 published in the Gazette of India under GSR 963dated 29-7-78

⁴ Inserted vide Ministry's Notification No. PR-12016/25/94-PE-II and published in the Gazette of India under G.S.R. 596 (E) dated 27-7-94

(a) For self:

Employee can avail leave travel concession from the place of study to any place in India / home town, subject to the condition that the reimbursement of fare should be restricted to the fare admissible for travel between his Headquarters station and any place in India home town or actual expenditure, whichever is less.

(b) For the family members:

(i) When the family members are staying with the employee at the place of his study: the reimbursement will be as indicated at (a) above.

(ii) When not staying at the place of his study: the reimbursements will be as under the normal terms and conditions of the Leave Travel Concession.]

(4) An employee or his family members or both shall be entitled to the concession irrespective of the actual period of stay in his home town / any place in India.

19. Contract employees

Every employee appointed on contract basis shall be eligible to the concession on completion of one year's continuous service if the period of contract is more than one year. Where the initial contract is for one year but is later extended, the total duration of the contract shall be taken into account for this purpose. The grant of the concession to employees on contract shall be subject to the condition.

(i) That the successive blocks of two calendar years / four calendar years as the case may be, in the case of such employees shall be reckoned from the actual dates of their joining posts under the Board. If, however, an officer has joined a post in the port before 1st January 1976, the first block should be reckoned from 1st January 1976, the 31st December 1977 or 1st January 1976 to 31st December 1979 as the case may be;

(ii) That the appropriate administrative authority certifies at the time the employee concerned avail himself of the concession that he is likely to continue to serve under the Board for a period of two years / four years, as the case may be, from the date of his joining a post under the Board. The admissibility of the concession during the subsequent two year period / four year period will also be subject to similar condition.

20. Retired employees re-employed

Retired employees who are re-employed are eligible to the concession on completion of one year's continuous service, subject to the conditions, laid down in Regulations 19. But in case of re-employment immediately after retirement, the period of re-employed service may be treated as continuous with the previous service for the purpose of this concession and the concession allowed for the re-employed period provided that the concession would have been admissible to the employee had he not retired.

21. ¹Mode of preferring claim

Cash reimbursement of the fare 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.

¹ Substituted w. e. f. 01-9-78 vide Ministry's Notification No. PW/PEX-29/79 dated 20-3-81 published in the Gazette of India dated 02-5-81

22. Prescribed Certificates

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

23. Obligatory Evidence

The employee shall inform the Chairman or Deputy Chairman before journeys for which assistance under these regulations is claimed are undertaken. He shall also produce evidence of his having actually performed the journey, for example, serial numbers of railway tickets, cash receipt etc., relaxation of a minor nature viz. in respect of production of serial numbers of railway tickets or cash receipts for railway tickets, prior intimation to the Chairman or Deputy Chairman before the journeys are undertaken by the employee or their families or both under these regulations may be made by the Chairman or Deputy Chairman if he is otherwise satisfied in regard to the genuineness of the claim and the bonafides of the journey having been performed. There shall be no objection to such relaxation being made by the Chairman himself purely on merits in really deserving cases and not as a general measure.

24. Record of Assistance

A record of all assistance granted under this regulation shall be suitably maintained. In the case of class III and class IV employees the record should be in the form of entries in the service book or other appropriate records and should indicate the date or dates of the journey or journeys to the ¹ [home town / any place in India] commenced. The authority responsible for the maintenance of the service record shall ensure that on every occasion an employee proceeds on leave, the fact that he availed of leave travel concession is indicated in the record.

25. Advance

To enable the employees to avail of the travel concession an advance may be made on the following terms and conditions, namely:

- (a) ² [The amount of advance in each case shall be limited to ninety percent of the estimated amount which Board would have to reimburse in respect of the cost of journeys both ways to the home town / any place in India and back]
- (b) Where the employee and members of his family avail themselves of leave travel concession separately i.e., at different time, the advance may be drawn separately to the extent admissible and adjustments of claims may be made separately. Where however, a consolidated advance is drawn by the employee in respect of the members of his family, the adjustment claim shall be prepared in a single bill;
- (c) The advance may be drawn for both the outward and return journeys of the employee of the members of his family of both at the time of commencement of the outward journey, provided that 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 90 days. Where the period of leave or the period of anticipated absence exceeds the said limit, the advance may be drawn for the outward journey only. Where an advance has been drawn for both the outward and the return journeys and later it

¹ Substituted w. e. f. 22-6-76 vide Notification No. P/ OM / 32 / 74 dated 10-6-76 approved vide Ministry's letter No. PEX (31) / 76 dated 3 / 6-5-76.

² Substituted vide Ministry Notification No. PR. 12016 /22/88- PE-I published in the Gazette of India under GSR 1172 (E) dated 12-12-1988.

becomes clear that the period of absence of either the employee or the employee's family from headquarters is likely to exceed the said limit; one half of the advance should be refunded to the Board forthwith;

- (d) The advance in respect of temporary employees and their families will be sanctioned subject to the production of by them of surety of a permanent employee.
- (e) ¹In the case of journey otherwise than by rail, the advance shall be refunded forthwith if the outward journey is not commenced within 30 days of the grant of the advance, In the case of journey by rail, the advance shall be refunded forthwith if the outward journey is not commenced within 60 days of the grant of the advance. In the latter case, the employee should, however, produce railway cash receipts within 10 days of the drawal of advance to show that he has actually utilised the amount to purchase the tickets, failing which the amount shall be refunded forthwith.
- (f) The Travelling Allowance claim in adjustment of the advance drawn should be prepared within one month of completion of the return journey.
- (g) The account of advance drawn for leave travel journey will be rendered after completion of the journeys in the same way as for an advance of Travelling Allowance on tour;
- (h) The adjustment of the advance will be watched through objection book by the Accounts Officer.
- (i) ² [If an employee violates the conditions specified in sub-regulation (e), the amount of advance shall, from the date of its disbursement carry interest as applicable to advance for the purchase of Conveyance (other than motor car) plus penal interest at 2 ½ percent over and above the prescribed rate of interest.]

26. Head of Account

The expenditure on the concession of the advance granted in that connection shall be debited to a separate detailed head "Travel concession" under the Sub-Head 'Allowances Honoraria, etc.' subordinate to the appropriate final head of account to which they pay, etc. of the employees concerned is debited.

27. ³ Interpretation

If any question arises relating to the interpretation of these regulations, it shall be referred to the Central Government who shall decide the same.

¹ Substituted w.e.f. 21-7-79 vide Ministry's Notification No. PEX -30 /79 dated 7-7-79 published in the Gazette of India under GSR 973 dated 21-7-79.

² Inserted vide Ministry's Notification No PR-12016/14 / 87-PE I and published in the Gazette of India under GSR 336(E) dated 10-3-1988

³ Substituted w.e.f. 26-7-77 vide Notification No. P2 / 1771 (II)/ 77 dated 5-7-77 approved vide Ministry's Notification dated 14-6-77.

APPENDIX - I

Certificate to be given by the Chairman / Deputy Chairman

Certified:-

- i. That Shri / Shrimati / Kumari (name of the employee)
has rendered continuous service for one year or more on the date of commencing
the outward journey;
- ii. That necessary entries as required under Regulation 24 of these Regulations
have been made in the Service Book of Shri / Shrimati / Kumari
.....

Signature of the Chairman / Deputy Chairman

¹APPENDIX - 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 the members of my family in respect of the block of two years / four years 20 and 20
2. I have already drawn T.A. for the Leave Travel Concession in respect of a Journey performed by me / my wife with..... children. This claim is in respect of the journey performed by my wife / myself with children one of whom travelled with the party on the earlier occasion.
3. The journey has been performed by me/ my wife with children to the declared home town / any place in India viz.....
4. Certified that my wife / husband for whom Leave Travel Concession is claimed by me is employed in the Board's service(Name of the State / Central / Government Department / Public sector Undertaking / Corporation / Autonomous Body Local Body etc.) which provides leave travel concession facilities, but she / he has not preferred and will not prefer any claim on this behalf to her / his employer during any year of the concerned block of 2 years / 4 years as the case may be separately for himself / herself of any member (s) of the family.

OR

- ** Certified that my wife / husband for whom Leave travel Concession is claimed by me is not employed in the Board's service / any State / Central Government Department / any public Sector Undertaking / Corporation / Autonomous Body financed wholly or partly by the central Government or a Local Body which provides Leave Travel Concession facilities to its employees and their families.

Signature of the employee

** Strike out the portion not applicable.

¹ Substituted vide Ministry's Notification No PR-12016/14 / 87-PE I and published in the Gazette of India under GSR 336(E) dated 10-3-1988

Foot Note: The Principal regulations were published in the Gazette of India vide GSR No.312 dated 29-2- 1964. The regulations were subsequently amended vide the following Notifications:-

1. No. P/ OM / 59 / 67 dated 18-11-67, published in Kerala Gazette dated 5-12-67.
2. No. P / OM / 32 / 74 dated 10-6-76, published in the Kerala Gazette dated 22-6-1976.
3. No. P2 / 1771 (II) / 77 dated 5-7-1977, published in the Kerala Gazette dated 26-7-1977.
4. No. PEX-66 /77 dated 29-10-77 G.S.R. No. 1581 dated 19-11-1977.
5. No. PEX-34 / 78 dated 7-7-78 G.S.R No. 963 dated 29-7-1978.
6. No. PEX 30 /79 dated 7-7-1979 G.S.R. No. 973 dated 21-7-1979.
7. No. PW / PEX-29 dated 20-3-1981 G.S.R. No. 446 dated 2-5-1981.
8. PR-12016 / 14 / 87 PE-I dated 10-3-1988 published in the G.O.I dated 10-3-1988 under G.S.R. 336 (E).
9. No. PR. 12016 /22/88- PE-I published in the Gazette of India under GSR 1172 (E) dated 12-12-1988
10. No. PR-12016/25/94-PE-II and published in the Gazette of India under G.S.R. 596 (E) dated 27-7-94
11. No. PR-12016/1/2010-PE-I and published in the Gazette of India under G.S.R. 439(E) dated 07-06-2012.