

THE COCHIN PORT TRUST EMPLOYEES (EDUCATIONAL ASSISTANCE) REGULATIONS, 1993.

1. Short Title and Commencement

- (1) These Regulations may be called the Cochin Port Trust Employees (Educational Assistance) Regulations, 1993.
- (2) They shall come into force on the date on which Central Government's approval thereto is published in the Official Gazette.

2. Application

- (1) These Regulations shall apply to the employees of the Board including those on deputation to the Board but shall not apply to:-
 - (a) Persons in casual or daily rated or ad-hoc or part time employment;
 - (b) Persons employed on contract except where the contract provide otherwise, and
 - (c) Persons paid from contingencies.
- (2) These Regulations shall also apply to employees on deputation to other organisations or foreign service provided necessary provision in regard to the drawal of educational assistance under these Regulations from such organisations or foreign employees is expressly made in the terms of deputation or foreign service.

3. Definitions

In these Regulations, unless the context otherwise requires:-

- (a) "Child" means a child of an employee and includes a step-child and an adopted child, who is wholly dependent on the employee.
- (b) "Board", "Chairman", "Dy. Chairman" and "Head of Department" shall have the same meanings as assigned to them respectively in the Major Port Trust Act 1963.
- (c) "Employee" means an employee of the Board
- (d) "Higher Secondary or Senior Secondary Classes" means classes XI and XII and include classes upto the equivalent of XII: class 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.
- (e) "Primary Classes" means classes I to V but does not include kindergarten or nursery classes
- (f) "Recognised School" means a Govt. School or any educational institution whether in receipt of Govt. aid or not recognised by the Central or State Govt. 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 education;
- (g) "Secondary classes" means classes VI to X
- (h) "Tuition Fee" means tuition fee payable and actually paid, and includes:-
 - (i) Science fee,
 - (ii) Laboratory fee, in case science fee is not separately charged.

- (iii) Special fee charged for agriculture as an elective additional subject and,
- (iv) any fee charged for subjects like music which are taught as part of the regular school curricular 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 tuition fees for the purpose of these regulations.

Explanation: "Tuition fee" does not, however, include:-

- (i) Domestic Science fund charges,
- (ii) Library fee,
- (iii) Games fee,
- (iv) Admission fee and
- (v) Extra-curricular activity fee

GENERAL CONDITIONS

4. Eligibility

Subject to the provisions of Regulations 11 to 24, all employees without any pay limit shall be eligible to draw children's educational allowance, reimbursement of tuition fee and Hostel subsidy.

Provided that the assistance will be admissible only if the children of the employee study in a recognised School.

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 the employee shall be eligible 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 remployer 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 the period.

(2) If the employee ceases to be in service by reasons of retirement, resignation, discharge, dismissal or removal from service in the course of an academic year, the allowance of reimbursement of tuition fee or hostel subsidy shall be admissible till the end of the academic year in which the event takes place.

(3) If an employee dies while in service, the children's educational assistance or reimbursement of tuition fees or hostel subsidy shall be admissible in respect of his / her children subject to observances of other conditions of its grant provided the wife / husband of the deceased is not employed in service of the Central Government, State Government, Autonomous Body, Public Sector Undertakings, Semi Govt Organisation

such as Municipality, Port Trust Authority or any other organisation partly or fully funded by the Central Govt / State Governments.

(4) The provisions under sub regulation (3) of Regulation 6 shall not be applicable in cases covered by the provision of Ministry of personnel, Public Grievances & Pensions (Dept. of Pension and Pensioners' Welfare) O.M. No. 33 / 5 / 89-P & PW (K) dated 9-4-90, relating to liberalised pensionary awards.

Payment under these Regulations shall be made by the Office in which the employee worked prior to his retirement, resignation, death, as the case may be, and will be regulated under the procedure laid down in Regulations 25-27.

7. Children's educational allowance, reimbursement of tuition fee or hostel subsidy shall be admissible only in respect of children between the age limits of 5 and 20 years. An employee shall not be eligible to draw Children's educational allowance, reimbursement of tuition fee or hostel subsidy for a child for more than two academic years in the same class.

NOTE: Children's Educational Allowance, reimbursement of tuition fee and hostel subsidy shall be admissible in respect of the child upto the end of the academic session even if he completes 20 years half way during the academic session.

8. Assistance in these Regulations shall be admissible to the employee in respect of not more than three children at any time, born upto 31-12-1987 and shall be restricted to 2 children at any time, born thereafter.

Provided that where an employee claims children's Educational Assistance in respect of some of his children and Hostel Subsidy in respect of other children, the total number of children in respect of whom the allowance or subsidy is drawn shall not exceed three children born upto 31-12-1987 and two children born thereafter.

9. The children's educational allowance, reimbursement of tuition fee 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 regularly.

Provided that no such allowance, reimbursement or subsidy shall be admissible in any case where the period of absence from the school without proper leave exceeds one month notwithstanding that the name of the child remains on the rolls of the school.

10. The children's educational allowance, reimbursement of tuition fee, 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 fee / hostel subsidy shall be admissible only to the extent of fees actually paid.

11. CHILDREN'S EDUCATIONAL ALLOWANCE

- (1) An employee is eligible to draw children's educational allowance when he is completed to send his child to a school away from the station at which he is posted and / or residing owing to the absence of a school of the requisite standard at that station.
- (2) For the purpose of this Regulations, the following schools shall not be deemed to be schools of the requisite standard:-

- (a) In so far as an Anglo-Indian child is concerned, a school not run by the Anglo Indian Community or a school not affiliated to the Council for Indian School certificate Examination of the Indian Council of Secondary Education.
- (b) A school 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; and
- (c) A school where teaching is conducted in a language different from the language of the child

Explanation 1 The language of the child will be the medium of instruction, in the school where the child was getting education earlier and 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 educational allowance will have to be determined with reference to the standard of the school, viz, primary, Secondary or higher Secondary or Senior Secondary and the medium of instruction and the language of the child and not to the absence of any particular subject in a particular institution.

- 12. The allowance shall be admissible to an employee at a station where there is no school of the requisite standard, only if the nearest school 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 and bring him back not too long after the school 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, of the requisite standard to a station where there is such a school 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 until the close of the academic year of the school in which his child was studying at the time of his transfer provided the child continues to study for that period in that school.
- 14. If a child of an employee is denied admission to a school of the requisite standard at the station at which the employee is posted and or residing because of there being no vacancy or for any other reasons, and the child is compelled to attend a school 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 of the requisite standard at that station.

Explanation:- The availability of a vacancy in a school shall be determined with reference to the position existing at the time of the admission of the child in the school whether it be at the start or in the middle of the session, in consultation with competent educational authorities of the area and not on the basis of the certificate of the school authorities.

- 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.

16. The allowance shall be admissible to an employee at the following Rates

Primary, Secondary and Higher Secondary class ¹Rs.100/- per month per child.

17. (1) The allowance shall be admissible to an employee throughout the year not withstanding that no tuition fee is paid during the vacation.

(2) In the case of a child who is successful at the final Secondary / Higher Secondary / Senior Secondary Examination, the allowance shall be admissible to the employee up to the end of the month in which the examination is completed or up to the end of the month up to which the school fees are charged, whichever is later.

(3) In the case of a child who fails in the final secondary, Higher Secondary, Senior Secondary Examination but resumes his studies, the allowance shall be admissible to the employee paid for the period of vacation intervening provided that fees are paid for the period of vacation.

18. REIMBURSEMENT OF TUITION FEE

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 Regulation is admissible to him.

19. The tuition fee payable and actually paid by an employee in respect of his child may be reimbursed.

²Subject to the following limits :-

(a) Class I to X Rs.40/- p.m. per child.

(b) Class XI to XII Rs.50/- p.m. per child.

(c) Class I to XII Rs.100/- p.m. per child in respect of physically handicapped and mentally retarded children.

(d) Kendriya vidyalayas :

Classes	Tuition Fee
I to VIII	No tuition fee will be charged at present
IX	Rs. 40/-
X	Rs. 40/-
XI	Rs. 50/-
XII	Rs. 50/-

¹ Revised rates vide Ministry's letter No. IPA/BWNC/2000 dated 2-8-2000

² Revised rates vide Ministry's letter No. IPA/BWNC/2000 dated 2-8-2000

Note : "Science fee " upto the limit of Rs.10/- p.m. will be reimbursable in addition to the tuition fees in respect of Children studying in Classes XI to XII and offering science subjects.

20. (1) The reimbursement of tuition fee charged by a college run by a University or affiliated to a University for pre-University first year of an Intermediate College or of a Technical College or first year class of polytechnic or for a correspondence course shall however be reimbursed in full subject to their being restricted to the rates prescribed by Govt. college for corresponding classes.
- (2) In cases where minimum qualifications for admission in the two years Diploma course in polytechnics 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 1st and the 2nd year classes of the above course.
21. Notwithstanding anything to the contrary in these Regulations, tuition fees payable and paid in respect of a 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 Govt. / State Government or Union Territory Administration.
- (b) The fee charged are approved by the Central Govt, or State Govt, 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 Govt. or Union Territory administration, the fee reimbursement shall be subject to a ceiling of Rs 50 p.m.

HOSTEL SUBSIDY

22. An employee shall be eligible to the grant of a subsidy at the rate of Rs. 150 p.m. per child if, because of his transfer he is obliged to keep his children in the hostel of a residential school 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 plus 2 stage in States and Union Territories, where the pattern of 10 plus 2 plus 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.
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 EDUCATIONAL ALLOWANCE.
REIMBURSEMENT OF TUITION FEES AND HOSTEL SUBSIDY**

25. An employee claiming children's educational Allowance, reimbursement of tuition fees and hostel subsidy shall furnish a certificate in the prescribed forms 1, 2, 3, & 4 as the case may be to the Head of Department at the time of preparing 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 the certificate to the next higher authority.

26. The Head of Department in regard to officers working in his Office and the next higher authority 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 by the drawing and disbursing Officer.

Provided that in the case of Children's educational allowance it shall be permissible for the allowance being drawn on 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 of the requisite standards does exist at the station of posting or residence or near such station as referred to in Regulation 12, he shall refund the allowance paid to him.

Provided further that the Head of Department or the next higher authority, as the case may be, may at his discretion, make enquiry at periodic intervals regarding admissibility of assistance under these Regulations.

27. The drawing and disbursing officer shall certify on the pay bill that the certificates mentioned in Regulation 26 in respect of the employee covered by the pay bill have been obtained.

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. ¹Interpretation

If any question arises as to the interpretation of these Regulations, the same will be decided by the Board.

¹ Substituted vide G.S.R. No. 564 (E) dated 26-7-95

FORM I

Reg. 25

CHILDREN'S EDUCATIONAL ALLOWANCE

1. Certified that my child / children mentioned below in respect of whom children's Educational Allowance is claimed is / are wholly dependent upon me and I am compelled to send my child / children away from the place of my posting / residence of due to non-availability of the school of the requisite standard at the station of my posting / residence or due to non-availability of a vacancy in such a school at the station of my posting / residence.

Name of the child	Date of birth	School / college in which studying location thereof and residence of the child	The place where the employee is residing	Class in which the child is studying	Monthly educational allowance admissible	Amount of allowance claimed for the period from July 20 to Feb. 200 March 200 to June 200
1	2	3	4	5	6	7
1.						
2.						
3.						

2. Certified that my child / children in respect of whom children's Educational Allowance is claimed is / are studying in the schools mentioned in column 3 which is / are recognised school (s) (Not applicable to schools run by Central Govt. / State Govt. / Union Territory administration / Municipal Corporation / Municipal Committee / Panchayat Samiti / Zila Parishad).

3. **Certified that:**

- (i) my wife / husband is / is not an employee / a Central Govt. servant.
- (ii) my wife / husband is an employee / a Central Govt servant and that she / he will not claim children's Educational Allowance in respect of our child / children.
- (iii) my wife / husband is employed with * she / he is not entitled to Children's educational allowance in respect of our child / children.

4. Certified that during the period covered by the claim the child / children attended the school regularly and did not absent himself / herself / themselves from the school without proper leave for a period exceeding one month,
5. **Certified that:**
the child / children has / have been not studying in the same class for more than two academic years.
6. In the event of any change in the particulars given above which affect my eligibility for Children's Educational Allowance I undertake to intimate the same promptly and also to refund excess payments, if any made.

(Signature of the Employee)

Name in Block letters

Designation & Office

Date.....

Place of posting

(Strike out whatever is not applicable)

* Employer other than Port Trust / Central Govt. to be mentioned.

FORM 2

REG. 25

REIMBURSEMENT OF TUITION FEE

1. Certified that child/children mentioned below in respect of whom reimbursement of tuition fee is claimed is/are wholly dependent upon me.

Name of the child	Date of birth	School in which studying	Class in which studying	Monthly tuition fee actually payable	Tuition fee actually paid from July 200... Feb 200....March 200..... to June 200....	Amount of reimbursement claimed
1	2	3	4	5	6	7
1.						
2.						
3.						
4.						

2. Certified that the tuition fee indicated against the child/each of the children had actually been paid by me (cash receipt/counterfoil of the Bank credit vouchers to be attached with the initial claim

(Contd....)

3. Certified that:
 - (i) my wife / husband is / not an employee / a Central Govt. servant.
 - (ii) my wife / husband is an employee / a Central Govt servant but he / she will not claim reimbursement of tuition fees in respect of our child / children.
 - (iii) my wife / husband is employed with * she / he is / is not entitled to reimbursement of tuition fees in respect of our child / children.
4. Certified that during the period covered by this claim, the child / children attended the school (s) regularly and / did not absent himself / herself / themselves from the school (s) without proper leave for a period of exceeding one month.
5. Certified that the child / children has / have not been studying in the same class for more than two years.
6. Certified that I or my wife / husband have / has not claimed and will not claim the Children's Educational Allowance in respect of the children mentioned above.
7. Certified that my child / children in r/o whom reimbursement of tuition fee is claimed is / are studying in the schools which is / are recognised school (s) (Not applicable to schools run by Central Govt / State Govt / Union Territory Administration / Muncipal Corporation / Muncipal Committee Panchayat Samiti / Zila Parishad.)
8. In the event of any change in the particulars above which effect my eligibility for Reimbursement of Tuition Fees, I undertake to intimate the same promptly and also to refund excess payments, if any made.

(Signature of the Employee)

Name in Block letters

Designation & Office

Dated.....

(Strike out whatever is not applicable)

* Employer other than Port Trust / Central Govt. to be mentioned.

FORM 3

Reg. 25

HOSTEL SUBSIDY

1. Certified that my child Shri / Kumari..... is studying in (Name of school) was admitted to hostel of the School on 20.....
(Certified from the Head of the School attached)
2. Certified that
 - (a) My wife / husband is / is not in Board's / Govt. Service is / is not drawing Hostel subsidy in r / o my child / children.
 - (b) The total number of children in respect of whom the hostel subsidy and children's Educational Allowance have been claimed does not exceed two ,
3. I undertake to inform my employer forthwith in the event of my withdrawing the child from the period and also in the event of their being any change in the particulars mentioned earlier.

(Signature of the Employee)

Name in Block letters

Designation & Office

Dated.....

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FORM 4

Reg. 25

HOSTEL SUBSIDY

.....(School)

(Name of the School and Place)

1. Name of boarder.....
2. Name of parent.....
3. Class to which admitted.....
4. Date of admission in the hostel.....
5. Period during the year for which the child would continue to stay in the hostel.

From

To

(a)

(b)

(c)

(d)

Dated.....Principal / Head Master / Head Mistress.

(Stamp of the School)