

Mormugao Port Employees (Conduct) Regulations, 1964

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Mormugao Port Employees (Conduct) Regulations, 1964

1. Short Title And Application :-

(1) These regulations may be called the Mormugao Port Employees (Conduct) Regulation, 1964.

(2) They shall come into force on the 1st July, 1964.

(3) Except as otherwise provided by or under these regulations, they shall apply to all persons appointed to posts in connection with the affairs of the Mormugao Port.

Provided that nothing in sub-regulations (3-A) sub-regulation (2) of regulation 4, regulation 11, sub-regulation (3) of regulation 12, regulation 13, sub- regulation (1), (2) and (3) of regulation 15, regulation 16, 17 and 18 shall apply to an employee drawing a pay not exceeding an amount per mensem that may be specified by the Board from time to time and holding a Class III or Class IV Posts.

Provided further that nothing in the foregoing provision shall apply to any office, which is mainly concerned with administrative, managerial, supervisory, security or welfare functions.

2. Definitions :-

In these regulations, unless the context otherwise requires:-

(a) "Board", "Chairman", "Deputy Chairman" and "Head of Department" shall have meanings assigned to them in the Major Port Trusts Act, 1963 (38 of 1963).

(b) "Government" means the Central Government.

(c) "Employee" means an employee of the Board.

(d) "Members of the family" in relation to an employee includes

(i) the wife, child or step-child of such employee whether residing with him or not, and in relation to an employee who is a woman, the husband residing with her and dependent on her; and,

(ii) any other persons related, whether by blood or by marriage, to the employee or to such employee wife or husband and wholly dependent on such employee but does not include a wife or husband legally separated from the employee, or child or step child who is no longer, in any way, dependent upon him or her or of whose custody the employee has been deprived by law.

(e) "Prescribed authority" means the appointing authority as prescribed in the Mormugao Port Employees (Classification, Control and Appeal) Regulations, 1964. *[Powers of the Board, to receive intimation or grant permission are delegated to the appointing Authority in respect of Class III and Class IV employees and to the Chairman in respect of Class I and II officers in respect of the matters covered by sub-regulation (3) of Regulation 4, sub-regulation (2) of Regulations 10 and Regulation 20.

3. General :-

(1) Every employee shall at all time:-

(i) Maintain absolute integrity;

(ii) Maintain devotion to duty; and

(iii) Do nothing which is unbecoming of an employee of the Board.

(2)(i) Every employee holding a supervisory post shall take all possible steps to ensure the integrity and devotion to duty of all employees for the time being under his control and authority;

(ii) no employee shall, in the performance of his official duties, or in the exercise of powers conferred on him, act otherwise than in his best judgement except when he is acting under the direction of his official superior;

(iii) the direction of the official superior shall ordinarily be in writing. Oral directions to subordinates shall be avoided, as far as possible. Where the issue of oral direction becomes unavoidable, the official superior shall confirm it in writing immediately thereafter;

(iv) an employee who has received oral direction from his official superior shall seek confirmation of the same in writing as early as possible, whereupon it shall be the duty of the official superior to confirm the direction in writing.

EXPLANATION1: An employee who habitually fails to perform the task assigned to him within the time set for the propose and with the quality of performance expected of him shall be deemed to be lacking in devotion to duty within the meaning of sub Regulation (1).

EXPLANATION 2: Nothing in clause (ii) of sub-regulation (2) shall be construed as empowering an employee to evade his responsibilities by seeking instructions from, or approval of, a superior Officer or authority when such instructions are not necessary under the scheme of distribution of powers and responsibilities.

(3) (A) (1) EMPLOYMENT OF NEAR RELATIVE OF EMPLOYEE IN COMPANIES OR FIRMS:

(1) No Employee shall use his position or influence directly or indirectly to secure employment for any member of his family in any company or firm.

(2) No employee holding a Class I post shall, except with the previous sanction of the Board permit his son, daughter or any other dependent to accept any employment in any firm or company with which he has official dealings in his capacity as such employee or with any other company or firm having dealings with the Board. Provided that where the acceptance of the employment cannot wait prior permission of the Board or is otherwise considered urgent, the

matter shall be reported to the Board and the employment may be accepted provisionally subject to the permission of the Board.

(3) An employee shall, as soon as he becomes aware of the acceptance by a member of his family of an employment in any company or firm, intimate such acceptance to the prescribed authority and shall also intimate whether he has or has had any official dealing with that company or firm.

Provided that no such intimation shall be necessary in the case of Class I Officer if he had already obtained the sanction of, or sent a report to the Board under clause (1).

(4) No employee shall in the discharge of his official duties deal with any matter or give or sanction any contract to any company or firm or any other person if any member of his family is employed in that company or firm or under that person or if he or any member of his family is interested in such matter or contract in any other manner and the employee shall refer every such matter or contract to his official superior and the matter or contract shall thereafter be disposed of according to the instructions of the authority to whom the reference is made.

(5) No employee should bid at auctions arranged by or on behalf of the Board.

(6) Participation by an employee in proselytising activities or the direct or indirect use of his position and influence in such activities is objectionable.

(7) Every employee is expected to maintain a reasonable and decent standard of conduct in his private life and not bring discredit to his employer by his misdemeanour. In cases where an employee is reported to have conducted himself in a manner unbecoming of a servant of the Board as, for instance by neglect of his wife and family, action may be taken against him on that score.

(8) An employee who is convicted by a court of law or arrested should report the fact of his conviction or arrest to his departmental superiors promptly. Failure to do this will render him liable to disciplinary action.

(3) (b): PROHIBITION OF SEXUAL HARASSMENT OF WORKING WOMEN:

(i) No employee shall indulge in any act of sexual harassment of any woman at her work place;

(ii) Every employee who is in charge of work place shall take appropriate steps to prevent sexual harassment to any woman at such work place.

EXPLANATION: for the purpose of this regulation, sexual harassment, includes such unwelcome sexually determined behaviour, whether direct or otherwise as :-

- (a) Physical contact and advances;
- (b) Demands or request for sexual favours;
- (c) Sexually coloured remarks;
- (d) Showing any pornography or
- (e) Any other unwelcome physical verbal or non verbal conduct of sexual nature.

4. Taking Part In Politics And Election :-

(1) No employee shall take part in election to any legislature or local authority; Provided that:

(i) no employee qualified to vote at such election may exercise his right to vote but where he does so, he shall give no indication of the manner in which he proposed to vote or has voted.

(ii) an employee shall not be deemed to have contravened the provisions of this regulation by reason only that he assist in the conduct of an election in the due performance of a duty imposed on him or under any law for time being in force.

(2)(i) No employee shall engage himself or participate in any demonstration which is prejudicial to the interest of the sovereignty and integrity of India, the security of the State, friendly relations with foreign states Public order, decency or morality, or which involved contempt of court defamation of incitement to an offence.

(ii) No employee shall resort to or in any way abet any form of strike or coercion or physical duress in connection with any matter pertaining to his service or any other employee.

(3) No employee shall join or continue to be a member of an association, the objects or activities of which are prejudicial to the interest of the sovereignty and integrity of India , or public order or morality.

5. Connection With Press Or Radio :-

(1) No employee shall except with the previous sanction of the Board, own wholly or in part or conduct or participate in the editing or managing a newspaper or other periodical publication.

(2) No employee shall, except with the previous sanctioning of the Board, or any other authority empowered by it in the behalf, or in the bonafide discharge of his duties.

(a) Publish a book himself or through a publisher, or contribute an article to a book or a compilation of articles; or

(b) Participate in a radio broadcast or contribute an article or write a letter to a newspaper or periodical, either in his own name or anonymously or pseudonymously or in the name of any other person.

Provided that no such sanction shall be required

(i) if such publication is through a publisher and is of a purely literary, artistic or scientific character, or

(ii) if such contribution, broadcast or writing is of a purely literary, artistic or scientific character.

6. Criticism Of Board/Government :-

No employee in shall any radio broadcast or in any document published pseudonymously or anonymously or in his own name or in the name of any other person or in any communication to the press or in any other public utterance, make any statement of fact or opinion:

(i) Which has the effect of an adverse criticism of any current or a recent policy or action of the Central Government, state Government, the Board or any other Major Port Trust.

Provided that in the case of any employee specified in proviso to sub-regulation (2) of regulation 1, nothing contained in this regulation shall apply to bonafide expression of views by him as an office bearer of a trade union of such employees for the purpose of safe guarding the service conditions of such employees or for securing any improvement therein; or

(ii) Which is capable of embarrassing the relations between the Board, the Central Government, the Government of any State or any other Major Port Trust; or

(iii) Which is capable of embarrassing the relations between the Central Government and the Government of any foreign state.

Provided that nothing in this regulation shall apply to any statements made or views expressed by an employee in his official capacity in the due performance of the duties assigned to him.

7. Evidence Before Committee Or Any Other Authority :-

(1) Save as provided in sub-regulation (2) no employee shall, except with the previous sanction of the Board, give evidence in connection with any Enquiry conducted by any person, committee

or authority.

(2) Where any sanction has been accorded under sub-regulation (1) no employee giving such evidence shall criticise the policy or any action of the Board or of any other Major Port Trust or of the Central Government or of a State Government.

(3) Nothing in this regulation shall apply to:-

(a) evidence given at an Enquiry before an authority appointed by the Central or a State Government or by Parliament or by a State Legislature or by the Board or by any other Major Port Trust; or

(b) evidence given in any Judicial enquiry; or

(c) evidence given in any departmental enquiry ordered by authority subordinate to the Government or by the Board, or by any other Major Port Trust or by the Chairman or Deputy Chairman or Head of a Department.

8. Unauthorized Communication Of Information :-

No employee shall, except in accordance with any general or special order of the Board or in the performance in good faith of the duties assigned to him, communicate directly or indirectly any official document or information to any person to whom he is not authorised to communicate such documents or information.

EXPLANATION : If an employee quotes or copies in his representation, appeal, etc. circulars and instructions of the Board or any other Major Port Trust, or Government including those marked secret, notes and other information from files which they are ordinarily not expected to have seen or to have retained, the action will be constructed as not only improper but also as involving contravention of this regulation.

9. Subscription :-

No employee shall, except with the previous sanction of the Board or of such authority as may be empowered by it in this behalf, ask for or accept contributions to, or otherwise associate himself with the arising of, any fund in pursuance of any object whatsoever.

EXPLANATION :

(1) Mere payment of subscription to a charitable or benevolent fund does not by itself violate this regulation.

(2) Voluntary association of an employee with the collection of Flag Day contribution is permissible without any specific sanction under this regulation.

(3) Collection of subscription by an employee qua members of a

service union of employees from amongst other members of the union

(i) is un-objectionable and does not require prior sanction if-

(a) the proceeds are proposed to be utilized for welfare activities of the union;

(b) where a matter affecting the general interest of the members of the Union is in dispute, it is permissible under the rules of the Union to spend its funds over such matters;

(ii) is objectionable if the proceeds are proposed to be utilized for the defence of an individual member of the Union against whom departmental action is being taken on grounds which concern him in particular.

(4) Approach to the public for collecting funds for the Union without the previous sanction of the Board is objectionable.

10. Gifts :-

(1) Save as otherwise provided in these regulations, no employee shall accept, or permit any member of his family or any other person acting on his behalf to accept any gift.

EXPLANATION: The expression "Gift" shall include free transport, boarding, lodging or other service or any other pecuniary advantage when provided by any person other than a near relative or personal friend having no official dealings with the employee.

NOTE 1 : A casual meal, lift or other social hospitality shall not be deemed to be a gift.

NOTE 2 : An employee shall avoid accepting lavish hospitality or frequent hospitality from any individual industrial or commercial firms, organisations etc. having official dealings with him.

(2) On occasions, such as weddings, anniversaries, funerals or religious functions, when the making of a gift is in conformity with the prevailing religious or social practice, an employee may accept gifts from his near relatives but shall make a report to the chairman if the value of such gift exceeds:-

(i) Rs.1,000/- in the case of an employee holding any Class I or Class II post;

(ii) Rs.500/- in the case of an employee holding any Class III post;

(iii) Rs.200/- in the case of an employee holding any Class IV post.

(3) on such occasions as are specified in sub-regulation (2), an employee may accept gifts from his personal friends having no official dealings with him, but he shall make a report to the Chairman if the value of such gift exceeds :-

(i)Rs.400/-in the case of an employee holding any Class I or Class II post;

(ii)Rs.200/-in the case of an employee holding any Class III post;
and

(iii)Rs.100/-in the case of an employee holding any Class IV post.

(4) In any other case, an employee shall not accept any gift without the sanction of the Chairman if the value thereof exceeds :-

(i) Rs.150/- in the case of an employee holding any Class I or Class II post;

(ii) Rs.50/- in the case of an employee holding any Class III or Class IV post.

(5) Notwithstanding anything contained in sub-regulation (2), (3) and (4) an employee being member of Indian Delegation or otherwise may receive and retain gifts from foreign dignitaries if the market value of gifts received on one occasion does not exceed Rs.1000/-. In all other cases, the acceptance and retention of such gifts shall be regulated by the instructions issued by the Board in this regard from time to time.

(6) Gifts from foreign dignitaries which are not of symbolic nature may be retained by an employee if the market value of the gift in the country of origin does not exceed Rs.3,000/-

(7) where there is doubt whether a gift received from a foreign dignitary is of symbolic nature or not, or where the market value of the gift in the country of origin apparently exceeds Rs.3,000/- or where there is any doubt about the actual market value of the gifts, the acceptance of such gifts and retention thereof, by the employee shall be regulated by the instructions issued by the Board in this regard from time to time.

(8) An employee shall not accept any gift from any foreign firm which is either contracting with the Board or is one with which the employee had, has is likely to have, official dealings. Acceptance of gifts by an employee from any other firm shall be subject to the provision of sub-regulation (4).

10.(A) Dowry : No employee shall:-

(i) give or take or abet the giving or taking of dowry; or

(ii) demand, directly or indirectly from the parents or guardian of a bride or bridegroom, as the case maybe, any dowry.

EXPLANATION : For the purpose of this regulation "dowry" has the same meaning as in the Dowry Prohibition Act, 1961 (28 of 1961).

11. Public Demonstrations In Honour Of Employees :-

No employee shall, except with the previous sanction of the Board, receive any complimentary or valedictory address or accept any testimonial or attend any meeting or entertainment held in his honour, or in the honour of any other employee.

Provided that nothing in this regulation shall apply to:

(i) a farewell entertainment of a substantially private and informal character held in honour of the employee or any other employee on the occasion of his retirement or transfer or any person who has recently quitted service under the Board; or

(ii) the acceptance of simple and inexpensive entertainments arranged by public bodies or institutions.

EXPLANATION: Acceptance of invitation to declare building etc. open or to lay the foundation stones or new building etc, or to allow public places, institutions to be renamed after him attract the provisions of this regulation.

12. Private Trade Or Employment :-

(1) Subject to the provisions of sub-regulation (2) no employee shall, except with the previous sanction of the Board:

(a) engage directly or indirectly in any trade or business; or

(b) negotiate for, or undertake, any other employment; or ,

(c) hold an elective office, or canvass for a candidate or candidates for an elective office, in any body, whether incorporated or not; or

(d) canvass in support of any business of insurance agency, or com-mission agency, etc. owned or managed by any member of his family; or

(e) take part except in the discharge of his official duties, in the registration, promotion or management of any bank or other company registered or required to be registered, under the companies Act, 1956 (1 of 1956) or any other law for the time being in force, or for any co-operative society for commercial purposes.

(2) An employee may, without the previous sanction of the Board:

(a) undertake honorary work of a social or charitable nature; or

(b) undertake occasional work of a literary, artistic or scientific character; or

(c) participate in the sports activities as an amateur; or

(d) take part in the registration, promotion or management (not involving the holding of an elective office) of a literary, scientific or charitable society or of a club or similar organisation, the aims or

objects of which relate to promotion of sports, cultural or recreational activities, registered under the Societies Registration Act, 1860 (21 of 1860), or any other law for the time being in force; or

(e) take part in the registration, promotion or management (not involving the holding of elective office) of a co-operative society substantially for the benefit of employee, registered under the Co-operative Societies Act, 1912 (2 of 1912), or any other law for the time being in force;

Provided that .-----

(i) he shall discontinue taking part in such activities, if so directed by the Board and

(ii) in a case falling under the clause (d) or clause (e) of the sub-regulation, his official duties shall not suffer thereby and he shall, within a period of one month of his taking part in such activity report to the Board giving details of the nature of his participation.

(3) Every employee shall report to the Board if any member of his family is engaged in a trade or business or owns or manages an insurance agency or commission agency.

(4) Unless otherwise provided by general or special orders of the Board, no employee may accept any fee for any work done by him or any private or public body or any private person without the sanction of the prescribed authority.

EXPLANATION :The term feused here shall have the meaning assigned to it in the Fundamental Rule 9 (6-A).

13. Investments, Lending And Borrowing :-

(1) No employee shall speculate in any investment.

EXPLANATION : The frequentpurchase or sale or both of shares, securities or other investment shall be deemed to be speculation within the meaning of this sub-regulation.

(2) No employee shall make or permit his wife or any member of his family to make any investment likely to embarrass or influence him in the discharge of his duties.

(3) If any question arises whether a security or investment is the nature referred to in sub-regulation (1) or sub-regulation (2) the decision of the Board there on shall be final.

(4) (i) No employee shall, save in the ordinary course of business with a bank or a public limited company, either himself or through any member of his family or any other person acting on his behalf.

(a) Lend or borrow or deposit money, as principal or an agent, to,

or from or with any person or firm or private limited company within the local limits of his authority or with whom he is likely to have official dealings or otherwise place himself under any pecuniary obligation to such person or firm or private limited company or,

(b) Lend money to any person at interest or in a manner whereby return in money or in kind is charged or paid:

Provided that an employee may give to, or accept from a relative or a personal friend a purely temporary loan of a small amount free of interest, or operate credit account with a bonafide tradesman or make an advance of pay to his private employee.

Provided further that nothing in this sub-rule shall apply in respect of any transaction entered into by an employee with the previous sanction of the Board.

(ii) When an employee is appointed or transferred to a post of such nature as would involve him the breach of any of the provisions of sub-regulation (2) or sub-regulation (4) he shall forthwith report the circumstances to the prescribed authority and shall thereafter act in accordance with such order as may be made by such authority.

14. Insolvency And Habitual Indebtedness :-

An employee shall so manage his private affairs as to avoid habitual indebtedness or insolvency. An employee against whom any legal proceedings is instituted for the recovery of any debt due from him or for adjudging him as an insolvent shall forthwith report the full facts of the legal proceedings to the Board.

NOTE : The burden of proving that the insolvency or indebtedness was the result of circumstance which, with the exercise of ordinary diligence, the employee could not have foreseen, or over which he had no control and had not proceeded from extravagant or dissipated habits, shall be upon the employee.

15. Moveable, Immovable And Valuable Property :-

(1) No employee shall, except with the previous knowledge of the Board, acquire or dispose of any immovable property by lease, mortgage, purchase, sale, gift or otherwise, either in his own name or in the name of any member of his family:

Provided that the previous sanction of the prescribed authority shall be obtained by the employee if any such transaction is with a person having official dealings with him.

EXPLANATION : It is not contemplated that an employee should enter into transactions regarding moveable and immovable property without the previous sanction of the prescribed authority and afterwards seek ex-post facto sanction. Such a procedure would render the provisions of these regulations completely ineffective and defeat the purpose for which these regulations have been framed. It is therefore, essential that the provisions of these regulations should be strictly adhered to and the employees should obtain the sanction of the prescribed authority wherever necessary, before entering in a transaction.

(2) Where an employee enters into transaction in respect of moveable property either in his own name or in the name of a member of his family, he shall, within one month from the date of such transaction, report the same to the prescribed authority, if the value of such property exceeds Rs.20,000/- in the case of an employee holding any Class I and II post or Rs.15,000/- in the case of an employee holding any Class III or IV post.

Provided that the previous sanction of the prescribed authority shall be obtained if any such transaction is:-

- (i) with a person having official dealings with the employee; or
- (ii) otherwise than through a regular or reputed dealer.

EXPLANATION : For the purpose of this sub-regulations, the expression "moveable property" includes:

(a) jewellery, insurance policies the annual premia of which exceeds Rs.10,000/- or one sixth of the total annual emoluments received from Board whichever ever is less, shares, securities and debentures.

(b) all loans, whether secured or not, advanced or taken by the employee.

(c) motor cars, motor cycles, horses or any other means of conveyances; and

(d) refrigerators, radios, radiograms and television etc.

(3)(i) Every employee shall on his first appointment to any service or post submit a return of his assets and liabilities, in such form as may be prescribed by the Board, giving the full particulars regarding-----

(a) the immovable property inherited by him, or owned or acquired by him or held by him on lease or mortgage either in his own name or in the name of any other person;

(b) shares, debentures and cash including bank deposits inherited by him or similarly owned, acquired or held by him;

(c) other moveable property inherited by him or similarly owned, acquired or held by him; and (d) debts and other liabilities incurred

by him directly or indirectly.

NOTE 1 : Sub-regulation (3) shall not ordinarily apply to class IV employees but the Board may direct that it shall apply to any such employees or class of such employee.

NOTE 2 : In all returns, the value of items of moveable property worth less than Rs.10,000/- may be added and shown as a lumpsum. The value of articles of daily use such as clothes, utensils, crockery, books etc. need not be included in such returns.

(ii) Every employee holding any post included in Class I and II shall submit an annual return in such form as may be prescribed by the Board in this regard giving full particulars regarding the immovable property inherited by him or owned or acquired by him or held by him on lease or mortgage either in his own name or in the name of any member of his family or the name of other person.

(4) The Board or any authority empowered by it in this behalf may at any time by general or special order, require an employee to submit within a period special in the order, a full and complete statement of such moveable or immovable property held or acquired by him or by any member of his family as may be specified in the order. Such statement shall, if so required by the Board or by the authority so empowered, include details of the means by which or the source from which, such property was acquired.

EXPLANATION : (1) The construction of a house or making addition to the house results in acquisition of immovable property and attracts the provision of this Regulation, the purchase of movable property required for the construction of the house or addition to the house also attracts this regulation.

(2) Transaction as members of a Hindu undivided joint family shall not require the Boards prior permission. In such cases, transactions in immovable property should be included in the annual property returns and those in moveable property should be reported to the prescribed authority immediately after completion of the transaction or immediately after the employee comes to know of them.

If the employee is unable to give an idea of his share of such property, he may give details of the full property and the names of the members who share it.

15.(A) Notwithstanding anything contained in sub-regulation (1) of regulation 15, no employee shall except with the previous sanction of the prescribed authority-----

(a) acquire, by purchase, mortgage, lease, gift or otherwise, either

in his name or in the name of any member of his family, any immovable property situated outside India;

(b) dispose of, by sale, mortgage, gift or otherwise or grant any lease in respect of any immovable property situated outside India which was acquired or is held by him either in his own name or in the name of any member of his family;

(c) enter into any transaction with any foreign Government, foreign organisation or concern-----

(i) for the acquisition, by purchase, mortgage, lease, gift or otherwise, either in his own name or in the name of any member of his family, or any immovable property;

(ii) for the disposal of, by sale, mortgage, gift or otherwise, or the grant of any lease in respect of any immovable property which was acquired or is held by him either in his own name or in the name of any member of his family.

16. Vindication Of Acts And Character Of Employees :-

No employee shall, except with the previous sanction of the Board have recourse to any Court or the Press for the vindication of any official act which has been a subject matter of adverse criticism or an attack of defamatory character.

EXPLANATION : Nothing in this regulation shall be deemed to prohibit an employee from vindicating his private character or any act done by him in his private capacity, and where any action for vindicating his private character or any act done by him in private capacity is taken, the employee shall submit a report to the prescribed authority regarding such action.

17. Canvassing Of Non-Official Or Other Outside Influence

:-

No employee shall bring or attempt to bring any political or other influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Board.

18. Restriction To Marriages :-

(1) No employee shall enter into or contract, a marriage with a person having a spouse living; and

(2) No employee, having a spouse living shall enter into or contract, a marriage with any person.

Provided that the Board may permit an employee to enter into or contract any such marriage as is referred to in sub-regulation (2), if it is satisfied that:-

(a) Such marriage is permissible under the personal law applicable to such employee and the other party to the marriage, and there are other grounds for doing so.

(b) Every person who enters in to the Boards service after the announcement of these regulations shall make, before such entry, declaration in Annexure C.

(3) An employee who has married or marry a person other than of Indian nationality shall forthwith intimate the fact to the Board.

19. Consumption Of Intoxicating Drinks And Drugs :-

A port employee shall-

(a) Strictly abide by any law relating to intoxicating drinks or drugs in force in any area in which he may happen to be for the time being;

(b) not be under the influence of any intoxicating drink or drug during the course of his duty and shall also take due care that the performance of his duties at any time is not affected in any way by the influence of such drink or drug;

(c) refrain from consuming any intoxicating drink or drug in a public place;

(d) not appear in a public place in a state of intoxication;

(e) not use any intoxicating drink or drug too excess.

EXPLANATION :For the purpose of this regulation Public Place means any place or premises (including a conveyance) to which the public have, or are permitted to have access, whether on payment or other wise.

20. Interpretation :-

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

FORM 1

FORM I

(See Regulation 15)

Form of report/application for permission to the prescribed authority for the building or addition to a house.

From

To

Date :

Sir,

* This is to report to you that I propose to build a house/to make an addition to my house.

* This is to request that permission may be granted to me for the building of a house/the addition to the house.

The estimated cost of the land and material for the construction/extension is given below :-

Land :

(1) Location

Survey number

Village

District

State

(2) Area

(3) Cost

Building materials, etc.

(1) Bricks

(2) Cement

(3) Iron and Steel

(4) Timber

(5) Sanitary Fittings

(6) Electrical Fittings

(7) Any other Special Fittings

(8) Labour Charges

(9) Other Charges, if any

Total Cost of Land and Building

* 2. The construction will be supervised by myself. The construction will _____ be _____ done by.....

* I do not have any official dealings with the Contractor nor did I have any officials dealing with him in the past.

* I have/had official dealings with the contractor and the nature of my dealing with him/ is/was as under:

3. The cost of proposed construction will be as under:

Amount (Rs.)

i) Own Saving

ii) Loans/advance with full details

iii) Other sources with details

Yours faithfully,

* strike out the portion not applicable/enter the name and place of business of the contractor.

FORM 2

FORM II

(See Regulation 15)

Form of report to the prescribed authority after completion of the building of a house/addition of the house.

Sir,

In my letter no.dated.....I have reported that I proposed to build a house or make addition to my house/permission was granted to me in order no.dated the for the building of house or making the addition to my house. The construction of the house or the addition to the house has since been completed and I enclose a Valuation Report duly certified by

(*A firm of Civil Engineers or Civil Engineer of repute)

2. The cost of construction indicated in the enclosed valuation report was financed as under :

Amount

(i) Own Savings.

(ii) Loans/Advances with details.

Note : Variations if any, between the figures given above and figures given in Form I may be explained suitably.

VALUATION REPORT

I/we hereby certify that I/we have valued house.....constructed by shri/shrimati **..... and I/we give below the value at which we estimate the cost of the house under the following headings :

Headings Cost

1. Bricks
2. Cement
3. Iron and Steel
4. Timber
5. Sanitary fittings
6. Electrical fittings
7. All other special fittings
8. Labour charges
9. All other charges

Total cost of the building

Date :

* Here enter details of the house

** Here enter the Name etc. of the employee

Yours faithfully,

FORM 3

FORM III

Form for giving prior intimation or seeking previous sanction under Reg. 15 (2) in respect of immovable property (other than for building of or additions and alterations to a house).

1. Name and designation
2. Scale of pay and present pay
3. Purpose of application - sanction for transaction/prior intimation of transaction
4. Whether property is being acquired or disposed of
5. Probable date of acquisition/disposal of property
6. Mode of acquisition/disposal
- 7.(a) Full details about location, viz. Municipal No., Street/Village/Taluka/District and State in which situated
- (b) Description of the property, in the case of cultivable land, dry or irrigated land
- (c) Whether freehold or leasehold
- (d) Whether the applicants interest in the property is in full or part (in case of partial interest, the extent of such interest must be indicated)
- (e) In case the transaction is not exclusive in the name of the employee, particulars of ownership and share of each member
8. Sale/purchase price of the property (Market value in the case of gifts)
9. In case of acquisition, source or sources from which financed proposed to be financed
- (a) Personal savings
- (b) Other sources giving details
10. In the case of disposal of property, was requisite sanction/intimation obtained/given for its acquisition (A copy of the sanction/acknowledgement should be attached)
- 11.(a) Name & address of the party with whom transaction is proposed to be made
- (b) Is the party related to the applicant- If so, state the relationship
- (c) Did the applicant have any dealings with the party in his official

capacity at any time, or is the applicant likely to have any dealing with him in the near future

(d) How was the transaction arranged - whether through any statutory body or a Private agency through advertisement or through friends and relatives. Full particulars to be given.

12. In case of acquisition by gift, whether sanction is also required under Reg.10 of MPE (conduct) Reg.1964.

13. Any other relevant facts which the applicant may like to mention

DECLARATION

I ,....., hereby declare that the above particulars given are true, I request that I may be given permission to acquire/dispose of property as described above from/to the party whose name is mentioned in Item 11 above. OR

I,....., hereby intimate the proposed acquisition/disposal of property by me as detailed above. I declare that the particulars given above are true.

Station : Signature :

Date: Designation:

NOTE 1: In the above form, different portion may be used according to requirement.

NOTE 2: Where previous sanction is asked for, the application should be submitted at least 30 days before the proposed date of the transaction.

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FORM 4

FORM IV

Form for giving intimation or seeking previous sanction under Reg. 15 (3)

for transaction in respect of movable property.

1. Name of the employee.

2. Scale of pay and present pay.

3 . Purpose of application-sanction for transaction intimation of transaction.

4. Whether property is being acquired or disposed off.

5.(a) Probable date of acquisition or disposal of property.

(b) If the property is already acquired/disposed off. Actual date of transaction.

6.(a) Description of the property (e.g. Car/Scooter/Motor/Cycle/

Refrigerator/Radio/Radiogram/Jewelry/Loans/Insurance Policies, etc.

(b) Make, model (and also Registration No. in case of Vehicles), where necessary.

7. Mode of acquisition/disposal (Purchase/sale, gifts, mortgage, lease or otherwise).

8. Sale/purchase price of the property (Market value in the case of gifts).

9. In case of acquisition/source or sources from which financed/proposed to be financed

(a) Personal savings.

(b) Other sources giving details.

10. In the case of disposal of property, was requisite sanction/intimation obtained/given for its acquisition (a copy of the sanction/acknowledgement should be attached).

11.(a) Name and address of the party with whom transaction is proposed to be made/has been made.

(b) Is the party related to the applicant - If so, state the relationship.

(c) Did the applicant have any dealing with the party in his official capacity at any time, or is the applicant likely to have any dealings with him in the near future.

(d) Nature of official dealings with the party.

(e) How was the transaction arranged - (whether through any statutory body or a private agency through advertisements or through friends and relatives). Full particulars to be given.

12. In case of acquisition by gifts, whether sanction is also required under Regulation 10 of MPE (Conduct) Regulations, 1964.

13. Any other relevant fact which the applicant may like to mention.

DECLARATION

I ,, hereby declare that the particular given above are true. I request that I may be given permission to acquire/dispose of property as described above from/to the party whose name is mentioned in item 11 above.

O R

I ,, hereby intimate the acquisition/disposal of property by me as detailed above. I declare that the particulars given above are true.

Station

Signature :

Date :

Designation :

NOTE 1 : In the above form, different portion may be used according to requirement.

NOTE 2 : Where previous sanction is asked for, the application should be submitted at least 30 days before the proposed date of the transaction.

APPENDIX 1

ANNEXURE A

Declaration

(See Sub-Reg. (2) of Regulation 18)

1. Shri/Shrimati/Kumari/.....declare as under:-

*i) That I am unmarried/a widower/a widow.

*ii) That I am married and have only one spouse living.

*iii) That I have entered in to or contracted a marriage with a person having a spouse living. Application for grant of exemption is enclosed.

*iv) That I have entered into or contracted a marriage with another person during the life time of my spouse Application for grant of exemption is enclosed.

2. I solemnly affirm that the above declaration is true and I understand that in the event of the declaration being found to be incorrect after my appointment, I shall be liable to be dismissed from service.

Date :..... Signature :

Note : Please delete clause/clauses not applicable

Application for Grant of Exemption

(Vide para 1 (iii)/(iv) of the Declaration.

To,

The

.....

Sir,

I request that in view of the reasons stated below, I may be granted exemption from the operation of restriction the recruitment to service of a person having more than one wife living/woman who is married to a person already having one wife or more living.

Yours faithfully,

Reasons,

..... Signature :.....

Date :.....

APPENDIX 2

ANNEXURE B

(See Sub-Reg. (3) of Regulation 15)

Statement of Immovable property on first appointment for the year.....

1. Name of the employee (in full).....

2. Present post held

3. Present pay.....

Name of District Sub-div, Taluka and Village in which property is situated

Name and detail of property House Lands and other buildings

Present value***

If not, in own name, state in whose name held and his/her relationship to the employee

How acquired whether by purchase, lease *** mortgage, inheritance, gifts or otherwise with date of acquisition & name with details of the persons from whom acquired

Annual Income from the property

NOTE:

The declaration form is required to be filled and submitted The declaration form is required to be filled and submitted by every member of Class I and Class II Service under sub-regulation

(3) of regulation 15 of the Mormugao Port Trust Service (Conduct) Regulations, 1964 on first appointment to the Service and thereafter at the interval of every twelve months, giving particulars of all immovable property owned, acquired or inherited by him or held by him on lease or mortgage, either in his own name or in the of any member of his family or in the name of any other person.

Signature

Date

** In applicable clause to be struck out

* In case where it is not possible to assess the value accurately, the approximate value in relation to present conditions may be indicated.

*** Includes short term lease also.

FOOT NOTE :-

Principal Regulations were came into effect from 01-07-1964 in the Official Gazette of India.

SUBSEQUENTLY AMENDED VIDE:-

(1) GSR No. 668 (E) of 1-6-86.

(2) GSR No. 878 (E) of 4-10-89.

(3) GSR No. 82 (E) of 23-2-93.

(4) GSR No. 594 (E) of 31-12-96.

(5) GSR No. 525 (E) of 26-8-98.

(6) GSR No. 138(E) of 6.3.2006.