

**TUTICORIN PORT TRUST EMPLOYEES (RETIREMENT) REGULATIONS,
1979**

In exercise of the powers conferred by Section 126, read with Section 28, of the Major Port Trusts Act, 1963 (38 of 1963), the Central Government hereby makes the following first regulations, namely:-

1. Short title and application:- (1) These regulations may be called the Tuticorin Port Trust Employees (Retirement) Regulations, 1979.

(2) They shall apply to all categories of employees of the Board and Shore Labour Establishment.

2. Definitions:- In these regulations unless the context otherwise requires:-

- (a) "Board" and "Chairman" shall have the same meanings respectively assigned to them under the Major Port Trusts Act, 1963;
- (b) "Classes I, II, III and IV Services" shall have the meaning respectively assigned to them in the Tuticorin Port Trust Employees (Classification, Control and Appeal) Regulations, 1979.

3. Age of Retirement:- Except as otherwise provided specifically, every employee of the Board shall retire from the services of the Board on the afternoon of the last day of the month in which he/she attains the age of 58 years.

- (a) Provided that an employee of the Board whose date of birth is the 1st day of the month, shall retire from the services of the Board on the afternoon of the last day of the preceding month, on attaining the age of 58 years.
- (b) Provided that the Class IV employees of the Board, who entered service prior to the commencement of these regulations, shall retire on superannuation on the afternoon of the last day of the month in which they attain the age 60 years.

- (c) Provided that a Class IV employee of the Board, who entered service prior to the commencement of these regulations and whose date of birth is the 1st day of the month, shall retire from the services of the Board on the afternoon of the last day of the preceding month, on attaining the age of 60 years.

4. Re-employment after retirement:- No employee of the Board shall be granted extension of service beyond the age of retirement.

5. Compulsory retirement before the age of superannuation:- Notwithstanding anything contained in these regulations, the Chairman shall, if he is of the opinion that it is in the Board's interest to do so, have the absolute right to retire any employee at any time by giving him notice of not less than three months in writing or by giving three months pay and allowances in lieu of such notice:-

(a) after the employee has attained the age of-

(i) fifty years in the case of an employee in Class I and Class II service who had entered the Board's service before attaining the age 35 years;

(ii) fifty five years in other cases; or

(b) after he has completed:-

(i) 30 years of qualifying service in respect of an employee who is governed by the Central Civil Services (Pension) Rules, 1972, which are being adapted by the Tuticorin Port Trust (Adaptation of Rules) Regulations, 1979: or

- (ii) 30 years of service in respect of an employee who is not governed by the Central Civil Services (Pension) Rules, 1972, which are being adapted by the Tuticorin Port Trust (Adaptation of Rules) Regulations, 1979.

Note:- To determine the retention of an employee in service beyond the age/service prescribed, as the case may be, shall be in the interest of the Board, reviews will be made in accordance with the procedure laid down by the Chairman from time to time.

6. Voluntary retirement before the age of superannuation:- An employee of the Board may, by giving notice of not less than three months in writing, retire from the service of the Board:-

(a) after he has attained the age of-

- (i) fifty years in the case of an employee in Class I and Class II service who had entered the Board's service before attaining the age 35 years; or

(ii) fifty five years in other cases; or

(b) after he has completed:-

- (i) 20 years of qualifying service in respect of an employee who is governed by the Central Civil Services (Pension) Rules, 1972, which are being adapted by the Tuticorin Port Trust (Adaptation of Rules) Regulations, 1979; or

(ii) 20 years of service in respect of an employee who is not governed by the Central Civil Services (Pension) Rules, 1972, which are being adapted by the Tuticorin Port Trust (Adaptation of Rules) Regulations, 1979;

- (iii) 20 years of continuous temporary service in respect of an employee who is not employed in a substantive capacity.

Note:- (i) It shall be open to the Chairman to withhold permission to an employee who is under suspension and who seeks to retire under this regulation.

(ii) 3 months' notice referred to in regulation 5 and 6 above may be given before the employee attains the age or before he completes the number of years of service specified therein:

Provided that the actual retirement takes place after he has attained the age or has completed the prescribed number of years of service as the case may be.

(iii) While granting pension to an employee retiring voluntarily under sub clause (i) and (iii) of clause (b) of Regulation-6, weightage upto 5 years shall be given as an addition to the qualifying service actually rendered by him. The grant of weightage upto 5 years shall, however, be subject to the following conditions.

7. Conditions for granting pension: The total qualifying service after allowing the weightage should not, in any event, exceed 33 years qualifying service, and it does not take him beyond the date of superannuation.

FOOT NOTE: The Tuticorin Port Trust Employees (Retirement) Regulations, 1979 were published vide GSR 104 (E) of the Gazette of India, Extraordinary dated the 1st March, 1979 and subsequently amended vide:-

(i) GSR 78 (E), dated the 3rd February, 1987.

(ii) GSR 328 (E), dated the 7th March, 1988.

(iii) GSR 549 (E), dated the 10th June, 1988.

(iv) GSR 279 (E), dated the 29th May, 1998.

(v) GSR 531 (E), dated the 8th June, 2000.