CHEMICALS & ALLIED PRODUCTS EXPORT PROMOTION COUNCIL

CALCUTTA

SERVICE RULES

GENERAL

Rule No. 1 : These rules may be called the 'Service Rules' of the Chemicals & Allied Products Export Promotion Council.

Rule No. 2 : These rules shall apply to every person in the whole time employment of the Council except, in so far as, and to the extent, it is otherwise agreed upon by agreement or letter of appointment in any case or there is any other statute for the time being in force and applicable to any employee of the Council.

Rule No. 3 : In these rules unless there is anything repugnant to the subject or context.

(a) The Council means the Chemicals & Allied Products Export Promotion Council.

(b) The Committee means the Committee of Administration as referred to in the Articles of Association of the Council.

(c) The Chairman means the Chairman of the Chemicals & Allied Products Export Promotion Council, for the time being, and includes the Acting Chairman or one authorised by the Committee of Administration, for the time being, to act as such.

(d) The Secretary/Chief Executive means the Secretary/Chief Executive of the Chemicals & Allied Products Export Promotion Council for the time being and includes the Acting Secretary/Chief Executive or one authorised by the Chairman of the Council, for the time being, to act as such.

(e) "Masculine" in these rules includes "Feminine" also.

STAFF CLASSIFICATION

Rule No. 4 : The staff shall be classified under the following categories. :-

Class I	Secretary and other Officers whose initial pay in their time scale is Rs. 700/- per month and above
Class II	Other officers and staff whose initial pay in their time scale is Rs. 550/- per month and above.
Class III	All other Ministerial and Non-ministerial staff of the Council whose initial pay in their time Scale is Rs. 260/- per month and above.
Class IV	Daftary, Jr. Gestetner Operator, Peons, Record Sorter, Bradma/ Roneo Franking Machine Operator, Sweeper etc.

APPOINTMENTS & JOINING TIME :

Rule No. 5 : All appointments shall be made on terms and conditions prescribed in these rules and such other conditions as may be prescribed.

Rule No. 6 : Where an employee is transferred from one station to another, he may be allowed a joining time of 5 days plus the actual time taken for journey. Where an employee is on a temporary or seasonal transfer he shall be eligible for only actual journey time to join the new post.

METHOD OF RECRUITMENT

Rule No. 7 : Selection of posts of Officers Class I and Class II will be made by the Committee of the Council/Selection Committee, as may be appointed by the Committee of the Council from time to time. The Chairman/Chief Executive shall be the appointing authority.

The Chairman/Chief Executive shall be the selecting and appointing authority, as may be decided by the Committee of the Council for all other posts.

Criteria as may be laid down separately by the Committee of the Council/ Finance & Administration Sub-Committee in the matter of recruitment, promotion etc. will be followed,

Rule No. 7(a) : RESERVATION FOR SCHEDULE CASTES & SCHEDULE TRIBES.

Broad features for the reservation of posts for the Schedule Castes and Schedule Tribes shall be as follows :—

Percentage of Reservation	Schedule Castes	Schedule Tribes
i) Direct recruitment on All India basis	15%	7½%
ii) Direct recruitment to posts which normally attract from a locality or region	As provided separately in the Rule annexed for maintenance of separate Rosters. This procedure would in general be governed by the Central Govt. directive as contained in memo No. 6 (3) MDF/76 dated 27.2.1976 issued by the Ministry of Commerce. (Annexure-I)	

Rule No. 8 : For the purpose of administrative convenience the Chairman/Chief Executive can appoint an employee to act in a higher post, in leave or in other vacancies, or to be in charge or in full additional charge (such distribution of charge can be among more than one employee), according to necessity, for a period not exceeding three months at a time, and in such cases the concerned incumbent shall be eligible to charge allowance equivalent to 20% of his basic pay for the whole period provided the period of such charge is more than 30 days, and when distribution of char-

ge is among more than one employee, the percentage will be divided in equal proportions and applied to respective employees' basic salaries.

The Chairman may at the expiry of three months grant such extension for any longer period as may be necessary and the incumbent will draw allowance at the same rates.

Rule No. 9 : Where the Chairman is the appointing authority, the Committee of the Council shall be the Appellate Authority. In other cases, where the Chief Executive is the appointing authority, the Chairman shall be the Appellate Authority.

Rule No. 10 : Every employee of the Council shall be on probation for a period of six months from the date of his joining duty unless otherwise waived by authority

Rule No. 11 : The period of probation of an employee may be extended by the appointing authority if so required.

Rule No. 12 : During the probationary period, the services of an employee may be terminated without notice.

Rule No. 13 : After confirmation, unless otherwise agreed upon in the letter of appointment, any member of the staff belonging to Officer, Assistant, Clerical or Non-Clerical categories shall be at liberty resign the services of the Council at any time, on giving the Council one month's notice, in writing of his desire to do so surrendering a month's pay in lieu of notice.

Rule No. 14 : After confirmation, unless otherwise agreed upon in the letter of appointment, the appointing authority shall be entitled to terminate the service of any member of the staff after giving him one month's notice or one month's salary in lieu of notice.

CONDUCT & DISCIPLINE :

Rule No. 15 : Every employee shall in accordance with the rules laid down herein perform his duties to the entire satisfaction of the Council.

Rule No. 16 : Every employee unless prevented by ill-health shall during the tenure of his service, devote his whole time and attention to the business of the Council and in all respect conform to directions and regulation made by the superior authorities and obey their orders and shall faithfully serve the Council and use his utmost endeavour to promote the interest thereof and serve the Council at such place or places and in such capacity as the appointing authority shall from time to time direct.

Rule No. 17 : No employee shall during his term of employment in the Council give his service to any other person or concern whosoever or become interested or engaged in any other business or trade or politics etc., without having previously obtained the permission of the appointing authority.

Rule No. 18 : All books, records and articles belonging to the Council shall remain in the office premises of the Council and cannot be taken out of the office premises without the written permission of the Chief Executive.

Rule No. 19 : An employee shall on termination of his service with the Council or on going on leave, or at any time, during his service, as and when called upon the Council, hand over charge to the Council of all monies, files, registers and other properties of the Council in his custody or control and vacate and hand over possession of the quarters, if any, of the Council alloted to him, the said quarters being deemed to be occupied by him as a licensee and not as a tenant. Failure on the part of the employee to hand over charge and possession as aforesaid shall be deemed to be breach of contract of service by such employee, and the Council shall be at liberty to forfeit the salary and other dues, if any, of such employee payable by the Council without prejudice to any other rights of action which the Council may have in law against such employee.

Rule No. 20 : The following shall be deemed sufficient grounds for any disciplinary action :-

(a) Wilful insubordination or disobedience whether individually or with another or others of any lawful or reasonable order of the Superior Officer.

(b) Taking or giving bribes, illegal gratification or any consideration in cash or in kind for any favour or promise of favour or for doing or for not doing any official act.

(c) Unauthorised absence.

(d) Insolence, impertinence, rude or uncivil behaviours.

(e) Breach of any administrative orders, or of any regulation or instructions for the maintenance of discipline in the office.

(f) Negligence or negiect of work.

(g) Drunkenness while on duty or intemperate habits affecting the efficiency of work.

(h) Conviction of any employee under a criminal offence involving moral turpitude.

(i) Unauthorised divulgence of any official information or confidential or secret document.

(j) Commission of any act subversive of discipline or good behaviour on the premises of the Council's office.

(k) Pursuance of conduct unbecoming of an employee of status.

Rule No. 20(A) : For any of the offences/misconduct mentioned above, jointly or severally the employee be liable to one or more of the following disciplinary action provided an opportunity be given to the employee to show cause why action should not be taken against him.

i) Reprimand;

ii) Stoppage or postponement of increment;

iii) Demotion to a lower post or grade or to a lower stage in the incremental scale;

*iv) Suspension;

v) Any other action as may be deemed fit and proper;

vi) Dismissal.

*Note—1 If after a show cause notice is served explanation received and the employee concerned is prima facie found guilty, he could be straightaway suspended for not exceeding four days.

*Note—2 An employee can also be suspended pending enquiry into his misconduct In such a case an employee shall be paid for the period of suspension a subsistence grant at half its pay plus all alowance drawn before being placed under suspension. Normally the period for which this should be paid should not exceed three months. In exceptional cases, however, it can be paid for a longer period for special reasons with approval of the Chairman.

Rule No. 20 (B) : Every employee of the Council shall have the right to be heard in his own defence either orally or in writing in respect of the charge on any of the above counts of misconduct levelled against him and the decision of the competent authority in his case shall be final and binding. Before taking action under this Rule the appropriate authority shall take into account the extent or gravity of the proved misconduct, previous record of the employee and any other relevant, aggravating or extenuating circumstances that may exist.

PROMOTION

Rule No. 21 : The promotion of any employee will entirely depend upon his work and satisfaction he renders to the Council in the discharge of his duties and his being otherwise useful to the Council.

Rule No. 21 (A) : Advance increment(s) or any cash award can be granted to an employee by the competent authority if it is felt that he has done good work during the year and deserves encouragement.

SERVICE RECORD

Rule No. 22 : A record on service of every employee shall be maintained by the competent authority. The record shall be kept in such a form and shall contain such information, as may be prescribed by the Committee of the Council.

LEAVE

Rule No. 23 : Every employee shall be entitled to the following categories of leave :—

1) Casual leave : 14 days with full pay in a year but not nore than 10 days in one instalment.

2) Sick Leave : 20 days with half pay.

3) Earned Leave : 1/11th of the period of service after completing one year of service with full pay.

4) Maternity leave : 12 weeks with full pay. but not more than thrice during the entire service with the Council.

5) Extraordinary Leave : As may be decided by the Committee of Administration on merits.

N.B. : Pay means basic pay, dearness pay plus allowances.

Rule No. 24 : Leave shall not be claimed as a matter of right and the grant of leave shall depend on the exigencies of the work and the authority empowered to grant leaver shall have the right to revoke any leave granted to any employee and recall him in case circumstances demand such recalling to duty.

Rule No 25 : No sick leave will be sanctioned until an applicant attaches with his application a medical certificate from a physician if the leave is for more than three days.

In case where warranted, the Council may ask an applicant to appear before the physician, as may be decided by the Council.

Rule No. 26 : All office holidays and Sundays falling within the period of leave except in case of casual leave, shall be counted in leave

Rule No. 27 : Leave ordinarily begins on the day on which the transfer of charge is effected and ends on the day preceding that on which charge is resumed. If a day which is an office holiday or Sunday precedes or follows the period of leave, the employee may avail of the holiday in continuation of his leave and in such a case holiday will not be reckoned as part of the leave.

Rule No. 28 : The staff on probation shall be entitled to one day leave with pay on completion of one full calendar month's service.

Rule No. 29 : In case of an employee returning from leave out of India the last day of his leave is the day before the arrival of the vessel in which he returns at her morring or anchorage in the port of disembarkation (or if he returns by air the day on which the aircraft in which he returned arrives at its first regular port in India)

Rule No. 30 : An employee on leave shall not take any service or accept any employment without obtaining the previous sanction of the appointing authority.

Rule No. 31 : The Chief Executive shall have full powers to grant leave as prescribed to any employee and may delegate the necessary authority to the subordinate officers in the matter of granting leave to employees.

Rule No. 32 : In case any employee goes out of station on any kind of leave, he shall intimate to the Council the fact of his leaving the station giving his address at the place or places to which he is proceeding.

Rule No. 33 : If an employee is recalled to duty before the expiry of his leave he will be entitled to :—

i) Receive travelling allowances if he is out of station.

ii) The leave from which he is recalled, being treated as on duty from the date on which he leaves the place where he may be

Rule No. 34 : Ordinarily, an employee is to make application to the Chief Executive for sanction of leave. In case an employee absent himself from duty without previous leave, or overstays after expiry of sanctioned leave, he shall be required to give valid reasons for the absence; otherwise the same will not be counted as leave.

Rule No. 35 : i) Earned leave may be accumulated upto 180 days in respect of all employees of the Council and leave accumulated in excess of 180 days shall normally be forfeited unless the Committee decides otherwise provided that, in one spell, not more than four months leave can be taken.

ii) Earned leave shall be creditable to an earned leave account, half of such leave to enjoyable leave account and the other half to encashable leave account. The leave credited to the former account must be enjoyed and cannot be encashed. The leave credited to the later account may be either encashed or availed of, at the discret on of the employee subject to the condition that encashment is permissible normally not more than twice in a year.

(Note : Pursuant to the directive of the Ministry the facilities for encashment of leave under Rule 35 (ii) adove has been withdrawn w. e. f. 1. 4. 1974).

(Note : The Scheme of Encashment of Earned Leave has been re-introduced as per Ministry's Circular No. 6/8/MDA/79 dated 28th August, 1980 as per details given in Annexure IV.

Rule No. 36 : A Sunday or holiday falling at the beginning or end of the earned leave period shall not be counted as part of the leave, but may be prefixed or suffixed to the leave under permission of the leave sanctioning authority.

Rule No. 37 : Applications for earned leave shall ordinarily be submitted at least 30 days in advance of the date from which the applicant intends to proceed on leave.

Rule No. 38 : i) If any employee leaves the service of the Council or retires, he shall be paid for the entire period of earned leave standing to his credit on that date.

ii) SICK LEAVE :

(a) The period of sick leave permitied to an employee shall not exceed 20 days per year (receiving only half pay during the sick leave period, the word pay means basic pay, dearness pay and all allowances).

(b) Sick leave may be accumulated up to a maximum of 120 days (on half pay).

(c) An employee may at his own option have the half pay leave due converted to half the duration at full pay rates. Such converted leave is termed 'Commuted Leave' and shall be granted only on production of a Medical Certificate.

iii) MATERNITY LEAVE :

(a) Married women who have been in continuous employment of the Council for not less than six months prior to confinement shall be allowed maternity leave with full pay including allowances for 90 days.

(b) The competent authority may grant leave of another kind admissible to the employee in combination with or in continuation of maternity leave, if the request for its grant is supported by Medical Certificate. Maternity leave shall not be granted more than thrice during the entire period of the employees' service and such leave will be allowed only once in three years.

(c) The maternity leave may also be granted upto six weeks in case of abortions and miscarriage subject to production of Medical Certificate.

Rule No. 39 : EXTRA-ORDINARY LEAVE :

(a) Extraordinary leave may be granted to an employee when no ordinary leave is due to him and when having regard to his length of service, his service record etc. the sanction of extraordinary leave is considered justified by the competent authority. The duration of extraordinary leave shall not exceed three months on any one occasion and 12 months during the entire period of any employee's service. In exceptional and deserving cases the Committee of the Council may grant extraordinary leave for more than three months on any one occasion and also beyond the limit 12 months indicated above.

(b) A competent authority may grant extraordinary leave in combination with or in continuation of leave of any other kind admissible to the employee and may commute retrospectively periods of absence without leave into extra-ordinary leave.

(c) No pay and allowances shall be admissible during the period of extra-ordinary leave and the period spent on such leave shall not count for increments, provided that, in cases where the Committee of the Council is satisfied that the leave taken was on account of illness or for any other case beyond the Employee's control, it may direct that the period of extra-ordinary leave may count for increments.

(d) Where circumstances justify and an employee has to his credit a good record for long service, extra-ordinary leave may be granted by the competent authority with pay and treat the same as a kind of earned leave in advance. All such cases shall be referred to the Committee of the Council and their decision shall be final.

Rule No. 39

(A) : SPECIAL CASUAL LEAVE

Special casual leave may be allowed to any employee of the Council for a period not exceeding 30 days in any one of the calendar years for taking part in mountaineering expeditions, sporting events, tournaments and matches of national and international importance. The period of absence in excess of 30 days should be treated as regular leave of the kind admissible under the relevant leave rules applicable to the persons concerned. For this purpose, employees of the Council may as a special case be permitted to combine special casual leave with regular leave. Special Casual Leave should not, however, be granted in combination with ordinary leave.

The special casual leave may be allowed only :

(a) for participation in sporting events of national or international importance; and

(b) when the employees concerned is selected for such participation.

i) In respect of international sporting events by National Sports Federation/Association recognised by the All India Council of Sports and approved by the Ministry of Education.

ii) In respect of events of national importance, when the sporting event in which participation takes place, is held by an inter-state, inter-zonal for inter-circle-basis, and the employees concerned takes part in the event in a team as a duly nominated representative on behalf of the State, Zonal or circle as the case may be.

(c) for participation in mountaineering expedition provided that the expedition has the approval of the Indian Mountaineering Foundation.

This concession is not to be allowed for participating either in a national or international sporting event in which such participation of the concerned employee of the Council takes place in his personal capacity and not in a representative capacity.

Rule No. 40 : Holidays mean all Sundays and holidays declared under the Negotiable Instruments Act. Office holidays at each Regional Office will be observed as may, from time to time, be notified by each individual office.

MEDICAL BENEFIT

Rule No. 41 : Medical facilities shall be allowed to all employees, who have completed probation on the following lines :—

i) The quantum of medical expenses to be reimbursed to the eligible employees of the Council will be subject to a maximum ceiling of Rs. 1,200/- per annum which can be claimed on production of vouchers / proof of actual expenditure incurred by the employees concerned.

ii) In addition to (i) above, actual expenditure incurred on hospitalisation in Government Hospitals may also be reimbursed at the rates and on conditions applicable to Government servants.

Note : Staff shall mean the employee, his wife/her husband, children and dependent parents.

CONVEYANCE ALLOWANCE :

Rule No. 42 : Unless otherwise stated in these Rules, actual conveyance charges within the city limits, such as taxi, bus or tram car, will be paid to an employee when sent out on official duty. An employee in the rank of an Assistant and above, is entitled to taxi fare. In case of urgency, the Chief Executive may permit an employee of any rank to travel by taxi and he will be eligible to get the actual taxi fare.

TRAVELLING ALLOWANCE :

Rule No. 43 : (i) An employee is entitled to actual Air/Rail fare in approved class including incidentals and daily allowance or actual expenditure in the category of hotels approved for each post/pay range, for journeys from Headquarters/Regional Office to place/places outside the city limits for performing the Council's work. By actual expenditure is meant hotel rental in full and food expenses upto a limit of 50% of the admissible DA rate. The rate of daily allowance, mode of conveyance as also class of hotel accommodation to which an employee will be entitled shall be as follows :

Post/pay range	Mode of conveyance	Daily travelling allowance		Category of Hotel
		Bombay/ Calcutta/ Delhi/ Madras	Other cities	
Secretary	Air or A/C.	Rs. 50/-	Rs. 45/-	5-Star Hotel
Rs. 1100/- and above	Air or First Class	Rs. 45/-	Rs. 40/-	3-Star Hotel
Rs. 425/- and above	First Class	Rs. 35/-	Rs. 30/-	Tourist's Hotel
Rs. 330/- and above	Second Class	Rs. 30/-	Rs. 25/-	—
Rs. 260/- and above	Second Class	Rs. 25/-	Rs. 20/-	—
Rs. 196/- and above	Second Class	Rs. 20/-	Rs. 15/-	—

(ii) The facility for undertaking tour on actual expenditure basis will be available to the Secretariat members. In case of other officers depending on the need and requirement such facility of undertaking tour on actual expenditure basis may also be granted subject to prior approval of the Chairman/Chief Executive.

iii) The Chairman may permit an employee not entitled to travel by air to do so by air in the interest of the Council.

In cases where an employee is eligible to travel either by Air/Rail the sanction to permit travel by Air will have to be obtained beforehand from the Chief Executive.

iv) Daily allowance will be admissible only in cases where the duration of travel/stay is more than 8 hrs. For this purpose daily allowance at the admissible rate for ½ day will be granted where the duration of travel/stay is more than 8 hrs. but less than 12 hours. However, one full day will be counted for the purpose of daily allowance if the duration of travel/stay is 12 hours or more.

TRANSFER T. A.

Rule No. 44 : On transfer, every employee is eligible for transfer T. A, as follows :—

i) Actual railway fare/road mileage for the employee and family in the class to which he is eligible;

ii) Cost of transfer of personal effect by train or lorry limited as follows :—

	Pay range	with family	without family
a)	Rs. 700/- and above	6000 kg.	2000 kg.
b)	Rs. 330/ but not exceeding Rs. 699/-	3000 kg.	1000 kg.
c)	Rs. 196/- and above	1500 kg.	750 kg.

Note : Where an employee is transferred from one station to another, he will be allowed a joining time of three days plus the time taken for journey and in the case of transfer the employee shall be entitled to an allowance to cover the charges to break at the old station and setting up the establishment at the new station an amount equal to @ 50% of one month's pay including allowances subject to minimum of Rs. 200/-

"In case of death of an employee while on service the family of the deceased employee will be eligible to claim the reimbursement of conveyance and/or transport charges for shifting his or her family from the last headquarters of the deceased employee to his or her normal place of residence/native place. In case of any dispute/doubt the same will be settled as per SR 1 48 of the Central Govt. Rules".

PROVIDENT FUND

Rule No. 45 : "EVERY EMPLOYEE of the Council shall be entitled to the benefit of the Council's Contributory Provident Fund Scheme and the employees' contribution shall not be less than 8.1/3% of an employee's gross salary provided the benefit intended shall not be available to the employees who have been employed after 31st March, 1981. However, the employees employed after 31st March, 1981 shall be entitled to the benefit of the Council's Contributory Provident Fund Scheme and the employees' contribution shall not be less than 8% of an employee's basic pay+D.A."

LEAVE TRAVEL CONCESSION

Rule No. 45(A) :

1. An employee of the Council is entitled to leave travel concession once in a block of 2 years for visiting his home town to and fro with family or once in a block of 4 years for visiting any place(s) within India other than his home town.

2. Once in a block of 4 years or 2 years as the case may be, every employee in Class I Class II and Class III post of the Council would be entitled to avail of LTC for distance over 400 Kilometres from the headquarters to any place within India inclusive of his home town and every employee in Class IV post to avail of LTC for distance of over 160 kilometres from headquarters to any place within India inclusive of his home town.

3. Reimbursement is allowed for the entitled Class or actual Class which is less.

4. 80% of the reimbursable amount may be given as advance on the basis of tour programme to be submitted by the concerned employee.

5. The term 'home' means the permanent home town or village as entered in the Service Books or other appropriate official records of the employees concerned or such other place as has been declared by him duly supported by reasons such as ownership of movable property/permanent residence of near relatives etc. at the place where he would have been normally residing but for his absence from such a place for services with the Council.

6. The "family" will, besides including the employee, his wife her husband as the case may be, and children, also include parents, sisters and minor brothers residing with and wholly dependent upon the employee concerned.

If the Council comes across any dispute/doubt relating to the leave travel concession, the same should be settled in accordance with the Govt. Rules in vouge in this regard.

Note—Pursuant to the directive of the Govt. of India vide M. O. No. 31011/10/78-Estt (4) dated 1.9.78 (issued by the Ministry of Home Affairs, Deptt. of Personnel & Administrative Reforms) the restrictive provisions on the kilometerage as stated in clause 2 of Rule 45(A) will be governed in the following manner w.e.f. 1st Sept., 1978.

In the case of the Leave Travel Concession to visit any place in India (other than the home town) once in a block of four years, the reimbursement of fare, may be allowed for the entire distance both ways without any deduction in respect of the first 400/160 kms. There will, however, be no change in regard to the leave travel concession to home town under which an employee will have to bear the liability in respect of the first 400/160 kms. as the case may be.

CHILDREN'S EDUCATION ALLOWANCE

Rule No. 45 : The allowance will be granted to all permanent employees of the Council as also temporary employees who have put in not less than one year's service and whose pay dose not exceed Rs. 1,200/- per month

Subject to the fulfilment of the conditions laid down hereunder :-

The allowance is admissible at the following rates:-

1) Primary Class (Class I to V excluding Kindergarten and Infant Classes). Rs. 15/- per month per child

2) Secondary and Higher Secondary Classes (from VI up to the stage of entry into the Degree Course) Rs. 20/- per month per child

The total allowance admissible to an employee at any one time shall not exceed Rs. 60/per month.

The allowance will be admissible only in respect of children between the age group of 5 and 18 years. The allowance will commence from the month following that in which the child attains the age of 5 and shall cease at the end of the academic year in which the child attains the age of 18. When the child is admitted in, or withdrawn from a school during the course of a month, the allowance will be admissible for the whole of that month.

Where the allowance is claimed it will be necessary for the employee concerned to submit a Certificate in the prescribed form to the office at the begining of the school/college session each year.

"Every employee employed on or after 1st June, 1984 shall be entitled to the benefit of Children Education Allowance in terms of Govt. Rules".

OVERTIME AND OTHER ALLOWANCE :

Rules No. 45 (C) Rules as may be prescribed by the Committee of the Council regarding overtime and other allowances, will be applicable.

Bye-law relating to the Council's Service Rules No. 42 and 45(C) The last sentence starting from "for others who stay outside city limits will be paid taxi fare to the nearest railway station" is deleted from Bye-law No. 2 of the Council's Service Rules so as to maintain equity in the application of the rule. This means that the revised Bye-law No. 2 will read as under :-

"Class III and Class IV staff will alone be eligible for overtime. The rate of overtime will be calculated on hourly basis at 110% of the gross salary. Class I and Class II staff members will be paid conveyance allowance from office to residence up to the city limit for overstay".

"Every employee in the category of Class-III and Class-IV employed on or after 1st June, 1984 will eligible for overtime as per Central Govt. Overtime Allowance Rule".

GRATUITY

Rule No. 46 : Every employee of the Council shall be entitled to the benefit of Gratutity at the rate of one month's pay for every completed year of service subject to maximum of 15 month's pay, the pay, being calculated upon the average of his pay for the last three years, provided however the benefit intended shall not be available to the employees who have been employed after the 29th February, 1968 unless the employee concerned has put in 10 years of continuous service, For the purpose of this rule, pay means basic pay + D. P. Employees who have been employed after 29-2-1968 but have not completed 10 years of service would, however, receive the benefit of Gratuity as admissible under the Payment of Gratuity Act, 1972.

The gratuity shall not be payable to an employee if he is dismissed from the services of the Council.

"Every employee employed after 1st January, 1984, shall be governed by the Government death-cum-retirement gratuity and shall be entitled to get the payment of death-cum-retirement gratuity @ 15 days for each completed year of service subject to the maximum of 16½ months' pay and subject to the overall ceiling of Rs. 36,000/-".

The death-cum-retirement gratuity will be compulsory for the employees who will be employed on or after 1st January, 1984. However, those employees of the Council who are already in service will have the option to opt out the death-cum-retirement gratuity rule and to this effect they have to give in writing their desire to prefer for death-cum-retirement gratuity rule on or before 31-12-1983.

Rule No. 46(A) (a) ADVANCE TO THE COUNCIL'S EMPLOYEES

The competent authority may grant the following advance to an emp-

loyee of the Council who has completed 3 years of service.

(b) INTEREST BEARING ADVANCE TOWARDS :

i) Motor Car, Motor Cycle, Scooter, Bicycle;
The advance shall be granted as per Govt. Rule/Notification in this regard and interest be charged as per Govt. rates as applicable from time to time.

Note : Advance/Loan under Rule No. 46(A)(b)(i) will be operated as per the rules and procedure laid down by the Govt. of India in the Financial Rules (FR) Volume-I. The relevant extracts from the F.R. are given in separate annexure-II)

(c) INTEREST FREE ADVANCE :

i) Advance in connection with transfer, tours, leave travel;

ii) Advance in connection with festivals, religious functions, ceremonies, in the family of the employees;

iii) Advance in connection with the expenses towards marriage of an employee or marriage/death of a member of his family

iv) Advance in connection with the education expenses.

v) Advances in connection with the medical expenses for the employee/ members of his family

vi) Advances in connection with natural calamities;

vii) Advances for any other purpose as may be approved by the Chairman.

Note : For the purpose of interest-free advance, no employee shall be advanced any time an amount more than two times his monthly salary. The loans shall be repayable in not more than 12 equal monthly instalments commencing from the immediate following month after the grant of the loan. Applications for loans for amounts less than one month's salary will not be entertained. Loans will be granted subject to availability of Funds in the Council.

Note : (The modality of grant of the interest free advances shall be governed by a separate bye-law)

LONG TERM LOAN FOR HOUSE BUILDING PURPOSES

Rule No. 46 (B)

With a view to enabling its employees who desire to provide for themselves permanent residential accomodation at the place of duty or at the place where the Council's employees extends to settle down after retirement the Council provide the facility of long term loan according to the rules as framed separately (Annexure-III) and subject to its limited resources available for the purpose to such applicants, who at its discretion and its judgement will be conidered fit to receive such facility.

Rule No. 46 (B) towards long-term loan/advance for house building purpose will be replaced by the Central Government House Building Advance Rules with effect from 1-4-1984. However, employees who have already vailed or will be availing the Council's house building loan facility up to 31st March 1984, will be governed by the existing Rule No. 46(B) of the Council's Service Rules. The scheme will be opperated on first-come-first serve basis up to the budgetted amount which will be provided on the basis of the financial liquidity position of the Council. The additional benefit of the new scheme from the date of implementation/introduction would not be available to the employees who had already taken the benefit of the Council's present house building loan facility.

RETIREMENT

Rule No. 47

Every employee shall normally retire on attaining the age of 60 years. The Committee of Administration may, however, extend the period of service of an employee beyond the age of 60 years, provided he continues to remain fit both mentally and physically.

"Every employee employed on or after 1st January 1984, shall retire on attaining the age of 58 years".

CHEMICALS & ALLIED PRODUCTS EXPORT PROMOTION COUNCIL

CALCUTTA

Bye-laws incidental to the Service Rules of the Council

BYE-LAWS

Loan facilities (Rule No. 46 (A)

i) Interest bearing advance towards Motor Car, Motor Cycle, Scooter and Bicycle. As per Rule 46(A) (b) (i)

ii) Interest free advance towards : (Rule 46(A) (c)

PRIORITY I

Advance in connection with the expenses towards marriage of an employee or marriage/death of a member in his family. Family for this purpose means husband/wife/children/parents/brothers/sisters.	Two month's salary
Advances in connection with the medical expenses for the employees/members of his family (only for hospitalisation/ prolonged treatment i.e. more than one month)	-do-
Advance in connection with natural calamities (as established and notified by the Government)	-do-
Advances in connection with transfer	One month's salary
Advances is connection with education expenses	-do-

Priority I loans to be approved and passed by the Secretary.

PRIORITY II

Advance in connection with tours, leave travel.	One month's salary
Advances in connection with the main festivals, religious functions, ceremonies in the family of the employee	-do-

Advances for any other purpose as may be approved by the Chairman may also be considered.

Priority II loans as per sanction of Chairman after ascertaining fund position every time.

No employee will have to his credit more than two months' salary as loan advanced to him at any time.

The total amount advanced by way of loan will be recoverable in twelve months from the date on which loan is advanced in equal monthly instalments.

1) Such employees who have either completed 10 years of service in the Council as confirmed employees or who have joined the Council before 29th of February, 1968 need not furnish any 'Guarantee' while applying for loan.

2) Confirmed employees other than those mentioned in (1) who have completed at least one year of service must furnish 'Guarantee' while applying for loan. In this case the employees in category (1) above may simultaneously take loan and stand as other's guarantor to ensure safe recovery of the money given by way of loans.

2. Overtime : (Rule No. 45(c) & Rule 42

Class III and IV staff will alone be eligible for overtime. The rate of overtime be calculated on hourly basis at 110% of the gross salary. Class I and II will be paid Conveyance Allowance from office to residence within the city limits for overstay.

"Every employee in the category of Class-III and Class-IV employed on or after 1st June, 1984 will eligible for overtime as per Central Govt. Overtime Allowance Rule".

3. Working Hours :

Office hours for Class I, II and III employees will be from 9-30 A.M. to 4-30 P.M. with lunch break from 1-30 to 2-00 P.M. on week days (Office will remain closed on all 2nd and 4th Saturdays).

For Class IV employees working hours will be from 9-00 A.M. to 5-00 P.M. on week days with lunch break from 1-30 to 2-00 P.M. and Secretary may adjust the office hours without changing of the total working hours of individual Class IV employee to suit the convenience of the office.

Driver's working hours will be decided by the Committee.

4. Holidays :

Holidays declared under Negotiable Instruments Act will be followed for the purpose of closing office. Secretary may grant additional full or partial holidays.

5. Late Attendance :

Late attendance of 15 minutes will be condoned in normal course. Late attendance thereafter will be subject to penalty as under, unless condoned for special reasons by Secretary.

(a) If any member of the staff is late for more than 3 days in a month, leave at the rate of one day for every 3 days of late attendance will be deducted at the discretion of the Secretary if satisfactory explanation is not forthcoming from the person concerned.

If no leave is due, late attendance at the rate mentioned above will be treated as "Leave without pay".

i) Attendance with late mark is allowed for the first half — Upto 11-30 A.M.

ii) Attending time for the second half (when leave for first half is approved) — Upto 1-30 P.M.

iii) Attendance within 11-30 A.M. to 1-30 P.M. — Half day leave

iv) Attendadce after the above prescribed hours requires Secretary's permission.

6. Commuted Leave (Rule 25 & 38 (ii)

Employees desiring to avail of Sick Leave/Commuted Leave under Rules 25 and 38(ii), must inform the Council on the same day of his/her falling sick so as to enable the Council to exercise the provision of Rule 25, para 2, as otherwise, the Sick Leave/Commuted Sick Leave is liable to rejection.

In case of intimation by messenger or telephone the same should be followed by a letter with medical certificate.

7. Leave Travel Concession : (Rule No. 45 (A)

Mode and Class of travel by the various categories of staff and other incidental factors :

i) Entitlement of class of travel

The mode and class of travel should the same as normally admissible to a staff member under the Council's TA rules prevailing at the time of journey undertaken.

ii) Serial number of tickets and cash receipts should be produced with the claim.

iii) The concession will be admissible for journeys performed by the employee during regular leave or casual leave as the case may be irrespective of the duration of such leave.

iv) If the employees entitled of LTC either in a block of 4 years or in a block of 2 years, do not avail of such LTC during the first block, they may be allowed to carry forward their entitlement to the next block to be utilised by them only in the first year of the said block.

v) An employee including his family may travel by any route or halt anywhere on the way to or from the home town/any place in India subject to the condition that such assistance be limited to their share of the fare by the shortest route calculated on a through ticket basis.

vi) Where the place of travel is not connected by rail but is connected by any other recognised public transport system, the quantum of assistance in the fare actually charged by such a system for the appropriate class of accommodation of the transport system.

vii) An employee is entitled to travel by air between places not connected by rail or alternative means of travel or even if it is so connected, the journey is more expensive than when the journey is undertaken by air. In such cases, the Council will bear the same proportion of cost as in the case of rail journey.

viii) Incidental charges namely reservation charges by travel agent/their commission etc. will not be allowed, but the actual berth reservation charges, if any, which are included in the railway cash receipt along will be reimbursed.

Bye-law No. 3 regarding Working Hours :

Bye-law No. 3 incidental to the Service Rules of the Council has been revised and the revised Bye-law will be as under :-

"Office hours for Class I, II, III and IV employees (other than Sweeper) will be from 9-30 A.M. to 4-30 P.M. with lunch break from 1-30 P.M. to 2-00 P.M. For Administrative convenience, Management will be free to give duty hours to the different Class IV employees so long the total working hours of Class IV employees are within the normal limit.

Working hours of Driver will be from 9-00 A.M. to 5 P.M. with half-an-hour recess. There would not, however, be any fixed half-an-hour recess period for the Driver and no over-time or food allowances will be paid if the Driver is used any time in the Working Hours mentioned above".

(The above revision is effective from 1-12-79)

Bye-law No. 6 pertaining to Rules 25 and 38 (ii) :

Commuted Leave : (Rule 25 & 38 (ii).

The revised Bye-law No. 6 of the Council's Service Rules will read as under :

"Employees desiring to avail of Sick Leave/Commuted Leave under Rules 25 and 38 (ii), must inform the Council on the same day of his/her falling sick so as to enable the Council to exercise the provision of Rule 25, Para 2, as otherwise, the sick Leave/Commuted Sick Leave is liable to rejection.

In case of intimation by messenger or telephone the same should be followed by a letter.

Employees may avail CSL even for one day if suitably backed by medical certificate. Further employees would be permitted to submit one Combined Medical Certificate (indecating both sickness and fitness) at the time of joining in case of short medical leave. For long medical leave employees are, however, required to submit at least two medical Certificate indicating sickness and fitness. Period of short medical leave, however, will be limited to 10 days only.

ANNEXURE-I

ANNEXURE TO RULE NO. 7(a) of the Service Rules.

Department of Personnel & A. R.

Broad features of the scheme of reservation for Scheduled Castes and Scheduled Tribes for being followed by the voluntary agencies receiving grants-in-aid from the Government.

The following measures should be taken with regard to the reservations for Scheduled Castes and Scheduled Tribes in appointments to various posts under the Voluntary Agencies :

I) Percentages of Reservations	Sch. Castes	Sch. Tribes
i) Direct recruitment on an All India Basis.	15%	7½%
ii) Direct recruitment to Posts which normally attract candidates from a locality or region	As shown in App. II.	

II) Rosters :

To give effect to the above reservations, vacancies should be treated as reserved or unreserved according to a model roster as described below :-

i) Direct recruitment on an All India basis.	40 point roster	As given in Appendix I.
ii) Direct recruitment to posts which normally attract candidates from a locality or region.	100 point roster	As given in Appendix II.

The roster should be maintained in a register in the form given in Appendix-III. This roster should be maintained in the form of a running account year by year i.e. if recruitment in a year stops at point 6, recruitment in the following year will start from point 7. After completing the cycle of 40/100 points, the roster will start again from point 1.

III) Procedure for reservation :

Before any reserved vacancy is dereserved and filled by a general candidate, the prior approval of the Governing Body/Executive Council should be obtained.

IV) Essential steps to secure Sch. Caste/Tribe Candidates :

The following steps should be taken to bring the reserved vacancies to the notice of the members of Scheduled Castes and Scheduled Tribes :-

i) All vacancies should be notified to the local or the regional Employment Exchange mentioning clearly the number of vacancies reserved for Sch. Castes & Sch. Tribes.

ii) The vacancies should be advertised in newspapers considered suitable for the purpose if candidates are not available through the Employment Exchange.

V) Separate interview of Sch. Castes/Sch. Tribes Candidates :

Interview of Scheduled Castes/Scheduled Tribes candidates should be held on a day or sitting of the Recruitment committee other than the day or sitting on which general candidates are to be interviewed so that the Scheduled Castes/Scheduled Tribes candidates are not juged in comparison with general candidates and the interviewing body is prominently aware of the need for judging the Scheduled Cast/Scheduled Tribes candidates by relaxed standards.

VI) Carrying forward and lapse of reservations :

If sufficient number of Scheduled Caste/Tribe candidates are not available to fill the reserved vacancies in any particular year, these may be filled by general candidates after dereservation (vide para III above) but the reservations will be carried forward to three subsequent recruitment years, before they could be treated as lapsed. In the third year of such carry-forward, Scheduled Tribe candidates can be considered against the vacancies reserved for Scheduled Castes if suitable Scheduled Castes candidates are not available, and vise versa.

VII) Relaxation of age limit :

The maximum age-limit prescribed for appointment to a post should be increased by 5 years in the case of candidates belonging to Scheduled Castes/Scheduled Tribes.

VIII) Relaxation of standards :

If a sufficient number of Scheduled Caste/Tribe candidates is not available on the basis of the general standard to fill all the vacancies reserved for them, candidates belonging to these communities may be selected to fill up the remaining reserved vacancies by applying relaxed standards, subject to the fitness of these candidates for appointment to the post/posts in question.