G.S.R. 877 – 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, commencement and application** - (1) These regulations may be called the Bombay Port Trust Employees (Conduct) Regulations, 1976.

(2) They shall come into force on the date of their publication in the Official Gazette. 1

(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 Bombay Port Trust.

Provided that nothing in cause (ii) of sub-regulation (5) of regulation 4 subject to the provisions of the Industrial Disputes Act, 1947 (14 of 1947), regulation 9, sub-regulation (2) of regulation 10, regulation 11, sub-regulation (2) of regulation 12, regulation 13, sub-regulations (1), (2) and (3) of regulation 15, regulations 16, 17 and 18 shall apply to an employee drawing a pay not exceeding Rs.650 per mensem and holding a Class III or Class IV post:

Provided further that nothing in the foregoing proviso shall apply to any employee holding an 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 the same meaning as in the Major Port Trusts Act, 1963 (38 of 1963);

---

(b) “class I, class II, class III and class IV posts” shall have the same meanings as assigned to them respectively in the Bombay Port Trust Employees (Classification, Control and Appeal) Regulations, 1976;

(c) “employee” means an employee of the Board’

(d) “Government” means the Central Government;

(e) “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 person related, whether by blood or by marriage, to the employee or to such employee’s 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 of whose custody the employee has been deprived by law;

(f) “prescribed authority” means the appointing authority as prescribed in the Bombay Port Trust Employees (Classification, Control and Appeal) Regulations, 1976.

3. **General** – (1) Every employee shall, at all times, maintain absolute integrity and devotion to duty.

(1A) No employee shall –

(i) act in a manner prejudicial to the interest of the port;

(ii) remain absent without sanctioned leave or be irregular or unpunctual in attendance;

(iii) neglect work or show negligence in the performance of work including showing down of work;
(iv) abet, connive at or attempt or commit theft, fraud or dishonesty in connection with Port Trust work or property;

(v) commit frequent repetition or any act or omission for which a fine may be imposed;

(vi) act in insubordination or disobedience, whether alone or in combination with others, of any lawful or reasonable order of a superior;

(vii) abet or attempt to abet any act which amounts to misconduct;

(viii) cause loss of or damage to Port Trust property or property in the custody or lying in the premises of the Port Trust or interfere with any safety device installed in the Port Trust premises;

(ix) take or give bribes or any illegal gratification or any acts of abetment in connection herewith;

(x) assault or intimidate a superior officer or officers or fellow employee or employees of the Port Trust;

(xi) gamble or bet or attempt to do so on Port Trust premises;

(xii) fail to observe rules or regulations;

(xiii) make false or misleading statements;

(xiv) take proceedings in any Court against any fellow worker in respect of any dispute or offence non-cognisable by the Police that may happen on Port Trust premises or in connection with Port Trust work, without obtaining the previous sanction of the Chairman; and

(xv) behave improperly such as quarrel or sleep while on duty or behave in a riotous, disorderly or indecent manner or commit any act subversive of discipline.
1[2) No employee, holding a class I or class II post, shall use his position or influence directly or indirectly to secure employment for any member of his family in any company or firm.]

2[(3) (i) No employee holding a class I post shall, except with the previous sanction of the Chairman, permit his son, daughter or any other dependant to accept any employment with any firm or company with which he has dealings in his capacity as such employee or with any other firm having dealings with the Board:

Provided that where the acceptance of such employment by the son, daughter or other dependant of such employee cannot await the prior permission of the Chairman or is otherwise considered urgent, the matter shall be reported by the employee to the Chairman and the employment may be accepted provisionally subject to the permission of the Chairman.]

3[ (ii) An employee holding a class I or class II post 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 Chairman 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 an employee holding a class I post if he has already obtained the sanction of, or sent report to, the Chairman under clause (i).]


   
   (4) Every employee shall desist from dealing with a case relating to award of a contract or exercise of patronage in favour of a firm or company in which his child or dependent is employed.

   (5) No employee shall 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 shall be objectionable.

   (7) Every employee shall be 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 an employee of the Board as, for instance, by neglect of his spouse and family] action may be taken against him on that score.

   (8) An employee who is convicted by Court of Law or arrested shall report the fact of his conviction or arrest to his departmental superiors promptly in writing. Failure to do this may render him liable to disciplinary action.

4. **Taking part in election** - (1) No employee shall take part in an election to any legislature or local authority :

   Provided that –

   (i) an 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 proposes to vote or has voted;

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

---


(2) No employee shall engage himself or participate in any demonstration which is prejudicial to the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality, or which involves contempt of Court, defamation or incitement to an offence.

(3) No employee shall join or continue to be a member of an association the objects or activities of which are prejudicial to the interests 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 Chairman, own wholly or in part or conduct or participation in the editing or managing of, any newspaper or other periodical publication.

(2) No employee shall, except with the previous sanction of the Chairman, or any other authority empowered by him in this behalf, or in the bonafide discharge of his duties, participate in a radio or television broadcast or contribute any article or write any letter either anonymously or in his own name or in the name of any other person to any newspaper or periodical:

Provided that no such sanction shall be required if such broadcast or such contribution is of a purely literary, artistic or scientific character.

6. **Criticism of Board/Government** – No employee shall, in any radio or television broadcast or in any document, published anonymously or 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 case of any employee specified in the proviso to sub-regulation (3) 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 safeguarding 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 or 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 (3), no employee shall, except with the previous sanction of the Chairman, give evidence in connection with any inquiry 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 inquiry 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 inquiry; or

(c) evidence given in any departmental inquiry ordered by authorities 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. **Unauthorised 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 any 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 been or to have retained, the action shall be construed as not only improper but also as involving contravention of this regulation.

9. **Subscriptions** - No employee shall, except with previous sanction of the Chairman, ask for or accept contributions to, or otherwise associate himself with the raising 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 contributions for the benefit of Ex-servicemen and Merchant Navy personnel is permissible without any specific sanction under this regulation.

3. Collection of subscriptions by an employee *qua* member of a service union of employees from amongst other members of the union shall be –

   (i) unobjectionable and shall not require prior sanction if –

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

   (b) where a matter affected the general interests 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) objectionable if the proceeds are proposed to be utilised for the defence of an individual member of the union against whom departmental action is being taken on grounds which concerned him in particular.
(4) Approach to the public for collecting funds for the union without the previous sanction of the Chairman shall be objectionable.

1[10. Gift - (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 having official dealings with him or from industrial or commercial firms, organisations, etc.

(2) (a) On occasions, such as wedding, 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 any such gift exceeds –

(i) Rs.500 in the case of an employee holding any class I or class II post;

(ii) Rs.250 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.

(b) On such occasions as are specified in clause (a) of 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 any such gift exceeds –

(i) Rs.200 in the case of an employee holding any class I or class II post;

(ii) Rs.100 in the case of an employee holding any class III post; and

(iii) Rs.50 in the case of an employee holding any class IV post.

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

(i) Rs.75 in the case of an employee holding any class I or class II post; and

(ii) Rs.25 in the case of an employee holding any class III or class IV post].

1[(4) 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 may be, any dowry.

Explanation - For the purpose of this sub-regulation, dowry has the same meaning as in the Dowry Prohibition Act, 1961, (28 of 1961).]

11. **Public demonstrations, etc. in honour of employee** – No employee shall, except with the previous sanction of the Chairman, 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 or accept any invitation to declare buildings, etc., open or to lay the foundation stones of new buildings, etc. or allow public places or institutions to be named after him:

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 entertainment arranged by public bodies or institutions.


12. **Private trade or employment** – (1) No employee shall, except with the previous sanction of the Chairman, engage, directly or indirectly, in any trade or business or undertake any employment.

   Provided that an employee may, without such sanction, undertake honorary work of social or charitable nature or occasional work of a literary, artistic or scientific character, subject to the condition that his official duties do not thereby suffer, but he shall not undertake or shall discontinue such work, if so directed by the Chairman.

   **Explanation** - Canvassing by an employee in support of the business of insurance agency, commission, etc., owned or managed by his wife or any other member of his family shall be deemed to be a breach of this sub-regulation.

   (2) No employee shall, except with the previous sanction of the Chairman, take part in the registration, promotion or management of any bank or other company registered under the Companies Act, 1956 (1 of 1956) or any other law for the time being in force:

   Provided that an employee may take part in the registration, promotion or management of a co-operative society registered under the Co-operative Societies Act, 1912 (2 of 1912) or any other law for the time being in force, or of a literary, scientific or charitable society under the Societies Registration Act, 1860 (21 of 1860) or any corresponding law in force.

13. **Investments, lending and borrowing** – (1) No employee shall speculate in any investments.

   **Explanation** - The habitual purchase or sale of securities of a notoriously fluctuating value shall be deemed to be speculation in investments 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 of the nature referred to in sub-regulation (1) or sub-regulation (2), it shall be referred to the Chairman who shall decide the same.

(4) No employee shall, except with the previous sanction of the Chairman, lend money to any person possessing land or valuable property, within the local limits of his authority or at interest to any person:

Provided that an employee may make an advance of pay to a private servant or give a loan of small amount, free of interest, to a personal friend or relative even if such person possesses land within the local limits of his authority.

(5) No employee shall, in the ordinary course of business with a bank or firm of standing, borrow money from or otherwise place himself under pecuniary obligation to, any person within the local limits of his authority or any other person with whom he is likely to have dealings; nor shall he permit any member of his family, except with the previous sanction of the Chairman, to enter into any such transaction.

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

(6) When an employee is appointed or transferred to a post of such a nature as to involve him in the breach of any of the provisions of sub-regulation (4) or sub-regulation (5), he shall forthwith report the circumstances to the Chairman and shall thereafter act in accordance with such orders as may be passed by the Chairman.

14. **Insolvency and habitual indebtedness** – (1) An employee shall so manage his private affairs as to avoid habitual indebtedness or insolvency. An employee who becomes a subject of a legal proceeding for insolvency shall forthwith report full facts to the Chairman.
when an attachment order is to be enforced against an employee, the Chairman may –

(i) determine whether the employee’s financial position has reached a stage at which confidence in him must be diminished and, if so,

(ii) consider the question of taking disciplinary action against him.

15. **Movable, immovable and valuable property** – (1) No employee shall, except with the previous knowledge of the Chairman, 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 any such transaction conducted otherwise than through a regular or reputed dealer shall require the previous sanction of the prescribed authority.

**Explanation** - It is not contemplated that an employee may enter into transactions regarding movable 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 shall be strictly adhered to and the employee shall obtain the sanction of the prescribed authority wherever necessary, before entering into a transaction.

(2) An employee who enters into any transaction concerning any movable property, exceeding 1[Rs.10,000] in value by way of purchase, sale or otherwise, shall forthwith report such transaction to the Chairman:

Provided that no employee shall enter into such transaction except with or through a regular or reputed dealer or agent or with the previous sanction of the Chairman.
Explanation - For the purpose of this sub-regulation, the expression “movable property” includes *inter alia* the following property, namely –

2[(a) jewellery, insurance policies the annual premia of which exceed 2[Rs.10,000] or one sixth of the total annual emoluments received from the Board, whichever is less, shares, securities and debentures;]


   (b) loans advanced by such employee, whether secured or not;
   
   (c) motor cars, motor cycles, horses or any other means of conveyance; and

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

3. Every class I and class II employee shall, on his admission in the service of the Board and thereafter at the intervals of every 12 months, submit a return as in Annexure ‘A’ to these regulations 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 name of any member of his family or in the name of any other person.

4. The Chairman may, at any time, by general or special order, require an employee to submit, within a period specified in the order, a full and complete statement of such movable 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 Chairman, include details of the means by which or the source from which, such property was acquired.

Explanation: (1) The construction of a house results in acquisition of immovable property and attracts the provisions of this regulation. The purchase of movable property required for the construction of the house also attracts this regulation.
Transactions as members of a Hindu undivided joint family shall not require the Chairman's prior permission. In such cases, transactions in immovable property shall be included in the annual property returns and those in movable property shall 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.

16. **Vindication of acts and character of employees** - No employee shall, except with the previous sanction of the Chairman, 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.

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 regarding marriages** – (1) No employee shall, after the commencement of these regulations –

(a) enter into, or contract, a marriage with a person having a spouse living; or

(b) having a spouse living, enter into or contract, a marriage with any person;

Provided that the Chairman may, on an application made in Form specified in Annexure ‘B’ to these regulations, exempt
an employee from the operation of this regulation if he is satisfied that –

(a) such marriage is permissible under the personal law applicable to such employee and the other party to the marriage; and

(b) there are other grounds for so doing.

(2) Every person who enters the Board’s service after the commencement of these regulations shall make, before such entry, a declaration as set out in Annexure ‘C’ to these regulations.

1[18A. Adoption of small family by employees - Every employee shall ensure that the number of his children does not exceed three:

Provided that nothing in this regulation shall apply to an employee who has more than three children on the 1st day of January 1978.

Provided further that an employee referred to in the preceding proviso shall ensure that the number of his children does not exceed the number of children he has on that date.]

19. Drinking - Subject to the provisions of any law relating to intoxicating drinks or drugs for the time being in force in any area, no employee shall --

2[(a) during the course of his duty be under the influence of any intoxicating drink or drug; or]

(b) appear in a public place in a state of intoxication; or

(c) habitually use such drinks or drugs to excess.

20. Interpretation - If any question arises relating to the interpretation of these regulations, it shall be referred to the 3[Central Government] who shall decide the same.


**ABNEXURE ‘A’**
[See regulation 15(3)]

Statement of Immovable Property on first appointment for the year _______

1. Name of employee (in full) ________________________________

2. Present post held ________________________________________

3. Present pay _____________________________________________

<table>
<thead>
<tr>
<th>Name of District Sub-Division, Taluka &amp; Village in which property is situated</th>
<th>Name and details of property</th>
<th>Present Value*</th>
<th>If not in own name, state in whose name held and his/her relationship to the employee @</th>
<th>How acquired whether by purchase, lease+, mortgage, Inheritance, gift or otherwise with date of acquisition and name with details of the persons from whom acquired</th>
<th>Annual income from the property</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
</tr>
</tbody>
</table>
Note: The declaration form is required to be filled and submitted by every officer under sub-regulation (3) of regulation 15 of the Bombay Port Trust Employees (Conduct) Regulations, 1976, 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 name of any member of his family or in the name of any other person.

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

@ Inapplicable clause to be struck out.

+ Includes short-term lease also

Signature ______________________

Date ______________________

ANNEXURE ‘B’

[See regulation 18(1) and Annexure ‘C’]

Application for necessary permission under
Regulation 18

To

__________________________________

__________________________________

_________________________________

Sir,

I request that in view of the reasons stated below, I may be granted exemption from the operation of regulation 18 of the Bombay Port Trust Employees (Conduct) Regulations, 1976.

REASONS
(Here enter the reasons)

Yours faithfully,

Dated ___________________  _______________________

(Signature)

ANNEXURE ‘C’

[See regulation 18(2)]

DECLARATION

1. I, Shri/Smt./Kumari ____________________________________________ declare as under :

*(i) that I am unmarried/widower/widow;

*(ii) that I am married and have only one wife living;

*(iii) that I am married and have more than one wife living. Application in the Form specified in Annexure ‘B’ to the Bombay Port Trust Employees (Conduct) Regulations, 1976, for grant of exemption is enclosed;

*(iv) that I am married and that during the life time of my spouse, I have contracted another marriage. Application in the form specified in Annexure ‘B’ to the Bombay Port Trust Employees (Conduct) Regulations, 1976 for grant of exemption is enclosed;
* (v) that I am married and my husband has no other living wife to the best of my knowledge;

* (vi) that I have contracted a marriage with a person who has already one wife or more living. Application in the form specified in Annexure ‘B’ to the Bombay Port Trust Employees (Conduct) Regulations, 1976, 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 application, I shall be liable to be dismissed from service.

Date ___________________ Signature _______________________

[F. No.PEB(6)/75 dated 28th May1976].
BOMBAY PORT TRUST EMPLOYEES
(Conduct) REGULATIONS, 1976.

CONTENTS

<table>
<thead>
<tr>
<th>Regulation</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Short title, commencement and application</td>
<td></td>
</tr>
<tr>
<td>2. Definitions</td>
<td></td>
</tr>
<tr>
<td>3. General</td>
<td></td>
</tr>
<tr>
<td>4. Taking part in politics and election</td>
<td></td>
</tr>
<tr>
<td>5. Connection with press or radio</td>
<td></td>
</tr>
<tr>
<td>6. Criticism of Board/Government</td>
<td></td>
</tr>
<tr>
<td>7. Evidence before committee or any other</td>
<td></td>
</tr>
<tr>
<td>authority.</td>
<td></td>
</tr>
<tr>
<td>8. Unauthorised communication of information.</td>
<td></td>
</tr>
</tbody>
</table>
9. Subscriptions
10. Gift.
11. Public demonstrations, etc., in honour of employees
12. Private trade or employment.
13. Investments, lending and borrowing
15. Movable, immovable and valuable property.
16. Vindication of acts and character of employees
17. Canvassing of non-official or other outside influence.

Regulation | Page
--- | ---
18. Restriction regarding marriages | 
18A. Adoption of small family by employees. | 
20. Interpretation. | 
ANNEXURE ‘A’ | 
ANNEXURE ‘B’ | 
ANNEXURE ‘C’ | 

C2/pan/conduct (va)