

PART - II

(To be filled in by the examining medical authority)

1. Apparent age.
2. Height.
3. Weight.
4. Girth of abdomen at level of umbilicus.
5. Pulse rate -
(a) Sitting,
(b) Standing.
What is the character of pulse ?
6. What is the condition of arteries ?
7. Blood pressure -
(a) Systolic,
(b) Diastolic.
8. Is there any evidence of disease of the main organs -
(a) Heart.
(b) Lungs.
(c) Liver.
(d) Spleen.
(e)
9. Does chemical examination of urine show (i) albumen, (ii) sugar? State specific gravity.
10. Has the applicant a rupture ? If so, state the kind and if reducible.
11. Describe any scars or identifying marks,
12. Any additional information.

(contd...)

PART - III

I have carefully examined A.B. and am of opinion
We

that :- Either he is in good bodily health and
he is not

has the prospect of an average duration of life or (in the
is not a fit subject for commutation

case of an impaired life which is yet considered a fit subject

for commutation) " as ----- is suffering

from ----- his age for purpose of commutation,

i.e. his age next birthday should be taken to be -----

years more than his actual age".

Station -----

Dated -----

(Signature and designation of
examining medical authority).

Bombay Port Trust Terminal Benefits
(Temporary Service) Rules

In exercise of the powers conferred by Section 22 of the Bombay Port Trust Act, 1879 (Bombay Act VI of 1879), the Trustees of the Port of Bombay, with the approval of the Central Government, as required by the proviso to the said Section, hereby make the following rules, namely :

1. These Rules may be called the Bombay Port Trust Terminal Benefits (Temporary Service) Rules.
2. They shall be deemed to have come into force with effect from 5th October 1965.
3. (a) Subject to the provisions of sub-rule (b) they shall apply to -

- (1) all employees who join the Trustees' service on or after 5th October 1965 and who do not hold in a substantive capacity or a provisionally substantive capacity a permanent post, either scheduled or non-scheduled, under the Trustees;
- (2) all employees who opt for the Bombay Port Trust Pension Rules under Rule 4(ii) ibid and who do not hold in a substantive capacity or a provisionally substantive capacity a permanent post, scheduled or non-scheduled, under the Trustees.

(3) 21 * * * * *

(b) These Rules do not apply to -

- (i) employees not in whole time employment of the Trustees;

1 Substituted by T.R.No.1234 of 1966 (w.e.f. 5.10.1965)

2 Deleted by T.R.No.1428 of 1971.

- (ii) employee engaged on contract;
- (iii) employees paid out of contingencies;
- (iv) shore workers of the Docks Department in the Category 'C';
- (v) (1) employees engaged on daily rate basis other than the 'A' & 'B' Categories Dock Shore Workers and
(2) employees engaged on casual basis.]

4. (1) An employee governed by these rules, who retires on superannuation or is discharged from service or is declared invalid for further service shall be eligible for a gratuity on the scale specified below :-

- (a) If the superannuation, discharge from service or invalidation takes place after completion of not less than five years' continuous service but before completion of ten years' continuous service, a gratuity at the rate of one-third of a month's pay for each completed year of his service;
- (b) If the superannuation, discharge from service or invalidation takes place after completion of not less than 10 years' continuous service, a gratuity at the rate of one month's pay for each completed year of service, subject to a maximum of Rs. 12,000.

(2) In the event of death, while in service, of an employee governed by these rules, his family shall be eligible in the manner provided for in Explanation (3) below for a death gratuity on the scale and subject to the condition

1 Substituted by T.R.No.1004 of 1970 (w.e.f. 1.10.1967).

specified below :

- (a) if the death takes place after completion of one year's continuous service but before completion of three years' continuous service, a gratuity equal to one month's pay;
- (b) if the death takes place after completion of three years' continuous service but before completion of five years' continuous service a gratuity equal to two months' pay;
- (c) if the death takes place after completion of five years' continuous service but before completion of ten years' continuous service, a gratuity equal to three months' pay;
- ¹ (a) if the death takes place after completion of not less than ten years' continuous service, a gratuity at the rate of one month's pay for each completed year of service, subject to a maximum of 12 months' pay or Rs 12,000, whichever is less.

Provided that the grant of gratuity under this Rule shall be subject to the service rendered by the employee concerned being held by the Trustees or the Chairman to be satisfactory.

Provided further that no gratuity shall be admissible in a case where the employee concerned resigns his post or is removed or dismissed from service as a disciplinary measure.

Provided further that no gratuity shall be admissible under this Rule to an employee re-employed after retirement from Trustees' service.

¹ Substituted by T.R. No.1113 of 1963 (w.e.f. 31.12.1968)

Explanations :

- (1) "Pay" for the purpose of determining the amount of terminal or death gratuity under this Rule, excepting sub-rules (1)(b) and (2)(d), shall include pay on the last day of service but shall not include special pay, personal pay and other emoluments classed as "Pay". In the case of an employee who was on leave with or without allowance, on the date of his retirement, discharge, invalidment or death, "Pay" for this purpose shall be the pay which he drew immediately before proceeding on such leave, provided that the benefit of increase in pay not actually drawn due to increment for promotion to a post carrying a higher rate of pay falling during earned leave or leave on average pay not exceeding 120 days or the first 120 days of earned leave or leave on average pay where such leave exceeds 120 days, shall also be admissible.
- (2) "Pay" for the purpose of determining the amount of terminal or death gratuity under sub-rules (1)(b) and (2)(d) of this Rule shall mean the average of the last twelve months' pay as defined in the Trustees' Digest of Pay and Allowances, Leave and Pension Rules, 9th Edition.
- (3) In the case of an employee dying before receipt of any gratuity that has become admissible to him under sub-rule 4(1), the same or the death gratuity payable in respect of an employee under sub-rule 4(2) shall be payable to the family in the order of preference mentioned below :
 - (1) Eldest surviving widow in the case of a male employee;
 - (2) Husband in the case of a female employee;
 - (3) Eldest surviving son;
 - (4) Eldest surviving unmarried daughter;
 - (5) Eldest surviving widowed daughter;
 - (6) Father;
 - (7) Mother;
 - (8) Eldest surviving brother below the age of 18 years;

- (9) Eldest surviving unmarried sister;
- (10) Eldest surviving widowed sister;
- (11) Eldest surviving married daughter.
- ¹ (4) In case of death of an employee while in service his family is also entitled to the family pension subject to the provision contained in this behalf in the Bombay Port Trust Pension Rules.]
- (5) It is clarified that employees, governed by these Rules, who retire on superannuation or are discharged or are declared invalid for further service shall not be eligible to the benefits under the family pension scheme under the Bombay Port Trust Pension Rules.
- ² (6) In case of 'B' Category Dock Shore Workers, "continuous service" for the purpose of gratuity under Rule 4 shall mean the period during which they have been continuously enlisted as 'B' Category Shore Workers but excluding therefrom periods of absence in circumstances not entitling them to wages or leave salary or holiday wages or attendance allowance plus the entire period of continuous enlistment as 'C' Category Mazdoor in excess of the first four years. In the case of 'A' Category Dock Shore Workers, "continuous service" shall mean previous service as 'B' Category Shore Workers as reckoned above plus service in the 'A' Category. "Pay" for the purpose of gratuity in the case of 'B' Category Shore Workers shall mean the minimum of the monthly scale of pay attached to the post of 'A' Category Mazdoor, plus, in the case of such 'B' Category Workers as were on the register on the 1st January 1969, a differential on account of pay of Rs 6 allowed to them in conformity with the recommendations of the Central Wage Board for Port and Dock Workers regarding their fixation of pay. In the case of 'A' Category Dock Shore Workers, "Pay" shall mean the appropriate pay in the monthly scales of pay attached to their respective posts.]

¹ Substituted by T.R.No. 1426 of 1971 (w.e.f. 1.1.1971)

² Substituted by T.R.No. 1004 of 1970 (w.e.f. 1.10.1967)

¹ [7] With effect from 1st January 1969, "Pay" for the purposes of determining the amount of terminal or death gratuity under this rule shall be the same as "emoluments" as in Rule 43D of the Bombay Port Trust Pension Rules.]

² [5. Where compensation is payable under the Industrial Disputes Act, 1947, the amount of such compensation will be set off against the amount of gratuity payable under these Rules, if the amount of gratuity is more than the amount of compensation. If, however, the amount of the said compensation is higher than gratuity payable under these Rules, no gratuity will be paid.]

¹ Inserted by T.R. No. 806 of 1975 (w.e.f. 1.1.1969)

² Inserted by T.R. No. 1234 of 1966 (w.e.f. 5.10.1965)