

महाराष्ट्र शासन

क्रमांक:- एसव्हीटी २८०३/७३६/(५०)-का.१६
विधी व न्याय विभाग
मंत्रालय मुंबई-४०० ०३२
दिनांक :- १७ सप्टेंबर, २००८.

प्रति,

कार्यकारी अधिकारी,
श्रीसिद्धिविनायक गणपती मंदिर न्यास व्यवस्थापन समिती,
सी.के.बोले मार्ग, प्रभादेवी,
दादर, मुंबई- ४०००२८.

विषय:- श्रीसिद्धिविनायक गणपती मंदिर न्यास समितीच्या आस्थापनेवरील वर्ग ३ आणि ४ च्या कर्मचा-यांचे सेवाप्रवेश निवडमान शासन मान्यता देण्याबाबत.

संदर्भ :- १. शासनाचे समकालांकाचे दिनांक ३०/६/२००३चे पत्र,
२. आपले पत्र क्रमांक सित्रिगम/२१५३/२००८, दि. २/१/२००८.

महोदय,

उपरोक्त विषयाच्या अनुषंगाने आपलास कळविण्यात येते की, श्रीसिद्धिविनायक मंदिर न्यास व्यवस्थापन समितीच्या आस्थापनेवरील कर्मचा-यांच्या पुढील सेवाविषयक नियमांम शासन मान्यता देण्यात येत आहे.

१. श्रीसिद्धिविनायक गणपती मंदिर न्यास (प्रभादेवी), (नर्तणूक) नियम २००८.
२. श्री सिद्धिविनायक गणपती मंदिर न्यास (प्रभादेवी), (शिस्त व अपील) नियम २००८.
३. श्री सिद्धिविनायक गणपती मंदिर न्यास (प्रभादेवी), (सेवेच्या सर्वसाधारण अटी) नियम २००८.
४. श्रीसिद्धिविनायक गणपती मंदिर न्यास (प्रभादेवी), (पदग्रहण अवधी, निलंबन, वडलर्फी, व सेवेतून काढून टाकणे) नियम २००८.
५. श्रीसिद्धिविनायक गणपती मंदिर न्यास (प्रभादेवी), (रजा) नियम २००८.
६. श्रीसिद्धिविनायक गणपती मंदिर न्यास (प्रभादेवी), (वेतन व भत्ते) नियम २००८.
७. श्रीसिद्धिविनायक गणपती मंदिर न्यास (प्रभादेवी), (सेवा प्रवेश) नियम २००८.
८. सदर नियमांच्या सुधारणेसह मान्य करण्यात आलेल्या प्रारूपाची मराठी व इंग्रजी मूळ प्रत आपणाकडे पाठविण्यात येत आहे. त्यानुसार नियमांत आवश्यक त्या सुधारणा करून त्याची स्वच्छप्रत मान्य प्रारूपाच्या मूळ प्रतीसह शासनास परत पाठविण्यात यावी.
९. सदर नियमांचा अर्थ लावताना प्राधिकृत भाषा म्हणून त्यांचे इंग्रजी रूपांतर ग्राह्य धरण्यात यावे.
१०. सदर नियमांचे वर्ष सन २००८ असे नमूद करण्यात यावे व ते ४ ऑगस्ट २००८ पासून अंमलात येतील.
११. हे नियम संरणकावर(वेबसाईटवर) पीडीएफ मध्ये प्रसिध्द करण्यात यावेत.
१२. या नियमांची स्वच्छ प्रत, सुधारण प्रत, कर्मचा-यांवरुपी न्यासाच्या अभिलेखात ठेवण्यात यावी.
१३. या नियमांत शासनाच्या पुर्वमान्यतेशिवाय कोणतीही सुधारणा करता येणार नाही.

आपला,

(अ. म. कवठे)
कार्यासन अधिकारी

सोबत :- न्यास (प्रभादेवी) नियम २००८ची इंग्रजी मूळ प्रती सुधारीत मान्य प्रत.





संच क्र. १

वि. व न्या. वि / का. सोळा

न. क्र. एसव्हीटी २००३ / (५०)- सोळा
सोबतचे सहपत्र



श्री सिध्दिविनायक

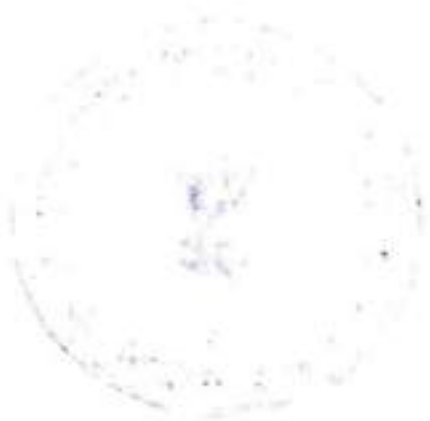
Shree Siddhi Vinayak Ganapati Temple Trust (Prabhadevi)
Mumbai.

Service Regulations 2008

(Controlled by the Government of Maharashtra)

Approved Copy







FORWARD

We are deeply honoured while submitting the revised draft regulations to regulate the recruitment and the conditions of service of persons appointed to the posts under the Shree Siddhi Vinayak Temple Trust, Prabhadevi.

2. The Shree Siddhi Vinayak Ganapati Temple Trust (Prabhadevi) Act, 1980 (Mah. VI of 1981) is enacted by the State Legislature to reconstitute the former "Shree Siddhi Vinayak Ganapati Temple Trust of Prabhadevi, Bombay" into a statutory trust and by virtue of the said Act the same trust is reconstituted by the name "Shree Siddhi Vinayak Ganapati Temple Trust (Prabhadevi)". For efficient management of the Temple Trust, the Shree Siddhi Vinayak Ganapati Temple Trust Management Committee" is constituted vide - Government Notification, Law and Judiciary Department, No.SVT.3780/448-(1)-VI, dated the 11th October 1980, that necessitated appointment of Chairman, members etc. The State Government, from time to time, on completion of stipulated tenure appointed newly identified Chairman, Treasurer, and other governing body members on the said Committee.

The Management Committee is empowered to appoint such officers (other than Executive Officers), and servants as it deem necessary for the efficient management of wide ranging activities of the Temple Trust and also ensure performance of its duties and functions catering to the needs of temple. The officers and servants of the Committee shall exercise the powers and ensure performance of the duties and functions assigned to them by the Committee or the Executive Officer or under the regulations made by the Committee, with the approval of the State Government. In short, the Management Committee is empowered to make regulations for their officers and servants. However, for some reasons or the other till date, no such well defined regulations were prepared, tabulated or provisioned for adoption.

3. For the last decade it is most visible that the work of the temple is increased by many folds. This enormity, more so, necessitated adoption and effective use of modern technological tools, innovative ideas, and above all, maintain broader aspect of cultural values, moral credence, ethical and meritorious density, time and finance saving creative ideology. This translates into utilising and inducting well qualified and dedicated staff, who would in-depth, understand the social and religious needs of the masses who unreservedly bestow their faith thus our staffs' civil mindedness punctilio and humility match the temple's sacrosant, serene and pious status. It is also our explicit aim and motive to achieve one of the disciplines that should govern, most judiciously and authoritatively review, manage and monitor the finances more efficiently, effectively and discretely for socially defined commitments towards the urgent social needs, besides keeping in mind and honouring right to worship by all, maintain equality, democratic values and secularity as guaranteed by the Constitution of India, and also timely render all possible faith based religious help broadly covered by tradition, religious edicts and Constitutionally guaranteed rights even at the same favourable level on the Internet with positive and guaranteed connectivity, unreserved access whether on daily basis or on propitious occasions, all the individual devotees whenever identify as their religious requirement for those who are unable to be physically present in temple, in India or abroad.

4. The Management Committee of the Temple Trust appointed one Shri. Sudhakar Joshi (retired I.A.S. officer), Management Consultant, to draft service regulations for the staff that evenly covers the requirements of the Trust and what is expected of servants and their rights, and render proper services to the devotees. Thus, a draft regulation, were prepared, namely: -

1. The Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Services (Conduct) Regulations, 2005.

2. The Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Services (Discipline and Appeal) Regulations, 2005.

3. The Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Services (General Conditions of Services) Regulations, 2005.

4. The Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Services (Joining Time, Suspension, Dismissal and Removal) Regulations, 2005.

5. The Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Services (Leave) Regulations, 2005.

6. The Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Services (Pay and Allowances) Regulations, 2005.

7. The Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Services (Recruitment) Regulations, 2005.

The said Consultant handed over the draft to the Management Committee. The Management Committee, in due course, submitted the said draft regulations for the approval of the Government.

5. A Samiti is constituted for the analytical study, review, reference, screening, scrutinise and redefine legal assessment of the draft, vide Government Resolution, Law and Judiciary Department, No. SVT-2003/(50)/Desk-16, dated the 6th August 2004, under my Chairmanship i.e. A. J. Vyas, Deputy Secretary (Administration) to the Government, Law and Judiciary Department, and assisted by Members Dr. Mangala Thombare, to the Government, Law and Judiciary Department, Shri. S.R.Shinde, Under Secretary (Legal) to the Government, Law and Judiciary Department, Shri Sanjay Bhagawat, Executive Officer of the Trust and Shri V.G.Parulekar, Desk Officer of the Law and Judiciary Department as a Member-Secretary. This Samiti has studied the above prepared draft regulations and scrutinised the legal aspects, implications, correctness, validity, fairness and aspects of high-tech adoption to align with changing values and needs, and authenticate viability of the draft regulations. It was also aligned to the correct level of harmony and homogeneity, qualitatively maximising its prolonged functionality and correct enforceability from all angles, as our revised draft displays our onus, involvement and transparency.

6. It is our sincere and prudent effort that our relevant suggestions are aimed to de-facto cover the entire spectrum of pertinence of the Trust that are entrusted to execute in variety of activities so far pursued to cater to present level. Our opined inclusions and vigorous persuasive efforts may not sound all that altruistic, but certainly, We, Samiti members, have collectively attempted our best. Thoroughly essential framing to inculcate, include well defined, yet within the framework of law and presumptions professionally identified findings, that would guarantee strong, clean, meritocracy-based administrative support to the Temple Trust which we presume would bring authenticate legitimacy in its clean functioning in the environment of composite culture, and support financial activities, and yet cover legitimate



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lawful demands. This is so pertinent, urgent and so vital to the Temple environment and also to overcome even the bureaucratic red-tapism and turpitude caused by inscrutable power-play and arrest value erosion or any other lapses that come to our mind, and those detrimental forces that would jeopardise religious, national, economic, and devotee based interests, that the Trust is supposed to principally render and positively protect the Temple property and designated aims, and nip in the bud the fracas that would tarnish not only the Trust image but also bring disrepute to the holy place.

A.J. Vyas
Deputy Secretary
Chairman

Dr.Mangala Thombare,
Deputy Draftsman-cum-
Deputy Secretary,
Member.

S.R.Shinde,
Under Secretary (Legal),
Member.

Sanjay Bhagwat
Chief Executive Officer
of the Trust
Member.

V.G.Parulekar, Desk Officer,
Member-Secretary

श्री सिद्धिविनायक

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ACKNOWLEDGEMENT

At the outset, it is my duty to acknowledge with gratitude the generous help extended from time to time to the Samiti performing the process of redrafting of the service regulations.

Firstly, I whole-heartedly thanks to our immediate former Principal Secretary and Remembrancer of Legal Affairs Hon'ble Shri V. K. Deshpande and the present Principal Secretary, and Remembrancer of Legal Affairs Hon'ble Shri J. H. Bhatia, Principal Secretary and Senior Legal Advisor Hon'ble Shri S.R Dongaonkar for the help in allocating time within and outside the official working time and moral support to the Samiti.

I also appreciate the efforts, constant unreserved feedback and timely attendance, even at short notice, rendered by all Samiti Members who extended this help beyond office hours, and after attending their all official and even election duties.

"I myself wish to place on record my heartfelt sincere appreciation for the assistance rendered by the Management Committee of the Trust and as one of the member of Samiti Shri Sanjay Bhagwat, Executive Officer of the Trust.

A.J.Vyas
Deputy Secretary
Chairman



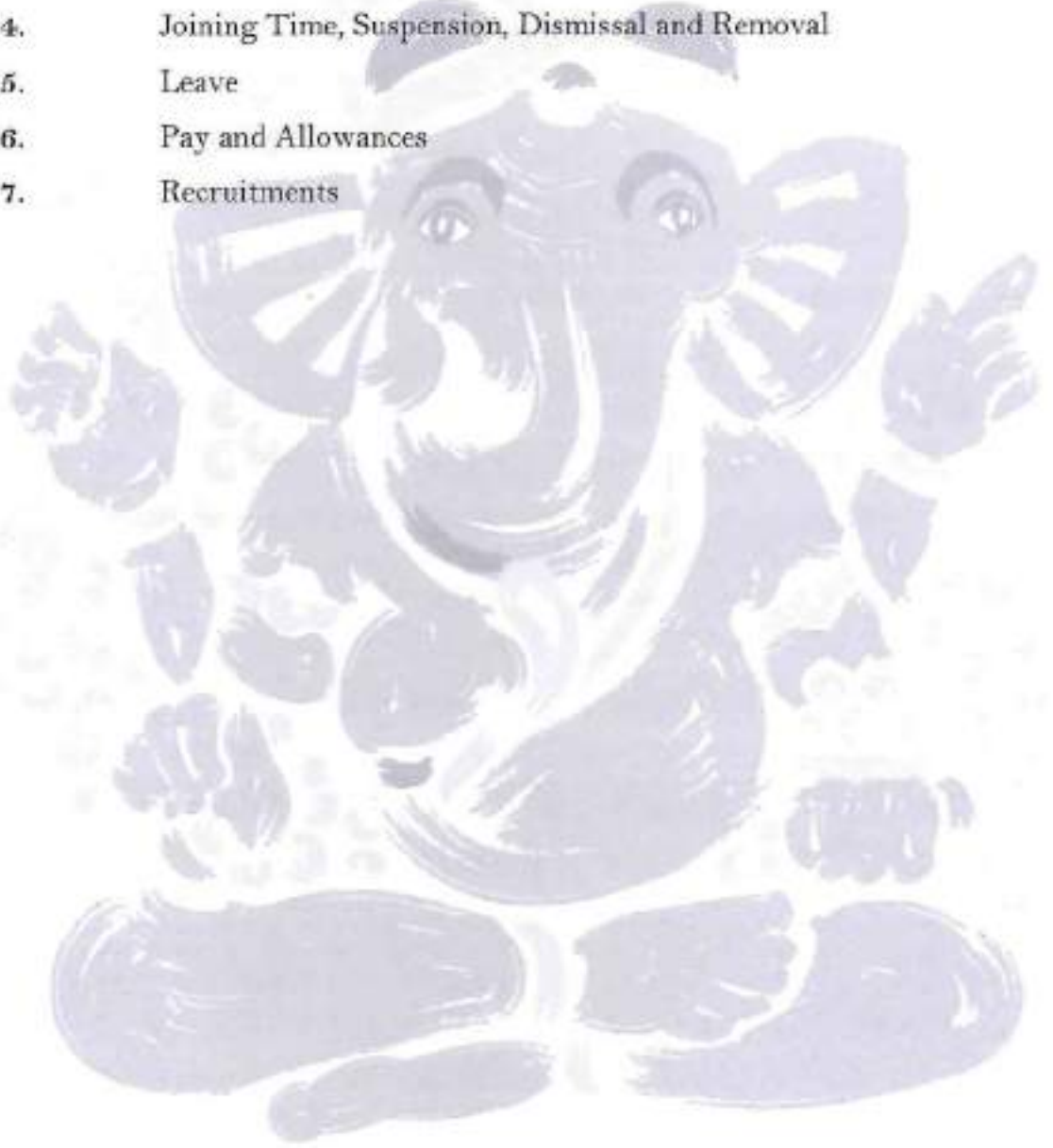
A handwritten signature in blue ink, appearing to be "A.J. Vyas", written over a horizontal line.



Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi), Mumbai.
Service Regulations-2008

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श्री सिद्धिविनायक





**Shree Siddhi Vinayak Ganapati Temple Trust (Prabhadevi)
Services (Conduct) Regulations, 2008**

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Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi)
Services (Conduct) Regulations, 2004.

**The Shree
Siddhi – Vinayak
Ganpati Temple
Trust
(Prabhadevi)
Act, 1980.**

In exercise of the powers conferred by sub-section (3) of section 13 read with sub-section (2) of section 14 of the Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Act, 1980 (Mah.VI of 1981), the Shree Siddhi Vinayak Ganpati Temple Trust Management Committee, hereby makes, with previous approval of the Government of Maharashtra, the following regulations, namely: -

1. **Short title, application and saving.**- (1) These regulations may be called the Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Services (Conduct) Regulations, 2008

(2) They shall come into force on 4th August 2008

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

2. **Definitions.**- In these regulations, unless the context otherwise require, -

(a) "Act" means the Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Act, 1980 (Mah.VI of 1981);

(b) "Committee " means the Management Committee constituted under section 5 of the Act;

(c) "Executive Officer" means the Executive Officer appointed by Government under section 12 of the Act;

(d) "Government" means the Government of Maharashtra;

(e) "Group A, Group B, Group C and Group D posts" means- the posts as classified under the Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Services (General Conditions of Services) Regulations, 2008 ;

(f) "members of family" in relation to the Trust servant includes,-



(i) the wife or husband, as the case may be, of the Trust servant, whether residing with the Trust servant or not but does not include a wife or husband, as the case may be, separated from the Trust servant by a decree or order of a competent court;

(ii) son or daughter or step-son or step-daughter of the Trust servant who is wholly dependent on him but does not include a son or daughter or step-son or step-daughter who is no longer in any way dependent on the Trust servant or of whose custody the Trust servant has been deprived by or under any law;

(iii) any other person related, whether by blood or marriage to the Trust servant or to the Trust servant's spouse and wholly dependent on the Trust servant;

(g) "Trust" means Shree Siddhi Vinayak Ganapati Temple Trust Prabhadevi);

(h) "Trust servant" means any person who is appointed to Trust service or post in connection with the affairs of the Trust.

3. Duty of Trust servant to maintain integrity, devotion to duty, etc.-

(1) Every Trust servant shall at all times, -

(i) maintain absolute integrity;

(ii) maintain devotion to duty; and

(iii) do nothing which is unbecoming of a Trust servant.

(2) Every Trust servant holding a supervisory post shall take all possible steps to ensure the integrity and devotion to duty of all Trust servants for the time being under his control and authority.

(3) Trust servant shall, in the performance of his official duties or in the exercise of powers conferred on him act otherwise than in his best judgement except when he is acting under the direction of his official superior and shall, where he is acting under such direction, obtain the direction in writing, wherever practicable, and where it is not practicable to obtain the direction in writing, he shall obtain the written confirmation of the said direction as soon as possible.

(4) Nothing in sub-regulation (3) shall be construed as empowering a Trust servant to evade his responsibilities by seeking instructions from, or, approval of, a superior officer or authority when such instructions



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are not necessary under the scheme of distribution of powers and responsibilities.

4. Taking part in politics and elections.- (1) No Trust servant shall be a member of or be otherwise associated with, any political party or any organisation which takes part in politics, nor shall he take part in, or subscribe in aid of, or assist in any other manner, any political movement or activity.

(2) It shall be the duty of every Trust servant to endeavour to prevent any member of his family from taking part in, subscribing in aid of, or assisting in any other manner, any movement or activity which is, or which tends directly or indirectly to be, subversive of any Government in India as by law established, and where a Trust servant is unable to prevent a member of his family from taking part in subscribing in aid of, or assisting in any other manner, any such movement or activity, he shall make a report to that effect to the Executive Officer.

(3) Whether any party is a political party, or whether any organisation takes part in politics or whether any movement or activity falls within the scope of this regulation, the decision of the Committee thereon shall be final.

(4) No Trust servant shall canvass or otherwise interfere with or use his influence in connection with, or take part in an election to any legislature or local authority (hereinafter referred to as "the election"):

Provided that, a Trust servant, qualified to vote at such election may exercise his right to vote, and where he does so, he shall give no indication of the manner in which he proposes to vote or has voted.

Explanations.- (1) Where a Trust servant assist in the conduct of an election in due performance of a duty imposed on him by or under any law for the time being in force or by an order of the Competent Authority, he shall not be deemed to have contravened the provisions of this regulation.

(2) The display by a Trust servant on his person, vehicle or residence of any electoral symbol shall amount to using his influence in connection with the election and his proposing or seconding the nomination of a candidate at the election shall amount to taking part in the election within the meaning of this regulation, and accordingly, the Trust servant shall, in any such eventualities, be deemed to have contravened the provisions of this regulation.



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5. Demonstration and Strikes - No Trust servant shall, -

(i)- engage himself or participate in any demonstration which is prejudicial to the interest of the Trust, 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; or

(ii) resort to, or in any way abet, any form of strike in connection with any matter pertaining to his service :

Provided that, nothing in this sub-clause shall be deemed to prohibit those Trust servant from resorting to any strike who are expressly permitted to resort to such a strike under any law for the time being in force.

6. Prohibition against unauthorised supply of information, etc.- No Trust servant shall, except in accordance with any general or special order of the Committee or in the performance in good faith of the duties assigned to him, communicate, directly or indirectly, any official document or any part thereof or information to any Trust servant or any other person to whom he is not authorised to communicate such document or information.

7. Subscriptions.- No Trust servant shall, except with the previous sanction of the Committee or, of the Executive Officer, ask for or accept contributions to, or otherwise associate himself with the raising of, any funds or other collections in cash or in kind in pursuance of any object whatsoever.

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

Explanation.- The expression "gift" include free transport,

boarding, lodging or other service or any other pecuniary advantage when provided to any person other than a near relative or personal friend having no official dealings with the Trust servant.

Note I- A casual meal, lift or other social hospitality shall not be deemed to be a gift.

Note I- A Trust servant shall avoid accepting lavish hospitality or frequent hospitality from any individual having official dealings with



him or from industrial or commercial firms, organisations or any similar bodies.

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

(i) Rs. 500 in the case of a Trust servant holding any Group A or Group B post;

(ii) Rs. 250 in the case of a Trust servant holding any Group C post; and

(iii) Rs. 100 in the case of a Trust servant holding any Group D post.

(3) On such occasions as are specified in sub-regulation (2), a Trust servant may accept gifts from his personal friends having no official dealing with him, but he shall make a report to the Executive Officer if the value of any such gift exceeds-

(i) Rs. 200 in the case of a Trust servant holding any Group A or Group B post;

(ii) Rs. 100 in the case of a Trust servant holding any Group C post; and

(iii) Rs. 50 in the case of a Trust servant holding any Group D post.

9. Public demonstrations in honour of Trust servants.- No Trust servant shall, except with the previous sanction of the Committee, 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 Trust servant:

Provided that, nothing in this regulation shall apply to, —

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

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

Note.- Exercise of pressure or influence or any sort on any Trust servant to induce him to subscribe towards any farewell entertainment even if it is of a substantially private or informal character, and the collection of subscriptions from Group C or Group D employees under



any circumstances for the entertainment of any Trust servant not belonging to Group C or Group D, is forbidden.

10. Sitting for portrait.- Nothing in regulation 8 or regulation 9, shall prevent any Trust servant from sitting at the request of any public body for a portrait, bust or other statue not intended for presentation to him.

11. Purchase of resignation.- A Trust servant shall not enter into any pecuniary arrangement for the resignation by one of the Trust servants of any office held by him under the Trust for the benefit of any other person; and any nomination or appointment made consequent upon such resignation shall be cancelled and the parties to the arrangement as are still in service shall be suspended, pending the orders of the Committee.

12. Private trade or employment.- (1) No Trust servant shall, except with the previous sanction of the Committee, engage directly or indirectly in any trade or business or undertake any other employment :

Provided that, a Trust servant may, without such sanction, undertake honorary work of a 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 Executive Officer.

Explanations.-

(i)- Canvassing by a Trust servant in support of the business of insurance agency, commission agency, 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.

(ii) Every Trust servant shall report to the Executive Officer, if any member of his family is engaged in a trade or business or owns Or manages an insurance agency or commission agency.

(iii) No Trust servant shall, without previous sanction of the Executive Officer, except in the discharge of his official duties, take part in the registration, promotion or management of any bank or other company which is required to be registered under the Companies Act, 1956 (1 of 1956), or any other law for the time being in force or any co-operative society for commercial purposes :

Provided that, a Trust servant may take part in the registration, promotion or management of a co-operative society substantially for



the benefit of Trust servants, registered under the Maharashtra Co-operative Societies Act, 1960 (Mah. XXIV of 1961), or any other law for the time being in force, or of a literary, scientific or charitable society registered under the Societies Registration Act, 1860 (21 of 1860), or any corresponding law in force.

(4) No Trust servant may accept any fee for any work done by him for any public body or any private person without the sanction of the Executive Officer.

(5) No Trust servant in whose case permission to take up commercial employment immediately after retirement is necessary should, while still in service negotiate for any commercial employment after retirement without obtaining prior permission of the Executive Officer.

13. Investment, lending and borrowing- (1) No Trust servant shall speculate in any stock, share or other investment.

Explanations.-

(1) Frequent purchase or sale or both, of shares, securities or other investment shall be deemed to be speculation within the meaning of this sub-regulation.

(2) No Trust servant shall make, or permit any member of his family or any person acting on his behalf to make, any investment which is likely to embarrass or influence him in the discharge of his official duties.

(3) If any question arises whether any transaction is of the nature referred to in sub-regulation (1) or sub-regulation (2), the decision of the Committee thereon shall be final.

(4) (i) No Trust servant shall, save in the ordinary course of business with a bank or a firm of standing duly authorised to conduct banking business, either himself or through any member of his family or any other person acting on his behalf, -

(a) lend or borrow money, as principal or agent, to or from any person within the local limits or with whom he is likely to have official dealings, or otherwise place himself under any pecuniary obligation to such person; or

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

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

Provided further that, nothing in this sub-regulation shall apply in respect of any transaction entered into by a Trust servant with the previous sanction of the Executive Officer.

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

(5) Notwithstanding anything contained in sub-regulation (4),-

(a) the Committee may, regard being had to the circumstances of each case, relax any of the provisions of sub-regulation (4) in the case of Trust servants belonging to Group C or Group D service;

(b) the Committee may direct that in relation to loans to, or borrowing, by Trust servants from, any Co-operative society registered or deemed to be registered under the Maharashtra Co-operative Societies Act, 1960 (Mah. XXIV of 1961), the provisions of sub-regulation (4) shall apply with such restrictions or relaxation as the Committee may specify.

14. INSOLVENCY AND HABITUAL INDEBTEDNESS - (1) When a Trust servant is adjudged or declared an insolvent or when a moiety of his salary is constantly being attached, or has been continuously under attachment for a period exceeding two years, or is attached for a sum, which in ordinary circumstances, cannot be repaid within a period of two years, he shall be liable to be dismissed; and in such cases, the Executive Officer shall report the matter to the Committee.

2) Where a moiety of the salary of a Trust servant is attached, the report shall show the proportion of his debts to the salary, how far the debts detract from the debtor's efficiency as a Trust servant, whether the debtor's position is irretrievable, and whether in the circumstances of the case, it is desirable to retain him in the post held by him at the time when the matter is brought to the notice of the Committee.

(3) In every case under this regulation, the burden of proving that the insolvency or indebtedness is the result of circumstances which, with the



exercise of ordinary diligence, the Trust servant could not have foreseen or over which he had no control, and has not proceeded from extravagant or dissipated habits shall be upon the Trust servant.

15. Movable, immovable and valuable property.- (1) Every Trust servant shall on his first appointment to any service or post, and thereafter, at such intervals as may be specified by the Committee, submit a return of his assets and liabilities in such form as may be prescribed by the Committee giving the full particulars regarding, -

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

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

(c) other movable property inherited by him or similarly owned or acquired or held by him;

(d) debts and other liabilities incurred by him directly or indirectly.

Note I -Sub-regulation (1) shall not ordinarily apply to Group D servants but the Committee may direct that it shall apply to any such Trust servant or class of such Trust servants.

Note II - In all returns, the values of item of movable property worth less than Rs. 2000/- may be added and shown as a lump sum. The values of articles of daily use such as clothes, utensils, crockery, books, etc. need not be included in such return.

- **Note III** - Every Trust servant who is in service on the date of the commencement of these regulations shall submit a return under this sub-regulation on or before such date as may be specified by the Committee after such commencement.

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

Provided that, the previous sanction of the Executive Officer shall be obtained by the Trust servant if any such transaction is,-

(i) with a person having official dealing with the Trust servant; or



(ii) otherwise than through a regular or reputed dealer.

(3) Every Trust servant shall report to the Executive Officer every transaction entered into by him either in his own name or in the name of a member of his family in respect of movable property if the value of such property exceeds Rs. 10,000/- in the case of a Trust servant holding any Group A or Group B post, or Rs. 5000/- in the case of a Trust servant holding any Group C or Group D post:

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

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

(4) Notwithstanding anything contained in sub-regulation (2) and (3) any transaction entered into by the spouse or any other member of family of Trust servant out of his or her own funds (including stridhan, gifts, inheritance, etc.) as distinct from the funds of the Trust servant himself, in his or her name, and in his or her own right, shall not be treated as a transaction entered into by the member of the family of Trust servant within the meaning of sub-regulations (2) and (3).

(5) The Committee or the Executive Officer may at any time, by general or special order, require a Trust servant to furnish, within a period specified in the order, a full and complete statement of such movable or immovable property held or acquired by him or on his behalf or by any member of his family as may be specified in the order. Such statement shall, if so required by the Committee or by the Executive Officer, include the details of the means by which, or the source from which, such property was acquired, along with the evidence in support of such statement.

(6) The Committee may exempt any category of Trust Servant belonging to Group C or Group D from any of the provisions of this regulation except sub-regulation (5).

Explanation.- For the purpose of this regulation, the expression "movable property" includes-

(a) jewellery, insurance policies the annual premium of which exceeds Rs. 2,000/- or one sixth of the total annual emoluments received from the Trust whichever is less, shares, securities and debentures;

(b) loans, advances by such Trust servant whether secured or not;

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



(d) refrigerators, radios, T.V. sets, any other electronic appliances and gadgets.

16. Vindication of acts and character of Trust servant.- (i) No Trust servant shall, except with the previous sanction of the Committee have recourse to any court or to the press for the vindication of any official act which has been the subject matter of adverse criticism or an attack of defamatory character.

(2) Nothing in sub- regulation (1) shall be deemed to prohibit a Trust servant from vindicating his private character or any act done by him in his private capacity and, where any action for vindicating his private character or any act done by him in private capacity is taken, the Trust servant shall submit a report to the Executive Officer regarding such action.

(3) In according sanction under sub-regulation (1),-

(a) the Committee shall in each case decide-

(i) whether it will itself bear the costs of the proceedings; or

(ii) whether the Trust servant will institute the proceedings at his own cost, and if so, whether in the event of Trust servant succeeding therein, the Committee will reimburse him to the extent of the whole or any part of the cost incurred by him as is in excess of the cost or damages, if any, awarded to him by the court; and

(b) where the Committee decides to bear the costs of proceedings instituted by a Trust servant, it shall be expressly stated that the amount of compensation, damages or costs awarded by the Court, if any, to the Trust servant shall be first set off against the cost borne by the Committee and the balance, if any, shall only be retained by the Trust servant.

17. Prevention of sexual harassment of working womanly.-

(1) No Trust servant shall indulge in any act of sexual harassment of any women at her work place.

(2) Every Trust servant who is in charge of a work place shall take necessary steps to prevent sexual harassment to any women at such work place.

Explanation.- For the purpose of this regulation "sexual harassment" includes such unwelcome sexually determined behaviour, whether directly or otherwise such as, -

(a) physical contact and advances;

(b) a demand or request for sexual favours;

(c) sexually coloured remarks;

(d) showing pornography; or



(e) any other unwelcome physical, verbal or nonverbal conduct of a sexual nature.

18. **Canvassing of non-official or other outside influences.**- No Trust servant shall bring or attempt to bring any political or other outside influence to bear upon any superior authority in relation to any matter pertaining to his service under the Trust.

19. **Membership of or association with communal institutions.**- No Trust servant shall by writing, speech or deed, or otherwise indulge in any activity which is likely to incite and create feelings of hatred or ill-will between different communities in India on religious, racial, regional, communal or other grounds.

20. **Association of names with public institutions or works.**- No Trust servant shall, except with the previous sanction of the Committee,-

(a) associate his own name or allow it to be associated with any public institution, such as, libraries, hospitals, schools or roads and the like; or with such objects, as shields, trophies, prizes, medals and cups and the like; or

(b) allow any member of his family living with or wholly dependent on him to associate his name with any such institution or object.

21. **Contracting of marriages.**- (1) No Trust servant shall enter into, or contract, a marriage with a person having a spouse living; and

(2) No Trust servant, having a spouse living, shall enter into, or contract, a marriage with any person:

Provided that, the Committee may permit a Trust servant to enter into, or contract, any such marriage as is referred to in clause (1) or clause (2), if it is satisfied that,-

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

(b) there are other grounds for so doing.

(3) A Trust servant who has married or marries a person other than of Indian Nationality shall forthwith intimate the fact to the Executive Officer.

22. **Prohibition against Dowry.**- No Trust servant shall, -

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



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

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

23. Prohibition of employment of children. - No Trust servant shall employ, or permit any member of his family or any person acting on his behalf, to employ any child below the age of 14 years for domestic or any other work.

24. Consumption of intoxicating drinks and drugs. - A Trust servant shall,-

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

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

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

25. Interpretation. - If any question arises relating to the interpretation of these regulations, it shall be referred to the Committee, whose decision thereon shall be final.

26. Delegation of Powers. - The Committee may, by general or special order direct that any power exercisable by it or Executive officer under these regulations shall, subject to such conditions, if any, as may be specified in the order, be exercisable also by such officer or authority as may be specified in the order.

Executive Officer
Shree Siddhivinayak Ganapati Temple Trust
Management Committee





Shree Siddhi Vinayak Ganapati Temple Trust (Prabhadevi)
Services (Discipline and Appeal) Regulations, 2008

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**Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi)
Services (Discipline and Appeal) Regulations, 2008.**

The Shree Siddhi
Vinayak Ganpati
Temple Trust
(Prabhadevi)
Act, 1980

In exercise of the powers conferred by sub-section (3) of 18 read with the Sub Section (2) of section 14 of the Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi), Act, 1980 (Mah. VI of 1981), the Shree Siddhivinayak Ganpati Temple Trust Management Committee, hereby makes, with previous approval of the Government of Maharashtra the following regulations, namely :-

**PART — I
GENERAL**

1. Short title and Commencement.- (1) These regulations may be called the Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Services (Discipline and Appeal) Regulations, 2008

(2) They shall come into force on 2008

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

(a) "Act" means the Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Act, 1980 (Mah. VI of 1981);

(b) "appointing authority", in relation to a Trust servant means,-

(i) the authority competent to make appointment to the service of which the Trust servant is for the time being a member or to the grade of the service in which the Trust servant is for the time being included; or

(ii) the authority competent to make appointments to the post which the Trust servant for the time being holds; or

(iii) the authority which appointed the Trust servant to such service, grade or post, as the case may be;

(c) "Committee" means the Management Committee



Constituted under section 5 of the Act;

(d) "Disciplinary authority" means the authority competent under these regulations to impose on a Trust servant any of the penalties specified in regulation 5;

(e) "Executive Officer" means the Executive Officer appointed by Government under section 19 of the Act;

(f) "Government" means the Government of Maharashtra;

(g) "Legal Practitioner" means an advocate, Vakil or attorney of any High Court, mulhtar or revenue agent;

(h) "major penalty" means any of the penalties specified in items (vii) to (ix) (both inclusive) of sub-regulation (1) of regulation 5;

(i) "minor penalty" means any of the penalties specified in (i) to (vi) (both inclusive) of sub-regulation (1) of regulation 5;

(j) "State" means the State of Maharashtra;

(k) "Trust" means the Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi);

(l) "Trust servant" means any person who is appointed to Trust service or post in connection with the affairs of the Trust.

3. Application.- (1) Except as otherwise provided by or under these regulations, these regulations shall apply to every Trust servant not being,-

(a) any member of any Government Service on deputation to the Trust;

(b) person in casual employment of the Trust.

(2) Notwithstanding anything-contained in clause (1), the

Committee may, by order, exclude any class of Trust servants from the operation of all or any of these regulations.

(3) If any doubt arises,-



- (a) whether these regulations or any of them apply to any person, or
(b) whether any person to whom these regulations apply, belong to a particular service, the Committee shall decide the same and the decision of the Committee shall be final.

PART -II

SUSPENSION

4. **Suspension.**- (1) The appointing authority or the disciplinary authority or any other authority empowered in that behalf by the appointing authority, by general or special order, may place a Trust servant under suspension,-

- (a) where a disciplinary proceeding against him is contemplated or is pending, or
(b) where in the opinion of the authority aforesaid, he has engaged himself in activities prejudicial to the interest of the Trust, or
(c) where a case against him in respect of any criminal offence is under investigation, inquiry or trial :

Provided that, where an authority makes the order of suspension other than the appointing authority, such authority shall forthwith report to the appointing authority, the circumstances in which the order was made.

(2) A Trust servant shall be deemed to have been placed under suspension by an order of the appointing authority,-

(a) with effect from the date of his detention, if he is detained in police or judicial custody, whether on criminal charges or otherwise, for a period exceeding forty-eight hours;

(b) with effect from the date of his conviction, if, in the event of a conviction for an offence, he is sentenced to a term of imprisonment exceeding forty-eight hours and is not forthwith dismissed or removed or compulsorily retired consequent to such conviction.



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Explanation.- The period of forty-eight hours referred to in clause (b) of sub-regulation (2), shall be computed from the commencement of the imprisonment after the conviction and for this purpose, intermittent periods of imprisonment, if any, shall be taken into account.

(3) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon a Trust servant under suspension is set aside in appeal or on review under these regulations, and the case is remitted for further inquiry or action or with any other directions, the order of his suspension shall be deemed to have continued in force on and from the date of the original order of dismissal, removal or compulsory retirement and shall remain in force until further orders.

(4) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon a Trust servant is set aside or declared or rendered void in consequence of, or by, a decision of a Court of Law and the disciplinary authority, on a consideration of the circumstances of the case, decides to hold a further inquiry against him on the allegations on which the penalty of dismissal, removal or compulsory retirement was originally imposed, the Trust servant shall be deemed to have been placed under suspension by the appointing authority from the date of the original order of dismissal, removal or compulsory retirement and shall continue to remain under suspension until further orders:

Provided that, no such further inquiry shall be ordered unless it is intended to meet a situation where the Court has passed an order purely on technical grounds without going into the merits of the case.

(5) (a) An order of suspension made or deemed to have been made under this regulation shall continue to remain in force until it is modified or revoked by the authority competent to do so.

(b) Where a Trust servant is suspended or is deemed to have been suspended (whether in connection with any disciplinary proceeding or otherwise), and any other disciplinary proceeding is commenced against him during the continuance of that suspension, the authority



competent to place him under suspension may, for reasons to be recorded by it in writing, direct that the Trust servant shall continue to be under suspension until the termination of all or any of such 'proceedings.

(c) An order of suspension made or deemed to have been made under this regulation may at any time be modified or revoked by the authority which made or is deemed to have made the order or by any authority to which that authority is subordinate.

PART —III

PENALTIES AND DISCIPLINARY AUTHORITIES

5. **Penalties.**— (1) Without prejudice to the provisions of any law for the time being in force, the following penalties may, for good and sufficient reasons and as hereinafter provided, be imposed on a Trust servant, namely:—

Minor Penalties:—

- (i) censure;
- (ii) withholding of his promotion;
- (iii) recovery from his pay of the whole or part of any pecuniary loss caused by him to the Trust, by negligence or breach of orders;
- (iii) withholding of increments of pay;
- (v) reduction to a lower stage in the time scale of pay for a specified period. With further directions as to whether or not the Trust servant will earn increments of pay during the period of such reduction and whether on the expiry of such period, the reduction will or will not have the effect of postponing the future increments of his pay;
- (vi) reduction to a lower time-scale of pay, grade, post or service which shall ordinarily be a bar to the promotion of a Trust servant to the time-scale of pay, grade, post or service from which he was reduced, with or without further directions regarding conditions or restoration to the -time-scale of pay, grade, post or service from which the Trust servant was reduced and his seniority and pay



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on such restoration to that time- scale of pay, grade, post or services;

Major Penalties:-

(vii) compulsory retirement;

(viii) removal from service which shall not be a disqualification for further employment under any public Authority i.e. the State as defined in Article 12 of the Constitution of India ;

(ix) dismissal from service which shall ordinarily be a disqualification for future employment under any Public Authority i.e. the State as defined in Article 12 of the Constitution of India:

Provided that, in every case in which the charge of acceptance from any person any gratification other than legal remuneration, as a motive or reward for doing or forbearing to do any official act is established, the penalty mentioned in clause (viii) or (ix) shall be imposed:

Provided further that, in any exceptional case and for special reasons recorded in writing any other penalty may be imposed.

Explanation.- The following shall not amount to a penalty within the meaning of this regulation, namely: -

(i) Withholding of increments of pay of a Trust servant for his failure to pass any departmental examination or the Hindi and Marathi language examination in accordance with the regulations or orders governing the service to which he belongs or post which he holds or the terms of his appointment;

(ii) Stoppage of a Trust servant at the efficiency bar in the time-scale of pay on the ground of his unfitness to cross the bar;

(iii) Non-promotion of a Trust servant, whether in a substantive or officiating capacity, after consideration of his case, to a service, grade or post for promotion to which he is eligible, on administrative ground unconnected with his conduct;

(iv) Reversion of a Trust servant officiating on a higher service, grade or post to a lower service, grade or post in the ground that he is considered to be unsuitable for such higher



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service, grade or post or on any administrative ground unconnected with his conduct;

(v) Reversion of a Trust servant appointed on probation to any other service, grade or post, to his permanent service, grade or post during or at the end of the period of probation in accordance with the terms of his appointment or the regulations and orders governing such probation;

(vi) Replacement of the services of a Trust servant, whose service had been borrowed from any Government in India or any authority under its control, at the disposal of such Government, or authority;

(vii) Compulsory retirement of a Trust servant in accordance with the provisions relating to his superannuation or retirement;

(viii) Termination of the services,-

(a) of a Trust servant appointed on probation, during or at the end of the period of his probation, in accordance with the terms of his appointment or the regulations and orders governing such probation; or

(b) of a temporary Trust servant employed under an agreement, in accordance with the term of such agreement.

(g) Where a penalty mentioned in item (v) or (vi) in sub-regulation (I) is imposed on a Trust servant, the authority imposing the penalty shall expressly state in the order imposing such penalty that the period for which the reduction is to be effective penalty that the period for effective will be exclusive of any interval spent on leave before the period is completed.

6. **Disciplinary Authorities.**- (1) The Committee may impose any of the penalties specified in regulation 5 on any Trust servant.

(2) Without prejudice to the provisions of sub-regulation (1), the appointing authorities may impose any of the penalties specified in regulation 5 upon members of group 'C' and group 'D' Services serving under them, whom they have power to appoint:

Provided that, the Executive Officer shall exercise the powers of imposing minor penalties on Group 'C' and Group 'D' Trust servants under their respective administrative control.



7. Authority to institute proceedings.- (1) The Committee or any other authority empowered by it by general or special order may,-

(a) institute disciplinary proceedings against any Trust servant;

(b) direct a disciplinary authority to institute disciplinary proceedings against any Trust servant on whom that disciplinary authority is competent to impose under these regulations any of the penalties specified in regulation 5.

(c) direct the transfer of any pending enquiry from any enquiring authority, appointed by the disciplinary authority under sub-regulation (2) of regulation 8, to any other enquiring authority if he is satisfied that it is necessary for timely completion of enquiry.

(2) A disciplinary authority competent under these regulations to impose any of the penalties specified in regulation 5 may institute disciplinary proceedings against any Trust servant on whom the disciplinary authority is competent to impose any of the penalties specified in regulation 5.

PART - IV PROCEDURE FOR IMPOSING PENALTIES

8. Procedure for imposing major penalties.- (1) No order imposing any of the major penalties shall be made except after an inquiry held, as far as may be, in the manner provided in this regulation or regulation 9.

(2) Whenever the disciplinary authority is of the opinion that there are grounds for inquiring into the truth of any imputation of misconduct or misbehaviour against a Trust servant, it may itself inquire into, or appoint an authority under this regulation to inquire into the truth thereof.

Explanation.- Where a disciplinary authority itself holds an inquiry under this regulation, any reference to an inquiring authority in this regulation shall unless the context otherwise requires, be construed as reference to the disciplinary authority.

(3) Where it is proposed to hold an inquiry against a Trust servant under this regulation, the disciplinary authority shall draw up or cause to be drawn up,-



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(a) the substance of the imputations of misconduct or misbehaviour into definite and distinct articles or charge; or

(b) a statement of the imputations of misconduct or misbehaviour in support of each article of charge, which shall contain,-

(i) a statement of all relevant facts including any admission or confession made by the Trust servant; and

(ii) a list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained.

(4) The disciplinary authority shall deliver or cause to be delivered to the Trust servant, a copy of articles of charge, the statement of the imputations of misconduct or misbehaviour, and a list of documents and of the witnesses by which each article of charge is proposed to be sustained and shall by a written notice require the Trust servant to submit to it within such time as may be specified in the notice, a written statement of his defence and to state whether he desires to be heard in person.

(5) (a) On receipt of the written statement of defence, the disciplinary authority may itself inquire into such of the articles or charge as are not admitted, or, if it considers it necessary so to do, appoint under sub-regulation (2), an inquiring authority for the purpose, and where all the articles of charge have been admitted by the Trust servant in his written Statement of defence the disciplinary authority shall record its findings on each charge after taking such evidence as it may think fit and shall act in the manner laid down in regulation 9 of this regulation.

(b) If no written statement of defence is submitted by the Trust servant, the disciplinary authority may itself inquire into the articles of charge or may, if it considers it necessary to do so, appoint under sub-regulation (2) of these regulations as an inquiring authority for the purpose;

(c) Where the disciplinary authority appoints an inquiring authority it may, by an order, appoint a Trust servant or a legal practitioner, to be known as the "Presenting Officer" to present the case in support of the articles of charge before the inquiring authority.

(6) The disciplinary authority shall, where it is not the inquiring authority, forward to the inquiring authority,-



(i) a copy of each of the articles of charge and the statement of the imputations of misconduct or misbehaviour;

(ii) a copy of the written statement of defence, if any, submitted by the Trust servant;

(iii) copies of statements of witnesses, if any, referred to in sub-regulation (3) of this regulation;

(iv) evidence providing the delivery of the documents referred to in sub-regulation (3) of this regulation;

(v) a copy of the order appointing the Presenting Officer.

(7) The Trust servant shall appear in person before the inquiring authority on such day and at such time within ten working days from the date of receipt by him of the articles of charge and the statement of the imputations of misconduct or misbehaviour, as the inquiring authority may, by a notice in writing, specify in this behalf, or within such further time not exceeding ten days, as the inquiring authority may allow.

(8) The Trust servant may take the assistance of any other Trust servant or retired Trust servant or retired Government servant to present the case on his behalf, but may not engage a legal practitioner for the purpose unless the Presenting Officer appointed by the disciplinary authority is a legal practitioner, or, the disciplinary authority, having regard to the circumstances of the case, so permits.

(9) If the Trust servant who has not admitted any of the articles of charge in his written statement of defence, or has not submitted any written statement of defence, appears before the inquiring authority, such authority shall ask him whether he is guilty or has any defence to make and if he pleads guilty to any of the articles of charge, the inquiring authority shall record the plea, sign the record and obtain signature of the Trust servant thereon.

(10) The inquiring authority shall return a finding of guilt in respect of those articles of charge to which the Trust servant pleads guilty.

(11) The inquiring authority shall, if the Trust servant fails to appear within the specified time or refuses or omits to plead,



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require the Presenting Officer to produce the evidence by which he proposes to prove articles of charge and shall adjourn the case to a later date not exceeding thirty days, after recording an order that the Trust servant may, for the purpose of preparing his defence,-

- (i) inspect within five days of the order or within such further time not exceeding five days as the inquiring authority may allow, the documents specified in the list referred to in sub-regulation (3) of this regulation.
- (ii) submit a list of witnesses to be examined on his behalf.
- (iii) give a notice within ten days of the order or within such further time not exceeding ten days as the inquiring authority may allow, for the discovery or production of any documents which are in the possession of the Trust but not mentioned in the list referred to in sub-regulation (3) of this regulation, indicating the relevance of such documents.

(12) Where the Trust servant applies orally or in writing for the supply of copies of the statements of witnesses mentioned in the list referred to in sub-regulation (3) of this regulation, the inquiring authority shall furnish him with such copies as early as possible, and in any case not later than three days before the commencement of the examination of the witnesses on behalf of the disciplinary authority.

13) Where the inquiring authority receives a notice from the Trust servant for the discovery or production of documents, the inquiring authority shall forward the same or copies thereof to the authority in whose custody or possession the documents are kept with a requisition for the production of the documents by such date as may be specified in such requisition to the case:

Provided that, the inquiring authority may, for reasons to be recorded by it in writing, refuse to requisition such of the documents as are, in its opinion, not relevant to the case.



(14) On receipt of the requisition referred to in sub-regulation (13), every authority having the custody or possession of the requisitioned documents shall produce the same before the inquiring authority:

Provided that, if the authority having the custody or possession of the requisitioned documents is satisfied for reasons to be recorded by it in writing that the production of all or any of such documents would be against the interest of the Trust, it shall inform the inquiring authority and the inquiring authority shall, on being so informed, communicate the information to the Trust servant and withdraw the requisition made by it for the production of discovery of such documents.

(15) The inquiry shall be commenced on the date fixed in that behalf by the inquiring authority and shall be continued - thereafter on such date or dates as may be fixed, from time to time, by that authority.

(16) On the date fixed for the inquiry, the oral and documentary evidence by which the articles of charge are proposed to be proved shall be produced by or on behalf of the Presenting Officer and may be cross-examined by or on behalf of the Trust servant. The Presenting Officer shall be entitled to re-examine the witnesses on any points on which they have been cross-examined, but not on any new matter, without the leave of the inquiring authority. The inquiring authority may also put such questions to the witnesses as it thinks fit.

(17) If it shall appear necessary before the close of the case on behalf of the disciplinary authority, the inquiring authority may, in its discretion, allow the Presenting Officer to produce evidence not included in the list given to the Trust servant or may itself call for new evidence or recall and re-examine any witness and in such case the Trust servant shall be entitled to have, if he demands it, a copy of the list of further evidence proposed to be produced and an adjournment of the inquiry for three clear days before the production of such new evidence, exclusive of the day of adjournment and the day to which the inquiry is adjourned. The inquiring authority may also allow the Trust servant to produce new evidence, if it is of the opinion that the production of such evidence is necessary in the interests of justice :

Provided that, no new evidence shall be permitted 'or called for or any witness shall be recalled to fill up any gap in the evidence unless there is an inherent lacuna or defect in the evidence which has been produced originally.

(18) When the case for the disciplinary authority is closed, the Trust servant shall be required to state his defence, orally or in writing, as he may prefer in writing. If the defence is made orally, it shall be recorded in writing and the Trust servant shall be required to sign the record. In either case, a copy of the statement of defence shall be given to the Presenting Officer appointed, if any.

(19) The evidence on behalf of the Trust servant shall then be produced. The Trust servant may examine himself on his own behalf if he so prefers. The witnesses produced by the Trust according to the provisions applicable to servant shall then be examined by the inquiring authority the witnesses for the disciplinary authority.

(20) The inquiring authority may, after the Trust servant closes his case and shall, if the Trust servant has not examined himself, generally question him on the circumstances appearing against him in the evidence for the purpose of enabling the Trust servant to explain any circumstances appearing in the evidence against him.

(21) The inquiring authority may, after the completion of the production of evidence, hear the Presenting Officer, appointed, if any, and the Trust servant, or permit them to file written briefs of their respective case, if they so desire:

(22) If the Trust servant to whom a copy of the articles of charge has been delivered, does not submit a written statement of defence on or before the date specified for the purpose or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of this regulation, the inquiring authority may hold the inquiry ex parte.

(23)(a) Where a disciplinary authority competent to impose any of the minor penalties but not competent to impose any of the major penalties has itself inquired into or caused to be inquired into any of the articles of charge and that authority, having regard to its own findings or having regard to its decision on any of the findings of any inquiring authority appointed by it.



If it is of the opinion that any of the major penalties should be imposed on the Trust servant, that authority shall forward the records of the inquiry to such disciplinary authority as is competent to impose such major penalty.

(b) The disciplinary authority to which the records are so forwarded may act on the evidence on the record or may, if it is of the opinion that further examination of any of the witnesses is necessary in the interest of justice, recall the witnesses and examine, cross-examine and re-examine the witnesses, and may impose on the Trust servant such penalty as it may be deem fit in accordance with these regulations :

Provided that, if any witnesses are recalled, they may be cross- examined by or on behalf of the Trust servant.

(24) Whenever any inquiring authority, after having heard and recorded the whole or any part of the evidence in an inquiry cases to exercise jurisdiction therein, and is succeeded by another inquiring authority which has, and which exercise, such jurisdiction, the inquiring authority so succeeding may act on the evidence so recorded by its predecessors, or partly recorded by its predecessor and partly recorded by itself.

Provided that, if the succeeding inquiring authority is of the opinion that further examination of any of the witnesses whose evidence has already been recorded is necessary in the interest of justice, it may recall, examine, cross-examine and re-examine any such witnesses as hereinbefore provided:

Provided further that, if any witnesses are recalled, they may be cross-examined by or on behalf of the Trust servant.

(25) After the conclusion of the inquiry, the inquiring authority shall prepare a report. Such report shall contain,-

(a) the articles of the charge and the statement of the imputations of misconduct or misbehaviour;

(b) the defence of the Trust servant in respect of each article of charge;

(c) an assessment of the evidence in respect of each article of charge;



(d) the findings on each article of charge and the reasons therefor.

(26) Where, in the opinion of the inquiring authority, the proceedings of the inquiry establish any article of charge different from the original articles of the charge, it may record its finding on such article of charge

Provided that, the findings on such article of charge shall not be recorded unless the Trust servant has either admitted the facts on which such article of charge is based or has had a reasonable opportunity of defending himself against such article of charge.

27) The inquiring authority, where it is not itself the disciplinary authority, shall forward to the disciplinary authority the records of inquiry which shall include, -

(a) the report prepared by it under sub-regulation (25);

(b) the written statement of defence, if any, submitted by the Trust servant;

(c) the oral and documentary evidence produced in the course of the inquiry;

(d) written briefs, if any, filed by the Presenting Officer or the Trust servant or both during the course of the inquiry; and

(e) the orders, if any, made by the disciplinary authority and the inquiring authority in regard to the inquiry.

9. **Action on the inquiry report.**- (1) The disciplinary authority, if it is not itself the inquiring authority may, for reasons to be recorded by it in writing, remit the case to the inquiring authority for further inquiry and report, and the inquiring authority shall thereupon proceed to hold the further inquiry according to the provisions of regulation 8 of these regulations as far as may be.

(2) The disciplinary authority shall if it is not the inquiring authority, consider the record of the inquiry and record its findings on each charge. If it disagrees with the findings of the inquiring authority on any article of charge, it shall record its reasons for such disagreement.



(3) If the disciplinary authority having regard to its findings on all or any of the articles of charge is of the opinion that any of the minor penalties should be imposed on the Trust servant, it shall, notwithstanding anything contained in regulation 10 of these regulations on the basis of the evidence adduced during the inquiry held under regulation 8 determine what penalty, if any, should be imposed on the Trust servant and make an order imposing such penalty.

(4) If the disciplinary authority, having regard to its findings on all or any of the articles of charge and on the basis of the evidence adduced during the inquiry, is of the opinion that any of the penalties specified in clauses (v) to (ix) of sub-regulation (1) of regulation 5, should be imposed on the Trust servant, it shall make an order imposing such penalty and it shall not be necessary to give the Trust servant any opportunity of making representation on the penalty proposed to be imposed.

10. Procedure for imposing minor penalties- (1) Save as otherwise provided in sub-regulation (3) of regulation 9, no order imposing on a Trust servant any of the minor penalties shall be made except after,-

(a) informing the Trust servant in writing of the proposal to take action against him and of the imputations. Of misconduct or misbehaviour on which it is proposed to be taken, and giving him a reasonable opportunity of making such representation as he may wish to make against the proposal;

(b) holding an inquiry in the manner laid down in regulation 8, in every case in which the disciplinary authority is of the opinion that such inquiry is necessary;

(c) taking into consideration the representation, if any, submitted by the Trust servant under clause (a) of this regulation and the record of inquiry, if any, held under clause (b) of this regulation; and

(d) recording a finding on each imputation of misconduct or misbehaviour.

(2) Notwithstanding anything contained in clause (b) of sub-regulation (1), if in a case it is proposed, after considering the representation, if any, made by the Trust servant under clause (a) of that sub-regulation, to withhold increments of pay and such withholding of increments is likely to affect adversely the



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amount of pension payable to the Trust servant or to withhold increments of pay with cumulative effect for any period, an inquiry shall be held in the manner laid down in sub-regulations (2) and (27) of regulation 8, before making any order of imposing on the Trust servant any such penalty:

(9) The record of the proceedings in such cases shall include,-

- (i) a copy of the intimation to the Trust servant of the proposal to take action against him;
- (ii) a copy of the statement or imputations of misconduct or misbehaviour delivered to him;
- (iii) his representation, if any;
- (iv) the evidence produced during the inquiry;
- (v) the findings on each imputation of 'misconduct or misbehaviour; and
- (vi) the orders in the case together with the reasons therefor.

11. Communication of orders.- Orders made by the disciplinary authority shall be communicated to the Trust servant who shall also be supplied with a copy of the report of the inquiry, if any, held by the disciplinary authority and a copy of its findings on each article of charge, or where the disciplinary authority is not the inquiring authority, a copy to the report of the inquiry authority and a statement of the findings of the disciplinary authority together with brief reasons for its disagreement, if any, with the findings of the inquiring authority unless they have already been supplied to him).

12. Common Proceedings.- (1) Where two or more Trust - servants are concerned in any case, the Committee or any other authority competent to impose the penalty of dismissal from service on all such Trust servants may make an order directing that disciplinary action against all of them may be taken in a common proceedings.

(2) Where the authorities competent to impose the penalty of dismissal on such Trust servants are different, an order for taking disciplinary action in a common proceeding may be made by the highest of such authorities with the consent of the others.



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(3) Every order for taking disciplinary action in a common proceeding shall specify,-

(i) the authority which may function as the disciplinary authority for the purpose of such common proceeding;

(ii) the penalties specified in regulation 5 which such disciplinary authority shall be competent to impose, and

(iii) whether the procedure laid down in regulation 8 and regulation 9 or regulation 10 shall be followed in the proceeding.

13 Special procedure in certain cases.- Notwithstanding anything contained in regulation 8 to regulation 12 of these regulations,-

(i) where any penalty is imposable on a Trust servant on the ground of conduct which has led to his conviction on a criminal charge, or

(ii) where the disciplinary authority is satisfied for reasons to be recorded by it in writing that it is not reasonably provided in these regulations ;or

(iii) where the Committee is satisfied that in the interest of the Trust, it is not expedient to hold any inquiry in the manner provided in these regulations, the disciplinary authority may consider the circumstances of the case and make such orders there; is as it deems fit:

Provided that, the Trust servant may be given an opportunity of making representation on the penalty proposed to be imposed before any order is made in a case under clause (i).

PART-V

APPEALS

14. Orders against which no appeal lies.- Notwithstanding anything contained in this part, no appeal shall lie against,-

(i) any order made by the Committee;



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(ii) any order of an interlocutory nature or of the nature of a step-in-aid or the final disposal of a disciplinary proceeding, other than order of suspension;

(iii) any order passed by an inquiring authority in the course of an inquiry under regulation 5 of these regulations.

15. Orders against which appeal lies,- Subject to the provisions of regulation 6, a Trust servant may prefer an appeal against all or any of the following orders, namely:-

(i) an order of suspension made or deemed to have been "made under regulation 4-of these regulations;

(ii) an order imposing any of the penalties specified in regulation 5 of these regulations, whether made by the disciplinary authority or by any appellate or reviewing authority;

(iv) an order enhancing any penalty, imposed under regulation 5 of these regulations;

(iv) an order which,-

(a) denies or varies to his disadvantage his pay allowance, pension or other conditions of service as regulated by regulations or by agreement; or

(b) denies promotion to which he is otherwise eligible according to the recruitment regulation and which is due to him according to his seniority; or

(c) interprets to his disadvantage the provisions of any such regulation or agreement;

(v) an order,-

(a) stopping him at the efficiency bar in the time scale of pay on the ground of his unfitness to cross the bar;

(b) reverting him while officiating in a higher service, grade or post to a lower service, grade or post, otherwise than as a penalty;

(c) determination the subsistence and the other allowances to be paid to him for the period of suspension or for the period during which he is



deemed to be under suspension or for any portion thereof;

(d) determining his pay and allowances,-

(i) for the period of suspension, or

(ii) for the period from the date of his dismissal, removal, or compulsory retirement from service, or from the date of his reduction to a lower service, grade, post, time-scale or stage in a time-scale of pay to the date of his reinstatement or restoration to his service, grade or post shall be treated as a period spent on duty for any purpose.

Explanation- In this regulation the expression "Trust servant" includes a person who has ceased to be in Trust service.

16. Appellate authorities.- (1) Subject to the provisions of any law for the time being in force,-

(i) a member of Group 'A' or Group 'B' service including a person who belonged to any of these classes immediately before he ceased to be in service, may appeal to the Committee against the orders imposing penalties on him passed by the authorities subordinate to the Committee;

(ii) a member of Group 'C' or Group 'D' service including a person who belonged to any of those classes immediately before he ceased to be in service, may appeal to the immediate superior of the officer imposing a penalty upon him under regulation 5 of these regulations and no further appeal shall be admissible to him.

(2) Notwithstanding anything contained in sub-regulation (1) of this regulation,-

(i) an appeal against an order in common proceeding held under regulation 12 of these regulations shall lie to the authority to which the authority functioning as the disciplinary authority for the purpose of that proceeding is immediately subordinate.

(ij) where the person who made the order appealed against becomes, by virtue of his subsequent appointment or



otherwise the appellate authority in respect of such order, an appeal against such order shall lie to the authority to which such person is immediately subordinate.

17. Period of Limitation for appeals.- No appeal preferred under this part shall be entertained unless such appeal is preferred within a period of forty-five days from the date on which a copy of the order appealed against is delivered to the appellant:

Provided that, the appellate authority may entertain the appeal after the expiry of the said period, if it is satisfied that the appellant had sufficient cause for not preferring the appeal in time.

18. Mode, form and contents of appeal.- (1) Every person preferring an appeal shall do so separately and in his own name and shall address it to the authority to which the appeal lies.

(2) The appeal shall be complete in it and shall contain all material statements and arguments on which the appellant relies, but shall not contain any disrespectful or improper language.

19. Submission of appeals.- (1) Every appeal shall be submitted to the authority which made the order appealed against.

(2) A copy of the appeal shall also be submitted direct to the appellate authority.

20. Transmission of appeals.- The authority which made the order appealed against shall, on receipt of a copy of the appeal, without any avoidable delay, and without waiting for any direction from the appellate authority, transmit to the appellate authority, every order together with its comments thereon and the relevant records.

21. Consideration of appeal.- (1) In the case of an appeal against an order of suspension, the appellate authority shall consider whether in the light of the provision of regulation 4 of these regulations and having regard to the circumstances of the case, the order of suspension is justified or not and confirm or revoke the order, accordingly.



(2) In the case of an appeal against an order imposing any of the penalties specified in regulation 5 of these regulations or enhancing any penalty imposed under that regulation, the appellate authority shall consider,-

(a) whether the procedure laid down in these regulations has been followed, and if not, whether such non-compliance has resulted in the violation of any provisions of the Constitution of India or in the failure of justice;

(b) Whether the findings of the disciplinary authority are warranted by the evidence on the record; and

(c) Whether the penalty or the enhanced penalty imposed is adequate, inadequate or severe; and pass orders, -

(i) Confirming, enhancing, reducing or setting aside the penalty; or

(ii) Remitting the case to the authority which had passed the order appealed against, with such directions as it may deem fit in the circumstances of the case :

Provided that,-

(i) the appellate authority shall not impose any enhanced penalty which neither such authority nor the authority which made the order appealed against is competent in the case to impose;

(ii) if the enhanced penalty which the appellate authority proposes to impose is one of the major penalties and an inquiry under regulation 8 has not already been held in the case, the appellate authority shall, subject to the provisions of regulation 13, itself hold such inquiry or direct that such inquiry be held in accordance with the provisions of regulation 8, and thereafter, on a consideration of the proceedings of such inquiry, make such orders as it may deem fit; and

(iii) if the enhanced penalty which the appellate authority proposes to impose is one of the major penalties and an inquiry under regulation 8 of these regulations has already been held in the case the appellate authority shall make such orders as it may deem fit.



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(3) In an appeal against any other order specified in regulation 15 of these regulations, the appellate authority shall consider all the circumstances of the case and make such orders as it may deem just and equitable.

22. Implementation of orders in appeal.- The authority which made the order appealed against, shall give effect to the orders passed by the appellate authority

PART — VI REVISION AND REVIEW

23. Revision.- (1) Notwithstanding anything contained in these regulations the Committee or any authority subordinate to it to which an appeal against an order imposing any of the penalties specified in regulation 5 of these regulations lies may, at any time, either on his or its own motion or otherwise call for the records of any enquiry and revise any order made under these regulations from which an appeal lies but against which no appeal has been preferred or orders against which no appeal has been preferred or orders against which no appeal lies, and may-

- (a) confirm, modify or set aside the order; or
- (b) confirm, reduce, enhance or set aside the penalty imposed by the order, or impose any penalty where no penalty has been imposed ; or
- (c) remit the case to the authority which made the order or to any other authority directing such authority to make such further inquiry as it may consider proper in the circumstances of the case; or
- (d) pass such other orders as it may deem fit;

Provided that, no order imposing or enhancing any penalty shall be made by any revising authority, unless the Trust servant concerned has been given a reasonable opportunity of making a representation against the penalty proposed, and where it is proposed to impose any of the major penalties or to enhance the penalty imposed by the order sought to be revised to any of the major penalties, no such penalty shall be imposed except after an



inquiry in the manner laid down in regulation 8 of these regulations:

Provided further that, no power of revision shall be exercised by the authority to which an appeal against an order imposing any of the penalties specified in regulation 5 of these regulations, lies unless,-

(i) the authority which made the order in appeal, or

(ii) the authority to which an appeal would lie, where no appeal has been preferred is subordinate to it.

(2) No proceeding for revision shall be commenced until after,-

(i) the expiry of the period of limitation for an appeal,

(ii) the disposal of the appeal, where any such appeal has been preferred.

(3) An application for revision shall be dealt with in the same manner as if it were an appeal under these regulations, except that the period of limitation for its consideration shall be six months commencing from the date on which a copy of the order under revision is delivered to the applicant.

24. Review.- The Committee may, at any time, either on its own motion or otherwise, review any order passed under these regulations, when any new material or evidence which could not be produced or was not available at the time of passing the order under review and which has the effect of changing the nature of the case, has come or has been brought, to its notice:

Provided that, no order imposing or enhancing any penalty shall be made by the Committee unless the Trust servant concerned has been given a reasonable opportunity of making a representation against the penalty proposed, or where it is proposed to impose any of the major penalties specified in regulation 5 or to enhance the minor penalty imposed by the order sought to be reviewed to any of the major penalties and if an inquiry under regulation 8 has not already been held in the case, no such penalty shall be imposed except after an inquiry in the manner laid down in regulation 8, subject to the provision of regulation 13.



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PART — VII
MISCELLANEOUS

25. Service of orders, notices, etc.-Every order, notice and other process made or issued under these regulations shall be served in person on the Trust servant concerned or communicated to him by registered post failing to which it may be served at his last known address.

26. Power to relax time limit and to condone delay.- Save as otherwise expressly provided in these regulations, the authority competent under these regulations to make any order may, for good and sufficient reasons or if sufficient cause is shown, extend the time specified in these regulations for anything required to be done under these regulations or condone any delay.

27. Savings.- (1) Nothing in these regulations shall be construed as depriving any person to whom these regulations apply of any right of appeal, which had accrued to him under the regulations, notifications or orders in force before the commencement of these regulations.

(2) An appeal pending at the commencement of these regulations against an order made before such commencement shall be considered and orders thereon shall be made, in accordance with these regulations, as if such orders were made under these regulations.

(3) As from the commencement of these regulations any appeal or application for review against any orders made before such commencement shall be preferred or made under these regulations, as if such orders were made under these regulations:

Provided that, nothing in these regulations shall be construed as reducing any period of limitation for any appeal or review provided by any regulation in force before the commencement of these regulations.

28. Removal of doubt.- Where a doubt arises as to whether any authority is subordinate to, or higher than, any other authority or as to the interpretation of any of the provisions of these regulations, the matter shall be referred to the Committee whose decision thereon shall be final.

(Executive Officer)

Shree Siddhivinayak Ganapati Temple Trust
Management Committee





**Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi)
Services (General Conditions of Services)
Regulations 2008**

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**Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi)
Services (General Conditions of Services) Regulations, 2008**

**The Shree
Siddhi Vinayak
Ganpati
Temple Trust
(Prabhadevi)
Act, 1980**

In exercise of the powers conferred by sub-section (3) of section 13 read with sub-section (2) of section 14 of the Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Act, 1980 (Mah.VI of 1981), the Shree Siddhi Vinayak Ganpati Temple Trust Management Committee, hereby makes, with previous - approval of the Government of Maharashtra, the following regulations, namely :-

CHAPTER -1

GENERAL

1. **Short title and commencement-** (1) These regulations may be called the Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Services (General Conditions of Services) Regulations, 2008

(2) They shall come into force on 4th August 2008

2. **Extent of application-** Except as otherwise provided by or under these regulations, these regulations shall apply to all persons appointed to the Trust services and posts in connection with the affairs of the Trust.

3. **Power of interpretation-** If any question arises relating to the interpretation of these regulations, it shall be referred to the Committee, whose decision thereon shall be final. -

4. **Power of relaxation-** Where the Committee is satisfied that the operation of any of these regulations causes or is likely to cause undue hardship in the case of any Trust servant or class of Trust servants, it may, with the prior sanction of the Government, by an order in writing, exempt any such Trust servant or class of Trust servants from any provisions of these regulations or may direct that such provisions shall apply to such Trust servants or class of Trust servants with such modifications not affecting the substance thereof, as may be specified in such order.

5. **Validity of terms of contract-** The terms of a specific contract enforceable at law necessarily override the provisions of these regulations.



6. **Regulation of claims to pay and allowances.**- A Trust servant's claim to pay and allowances is regulated by the regulations in force at the time in respect of which the pay and allowances are earned.

7. **Exercise and delegation of powers under these regulations.**-it shall be open to the Committee to prescribe, by general or special order, which powers under these regulations may be exercised or delegated to the Executive Officer or any other Officer of the Trust.

CHAPTER - II

DEFINITIONS

8. **Definitions.** - In these regulations, unless the context otherwise requires, -

(1) "Act" means the Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Act, 1980 (Mah.VI of 1981),

(2) "cadre" means the strength of a service or a part of a service sanctioned as a separate unit.

(3) "Committee" means the Management Committee constituted under section 5 of the Act.

(4) "Compensatory allowance" means an allowance granted to meet personal expenditure necessitated by the special circumstances in which duty is performed. It includes different types of travelling allowances,

(5) "Competent authority" in relation to the exercise of any power, means the Committee, or any authority to which the power is delegated by or under these regulations.

(6) "Date of first appointment" means the date the Trust servant assumes the duties of his first post in the Trust service.

(7) "day" means the period beginning from one midnight and ending with the next midnight.

(8) "Executive Officer" means the Executive Officer appointed by the Government under section 12 of the Act.

(9) "Duty" includes,-



- (a) Service as a probationer;
- (b) joining time;
- (c) a course of instructions or training authorised by or under the orders of the Committee;

Note 1 - The time reasonably required for the journeys between the place of training and the station from which the Trust servant proceeds in order to undergo training, is part of the period of training.

Note 2.- When one or more holidays follow the period of training, the training period may be deemed to have been extended to cover such holidays.

(d) the period occupied,-

(i) in appearing for a language examination prescribed by the Trust at which a Trust servant has been granted permission to appear;

(ii) in attending an examination which a Trust servant must pass to become eligible for a higher post in any branch of the Trust service, including the time reasonably necessary for going to and from the place of examination.

This concession should not be allowed more than twice for each examination.

Note.- If an examination is taken immediately before leave, the leave shall be held to have commenced from the date following that of the completion of the examination. In cases where an examination is taken in interruption of leave or immediately after leave, the time occupied in appearing for the examination, including the time necessary for going to and from the place of examination, shall be treated not as duty but as leave.

(e) the period for which a Trust servant is required to wait compulsorily until receipt of his posting orders in the cases mentioned below,-

- (i) whose orders of transfer are held in abeyance, cancelled or modified while in transit; or
- (ii) who, on return from leave or on abolition of the post held by him, has to await receipt of posting orders; or



(iii) who, on arrival at the headquarters of the post to which he is posted is not in a position to take charge of the post from the Trust servant to be relieved.

The period availed of to resume duties after the receipt of posting orders shall not exceed the joining time admissible under the regulations and shall be treated as a continuation of the period of compulsory waiting.

(d) the period intervening between the date on which a Trust servant is engaged temporarily for special or other duty and the date on which he takes over charge, provided the period does not exceed the joining time that would be permissible to a Trust servant.

(10) "first appointment" means the appointment of a person who is not holding any appointment under the Trust, even though he may have previously held such an appointment.

(11) "Government" means the Government of Maharashtra.

(12) "Joining time " means the time allowed to a Trust servant to join a new post or to travel to or from a station to which he is posted.

(13) "leave" means permission to remain absent from duty granted by Competent Authority under: the Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Services (Leave) Regulation, 2006.

(14) "Lien" means the title of a Trust servant to hold substantively, either immediately or on the termination of a period or periods of absence, a permanent post, including a tenure post, to which he has been appointed substantively.

(15) "Month" means a calendar month. In calculating a period expressed in terms of months and days complete calendar months, irrespective of the number of days in each, should first be calculated and the odd number of days calculated subsequently.

Instruction- Calculations of period expressed in terms of months and days should be made as under:-



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(a) To calculate 3 months and 20 days on and from the 25th January, the following method should be adopted;-

	Y.	M.	D.
25 th January to 31 st January,	0	0	7
February to April	0	3	0
1 st May to 13 th May	0	0	13
	0	3	20

(b) The period commencing on 30th January, and ending with 2nd March should be deemed as 1 month and 4 days, as indicated below :-

	Y	M	D
30 th January to 31 st January	0	0	2
February	0	1	0
1 st March to 2 nd March	0	0	2
	0	1	4

(16) "Officiate " a Trust servant officiates in a post when he performs the duties of a post on which another person holds a lien. A competent authority may, if it thinks fit, appoint a Trust servant to officiate in a vacant post on which no other Trust servant holds a lien.

(17) "Pay" means the amount drawn monthly by a Trust servant as,-

(i) the pay (including special dearness pay) which has been sanctioned for a post held by him substantively or in an officiating capacity, or to which he is entitled by reason of his position in a cadre;

(ii) personal pay, and special pay; and

(iii) any other emoluments which may be specially classified as pay by the Committee.

(18) "Permanent post " means a post carrying a definite rate of pay sanctioned without limit of time.

(19) "Personal Pay" means additional pay granted to a Trust servant,-



(a) to save him from a loss of substantive pay in respect of a permanent post other than a tenure post due to a revision of pay or due to any reduction of such substantive pay otherwise than as disciplinary measure; or

(b) in exceptional circumstances, on other personal considerations.

(20) "Presumptive pay" of a post, when used with reference to any particular Trust servant, means the pay to which he would be entitled, if he held the said post and were performing its duties, but it does not include special pay unless the Trust servant performs or discharges the work or responsibility, in consideration of which special pay was sanctioned.

(21) "Probationer" means a Trust servant employed on probation in or against a substantive or temporary vacancy in the cadre of the Trust.

Note 1. No person appointed substantively to a permanent post in a cadre is a probationer, unless definite conditions of probation have been attached to his appointment, such as the condition that he must remain on probation pending the passing of certain examination.

Note 2.- A Trust servant (other than one who holds substantively a permanent post) appointed on probation to a temporary post will be treated for all purposes as a temporary Trust servant.

Note 3.- The status of a probationer is to be considered as having the attributes of a substantive status except where the regulations prescribe otherwise.

(22) "selection grade" means a scale of pay, which has been sanctioned specifically as a selection grade by an order of the Committee with the prior approval of the Government.

(23) "Special Pay" means an addition, of the nature of pay, to the emoluments of a post or of a Trust servant granted in consideration of,—

(a) the specially arduous nature of the duties.

(b) a specific addition to the work or responsibility.



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(24) "substantive pay" means the pay other than special pay, personal pay or emoluments classified as pay by Trust under clause (iii) of sub-regulation (16) to which a Trust servant is entitled on account of a post to which he has been appointed substantively or by reasons of his substantive position in a cadre.

(25) "Temporary post" means a post carrying a definite rate of pay sanctioned for a limited time.

Note.- Substantive appointment to temporary posts should be made in a limited number of cases only, as for example, when posts are, to all intents and purposes, quasi-permanent or when they have — sanctioned for a period of not less than, or there is reason to believe that they will not terminate within a period of three years. In all other cases, appointments in temporary posts should be made in an officiating capacity only.

Instruction- The benefit of substantive appointment to temporary posts contemplated in the above note should not be allowed to be enjoyed by more than one person simultaneously. Therefore, where a Trust servant has already been appointed substantively to temporary post and there is a temporary interruption in his tenure of the post, it would not be proper to appoint another Trust servant substantively to the post during such temporary interruption. For this purpose, interruptions which are likely to last for less than three years may be treated as temporary. It follows, therefore, that where a Trust servant is already appointed substantively to it unless the previous holder of the post has been transferred from it permanently or unless he has been transferred temporarily and there is reason to believe that he will remain absent from the post for a period of not less than three years;

(26) "Tenure post" means a permanent post which an individual Trust servant may not hold, for more than a limited period without reappointment.

(27) "Time-Scale Pay" means a pay which, -

(a) subject to any conditions prescribed in these regulations, rises by periodical increments from a minimum to a maximum;

(b) time-scales are said to be identical if the minimum, the maximum, the period of increment and the rate of increment of the time-scales are identical;

Signature



(c) a post is said to be on the same time-scale as another post on time-scale, if the two time-scales are identical and the posts fall within a cadre, or a Group in a cadre, such cadre or Group having been created in order to fill all posts involving duties of approximately the same character or degree of responsibility in a service or establishment or group of establishments, so that the pay of the holder of any particular post is determined by his position in the cadre or Group and not by the fact that he holds that post.

(28) "Transfer" means the movement of a Trust servant from one headquarter station in which he is employed to another such station either,-

(a) to take up the duties of a new post; or

(b) in consequences of a change of his headquarters.

(29) "Transit Time" means the actual time required to reach the destination of tour from the headquarters or from one outstation to another outstation by the ordinary mode of travel.

(30) "Trust" means the Trust constituted under the Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Act, 1980 (Mah. VI of 1981).



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CHAPTER - III

CLASSIFICATION, CATEGORIES AND STRENGTH OF STAFF

9. Classification of Posts .- (1) The Trust servant shall be classified as under ,-

(i) Group A Officers, the minimum of whose scale of pay is Rs. 10,000/- or more.

(ii) Group B Officers, the minimum of whose scale of pay is Rs. 5,000/- or more but below Rs. 10,000/- except the Stenographers in any grade.

(iii) Group C Trust servants, the minimum of whose scale of pay is Rs. 2,600/- or more but below Rs. 5,000/- and the Stenographers in any grade.

(iv) Group D and other Trust servant, the minimum of whose scale pay is less than Rs. 2,550/-.

(2) In case of revision of pay scales of the Trust servants, the corresponding minimum of the revised scale of pay shall be treated as the minimum of the scale of pay for the purpose of classification of posts as mentioned in sub-regulation: (1).

10. Categories of Trust servants. - For the purpose of these regulations there shall be two categories of Trust servants as under: —

(i) **Permanent servants:-** Permanent servants are those servants who have been appointed, either by direct recruitment or by promotion, to a permanent post and have completed the prescribed period of probation or subsequent extensions in probation period satisfactory, if any, and whose appointments are confirmed in writing by the appointing authority;

(ii) **Temporary servants:-** Temporary servants are those servants, who are not permanent servants.

11. Strength of Staff.- The Committee, with the prier sanction of the State Government, wherever required, shall fix, from time to time, the number



of permanent and temporary posts in all Groups and may, from time to time, create new posts for carrying-out functions of the Trust.

CHAPTER - IV

APPOINTMENTS, PROBATION, TERMINATION OF SERVICE AND SUPERANNUATION

SECTION I— APPOINTMENTS

12. Appointing Authority.- All appointments to the posts except the Executive Officer shall be made by the Committee.

13. Recruitment.- (1) The Committee shall by an order lay down the policy and procedure for recruitment to the posts in various Groups and categories and may also prescribe the form or forms of application to be filled in by the candidate and certificates and testimonials to be enclosed with such application.

(2) The appointing authorities in the Trust shall while making recruitment to the services of the Trust, follow the directives issued by Government of Maharashtra, from time to time, in connection with recruitment of candidates belonging to Scheduled Caste, Scheduled Tribe, De-notified Tribes, Vimukt Jati, Nomadic Tribe, Other Backward Class, handicapped persons, ex-servicemen, etc. for recruitment in Government services without any prejudice to the customs and usages of the Temple.

14. Age. - (1) The age of a person at the time of his first appointment to the service of the Trust shall not exceed the limit prescribed by the Committee, from time to time:

Provided that, the Committee may in deserving cases, appoint the persons above the age limit to obtain services of expert and/or experienced persons:

Provided further that, the relaxations in age limit prescribed by the Government of Maharashtra for recruitment of the candidates belonging to Scheduled Caste, Scheduled Tribe, De-notified Tribes Vimukt Jati, Nomadic Tribe, Other Backward Class, handicapped



persons, ex-servicemen, etc. shall be followed mutatis mutandis.

(2) Evidence of age shall be produced by the Trust servants to the satisfaction of the appointing authority at the time of employment;

Provided that, if any Trust servant is unable to produce satisfactory evidence of his age, the appointing authority may direct such Trust servant to obtain at his own cost, certificate of his age from a Civil Surgeon or any Government Medical Officer and in that case, his age shall be taken as mentioned in such certificate on the date of issue of that certificate.

15. Medical Certificate. - (1) Every person appointed for the first time to any post in the Trust service shall, before joining duty in that post, or within two months from the date of joining, furnish a medical certificate of fitness in the form prescribed in Appendix I. Such certificate shall be obtained from a Civil Surgeon or any Government Medical Officer.

(2) No medical certificate of fitness need be furnished by a person who is to be or has been appointed on deputation from State Government.

(3) The fee, if any, for obtaining such medical certificate shall be paid by such person in the first instance and it shall be reimbursed to him on production of a receipt if he has been found medically fit.

16. Furnishing of Security. - Every Trust servant shall, if so required by the Executive Officer, furnish for faithful discharge of his duties, such security in cash or in such form as the Committee in its discretion may determine and execute a security bond in the form prescribed in Appendix II. The security so furnished shall be invested by the Trust in such manner as the Committee may determine from time to time.

17. Reappointment. - (1) No person who has been terminated or has otherwise ceased to be in the service of the Trust may be re-employed by the Committee except in special circumstances to be recorded in writing.



(2) Except as otherwise provided by the Committee at the time of his re-employment, these regulations shall apply to a person who is re-employed in the service of the Trust as if he has entered the service, for the first time on the date of his re-employment.

SECTION II — PROBATION

18. **Period of Probation** .- Every Trust servant, except those appointed on deputation, shall be, on his first appointment in the Trust service, on probation for a period of not less than one year commencing from the date of appointment.

19. **Pay during Probation period** .- (1) Trust servants on probation after first appointment may be paid a stipend to the extent of initial Basic Pay of the time-scale of that post.

(2) Drawal of increment of Trust servant on probation after his first appointment on time-scale of pay shall be regulated under the relevant regulations,-

(a) The first increment shall be released after one year on completion of his probation satisfactory.

(b) A Trust servant whose probationary period is extended on account of leave (except casual leave) taken by such Trust servant during the probationary period, shall be allowed to draw on his appointment to the post on long term basis after completion of the probationary period satisfactorily, such pay as he would have drawn had he not been on probation and also be eligible for arrears of pay and allowances due to him, if any.

(c) A Trust servant whose probationary period is extended on account of failure to pass any prescribed examination within the prescribed time limit or due to unsatisfactory performance, as the case may be, shall be allowed to draw second increment only with effect from the date of satisfactory completion of the probationary period and he shall not be eligible to any arrears of pay and allowances.



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(d) The orders regarding extension of probationary period issued in individual cases should specifically indicate the reasons for such extension.

SECTION III - TERMINATION OF SERVICE

20. Termination of Service by the Trust.- (1) The Trust may at any time and without assigning any reasons discharge a Trust servant from the service of the Trust during his probation period by giving notice in writing in that behalf for a period not less than;-

(a) Seven days during the first month, and

(b) One month during the rest of the probation period or by making payment of seven days or one month's initial basic pay of the time-scale, as the case may be, in lieu thereof.

(2) The Trust may at any time terminate the services of any temporary Trust servant (except the probationer Trust servant) after giving one months notice in writing or one months pay in lieu thereof.

(3) Power to discharge Trust servants on probation or terminate the services of the Trust servants under sub-regulations (1) and (2) shall be exercised by the respective appointing authorities.

(4) Nothing contained in this regulation shall affect the right of the Trust :-

(a) to retire, remove or dismiss a Trust servant without giving notice or pay in lieu thereof in accordance with provisions of Chapter VI; and

(b) to terminate the services of a Trust servant without notice or pay in lieu thereof on his being certified by the Civil Surgeon or any equivalent Government Medical Authority to be permanently. In-capacitated for further continuous service in the Trust.

(5) Every temporary or permanent Trust servant on termination of his services by the Trust shall be entitled to receive pay and allowances for the unavailed earned leave at his credit on the date of termination subject to the

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maximum limit of the earned leave normally allowed to be accumulated at his credit.

21. Notice of termination of service by a Trust servant.- (1) No Trust servant of the Trust shall leave or discontinue his service in the Trust by tendering resignation or otherwise without giving prior notice in writing to the Executive Officer of his intention to leave or discontinue the service. The period of such notice shall not be less than the notice period prescribed for the Trust under regulation 20 for probationers, and three months' notice in case of permanent Trust servant.

(2) If a Trust servant leaves or discontinues service in the Trust in contravention of the provision of sub-regulation (1), the Trust servant shall be liable to pay as compensation to the Trust as a sum equal pay for the period of notice applicable to and required of him.

Explanation I.— The expression "Month" used in this section shall be reckoned according to the English calendar and shall commence from the day following that on which notice is given by the Trust servant or the Trust, as the case may be.

Explanation II- Notice given by a Trust servant under sub-regulation (1) shall be deemed to be proper only, if he remains on duty during the period of the notice and a Trust servant shall not be entitled to set off any leave earned and not availed of by him against the period of such notice.

Explanation III.— If a Trust servant to whom notice is given by the Trust in pursuance of the provisions of this regulation, remains absent from duty without permission or sanction of leave during the period of notice, he shall not be entitled to receive any pay or allowance during the period of absence and shall be further liable to such penalties as the Executive Officer may deem fit to impose.



SECTION IV — HOLIDAYS

22. Holidays - (1) Holidays which are admissible from time to time shall be specified by the Committee.

(2) Trust servants of the Trust may avail the holidays, subject to the declaration of such holidays by the Executive Officer by a written order.

(3) Holidays can be prefixed or suffixed or both to any kind of regular leave.

23. Weekly holidays - One holiday on any day in a week as specified by an order of the Executive Officer or any other officer so authorised by the Executive Officer, shall be allowed as Weekly holiday to every Trust servant.

24. Compensatory holidays - (1) A Trust servant in Group C and Group D who has been directed to attend to duty on his weekly holiday and / or any other holiday by his immediate superior authority shall be allowed compensatory holiday equal in number of weekly holidays and / or holidays so lost, subject to such conditions as may be prescribed by the Trust from time to time.

(2) Compensatory holidays should not be accumulated for more than three days at a time.

(3) Compensatory holidays shall be allowed at the discretion of immediate superior authority keeping in view the exigencies of situation as well as convenience of the Trust servants concerned.

(4) Compensatory holiday should be granted as soon as possible but within seven days from the date of weekly holiday and / or holidays for which such compensatory holiday is to be granted.

(5) Compensatory holiday can be prefixed or suffixed or both the regular leave and / or holidays.

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SECTION V — SERVICE RECORDS

25. Record of Service. - (1) A record of service shall be maintained in respect of each Trust servant in such form as may be prescribed from time to time by the Committee.

(2) The service records in respect of Group A, Group B, Group C and Group D Trust servant shall be maintained and signed by the Executive Officer Provided that, the Executive Officer may from time to time, fix any other authority for maintenance of records of the Trust servants.

26. Seniority - (1) Every Trust servant of the Trust, permanent or temporary on his recruitment shall rank for seniority.

(2) Save as otherwise provided, seniority of a Trust servant shall be fixed according to his date of appointment in the particular post.

(3) In case the Trust servants belonging to two or more different posts in the same scale of pay are eligible for promotion in one or more different higher posts in the same scale of pay, a joint seniority list of the Trust servants belonging to different posts in accordance with their dates of appointments, shall be prepared and such joint seniority list may be taken into consideration for fixing seniority for the purpose of promotion to the higher post or posts, subject to other provisions regarding seniority and promotion mentioned in these regulations.

SECTION VI - PROMOTION AND REVERSION

27. Promotion - (1) The Trust reserves the right to fill in the posts in the Trust either by promotions or by nomination or both either wholly or in part in terms of number of posts available for filling in as per directions given, from time to time, by the Committee.

(2) Promotions shall be generally governed by the principle of "Seniority-cum-Merit" and no Trust servant shall claim promotion only on the basis of seniority.



(3) Sets of criteria may be fixed by the Executive Officer for determining merit for promotion to different posts in accordance with general directions of the Committee and the regulations in this behalf.

(4) The authorities which are competent to make appointments to different posts under these regulations shall be competent to appoint Trust servants, on promotion, to the posts for which they are competent to make appointments otherwise.

(5) The promotion to the Trust servants belonging to Scheduled Caste, Scheduled Tribe, De-notified Tribes, Vimukta Jati, Nomadic Tribe, Other Backward Classes, handicapped persons, ex-servicemen, etc. shall be considered as per the relevant rules, regulations and orders of Government of Maharashtra, applicable/ from time to time to State Government employees belonging to the casts and tribes, etc. as mentioned above, subject to the fulfilment of other conditions for promotion by such Trust servants.

28. Reversion - Except in the circumstances mentioned in regulation 5 of the Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Services (Discipline and Appeals) Regulations, 2008, no Trust servants shall be reverted to a lower post or grade or scale of pay or lower stage in a time scale unless the procedure prescribed in the relevant regulations for imposing major penalties is followed and completed.

*** SECTION VII - TRANSFERS**

29. Transfers - A Trust servant may be transferred at any time from one place to another and also from one section or department to another at the discretion of the Executive Officer or such other officer as may be empowered by the Executive Officer in this behalf. Normally no transfer allowance or Travelling Allowances claims should be allowed to a Trust servant if he is transferred at his own request.

SECTION VIII - DEDUCTIONS FROM SALARY

30. Deductions - The Trust shall be entitled to make deductions from the salary of a Trust servant on account of any advance, fine or amount of loss or damage in accordance with the provisions of these regulations, or any statutory provisions applicable to such Trust servant.

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31. Provident Fund - The Trust servants, not being on deputation from the Government, shall be liable to the provisions of the Provident Funds Act, 1925, as is applicable in the State of Maharashtra.



APPENDIX -1
FORM OF MEDICAL CERTIFICATE

I hereby certify that I have examined Shri./Smt. _____ a candidate for employment in the post of _____ in the cadre of _____ in the Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) and cannot discover that he/she has any disease (communicable or otherwise) constitutional weakness or bodily infirmity except _____.

I do not consider this a disqualification for employment in the service of the Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) _____ as _____ Age according to his/her own statement is _____ years and by appearance he/she is about _____ years of age. He/she has been vaccinated.

Marks of Identification:

- (1)
- (2)

Impression of left hand thumb /
Signature of the candidate. .

(Name and Designation
of the Medical Officer).

(Seal of the Medical Officer)

S. Kant





APPENDIX - II
FORM OF SECURITY BOND

KNOW ALL MEN BY THESE PRESENTS THAT I, _____ son/daughter/wife/widow of Shri. _____ Ordinarily residing at _____ am held and firmly bond to the Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) (hereinafter referred to as "the Trust") in the sum of Rs. _____ (Rupees _____) to be paid in cash for which payment, well and truly to be made, I bind myself, my heirs, executor, administrators and legal representatives by these presents.

Signed and dated this _____ day of _____

WHEREAS, the above bonden _____ (hereinafter referred to as "the Trust servant") was on the _____ day of _____ 20 _____ appointed to and now holds the post of _____ in the Trust.

AND WHEREAS the said _____ by virtue of holding such post is bond to collect or receive property and money which may come into his hands of possession or under his/her control and to keep and render true and faithful account of his/her dealings therewith.

AND WHEREAS the Trust servant is bound to keep such property and money in the form and manner that may, from time to time, be laid down by the Trust, and also to prepare and submit such returns, accounts and other documents as may from time to time be required of him/her.

AND WHEREAS the Trust servant has, in pursuance of _____ regulation 16 of the Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Services (General Conditions of Services) Regulations, 2008, has agreed to deposit the above mentioned sum of _____ (Rupees _____) in the aforesaid manner as security for the due and faithful performance by the Trust servant of the duties of the said post and of any other post requiring security to which he/she may be appointed at any time and all other



duties which may be required of him/her while holding any such post as aforesaid and for the purpose of securing and indemnifying the Trust against all loss, injury, damage, costs or expenses which the Trust, may in any way, suffer, sustain or pay, by reason of the misconduct, neglect, oversight or any other act or omission of the Trust servant or of any person or persons acting under him/her or for whom he/she may be responsible.

AND WHEREAS the Trust servant has entered into the above written bond in the sum of Rs. _____ (Rupees _____) conditioned for the due performance by him / her of the duties of the said post as aforesaid and if other duties pertaining thereto which may be required of him/her and to indemnify the Trust against loss from or by reason of the acts of defaults of the Trust servant and of all and every person or persons aforesaid.

NOW THE CONDITION OF THE ABOVE WRITTEN BOND IS such that if the Trust servant has whilst holding the said post as aforesaid, always duly performed and fulfilled the duties of the said post and other duties which may, from time to time, be required of him/her and shall duly pay to the Trust as it may direct or to the persons lawfully entitled thereto all such moneys and securities for moneys and properties which are payable, or deliverable to the Trust or to the persons lawfully entitled thereto and shall come into his/her possession or control by reason of the said post and shall duly account for costs, charges or expense and deliver up all moneys, papers and other properties which shall come into and the Trust servant his/her heirs, executors, administrators, or legal representatives, shall pay or cause to be paid to the Trust the amount of any loss or defalcation in the Trust of or of the commodities deposited in a warehouse of the Trust within twenty four hours after the amount of such loss and/or defalcation shall have been demanded from the Trust servant by the Executive Officer of the Trust or any other officer duly authorised in this behalf by the Trust such demand to be in writing and left at the office of last known place of residence of the Trust servant and shall also at all times indemnify and save and keep harmless the Trust from all and every loss, injury, damage, actions, suits, proceedings, costs, charges or expenses which have been or shall or may at any time or times hereafter during the service or employment of the Trust servants in such post as aforesaid he sustained, incurred suffered, brought, sued or commenced or paid by the Trust by reason of any act, embezzlement, defalcation, mismanagement, neglect, failure, misconduct, "default, disobedience, omission or insolvency of the Trust servant or of any person or persons acting under his/her or for whom he/she may be responsible then the above written bond shall be void and of no effect otherwise the same shall be and remain in full force and virtue, PROVIDED ALWAYS and



it is hereby declared and agreed that the said sum of Rs _____ (Rupees _____) after delivery and deposit thereof as aforesaid shall be and remain with the Trust for the time being, as such security as aforesaid with full power to the Executive Officer of the Trust for the time being as occasion shall require, to apply the said sum of Rs _____ (Rupees _____) or any part thereof, in and towards the indemnity of the Trust or otherwise as aforesaid.

AND it is hereby further agreed that in the event of the death of the Trust servant or in his / her final termination of the service from the Trust or in the event of the Trust servant ceasing to hold any post requiring Security the said sum of Rs _____ (Rupees _____) or so much thereof as shall then remain in deposit and shall not have been applied or appropriated as aforesaid shall be returned on the expiry of six months from the date of death or final termination of service of the Trust servant or of his/her ceasing to hold a post requiring security as the case may be to his / her legal representatives or to him / her as the case may be without interest and this bond shall remain with the Trust for recovering any loss, injury, damage, costs or expenses that may have been sustained, incurred or paid by the Trust owing to any act, neglect or default of the Trust servant or any such other person or persons as aforesaid and which may not have been discovered until after his / her death or the termination of his / her said service, or ceasing to hold any office for which the security was required.

PROVIDED FURTHER that, nothing therein contained for the security shall not be deemed to effect or prejudice the right of the Trust to take proceedings upon or under this bond against the Trust servant or against his/her heirs, executors, administrators, or legal representatives after his/her death in case any breach of conditions of this bond shall be discovered after the return of the said security and the responsibility of the Trust servant of his/her estate as the case may be, shall at all times continue, and the Trust shall be fully indemnified against all such loss or damage as aforesaid at any time :

PROVIDED ALSO that, nothing herein contained for the security hereby given shall be deemed to limit the liability of the Trust servant in respect of matters aforesaid to the forfeiture of the said sum of Rs. _____ (Rupees _____ only) or any part or parts thereof and that should the said sum be insufficient to indemnify the Trust in full for any loss or damage sustained by it in respect of matter aforesaid or any of them the Trust servant shall pay the Trust on demand such further sum as shall be deemed by the Executive Officer of the Trust to be necessary, in addition to the said



sum of Rs _____ (Rupees _____) to cover such loss or damage as aforesaid and that the Trust shall be entitled to recover such further sum payable as aforesaid in any manner open to it.

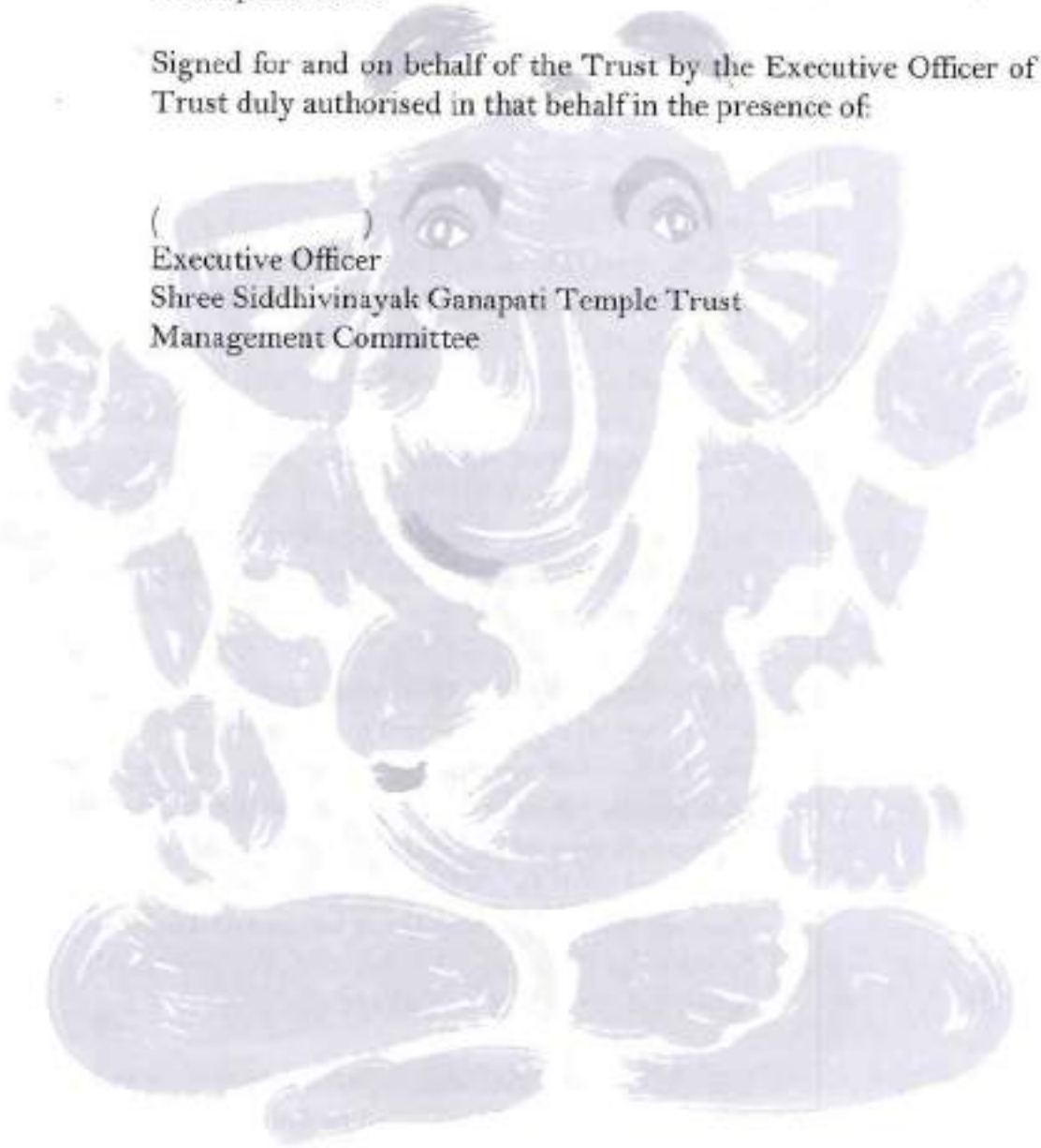
Signed by the above Bounden,

On

in the presence of

Signed for and on behalf of the Trust by the Executive Officer of the Trust duly authorised in that behalf in the presence of:

(
Executive Officer
Shree Siddhivinayak Ganapati Temple Trust
Management Committee



[Handwritten signature]

Shree Siddhivinayak Ganpati Temple Trust (Prabhadevi)
Services (Joining Time, Suspension, Dismissal and Removal)

Regulations 2008,
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Sir Kant





**Shree Siddhivinayak Ganpati Temple Trust (Prabhadevi)
Services (Joining Time and Payments during Suspension,
Dismissal and Removal) Regulations, 2008.**

**The Shree
Siddhivinayak
Ganpati
Temple Trust
(Prabhadevi)
Act, 1980**

In exercise of the powers conferred by sub-section (3) of section 13 read with sub-section (2) of section 14 of Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Act, 1980 (Mah. VI of 1981), the Shree Siddhi Vinayak Ganpati Temple Trust Management Committee, after prior approval of the Government of Maharashtra, hereby makes the following regulations, namely :-

CHAPTER - I

GENERAL

1. Short title and commencement.- (1) These Regulations may be called the Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Services (Joining Time and Payments during Suspension, Dismissal and Removal) Regulations, 2008.

(2) They shall come into force on **4th August 2008**

2. Extent of application.- Except as otherwise provided by or under these regulations, these regulations shall apply to all persons appointed to the Trust services and posts in connection with the affairs of the Trust.

3. Power of interpretation.- if any question arises relating to the interpretation of these regulations, it shall be referred to the Committee, whose decision thereon shall be final.

4. Power of relaxation.- Where the Committee is satisfied that the operation of any of these regulations causes or is likely to cause undue hardship in the case of any Trust servant or class of Trust servants, it may, by an order in writing, exempt any Such Trust servant or class of Trust servants from any provisions of these regulations or may direct that such provisions shall apply to such Trust servants or class of Trust servants with such modifications not affecting the substance thereof as may be specified in such order.

5. Validity of terms of contract.- The terms of a specific contract enforceable at law, necessarily override the provisions of these regulations.

6. Regulation of claims to pay and allowances.- A Trust servant's claim to pay and allowances is regulated by the Regulations in force at the time in respect of which the pay and allowances are earned.



7. Exercise and delegation of powers under these

regulation.- It shall be open to the Committee to prescribe by general or special order, the powers to be exercised or delegated under these regulations to the Executive Officer or any other officer of the Trust.

CHAPTER II

DEFINITIONS

8. Definitions.- In this regulations, unless the context otherwise requires,-

(1) "Act" means the Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Act, 1980 (Mah.VI of 1981).

(2) "Cadre" means the strength of a service or a part of a service sanctioned as a separate unit.

(3) "Committee" means the Management Committee constituted under section 5 of the Act.

(4) "Compensatory allowance" means an allowance granted to meet personal expenditure necessitated by the special circumstances in which duty is performed. It includes different types of travelling allowances.

(5) "Competent Authority", in relation to the exercise of any power, means the Committee, or any authority to which the power is delegated by or under these regulations.

(6) "Date of first appointment" means the date, the Trust servant assumes the duties of his first post in the Trust service.

(7) "day" means the period beginning from one midnight and ending with the next midnight.

(8) "Executive Officer" means the Executive Officer appointed by the Government under section 12 of the Act.

(9) "duty" includes,-

(a) service as a probationer;

(b) joining time;

(c) a course of instructions or training authorised by or under the orders of the Trust.

Note 1.- The time reasonably required for the journeys between the place of training and the station from which the Trust servant proceeds in order to undergo training, is part of the period of training.



Note 2.- When one or more holidays follow the period of training, the training period may be deemed to have been extended to cover such holidays.

(d) the period occupied,-

(i) in appearing for a language examination prescribed by the Trust at which a Trust servant has been granted permission to appear;

(ii) in attending an examination which a Trust servant must pass to become eligible for a higher post in any branch of the Trust service; including the time reasonably necessary for going to and fro to the place of examination.

This concession should not be allowed more than twice for each examination.

Note 1.- If an examination is taken immediately before leave, the leave shall be held to have commenced from the date following that of the completion of the examination. In cases where an examination is taken in interruption of leave or immediately after leave, the time occupied in appearing for the examination, including the time necessary for going to and fro to the place of examination, shall be treated not as duty but as leave.

(e) the period for which a Trust servant is required to wait compulsorily until receipt of his posting orders in the cases mentioned below :-

(i) whose orders of 'transfer' are held in abeyance, cancelled or modified while in transit;

Or

(ii) who, on return from leave or on abolition of the post held by him, has to await receipt of posting orders; or

(iii) who, on arrival at the headquarters of the post to which he is posted is not in a position to take charge of the post from the Trust servant to be relieved.

The period availed of to resume duties after the receipt of orders shall not exceed the jointing time admissible under the regulations and shall be treated as a continuation of the period of compulsory waiting;

(F) the period intervening between the date on which a Trust servant is engaged temporarily for special or other duty and the date on which he takes over charge.



Provided that, the period does not exceed the joining time that would be permissible to a Trust joining time.

(10) "First appointment" means the appointment of a person who is not holding any appointment under the Trust, even though he may have previously held such an appointment.

(11) "Government" means the Government of Maharashtra.

(12) "Joining time * means the time allowed to a Trust servant to join a new post or to travel to or from a station to which he is posted.

(13) "Leave" means permission to remain absent from duty granted by Competent authority under the Shri Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Services (Leave) Regulations, 2008.

(14) "Lien" means the title of a Trust servant to. Hold substantively, either immediately or on the termination of a period or periods of absence, a permanent post, including a tenure post, to which he has been appointed substantively.

(15) "Month" means a calendar month. In calculating a period expressed in terms of months and days complete calendar months, irrespective of the number of days in each, should first be calculated and the odd number of days calculated subsequently.

Instructions,- Calculations of period expressed in terms of months and days should be made as under:-

a) To calculate 3 months and 20 days on and from the 25th January, the following method should be adopted:-

	Y	M.	D
25 th January to 31 st January	0	0	7
February to April	0	3	0
1 st May to 13 th May	0	0	13
	0	3	20

(b) The period commencing on the 30th January, and ending with the 2nd March should be deemed as 1 month and 4 days, as indicated below :-

	Y.	M.	D
30 th January to 31 st January	0	0	2
February	0	1	0
1 st March to 2 nd March	0	0	2
	0	1	4

(16) "Officiate" a Trust servant officiates in a post when he performs the duties of a post on which another person holds alien. A competent authority may, if it thinks fit, appoint a Trust servant to officiate in a vacant post on which no other Trust servant holds a lien.

(17) "Pay" means the amount drawn monthly by a Trust servant as,-
(i) the pay (including special dearness pay) which has been sanctioned for a post held by him substantively or in an officiating capacity, or to which he is entitled by reason of his position in a cadre; and
(ii) personal pay, and special pay; and
(iii) any other emoluments which may be specially classified as pay by the Committee.

(18) "Permanent post " means a post carrying a definite rate of pay sanctioned without limit of time.

(19) "Personal Pay" means additional pay granted to a Trust servant,-
(a) to save him from a loss of substantive pay in respect of a permanent post other than a tenure post due to a revision of pay or due to any reduction of such substantive pay otherwise than as disciplinary measure; or
(b) in exceptional circumstances, on other personal considerations.

(20) "Presumptive pay" of a post, when used with reference to any particular Trust servant, means the pay to which he would be entitled, if he held the said post and were performing its duties, but it does not include special pay unless the Trust servant performs or discharges the work or responsibility, in consideration of which special pay was sanctioned.

(21) "Probationer" means a Trust servant employed on probation in or against a substantive or temporary vacancy in the cadre of the Trust

Note 1.- No person appointed substantively to a permanent post in a cadre is a probationer, unless definite conditions of probation have been attached to his appointment, such as the condition that he must remain on probation pending the passing of certain examination.

Note 2.- A Trust servant (other than one who holds substantively a permanent post) appointed on probation to a temporary post will be treated for all purposes as a temporary Trust servant.

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Note 3, - The status of a probationer is to be considered as having the attributes of a substantive status except where the regulations prescribe otherwise.

(22) "selection grade" means a scale of pay, which has been sanctioned specifically as a selection grade by an order of the Committee with the prior approval of the Government

(23) "Special Pay" means an addition, of the nature of pay, to the emoluments of a post or of a Trust servant granted by an order of the Committee in consideration of,-

(a) the specially arduous nature of the duties;

(b) a specific addition to the work or responsibility.

(24) "substantive pay" means the pay other than special pay, personal pay or emoluments classified as pay by Trust under clause (iii) of sub-regulation 17 to which a Trust servant is entitled on account of a post to which he has been appointed substantively or by reasons of his substantive position in a cadre;

(25) "Temporary post" means a post carrying a definite rate of pay sanctioned for a limited time.

Note,- Substantive appointment to temporary post should be made in a limited number of cases only, as for example, when posts are, to all intents and purposes, quasi-permanent or when they have been sanctioned for a period of not less than, or there is reason to believe that they will not terminate within a period of three years. In all other cases, appointments in temporary posts should be made in an officiating capacity only.

Instructions,- The benefit of substantive appointment to temporary posts contemplated in the above note should not be allowed to be enjoyed by more than one person simultaneously. Therefore, where a Trust servant has already been appointed substantively to temporary post and there is a temporary interruption in his tenure of the post, it would not be proper to appoint another Trust servant substantively to the post during such temporary interruption. For this purpose, interruptions which are likely to last for less than three years may be treated as temporary. It follows, therefore, that where a Trust servant is already appointed substantively to it unless the previous holder of the post has been transferred from it permanently or unless he has been transferred temporarily and there is reason to believe that he will remain absent from the post for a period of not less than three years.

(26) "Tenure post" means a permanent post which an individual Trust servant may not hold, for more than a limited period without reappointment.



(27) "Time-Scale Pay " means pay which,- (a) subject to any conditions prescribed in these regulations, rises by periodical increments from a minimum to a maximum.

(b) Time-scales are said to be identical, if the minimum, the maximum, the period of increment and the rate of increment of the time-scales are identical.

(c) A post is said to be on the same time-scale as another post on time-scale, if the two time-scales are identical and the posts fall within a cadre, or a Group in a cadre, such cadre or duties of approximately the same character or degree of responsibility in a service or establishment or group of establishments, so that the pay of the holder of any particular post is determined by his position in the cadre or Group and not by the fact that he holds that post.

(28) "Transfer" means the movement of a Trust servant from one headquarter station in which he is employed to another such station either,

(a) to take up the duties of a new post, or

(b) in consequence of a change of his headquarters.

(29) "Transit Time " means the actual time required to reach the destination of tour from the headquarters or from one outstation to another outstation by the ordinary mode of travel.

(30) "Trust" means the Trust constituted under the Shree Siddhi Vinayak Ganapati Temple Trust (Prabhadevi) Act, 1980 (Mah.VI of 1981).

CHAPTER III

JOINING TIME

9. **When admissible,-** Joining time may be granted to a Trust servant to enable him,-

(1) to join a new post either at the same or a new station without availing himself of any leave on relinquishing charge of his old post;

(2) to join a new post in a new station on return from, -

(a) leave of not more than 180 days' duration;

(b) leave other than that specified in sub-clause (a), when he has not had sufficient notice of his appointment to the new post.

Note 1,-The authority which ordered the transfer will decide whether Trust servant has not had sufficient notice under clause (b) of sub-regulation (2] of regulation 9.

Note 2,-Joining time may also be admissible under this rule to Trust servant shifted enblock from one place to another



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in consequence of a change of his headquarters due to shifting of office.

10. Change of appointment at the same station.- (1) No joining time is admissible when the change of appointment does not involve an actual change of office.

(2) Joining time of not more than one day is allowed when,-

(a) the appointment to a post in a new office does not involve a change of residence from one station to another, or

(b) there is an actual change of office in the same station.

(3) A holiday or Sunday counts as a day for the purpose of this rule.

11. Extension of joining time when holidays follow joining time.- When one or more holidays follow joining time the normal joining time may be deemed to have been extended to cover such holidays.

12. How joining time is calculated.- (1) The joining time of a Trust Servant in cases involving a transfer from one station to another is subject to a maximum of thirty days. Seven days including Sunday and holidays are allowed for preparation and in addition to a period to cover the actual journey calculated as follows:-

(a) One day for journeys on transfer to a place whether the same district or in an adjoining district (i.e. a district having a common border at any point;

(b) Two days for journeys on transfer to a place other than those mentioned in clause (a) above.

(2) When a Trust Servant is required to join a new post without availing of the full joining time, the number of days of joining time as admissible under sub-regulation (1), subject to a maximum of ten days, reduced by the number of days actually availed of, shall be credited to his leave account as earned leave.

Note.- Sunday does not count as a day for the purpose of calculating the days of actual journey but a holiday shall be included therein. However, Sundays are included in the maximum period of thirty days.

13. Admissibility of joining time when appointment is changed while in transit.- If a Trust servant is appointed to a new post while in transit from one post to another, his joining time begins on the day following that on which he receives the order of appointment; but a second period of seven days for preparation will not be allowed to him.



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14. Leave taken while in transit.- If a Trust servant takes leave while in transit from one post to another, the period which has elapsed since he handed over the charge of his old post must be included in his leave:

Provided that, in cases where leave on medical grounds is taken after availing of normal joining time, the split up of the spell of absence allowing joining time first and leave afterwards, may be allowed to stand.

15. Calculation of joining time, when appointment is made while on leave. - (1) If a Trust servant is appointed to a new post while on leave of not more than one hundred eighty days duration, his joining time will be calculated from his old headquarters to the new headquarters irrespective of the place where he spends leave or receives posting orders. If he is on leave and out of India and receives the order before he arrives at the port of debarkation, then for the purpose of this regulation, it will be assumed that he received the order at the post to which he is transferred is at the port of debarkation, he may be allowed joining time of one day.

(2) The period of joining time admissible to a Trust servant, who proceeds on leave not exceeding one hundred eighty days from his old post and who is posted to a new post in another station where he is spending the leave, should be calculated under regulation 12. This provision is also applicable to cases falling under clause (b) of sub-regulation (2) of regulation 9.

16. Joining time to be calculated from place of handing over charge.- If a Trust servant is authorised to make over charge of a post elsewhere than at its headquarters, his joining time shall be calculated from the place at which he makes over charge.

17. Joining time to be calculated from the old headquarters to the new headquarters in case of a transfer on tour to the tour station.— If the headquarters of a Trust servant while on tour is changed to the tour station itself, or his temporary transfer is converted into permanent transfer by the competent authority, his joining time may be calculated from the old headquarters to the new headquarters, in case he actually performs journey to his old headquarters for winding up his households, etc.

18. Extension of joining time when charge consists of several stores or scattered works or offices.- In cases in which the charge to be transferred consists of several stores and/or scattered works which the relieving and the relieved Trust servants are required to inspect together before the transfer of charge is completed, the Executive Officer may extend the charge joining time by the period required for completing the transfer of charge.

19. Extension of joining time by Committee.- committee may in any case extend the joining time admissible under these regulations.

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20. Circumstances in which joining time can be extended by a competent authority.- Within the prescribed maximum of thirty days, a competent authority may, on such conditions as it thinks fit, grant to a Trust servant a longer period of joining time than admissible under the regulations in the following circumstances:-

- (a) when the Trust servant has been unable to use the ordinary mode of travelling or, notwithstanding due diligence on his part, has spent more time on the journey than is allowed by the regulations; or
- (b) when such extension is considered necessary for the saving of such expenditure as is caused by unnecessary or purely formal transfer; or
- (c) when the regulations have in any particular case operated harshly, as for example when a Trust servant has, though no fault on his part, missed a steamer or has fallen sick while on the journey.

21. Joining time not admissible when transferred at own request.- If a Trust servant is transferred at his own request, he will not be entitled to any joining time. The competent authority may grant, at its discretion, leave due and admissible to him, for the period from handing over charge at the old station to taking over at the other, if Trust servant applies for it.

22. Overstayal.- A trust servant who does not join his post within his joining time is entitled to no pay or leave salary after the end of the joining time. Willful absence from duty after the expiry of joining time may be treated as misbehaviour.

23. Pay during joining time.- A Trust servant on joining time shall be regarded as on duty and shall be entitled to be paid as follows.-

- (a) where joining time is granted under sub-regulation (1) of regulation 9, the pay which he would have drawn;
- (b) where the joining time is granted under sub-regulation (2) of regulation 9, pay equal to the leave salary which the Trust servant would have drawn, had he been on earned leave.



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CHAPTER IV

PAYMENTS DURING SUSPENSION,
DISMISSAL AND REMOVAL

24. Pay and allowances cease from the date of dismissal or removal.- The pay and allowances of a Trust servant, who is dismissed or removed from service, cease from the date of such dismissal or removal.

25. Grant of leave not permissible during suspension.- Leave may not be granted to a Trust servant under suspension.

26. Subsistence allowance and compensatory allowances during suspension. - A Trust servant under suspension or deemed to have been placed under suspension by an order of the appointing authority shall be entitled to the following payments, namely: -

(a) A subsistence allowance at an amount equal to the leave salary which the Trust servant would have drawn if he had been on leave on half pay and, in addition dearness allowance based on such leave salary:

Provided that, where the period of suspension exceeds six months, the authority which made or is deemed to have made the order of suspension shall be competent to vary the amount of subsistence allowance for any period subsequent to the period of first six months as follows:-

(i) it may be increased by a suitable amount, not exceeding fifty per cent of the subsistence allowance admissible during the period of first three months if "in the opinion of the said authority, the period of suspension has been prolonged for reasons, to be recorded in writing, not directly attributable to the Trust servant;

(ii) it may be reduced by a suitable amount, not exceeding fifty per cent of the subsistence allowance admissible during the period of the first three months if, in the opinion of the said authority, the period of suspension has been prolonged due to reasons, to be recorded in writing, directly attributable to the Trust servant;

(iii) the rate of dearness allowance will be based on the increased or, as the case may be, the decreased amount of subsistence allowance admissible under sub-clauses (i) and (ii), above.

(b) Other compensatory allowance will be based on the increased or, as the case may be, the decreased amount of

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subsistence allowance admissible under sub-clauses (i) and (ii), above;

Provided that, the Trust servant shall not be entitled to the compensatory allowances unless the said authority is satisfied that the Trust servant continues to meet the expenditure for which they are granted.

27. Recovery of Trust dues from subsistence allowances and furnishing of non-employment certificate while under suspension.-

(1) Notwithstanding anything contained in sub-regulation (1) of regulation 26, the authority suspending the Trust servant may withhold the payment of dearness allowance and/or compensatory allowances to the Trust servant under suspension and appropriate the same towards the payment of any amount which may be due to the Trust.

(2) The following provisions apply to the recovery of dues from the subsistence allowance proper:-

(a) Compulsory deductions.- The following deductions should be enforced from the subsistence allowance proper,-

(i) Income — Tax and Profession Tax;

(ii) License fee and allied charges i.e., electricity, water, furniture etc.;

(iii) Repayment of loans and advances taken from the Trust at such rates as the Executive Officer deems it right to fix;

(b) Optional deductions.-The following deductions shall not be made except with the Trust servant's written consent,-

(i) Premia due on Postal Life Assurance Policies;

(ii) Amounts due to Co-operative Stores and Co-operative Credit Societies;

(iii) Refund of advances taken from Provident Fund;

(c) Other deductions.- The deductions of the following nature shall be made from the subsistence allowance , -

(i) Subscription to Provident Fund;

(ii) Amounts due on Court attachments;

(iii) Recovery of loss caused to the Trust for which a Trust servant is responsible.



(3) There is no bar to effecting the recovery of over payments from the subsistence allowance, but the Executive Officer will exercise discretion to decide whether the recovery should be held wholly in abeyance during the period of suspension or it should be effected at full or reduced rate ordinarily not exceeding one-third of the amount of the subsistence allowance only i.e. excluding dearness allowance and other compensatory allowances.

(4) No payment under regulation 26(1) shall be made unless the Trust servant furnishes a certificate to the following effect before payment is made every month:-

"I certify that I did not accept any private employment or engage myself in trade or business during the period in question."

If the authority has any reasons to doubt this certificate, it may ask any officer of the Trust to verify the certificate and if the Trust servant is found to have given a false certificate that should be construed as an act of misconduct and made an additional charge against him.

(5) The compensatory local allowance and house rent allowance sanctioned at the discretion of the suspending authority under clause (b) of sub-regulation (1) of regulation 26, can be drawn only if the Trust servant under suspension certifies that he or his family or both resided for the period for which the allowance is claimed at the station where he was on duty at the time of suspension.

28. Regularisation of pay and allowances and the period of absence from duty where dismissal, removal or compulsory retirement is set aside as a result of appeal or review and such Trust servant is reinstated.- (1) When a Trust servant who has been dismissed, removed or compulsorily retired is re-instated as a result of appeal or review or would have been so re-instated but for his retirement on superannuation while under suspension or not, the authority competent to order re-instatement shall consider and make a specific order, -

(a) regarding the pay and allowances to be paid to the Trust servant for the period of his absence from duty including the period of suspension preceding his dismissal, removal or compulsory retirement, as the case may be; and

(b) whether or not the said period shall be treated as a period spent on duty.

(2) Where the authority competent to order re-instatement is of opinion that the Trust servant who had been dismissed, removed or compulsorily retired has been fully exonerated, the Trust servant shall, subject to the provisions of sub-regulation (6), be paid the full pay and allowances to which he would have been entitled, had he not been dismissed, removed

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or compulsorily 'retired or suspended prior to such dismissal, removal or compulsory retirement, as the case may be:

-Provided that, where such authority is of the opinion that the termination of the proceedings instituted against the Trust servant had been delayed due to reasons directly attributable to the Trust servant, it may, after giving him an opportunity to make his representation within sixty days from the date on which the communication in this regard is served shall, subject to the provisions of sub-regulation (7), be paid for the period of such delay, only such amount (not being the whole) of such pay and allowances as it may determine.

(3) In a case falling under sub-regulation (2), the period of absence from duty including the period of suspension preceding dismissal, removal or compulsory retirement, as the case may be, shall be treated as a period spent on duty for all purposes.

(4) In cases other than those covered by sub-regulation (2), including cases where the order of dismissal, removal or compulsory retirement from service is set aside by the appellate or reviewing authority solely on the ground of non-compliance with the requirements of clause (2) of Article 311 of the Constitution and no further inquiry is proposed to be held the Trust servant shall, subject to the provisions of sub-regulations (6) and (7), be paid such proportion of the full pay and allowances to which he would have been entitled, had he not been dismissed, removed or compulsorily retired or suspended prior to such dismissal, removal or compulsory retirement, as the case may be, as the Executive Officer may determine after giving notice to the Trust servant of the quantum proposed and after considering the representation, if any, submitted by him in that connection within such period which in no case shall exceed sixty days from the date on which the notice has been served, as may be specified in the notice:

Provided that, any payment under this sub-regulation to a Trust servant other than a Trust servant who is governed by the provisions of the Payment of Wages Act, 1936 (4 of 1936) shall be restricted to a period of three years immediately preceding the date on which orders for reinstatement of such Trust servant are passed by the appellate authority or reviewing authority, or immediately preceding the date of retirement on superannuation of such Trust servant, as the case may be.

(5) In a case falling under sub-regulation (4), the period of absence from duty including the period of suspension preceding his dismissal, removal or compulsory retirement, as the case may be, shall not be treated as a period spent on duty, unless the Executive Officer specifically directs that it shall be so treated for any specified purpose:

Provided that, if the Trust servant so desires such authority may direct that the period of absence from duty including the period of suspension preceding his dismissal, removal or compulsory retirement, as

the case may be, shall be converted into leave of any kind due and admissible to the Trust servant.

Note- The order of Executive Officer under the preceding proviso shall be absolute and no higher sanction shall be necessary for the grant of,-

(a) extraordinary leave in excess of three months in the case of a temporary Trust servant; and

(b) leave of any kind on excess of five years in the case of a permanent Trust servant.

(6) The payment of allowances under sub-regulation (2) or (4) shall be subject to all other conditions under which such allowances are admissible.

(7) The amount determined under the proviso to sub-regulation (2) or (4) shall not be less than the subsistence allowance and other allowances admissible under regulation 26.

(8) Any payment made under this regulations to a Trust servant on his re-instatement shall be subject to adjustment of the amount, if any, earned by him through an employment during the period between the date of removal, dismissal or compulsory retirement, as the case may be, and the date of re-instatement. Where the pay and allowances admissible under this regulation are equal to or less than the amounts earned during the employment elsewhere, nothing shall be paid to the Trust servant.

29. Regularisation of pay and allowances and the period of absence from duty where dismissal, removal, or compulsory retirement is set aside by a Court of law and such Trust servant is reinstated.- (1) Where the dismissal, removal or compulsory retirement of a Trust servant is set aside by a Court of law and such Trust servant is re-instated without holding any further inquiry, the period of absence from duty shall be regularised and the Trust servant shall be paid pay and allowances in accordance with the provisions of sub-regulations (2) and (3) subject to the directions, if any, of the Court.

(2) (a) Where the dismissal, removal or compulsory retirement of a Trust servant is set aside by the Court solely on the ground of non-compliance with the requirements of clause (2) of Article 311 of the Constitution, and where he is not exonerated on merits, the Trust servant shall, subject to the provisions of sub-regulation (7) of regulation 28, be paid such amount (not being the whole) of the pay and allowances to which he would have been entitled had he not been dismissed, removed or compulsorily retired or suspended prior to such dismissal, removal, or compulsory retirement, as the case may be, as the Executive Officer may determine after giving notice to the Trust servant of the quantum proposed and after considering the representation, if any, submitted by him, in that connection within such period which in no case shall exceed



sixty days from the date on which the notice has been served as may be specified in the notice:

- Provided that, any payment under this sub-regulation to a Trust servant other than a Trust servant who is governed by the provisions of the Payment of Wages Act, 1936 (4 of 1936) shall be restricted to a period of three years immediately preceding the date on which the judgement of the Court was passed or the date of retirement on superannuation of such Trust servant, as the case may be.

(b) The period intervening between the date of dismissal, removal or compulsory retirement including the period of suspension preceding such "dismissal, removal or compulsory retirement, as the case may be, and the date of judgement of the court shall be regularised in accordance with the provisions contained in sub-regulation (5) of regulation 28.

(3) If the dismissal, removal or compulsory retirement of a Trust servant is set aside by the Court on the merits of the case, the period intervening between the date of dismissal, removal or compulsory retirement including the period of suspension preceding such dismissal, removal or compulsory retirement, as the case may be, and the date of re-instatement shall be treated as duty for all purposes and he shall be paid the full pay and allowances for the period, to which he would have been entitled, had he not been dismissed, removed or compulsorily retired or suspended prior to such dismissal, removal or compulsory retirement, as the case may be.

(4) The payment of allowances under sub-regulation (2) or sub-regulation (3) shall be subject to all other conditions under which such allowances are admissible.

(5) Any payment made under this regulation to a Trust servant on his re-instatement shall be subject to adjustment of the amount, if any, earned by him through an employment during the period between the date of dismissal, removal or compulsory retirement and the date of re-instatement. Where the pay and allowances are admissible under this rule are equal to or less than those earned during the employment elsewhere, nothing shall be paid to the Trust servant.

30. Re-instatement of a Trust servant after suspension and specific order of the Executive Officer regarding pay and allowances etc., and treatment of period as spent on duty.-

(1) When a Trust servant who has been suspended is re-instated or would have been so reinstated but for his retirement on superannuation while under suspension, the authority competent to order re-instatement shall consider and make a specific order,-



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(a) regarding the pay and allowances to be paid to the Trust servant for the period of suspension ending with re-instatement or the date of his retirement on superannuation as the case may be; and

(b) whether or not the said period shall be treated as a period spent on duty.

(2) Notwithstanding anything contained in regulation 26, where a Trust servant under suspension dies before the disciplinary or court proceedings instituted against him are concluded, the period between the date of suspension and the date of death shall be treated as duty for all purposes and his family shall be paid the full pay and allowances for that period to which he would have been entitled, had he not been suspended, subject to adjustment in respect of subsistence allowance already paid

(3) Where the authority competent to order re-instatement is of the opinion that the suspension was wholly unjustified, the Trust servant shall, subject to the provisions of sub-regulation (8), be paid the full pay and allowances to which he would have been entitled, had he not been suspended :

Provided that, where such authority is of the opinion that the termination of the proceeding instituted against the Trust servant had been delayed due to reasons directly attributable to the Trust servant, it may, after giving him an opportunity to make his representation within sixty days from the date on which the communication in this regard is served on him and after considering the representation, if any, submitted by him; direct, for reasons to be recorded in writing that the Trust servant shall be paid for the period of such delay only such amount (not being the whole) of such pay and allowances as it may determine.

(4) In a case falling under sub-regulation (3), the period of suspension shall be treated as a period spent on duty for all purposes.

(5) In cases other than those falling under 'sub-regulations (2) and (3), the Trust servant shall, subject to the provisions of sub-regulations (8) and (9), be paid such amount (not being the whole) of the pay and allowances to which he would have been entitled, had he not been suspended, as the Executive Officer may determine, after giving notice to the Trust servant of the quantum proposed and after considering the representation, if any, submitted by him in that connection within such period which in no case shall exceed sixty days from the date on which the notice has been served, as may be specified in the notice.

(6) Where suspension is revoked pending finalisation of the disciplinary or court proceedings, any order passed under sub-regulation (1), before the conclusion of the proceedings against the Trust servant, shall be reviewed on its own motion in sub-regulation (1), who shall make an

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order according to the provisions of sub-regulation (3) or (5), as the case may be.

(7) In a case falling under sub-regulation (5), the period of suspension shall not be treated as a period spent on duty, unless the Executive Officer specifically directs that it shall be so treated for any specified purpose :

Provided that, if the Trust servant so desires, such authority may order that the period of suspension shall be covered into leave of any kind due and admissible to the Trust servant.

Note,- The order of the Executive Officer under the preceding proviso shall be absolute and no higher sanction shall be necessary for the grant of,-

(a) extraordinary leave in excess of three months in the case of a temporary Trust servant; and

(b) leave of any kind in excess of five years in the case of permanent Trust servant.

(8) The payment of allowances under sub-regulations (2), (3), or (5) shall be subject to all other conditions under which such allowances are admissible.

(9) The amount determined under the proviso to sub-regulation (3) or (5), shall not be less than the subsistence allowance and other allowances admissible under regulation 26.

31. No extra cost to be incurred by the grant of pay and allowances under Regulations 28 to 30 without the permission of the Committee.- No extra cost may be incurred by the grant of pay and allowances under regulations 28 and 29 except sub-regulations (2) and (3) of regulation 30 without the permission of the Committee. In cases, however, where the cost does not exceed Rs. 20,000/- and where the period during which the Trust servant has remained unemployed during suspension, removal or dismissal from service, does not exceed two years, the excess expenditure may be admitted on the sanction of the authority mentioned in regulations 28 and 29 except sub-regulations (2) and (3) of regulation 30.

Note 1,- It is necessary under this regulation to obtain the approval of the Committee to the payment of,-

(a) any amount exceeding Rs. 20,000/-; or

(b) any amount not exceeding Rs. 20,000/-, if the period in respect of which it is paid, exceeds two years.



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Note 2,- **Departmental Enquiries** in disciplinary matters are generally not completed expeditiously and that at times drag on for a considerably long time. Such enquiries should be held and completed as quickly as possible and that in any case the period should not exceed three months from the date a decision has been taken to hold a departmental enquiry. If for any reasons the enquiry is likely to take a longer time, the Enquiry Officer, should submit a report to the Executive Officer giving reasons for the delay and the latter should obtain the sanction of the Committee for allowing the Enquiry Officer an extension of time to complete his enquiry, if he is satisfied that there is a case for such extension. In case the Executive Officer is himself the Enquiry Officer, he should report the reasons for delay, if any, to the Committee and obtain an extension of time for completing the enquiry.

32. Adjustment of subsistence allowance against final payment.- The amount of subsistence allowance, if any, already drawn is to be deducted from the pay and allowances of proportion of them, which may be granted under regulations 28, 29 or 30, as the case may be.

33. Filling in vacant posts substantively due to reduction, removal or dismissal, after one year.- Posts vacated due to reduction, removal or dismissal of the Trust servant from service, may be filled substantively only after the expiry of the period of one year of the date of such reduction, removal or dismissal, as the case may be, subject to the condition that the arrangements thus made will be reversed if such Trust servants are reinstated on appeal.

34. Grant of pay and allowances on re-instatement does not cancel officiating arrangement.- The grant of pay and allowances or a proportion of them under regulations 28, 29 or 30 does not cancel any acting arrangements which may have been in force during the period of Trust servant's suspension, removal, dismissal or reduction.

Executive Officer
Shree Siddhivinayak Ganapati Temple Trust
Management Committee





Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi)
Services (Leave) Regulations, 2008

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Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi)
Services (Leave) Regulations, 2008

The Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Act, 1980.

In exercise of the powers conferred by sub-section (3) of section 13 read with sub-section (2) of section 14 of the Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Act, 1980 (Mah.VI of 1981), the Shree Siddhi Vinayak Ganpati Temple Trust Management Committee, after prior approval of the Government of Maharashtra, hereby makes the following regulations, namely: -

1. Short title and Commencement :- (1) These regulations may be called "the Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Services (Leave) Regulations, 2008".

(2) They shall come into force on 4th August 2008

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

(a) "Act" means the Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Act, 1980 (Mah. VI of 1981).

(b) "appointing authority", in relation to a Trust servant means,-

(i) the authority competent to make appointment to the service of which the Trust servant is for the time being a member or to the grade of the service in which the Trust servant is for the time being included; or

(ii) the authority competent to make appointments to the post which the Trust servant for the time being holds; or

(iii) the authority which appointed the Trust servant to such service, grade or post, as the case may be.

(c) "Block year" means calendar year of two years block and it will commence from the 1st day of January 2008 and will ends on the 31st day of 2008.

(d) "Committee" means the Management Committee constituted under section 5 of the Act.

(e) "Disciplinary authority" means the authority competent under these regulations to impose on a Trust servant any of the penalties specified in Regulation 5 of Shree Siddhivinayak Ganpati Temple Trust (Prabhadevi) Services (Discipline and Appeal) Regulations, 2008.



(f) "Executive Officer" means the Executive Officer appointed by Government under section 12 of the Act.

(g) "Government" - means the Government of Maharashtra.

(h) "Leave" means permission to remain absent from duty granted by a competent authority under this regulations.

(i) "State" means the State of Maharashtra.

(j) "Trust" means Shree Siddhivinayak Ganpati Temple Trust (Prabhadevi).

(k) "Trust servant" means a person who is appointed to Trust service or post in connection with the affairs of the Trust.

3. Application - (1) These regulations shall apply to every Trust servant not being,-

(a) any member of any Government Service on deputation to the Trust;

(b) person in casual employment of the Trust.

(2) Notwithstanding anything-contained in clause(1), the Committee may, by order, exclude any class of a Trust servant from the operation of all or any of these regulations.

(3) If any doubt arises-

(a) whether these regulations or any of them apply to any person; or

(b) whether any person to whom these regulations apply, belong to a particular service, the matter shall be referred to the Committee which shall decide the same.

4. Casual Leave - (1) Total casual leave admissible to a Trust servant on full pay during a calendar year shall be eight days or as admissible to Government employees from time to time :

Provided that on first appointment in the Trust, the casual leave shall be admissible to a Trust servant at the rate of one day for each completed one and half month till he completes the service of one year in the Trust.



(2) Not more than seven days casual leave including holidays interposed prefixed or suffixed can be availed at a time, which may be extended upto ten days in-exceptional circumstances.

(3) Casual leave shall not be combined with any other leave.

(4) If the absence of a Trust servant is extended beyond the limits laid down in this regulation or any other condition laid down in this regulation is not fulfilled, the employee may be treated as on, one or more types of regular leave due and admissible in this behalf for the entire period of his absence.

(5) The casual leave in balance, if any, at the credit of a Trust servant shall lapse on every 31st December.

(6) Ordinarily, casual leave can be availed by a Trust servant only after giving application and getting prior permission in writing from the authority competent to sanction casual leave. The Executive Officer may, from time to time, prescribe the procedure for applying for and granting of casual leave and also specify the authorities competent to grant casual leave to various classes of employees.

5. Sohir or Sutak Leave.- The Trust servants whose duties are related to the performance of Pooja and other rituals of the temple shall be eligible to sohir or sutak leave as may be determined by the Committee from time to time.

6. Kinds of Regular Leave .- Subject to the provisions of these regulations the following kinds of regular leaves may be granted to a Trust servant, —

- (a) Earned Leave.
- (b) Half-Pay leave.
- (c) Commuted (sick) leave.
- (d) Maternity leave.
- (e) Extra-ordinary leave without pay.

7. Authority competent to grant regular leave .- The power to grant regular leave shall vest in the Executive Officer :

Provided that, the Executive Officer may, from time to time, delegate the power to grant regular leave to employees including those on deputation.



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8. Power to refuse leave or recall a Trust servant on leave :-

Leave including casual leave cannot be claimed as of right. When the exigencies of services so require, discretion to refuse or revoke leave of any description is reserved with the authority empowered to grant it. A Trust servant already on leave (except leave on medical grounds) may be recalled by that authority when it is considered necessary in the interests of the Trust.

Provided that, a Trust servant so recalled from leave will be allowed on application to avail the unexpired portion of leave.

9. Return from leave.- Unless he is permitted to do so by the authority, which granted his leave, a Trust servant on leave may not return to duty before the expiry of the period of leave granted to him.

10. Obligation to furnish leave address.- A Trust servant shall before proceeding on leave inform the competent authority or mention in his leave application his full postal address while on leave and shall keep the said authority informed of any change in the address provisionally furnished.

11. Station to which a Trust servant should report on duty :- A Trust servant on leave shall, unless instructed to the contrary, return for duty to the place at which he was last stationed.

12. Medical certificate of illness, etc .- (1) Commuted leave shall be granted on medical grounds only on production of medical certificate about illness from a registered medical practitioner.

(2) Maternity leave shall be granted only on production of medical certificate from registered medical practitioner.

(3) If any other kind of leave is applied for on medical grounds for more than seven days, such leave application shall be supported by a medical certificate from a registered medical practitioner.

(4) The authority competent to grant leave may direct a Trust servant, who applies for or actually avails any kind of leave on medical grounds, to produce a medical certificate about his illness from or send him for medical examination to Civil Surgeon or any other Government Medical Authority, if deemed necessary to do so :

Provided that, the expense, if any, incurred by a Trust servant for medical examination at the instance of the Trust shall be reimbursable to such employee by the Trust on production of money receipt for the same, if his illness is certified to be true.

13. Medical certificate of fitness .- (1) A medical certificate of fitness should ordinarily be produced by a Trust servant before his return to



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duty from leave, if such leave is availed on medical grounds and on the basis of a medical certificate of illness.

(2) The authority competent to grant leave may require a Trust servant, who has availed leave for reasons for ill-health to produce a medical certificate of fitness before he is allowed to resume duty even though such leave was not actually granted on a medical certificate.

(3) If the authority competent to grant leave is not satisfied with the medical certificate of fitness produced by a Trust servant as per sub-regulation (1) or (2), he may direct such employee to produce medical certificate of fitness from a Civil Surgeon or any other Government Medical Authority and in that case the expenses, if any, incurred, by such employee for medical examination shall be reimbursable to him on production of money receipt, if he is certified to be medically fit to resume duty.

14. Leave not admissible to a Trust servant under suspension .- Leave may not be granted to a Trust servant against whom proceedings are pending due to his irregular absence on duties

15. Application for regular leave .- (1) Application for regular leave shall ordinarily be submitted at least fifteen days before the date of proposed commencement of leave.

(2) Nature of leave required along with details of prefixing or suffixing holidays, if any, shall be specifically mentioned in the application.

(3) Applications which do not satisfy the requirements of these regulations may be refused forthwith.

16. Remaining absent or availing leave without application and/or sanction.- No Trust servant shall remain absent or avail any kind of leave without submitting application for leave as provided for in these regulations and without getting his leave sanctioned from the authority competent to grant such leave.

17. Entitlement to leave, leave salary, etc .- Save as otherwise provided in these regulations, every Trust servant shall, in respect of any kind of leave mentioned in regulation 6 and regulation of pay during leave, etc. be governed by the rules and regulations as may be applicable from time to time to an employee of the State Government of the corresponding category.

18. Extension of leave .- (1) A Trust servant who desires to extend his leave shall apply in writing stating reasons for such extension of leave well in advance before the expiry of his leave.

(2) Extension of leave may be granted by the authority competent to grant leave subject to fulfilment of requirements under these



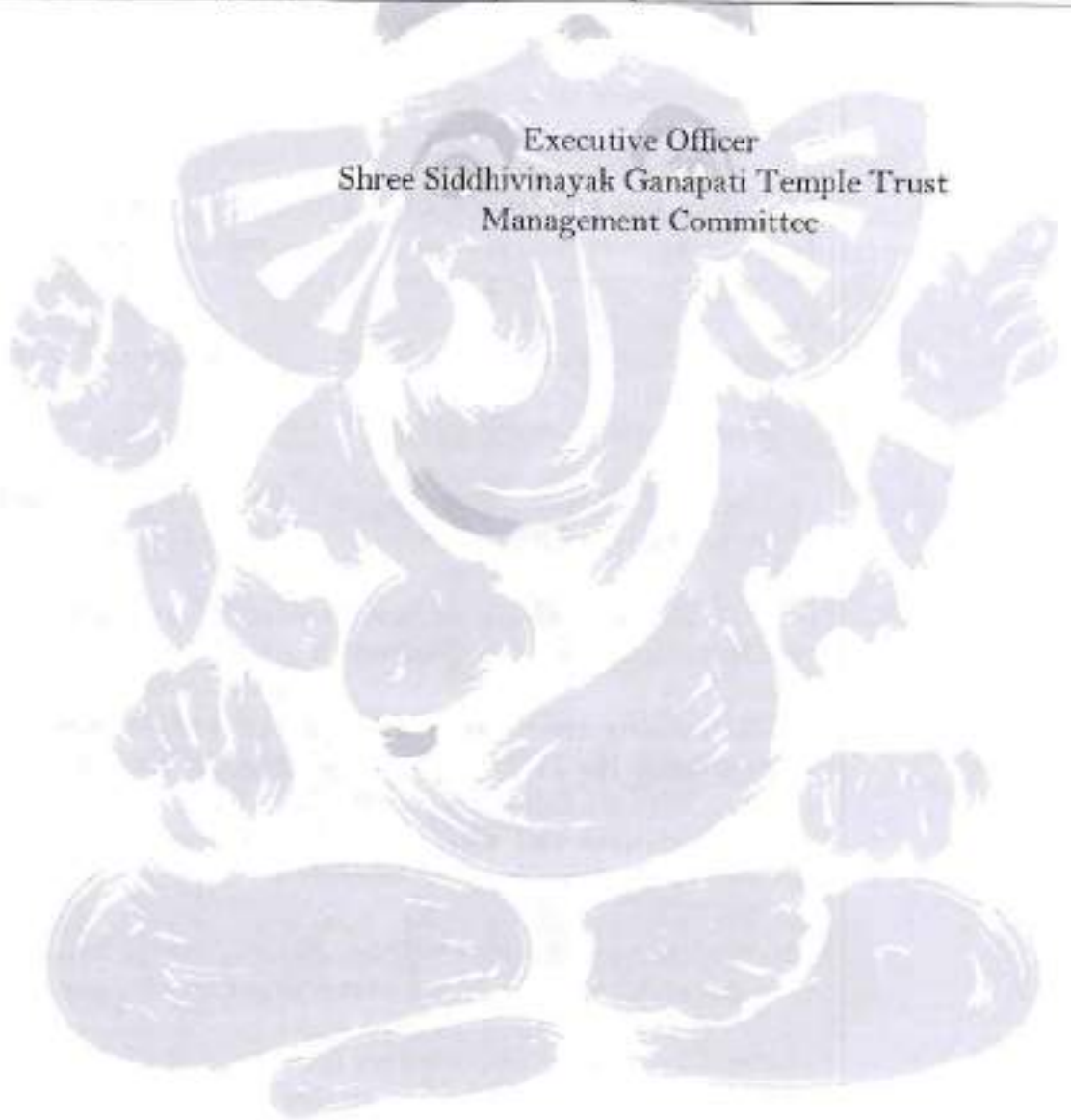
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regulations and after taking into consideration the exigencies of work and reasons for such extension.

19. Contravention of leave regulations .- Any employee, who remains absent or avails any kind of leave in contravention of these regulations shall be liable to disciplinary action as provided in this behalf in the corresponding appropriate regulations.

20. Leave in the case of employees on deputation .- Employees on deputation from State or Central Government or any Institution shall continue to be entitled to leave, under the rules to which they would be normally subject to in their parent Department.

Executive Officer
Shree Siddhivinayak Ganapati Temple Trust
Management Committee



**Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi)
Services (Pay and Allowances) Regulations, 2008.**

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**Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi)
Services (Pay and Allowances) Regulations, 2008.**

The Shree
Siddhi
Vinayak
Ganpati
Temple Trust
(Prabhadevi).
Act, 1980

In exercise of the powers conferred by sub-section 8 of section 13 read with sub-section (2) of section 14 of the Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi). Act, 1980 (Mah. VI of 1981), the Shree Siddhi Vinayak Ganpati Temple Trust Management Committee, hereby makes, with the approval of the Government of Maharashtra, the following regulations, namely :-

**CHAPTER -1
GENERAL**

1. Short title and commencement.- (1) These Regulations may be called Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Services (Pay and Allowances) Regulations, 2008

(2) They shall come into force on 4th August 2008.

2. Extent of application.- Except as otherwise provided by or under these regulations, these regulations shall apply to all persons appointed to the Trust services and posts in connection with the affairs of the Trust

3. Power of interpretation.- If any question arises relating to the interpretation of these regulations, it shall be referred to the Committee, whose decision thereon shall be final.

4. Power of relaxation.- Where the Committee is satisfied that the operation of any of these regulations causes or is likely to cause undue hardship in the case of any Trust servant or class of Trust servants, it may, by an order in writing, exempt any such Trust servant or class of Trust servants from any provisions of these regulations or may direct that such provisions shall apply to such Trust servants or class of Trust servants with such modifications not affecting the substance thereof as may be specified in such order.

5. Validity of terms of contract.- The terms of a specific contract, enforceable at law necessarily override the provisions of these regulations.

6. Regulation of claims to pay and allowances.- A Trust servant's claim to pay and allowances is regulated by the regulations in force at the time in respect of which the pay and allowances are earned.

7. Exercise and delegation of powers under these Regulations.- It shall be open to the Committee to prescribe by general or special order, the powers to be exercised or delegated under these regulations to the Executive Officer or any other officer of the Trust.

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CHAPTER -II
DEFINITIONS

8. **Definitions.**- In these regulations, unless the context otherwise requires,-

(1) "Act" means the Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Act, 1980 (Mah.VI of 1981).

(2) "cadre" means the strength of a service or a part of a service sanctioned as a separate unit.

(3) "Committee" means the Management Committee constituted under section 5 of the Act.

(4) "Compensatory allowance" means an allowance granted to meet personal expenditure necessitated by the special circumstances in which duty is performed. It includes different types of travelling allowances.

(5) "Competent Authority", in relation to the exercise of any power, means the Committee, or any authority to which the power is delegated by or under these Regulations.

(6) "Date of first appointment" means the date, the Trust servant assumes the duties of his first post in the Trust service.

(7) "day" means the period beginning from one midnight and ending with the next midnight.

(8) "Executive Officer" means the Executive Officer appointed by the Government under section 12 of the Act.

(9) "Duty", includes,-

(a) service as a probationer;

(b) joining time;

(c) a course of instructions or training authorised by or under the orders of the Trust.

Note 1.- The time reasonably required for the journeys between the place of training and the station from which the Trust servant proceeds in order to undergo training, is part of the period of training.



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- Note 2.- When one or more holidays follow the period of training, the training period may be deemed to have been extended to cover such holidays.

(d) the period occupied,-

- (i) in appearing for a language examination prescribed by the Trust at which a Trust servant has been granted permission to appear;
- (ii) in attending an examination which a Trust servant must pass to become eligible for a higher post in any branch of the Trust service; including the time reasonably necessary for going to and fro to the place of examination.

This concession should not be allowed more than twice for each examination.

Note 1.- If an examination is taken immediately before leave, the leave shall be held to have commenced from the date following that of the completion of the examination. In cases where an examination is taken in interruption of leave or immediately after leave, the time occupied in appearing for the examination, including the time necessary for going to and fro to the place of examination, shall be treated not as duty but as leave.

(e) the period for which a Trust servant is required to wait compulsorily until receipt of his posting orders in the cases mentioned below :-

- (i) whose orders of transfer are held in abeyance, cancelled or modified while in transit; or
- (ii) who, on return from leave or on abolition of the post held by him, has to await receipt of posting orders; or
- (iii) who, on arrival at the headquarters of the post to which he is posted is not in a position to take charge of the post from the Trust servant to be relieved.

The period availed of to resume duties after the receipt of posting orders shall not exceed the jointing time admissible under the regulations and shall be treated as a continuation of the period of compulsory waiting.



(f) the period intervening between the date on which a Trust servant is engaged temporarily for special or other duty and the date on which he takes over charge:

Provided that, the period does not exceed the joining time that would be permissible to a Trust servant entitled to joining time.

(10) "first appointment" means the appointment of a person who is not holding any appointment under the Trust, even though he may have previously held such an appointment.

(11) "Government" means the Government of Maharashtra.

(12) "Joining time" means the time allowed to a Trust servant to join a new post or to travel to or from a station to which he is posted.

(13) "leave" means permission to remain absent from duty granted by a Competent Authority under the Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Services Regulations, 2008.

(14) "Lien" means the title of a Trust servant to hold substantively, either immediately or on the termination of a period or periods of absence, a permanent post, including a tenure post, to which he has been appointed substantively.

(15) "Month" means a calendar month. In calculating a period expressed in terms of months and days complete calendar months, irrespective of the number of days in each, should first be calculated and the odd number of days Calculated subsequently.

Instructions.- Calculations of period expressed in terms of months and days should be made as under:-

(a) To calculate 3 months and 20 days on and from the 25th January, the following method should be adopted:-

	Y.	M.	D.
25 th January to 31 st January	0	0	7
February to April	0	3	0
1 st May to 13 th May	0	0	13
	0	3	20



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(b) The period commencing on the 30th January, and ending with the 2nd March should be deemed as 1 month and 4 days, as indicated below :-

	Y.	M.	D.
30th January to 31st January	0	0	2
February	0	1	0
1 st March to 2 nd March	0	0	2
	0	1	4

(16) "Officiate" a Trust servant officiates in a post when he performs the duties of a post on which another person holds a lien. A competent authority may, if it thinks fit, appoint a Trust servant to officiate in a vacant post on which no other Trust servant holds a lien.

(17) "Pay" means the amount drawn monthly by a Trust servant as,-

(i) the pay (including special dearness pay) which has been sanctioned for a post held by him substantively or in an officiating capacity, or to which he is entitled by reason of his position in a cadre;

(ii) personal pay, and special pay; and

(iii) any other emoluments which may be specially classified as pay by the Committee.

(18) "Permanent post" means a post carrying a definite rate of pay sanctioned without limit of time.

(19) "Personal Pay" means additional pay granted to a Trust servant,-

(a) to save him from a loss of substantive pay in respect of a permanent post other than a tenure post due to a revision of pay or due to any reduction of such substantive pay otherwise than as disciplinary measure; or

(b) in exceptional circumstances, on other personal considerations.

(20) "Presumptive pay" of a post, when used with reference to any particular Trust servant, means the pay to which he would be entitled, if he held the said post and were performing its duties, but it does not include special pay unless the Trust servant performs or discharges the work or responsibility, in consideration of which special pay was sanctioned.



J. Kant

(21) "Probationer" means a Trust servant employed on probation in or against a substantive or temporary vacancy in the cadre of the Trust.

Note 1.- No person appointed substantively to a permanent post in a cadre is a probationer, unless definite conditions of probation have been attached to his appointment, such as the condition that he must remain on probation pending the passing of certain-examination.

Note 2.- A Trust servant (other than one who holds substantively a permanent post) appointed on probation to a temporary post will be treated for all purposes as a temporary Trust servant.

Note 3.- The status of a probationer is to be considered as having the attributes of a substantive status except where the regulations prescribe otherwise.

(22) "Selection grade" means a scale of pay which has been sanctioned specifically as a selection grade by an order of the Committee with the approval of the Government.

(23) "Special Pay" means an addition, of the nature of pay, to granted by an the emoluments of a post or of a Trust servant granted by an order of the committee in consideration of, —

(a) the specially arduous nature of the duties;

(b) a specific addition to the work or responsibility.

(24) "substantive pay" means the pay other than special pay, personal pay or emoluments classified as pay by Trust under clause (iii) of regulation 17 to which a Trust servant is entitled on account of a post to which he has been appointed substantively or by reasons of his substantive position in a cadre.

(25) "Temporary post" means a post carrying a definite rate of pay sanctioned for a limited time.

Note.- Substantive appointment to temporary post should be made in a limited number of cases only, as for example, when "posts are, to" all intents and purposes, quasi-permanent or when they have been sanctioned for a period of not less than, or there is reason to believe that they will not terminate within a period of three years. In all other cases, appointments in temporary posts should be made in an officiating capacity only.

Instruction.- The benefit of substantive appointment to temporary posts contemplated in the above note should not be allowed to be enjoyed by more than one person



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simultaneously. Therefore, where a Trust servant has already been appointed substantively to temporary post and there is a temporary interruption in his tenure of the post, it would not be proper to appoint another Trust servant substantively to the post during such temporary interruption. For this purpose, interruptions which are likely to last for less than three years may be treated as temporary. It follows therefore, that where a Trust servant is already appointed substantively to it unless the previous holder of the post has been transferred from it permanently or unless he has been transferred temporarily and there is reason to believe that he will remain absent from the post for a period of not less than three years.

(26) "Tenure post" means a permanent post which an individual Trust servant may not hold, for more than a limited period without reappointment.

(27) "Time-Scale Pay" means pay which, -

(a) subject to any conditions prescribed in these regulations, rises by periodical increments from a minimum to a maximum.

(b) time-scales are said to be identical, if the minimum, the maximum, the period of increment and the rate of increment of the time-scales are identical.

(c) a post is said to be on the same time-scale as another post on time-scale, if the two time-scales are identical and the posts fall within a cadre, or a Group in a cadre, such cadre or Group having been created in order to fill all posts involving duties of approximately the same character or degree of responsibility in a service or establishment or group of establishments, so that the pay of the holder of any particular post is determined by his position in the cadre or Group and not by the fact that he holds that post.

(28) "Transfer" means the movement of a Trust servant from one headquarter station in which he is employed to another such station either,-

(a) to take up the duties of a new post; or

(b) in consequence of a change of his headquarters.

(29) "Transit Time" means the actual time required to reach the destination of tour from the headquarters or from one outstation to another outstation by the ordinary mode of travel.



(30) "Trust" means the Trust constituted under the Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Act, 1980 (Mah.VI of 1981).

CHAPTER - III PAY

8. Pay on first appointment to Trust service.- On first appointment to Trust service, a person shall draw a stipend to the extent of initial basic pay of the time-scale attached to the post to which he is appointed, and he will draw a time-scale attached to that post after completion of the probation period satisfactorily, unless, a regular minimum of the time-scale attached to the post or higher starting in that time-scale is sanctioned under the authority of regulation 28.

10. Fixation of pay on appointment to another post.- Save as provided in regulations 11, 12, 15 and 18 where a Trust servant holding a post in a substantive, temporary or officiating capacity, is promoted or appointed in a substantive, temporary or officiating capacity, to another post including an ex-cadre post, his initial pay shall be regulated as follows: -

(1) When appointment to the new post involves assumption of duties or responsibilities of greater importance than those attaching to the old post and,-

(a) if he is holding a post not higher than a Group B post, his initial pay in the time-scale of the higher post shall be fixed at the stage next above the pay notionally arrived at by increasing his pay in respect of the lower post by one increment at the stage at which such pay has accrued and in the case of a Trust servant drawing pay at the maximum of the pay-scale, by an amount equivalent to the last increment; and

(b) if he is holding a post higher than a Group B post, he will draw as initial pay, the stage of the time-scale next above his pay in respect of the old (lower) post.

(2) If the appointment to the new post does not involve such assumption:-

(a). if there is a stage in the time-scale of the new post which is equal to his pay in the old post, he shall draw pay at that stage;

(b)if there is no such stage, he will draw pay at the stage next above his pay in the post;



(c) in the case covered by clause (a), he will draw his next increment on the date on which he would have received increment in the old post and in the case covered by clause (b), he will draw his next increment in the new post on completion of the required period after which an increment is earned in the time-scale of the new post:

Provided that, a Trust servant on his appointment to such new post, may at his option, to be exercised within one month from the date of his appointment, elect for fixation of his pay in one of the following manners, namely :-

(i) either to get his initial pay fixed straightaway with effect from the date of his appointment to the new post; or

(ii) to get his pay fixed with effect from the date of his next increment in the old post, in either case, the date of next increment will fall due only on completion of the required period of qualifying service from the date the pay is fixed in the new post.

(d) if the minimum of the time-scale of the new post is higher than his pay in the old post, he will draw that minimum as initial pay.

(3) When appointment to the new post is made,-

(a) on his own request; or

(b) on account of discharge of a Trust servant owing to the abolition of his permanent post or owing to change in the nature of the duties of that post, and if he opts for acceptance of another appointment or transfer to another establishment even on a lower pay, if offered, and if the maximum of the time-scale of that post to which he is appointed or transferred is less than his pay in respect of the old post, he will draw that maximum as initial pay.

(4) Notwithstanding anything contained in the above sub-regulations where a Trust servant is appointed to a selection grade, his pay shall be fixed at a stage next above the pay drawn by him immediately before such appointment. If his pay is less than the minimum of the selection grade, he shall draw that minimum as initial pay:

Provided that, in cases covered by both sub regulations (1) and (2), if the Trust servant had previously held the same post or another post on the same or identical timescale then save as provided in regulation 12 his initial pay shall not be less than the pay other than the special pay, personal pay, or emoluments classed as pay under clause {iii} of sub regulation (17) of regulation 8, which he drew, on the last such occasion,



and he shall count the period during which he drew that pay on such last and any previous occasion for increments in the stage of the time-scale equivalent to that pay :

Note 1.- For the purpose of this regulation and regulation 13, a temporary post on a certain rate of pay (fixed or time-scale) which is converted into a permanent post on a different rate of pay is not the "same post", as the permanent post, even though the duties remain the same. In other words in view of sub-regulation (25) of regulation 8, the temporary post is to be regarded as having ceased to exist and to have been replaced by the permanent post. The incumbent of the temporary post is thus entitled only to the pay of the permanent post if it is on a fixed rate of pay or to a minimum of the time-scale of the permanent post if it is on a time-scale.

Note 2.- In applying this regulation as well as regulation 13 in respect of a Trust servant appointed to a post to which a fixed probationary pay below the minimum of the time scale is prescribed, such probationary pay should be deemed to be the first stage of the time-scale of the post and the minimum as the second stage. This note will not apply in case of appointment by promotion from a lower post where the Trust servant is not on probation.

Instruction 1.- By the strict application of the above regulation it may happen that Trust servant promoted and appointed to a higher post, he may draw a lower rate of pay in that post than another Trust servant junior to him in the lower grade but promoted and appointed subsequently to another identical post. In such cases the pay of the senior Trust servant in the higher post should be stepped up to figure equal to the pay as fixed for the junior Trust servant in that higher post under regulation 28 with effect from the date of promotion of the junior Trust servant and it should be subject to following conditions, namely :-

(i) both, the junior and senior Trust servants should belong to one and the same cadre and the post in which they have been promoted or appointed, should be identical and in the same cadre and in the same line of promotion;

(ii) the scales of pay of the lower and higher post in which they are entitled to draw pay should be identical;

(iii) the anomaly should be directly as a result of the application of this regulation. For example, if



even in the lower post the junior Trust servant draws from time to time a higher rate of pay than the senior by virtue of fixation of pay under the normal regulations or by grant of advance increments for any other reason, these provisions shall not be invoked to step up the pay of the senior Trust servant;

(iv) the next increment of the senior person whose pay has been stepped up should be drawn on completion of the requisite service with effect from the date of re-fixation of pay.

Instruction 2.- In case, a senior Trust servant promoted is drawing less pay than his junior promoted subsequently to another identical post, the pay of the senior Trust servant should be stepped up to a figure equal to the pay of his junior in that higher post under regulation 28 with effect from the date of promotion of his junior subject to the fulfilment of the conditions mentioned at clauses (i) to (iv) of instruction 1, above.

11. Fixation of Pay on reversion from higher to lower post.- The provisions of regulation 10 do not apply in the case of a Trust servant appointed from a higher post to a lower post due to reduction of establishment or reverting to a lower post on termination of his officiating promotion to a higher post. Where the Trust servant reverts to a lower post after a spell of promotion in a higher post, his pay in the lower post should be fixed at the stage in the time-scale of the lower post at which the Trust servant would have drawn pay but for. His appointment to the higher post as admissible under regulation 27.

12. Pay on re-appointment after a break.- The provisions of regulation 10 do not apply in the case of a Trust servant who is re-appointed after a physical break exceeding twenty-four hours following resignation, removal or discharge on reduction of establishment or after invalidation out of service. Such an appointment amounts to a fresh appointment for the purpose of regulation 10, and the Trust servant will therefore, draw the minimum of the time-scale. If in any case it is considered that a higher rate of pay should be given, the case can be dealt with under regulation 28.

Note -If the new appointment involves movement from one station to another, for the purpose of computing "Physical break of more than 24 hours", the maximum period to cover actual journey shall be excluded.

13. When pay of a post is changed.- The holder of a post, the pay of which is changed, shall be treated as if he were transferred to a new post on the new pay:



Provided that, except in cases where the pay-scale of the post has been changed as a result of change in the duties or responsibilities, he may at his option, retain his old pay until the date on which he has earned his next or any subsequent increment, on the old scale or until he vacates his post or ceases to draw pay in that time-scale. The option once exercised is final.

Note 1.- The option to retain the old scale under this regulation is also available to a Trust servant not actually holding the post at the time of revision of the scale provided that,-

- (i) he holds a lien or suspended lien on that post, or
- (ii) it is certified by the authority competent to make appointment to the lower post that he would have held that post but for holding a higher post.

Note 2.- The option exercised under this regulation should be an option between clear alternatives so that if an option is exercised when the alternatives are not clear or the alternatives with reference to which option was exercised are subsequently altered by orders having retrospective effect or otherwise, the option becomes vitiated and, as such must be held to be null and void from the beginning.

Note 3.- A Trust servant under suspension should be allowed to exercise the option under the above regulation when the pay scale attached to his post is changed, even while he is under suspension. The result of such option will be that when the revised scale of pay takes effect from a date prior to that of suspension, he will be entitled to the benefit of the increase in pay, if any, in respect of the duty period before suspension, and also in the subsistence allowance for the period of suspension. If however, the revised scale of pay takes effect from the date falling within the period of suspension, the benefit of option will accrue to him in respect of the period of suspension only after his reinstatement, depending on the fact whether the period of suspension is treated as duty or not.

Note 4.- The option referred to in the above regulation should be exercised and communicated to the Executive Officer within a period of two months from the date of issue of orders sanctioning the revised scale. Failure to do so will mean that the incumbent has automatically come over to the revised scale from the date from which the revision is effective.



14. Pay on reversion to lower post as a penalty.- The authority which orders the transfer of a Trust servant as a penalty from higher to lower grade or post, may allow him to draw any pay, not exceeding the maximum of the lower grade or post, which it may think proper.

Provided that, the pay allowed to be drawn by a Trust servant under this regulation shall not exceed the pay which he would have drawn by the operation of Regulation 10 read with sub-regulation (1) or (2), as the case may be, of regulation 27.

15. Relation of officiating pay to substantive pay.- (1) Except in the cases covered by sub-regulation (3) of regulation 10, if the pay of a Trust servant, officiating in a post is at any time, less than his substantive pay, he shall draw his substantive pay.

(2) If a Trust servant is officiating in a post carrying duties and responsibilities of greater importance than those attached to the post held by him in a substantive capacity and, if there is an enhancement in his substantive pay as a result of increment or otherwise, his pay in the pay-scale of the higher post shall be fixed at the stage next above his substantive pay, if such fixation is to his advantage.

Note.- The provisions contained in this regulation will not be applicable in the following cases, namely:

- (a) a Trust servant whose increment is withheld with or without permanent effect, as a measure of punishment,
- (b) a Trust servant who is on probation.

16. Pay when promotion or appointment found to be erroneous.- Notwithstanding the provisions contained in these regulations, the pay of a Trust servant whose promotion or appointment to a post is found to be or to have been erroneous, shall be regulated in accordance with any general or special orders issued by the Committee in this behalf.

17. Officiating pay in a post the pay of which is fixed at a rate personal to another Trust servant.- When a Trust servant officiates in a post, the pay of which has been fixed at a rate personal to another Trust servant, the Committee may permit him to draw pay at any rate not exceeding the rate so fixed or, if the rate so fixed be a time-scale, may grant him initial pay not exceeding the lower stage of that time-scale and future increments not exceeding those of the sanctioned scale.

18. Power to fix officiating pay at a lower rate.- A competent authority may fix the pay of an officiating Trust servant at an amount less than that admissible under these regulations.



Note 1.- When the pay of a Trust servant who is appointed to officiate in a post on a time-scale of pay is fixed below the minimum of the time-scale under this regulation, he must not be treated as having effectually officiated in that post within the meaning of regulation 10 or having rendered duty in it within the meaning of regulation 27;

Note 2.- In cases in which a vacancy is expected to last less than sixteen days a Trust servant may be placed in charge of the current duties of the post but no formal appointment to officiate should be made unless a formal appointment is essential for the reasons to be recorded in writing.

Instruction.- Reading this regulation with the regulations substantively regulating the rate of officiating pay, and in particular with regulation 15, it is clear that the power conferred by this regulation, is not exercisable save by a special order passed in an individual case and on the consideration of the facts of that case. A general order purporting to oust universally the operation of regulation 15 would be ultra vires of this regulation. Although, the practice of obtaining special orders on every individual case would not be ultra vires of this regulation, it would cause the greatest possible fraud thereon. :

19. Personal pay to decrease in proportion to increase in basic pay.- Except when the authority sanctioning it orders otherwise, personal pay shall be reduced by any amount by which the recipient's pay may be increased and shall cease altogether as soon as his pay is increased by an amount equal to his personal pay.

20. Pay during the course of instructions or training.- When a Trust servant is treated as on duty under sub-regulation 9 (c) and (d) of regulations 8, the authority competent to depute him for a course of instructions or training under sub-regulation 9 (c) and (d) of regulation 8, may allow during such period of duty, pay (including special pay) equal to the amount he was drawing before joining the training or appearing for the examination, provided he has reason to believe that the Trust servant is likely to continue to hold the post from which he is deputed during the full period of the course of instructions or training and records a certificate to that effect.

21. Pay and allowances to Trust servants who are members of Territorial Army, when called out for duty.- Trust servants who are members of the Territorial Army are entitled, when called out or embodied under section 7(3) of the Territorial Army Act 1948 (56 of 1948) to pay and allowances at Trust service rates or military pay and allowances, whichever is greater. Provided that, for the purpose of computing Trust service allowances, only those allowances other than permanent travelling allowance and conveyance allowance, are taken into



account as are attached and admissible in respect of the post from which the Trust servant is called out and to which the Trust servant is appointed on return from the Territorial Army.

In cases where the Trust service pay and allowances mentioned above are higher than military pay and allowances, the difference between (i) the Trust service pay and allowances; and (ii) the military pay and allowances shall constitute a charge on the Trust Fund to which service pay of the Trust servant concerned is debitable.

22. Officiating promotions in place of Trust servants undergoing training.- No extra cost should be imposed on Trust by way of officiating appointments in places of Trust servants who are treated as on duty under sub-regulation (10) of regulation 8. A competent authority may, however, allow officiating promotions in the places of Trust servants undergoing training in cases in which it has been authorised by the Committee to do so.

23. Officiating promotions in place of Trust servants joining Territorial Army.- Officiating promotions may be given in places of Trust servants who have joined the Territorial Army and who are treated as on duty under sub-regulation (10) of regulation 8 during the period of embodiment when they are attending a course of instructions or called up for Military duty. The additional cost involved will be a charge on the Trust fund.

24. Increment to be drawn as a matter of course.- An increment shall ordinarily be drawn as a matter of course unless it is withheld as a penalty under the relevant provisions of the Shree Siddhi Vinayak Ganpati Temple Trust (Prahadevi) Services (Discipline and Appeals) regulations, 2008. In ordering the withholding of increment the withholding authority shall state,-

- (i) the period for which it is withheld;
- (ii) whether the postponement shall have the effect of postponing future increments; and
- (iii) whether the period for which the increment has been withheld will be exclusive of any interval spent on leave before the period is completed.

25. Sanction to cross efficiency bar.- (1) Where an efficiency bar is prescribed in a time-scale, the increment next above the bar shall not be allowed to a Trust servant without the specific sanction of the authority empowered to withhold increment under regulation 24 or the relevant disciplinary regulations applicable to the Trust servant or any other authority whom the Committee may, by general or special order, authorise in this behalf.



(2) On being permitted to cross an efficiency bar previously enforced against him, a Trust servant should come on to the time-scale at such stage as the authority competent to declare the bar removed may fix for him. The pay to-be allowed in such cases shall not exceed the rate of pay that would have been admissible had he not been held up at the efficiency bar.

26. Overstay of leave and joining time to count for increments.- A period of Overstay of leave and joining time does not count towards increments under regulation 27.

27. Service which counts for increment.- The following provisions prescribe the conditions on which service counts for increments in a time-scale:-

(1) Subject to the provisions of regulations 10, 12, 18 and 31, all duty in a post on a time-scale counts for increments in that time-scale.

For the purpose of arriving at the date of next increment in that time-scale, the total of all such periods as do not count for increment in that time-scale shall be added to the normal date of increment:

Provided that, the increment shall be admissible from the 1st of the month in which it accrues.

Note.- The above proviso shall not apply to the persons on probation.

Exception.- (a) The increment of a Trust servant appointed directly to a post on probation during the period of probation should be regulated as follows :-

- (i) The first increment should be released after one year on completion of his probationary period and the subsequent increment shall be released on his completing the probationary period satisfactorily.
- (ii) A probationer whose probationary period is extended on account of leave taken by him during the probationary period, shall be allowed to draw, on his appointment to that post on long term basis after completion of the probationary period satisfactorily, such pay as he would have drawn had he not been on probation and consequential arrears.
- (iii) A probationer whose probationary period is extended on account of failure to pass a departmental examination within the prescribed time limit or due to unsatisfactory performance, as the case may be, shall be allowed to draw second increment only with



effect from the date of satisfactory completion of the probationary period and shall not be eligible for arrears.

(b) The expression "A Trust servant appointed directly to a post" appearing in sub-clause (a) above, includes,-

(i) a Trust servant who, while holding substantively, a permanent post in the cadre, is appointed by selection in open competition to another post on probation; and

(ii) a Trust servant who is so appointed but is granted higher starting pay in the time-scale attached to the post.

(2) Subject to the restriction mentioned herein, the following periods shall count for increment in the time-scale applicable to a post in which a Trust servant was officiating :-

(i) all leave, except extraordinary leave;

(ii) extraordinary leave on medical ground,

(iii) period spent on training.

The period to be counted is restricted to that during which he would have continued to officiate in the higher post in the Trust service but for such interruption

Provided that the Committee may, in any case in which they are satisfied that the extraordinary leave was taken for any cause beyond the Trust servant's control or for prosecuting higher scientific and/or technical studies, direct that the extraordinary leave shall be counted for increments.

Note 1.- In the case of a Trust servant who, while officiating in a post, proceeds to attend a course of training or instructions and who is treated as on duty while undergoing such course, the period of such duty will count for increment in the post in which he was officiating prior to his being sent for training or instructions, if he is allowed the pay of the officiating post during such period.

Note 2.- The period of leave allowed to count for increment should be restricted to the period during which the Trust servant would have officiated in the post if he had not proceeded on leave. For this purpose, the Executive Officer should furnish the following certificate while allowing the claim for increment:-



CERTIFICATE.

Certified that Shri/Smt./Kum., would have continued to officiate in the post of, if he/she had not proceeded on leave for the period from to

Instruction 1.- Note 2 does not apply to appointed on daily wages or contract basis.

Instruction 2.- A certificate referred to in Note 2 above will not be necessary in respect of probationers.

(3) If a Trust servant, while officiating in a post or holding a temporary post on a time-scale of pay, is appointed to officiate in a higher post or to hold a higher temporary post, his officiating or temporary service in the higher post shall, if he is reappointed to the lower post or is appointed or reappointed to a post on the same time-scale of pay, count for increments in the time-scale applicable to such lower post. The period of officiating service in the higher post which counts for increments in the lower post is, however, restricted to the period during which Trust servant would have officiated in the lower post but for his appointment to the higher post.

This sub-regulation applies also to a Trust servant who is not actually officiating in the lower post at the time of his appointment to the higher post, but who would have so officiated in such lower post or in a post on the same time-scale of pay had he not been appointed to the higher post.

(4) If a Trust servant on reversion from an ex-cadre post to the parent cadre is appointed to a post on a scale lower than that of the ex-cadre post but not on the same time-scale as the post held at the time of his transfer to the ex-cadre post, the service rendered on the higher scale in the ex-cadre post shall count for increments in the time-scale applicable to the cadre post.

(5) Joining time counts for increment, -

(i) if it is under sub-regulation (1), of regulation 9 of Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Services (Joining Time, Payments during Suspension, Dismissal and Removal) Regulations, 2008, in the time-scale applicable to the post on which a Trust servant hold a lien or would hold a lien had his lien not been suspended as well as in the time-scale applicable to the post, the pay of which is drawn by a Trust servant during the period; and

(ii) if it is under sub-regulation (2) of regulation 9 referred to in clause (i) above in the time-scale applicable to the post



or posts held on the last day of leave before commencement of the joining time.

28. Premature increment,- An authority may grant a premature increment to a Trust servant on a time-scale of pay if it has the power to create a post in the same cadre on the same scale of pay.

Note.- In the absence of a clear declaration to the effect that the normal date of increment is not to be affected (that is to say that next increment after the premature increment is to be given on the usual date of increment regardless of the fact that the Trust servant concerned will have been at one stage of the time-scale for less than the normal period) an order authorising the grant of a premature increment shall be deemed to imply that the recipient is to remain on the enhanced rate of pay for the full interval prescribed between successive stages of the time-scale before becoming eligible to draw the next increment after the premature increment.

29. Reduction of pay as a measure of penalty.- (1) If a Trust servant is reduced as a measure of penalty to a lower stage in his time-scale, the authority ordering such reduction shall state the period for which it shall be effective and whether, on restoration, the period of reduction shall operate to postpone future increments and, if so, to what extent.

(2) If a Trust servant is reduced as a measure of penalty to a lower service, grade or post, or to a lower time-scale, the authority ordering the reduction may or may not specify the period for which the reduction shall be effective, but where the period is specified, that authority shall also state whether, on restoration, the period of reduction shall operate to postpone future increments and, if so, to what extent.

Note. An authority ordering the reduction should expressly state in the order that the period for which the reduction is to be effective will be exclusive of any interval spent on leave before the period is completed.

30. When an order of withholding increment or reduction is set aside or modified. Where an order of penalty of withholding of increment of a Trust servant or his reduction to a lower service, grade or post, or to a lower time-scale, or to a lower stage in a time-scale, is set aside or modified by a competent authority on appeal or review, the pay of the Trust servant shall, notwithstanding anything contained in these regulations, be regulated in the following manner, namely:-

(a) if the said order is set aside, he shall be given for the period for which such order has been in force, the difference between the pay to which he would have been entitled had that order not been made and the pay he had actually drawn;



(b) if the said order is modified, the pay shall be regulated as if the order as so modified had been made in the first instance.

Explanation.- If the pay drawn by a Trust servant in respect of any period prior to the issue of the orders of the competent authority, under this regulation is revised, the leave salary and allowances (other than travelling allowance), if any, admissible to him during that period shall be revised on the basis of the revised pay.

31. Extent to which past non-continuous officiating or temporary service counts for increments.- If a person holding no substantive appointment under the Trust is appointed to officiate in a permanent post or to hold a temporary post on a time-scale of pay, he shall not be allowed to count for purpose of increment in the time-scale, past non-continuous officiating service in such permanent post or non-continuous service in such temporary post except to the extent indicated below:-

Period of past continuous service.	Number of increments which should be allowed in the time-scale of the post to which he is appointed.
Less than 5 years	Nil
5 years and more but less than 7 and half years	1 increment.
7 and half years and more but less than 10 years	2 increments.
10 years and more	3 increments.

Note 1.- Service shall be deemed to be non-continuous only if it is interrupted by actual loss of Trust service.

Note 2.- The principle enunciated in sub-regulation (3) of regulation 27 should apply when such a person is appointed to officiate in a higher post, permanent or temporary.



CHAPTER -IV

COMBINATION OF APPOINTMENTS

32. Pay during appointment to two or more posts.- A Trust servant already holding a post in a substantive or officiating capacity may be appointed to officiate as a temporary measure in one or more other independent posts at one time or may be given additional charge of one or more independent posts in addition to his own. In such cases his pay shall be regulated as follows:-

(a) In the former case, the highest pay to which he would be entitled if his appointment to one of the posts stood alone, may be drawn on account of his tenure of that post.

(b) For each other post, he may be permitted to draw additional pay or special pay at 10 per cent. of the presumptive pay of the post limited to Rs. 500/- per month irrespective of whether the Trust servant is appointed to such posts or is given additional charge, subject to the condition that such additional pay or special pay should in no case exceed 10 per cent of the a presumptive pay of the higher post limited to Rs. 500/- per month of which he held additional charge. Even, if a Trust servant is appointed to more than one independent post or is given full or current charge of more than one independent post, the additional pay or special pay should in no case exceed 10 per cent of the presumptive pay of the higher post limited to Rs. 500/- p.m. of which he held additional charge. No additional pay or special pay shall, however, be granted if such charge is held for a period of less than sixteen days or if a regular appointment is made for a like period.

(c) No additional pay or special pay shall be admissible to a Trust servant drawing pay in the scale or extended scale, the minimum of which is Rs. 5000 and above.

Note 1.- The following explains the distinction which should be drawn between additional pay for holding an additional post or posts and special pay for performing additional duties:-

(i) In cases in which a Trust servant continues to perform the duties of his own post, and assumes, in addition, technically plenary, responsibility for the duties of one or more independent posts, the additional remuneration, if any, which may be sanctioned will be described as additional pay.

(ii) In cases in which a Trust servant, over and above performing his own duties, is required to perform certain duties selected from the sum of duties associated



with another post or posts, but the Trust servant is not appointed to hold the additional post or posts, the additional remuneration, if any, which may be sanctioned, will be special pay.

Note 2.- Presumptive pay for the purpose of clause (b) of this regulation should, according to sub-regulation (20) of regulation 8 be taken what the Trust servant, who is placed in additional charge, will draw as initial pay in the time scale of the additional post under regulation 10, where he formally transferred to it. In cases, however, in which the maximum pay of the other post is less than the pay of the Trust servant in his substantive post, the maximum of the pay of the other post should be taken as the presumptive pay for the purpose of clause (b) of this regulation.

Note 3.- In cases where a Trust servant is appointed to hold substantively as a temporary measure, or to officiate in two or more independent posts at one time and if a compensatory allowance is attached to one or more of the posts, he draws such compensatory allowance as a competent authority may fix; Provided that, such allowance shall not exceed the total of the compensatory allowances attached to all the posts.

Note 4.- In cases where a Trust servant is given additional charge of one or more independent posts in addition to his own, he shall not receive any compensatory allowance attached to the second post, unless it be permanent travelling allowance or conveyance allowance, in which case he may be granted such permanent travelling allowance (or ordinary travelling allowance) or conveyance allowance, as the Committee may decide.

Note 5.- Additional pay or special pay should be excluded for the purposes for grant of Dearness Allowance, House Rent Allowance and Compensatory Local Allowance.

33. Remuneration when one post is subordinate to another.- (1) A Trust servant who is appointed to officiate as a temporary measure in two posts of which one is subordinate to the other, is not entitled to any additional remuneration under regulation 32 save in exceptional circumstances.

(2) A Trust servant who, in addition to his own duties, is required to be in charge of the current duties of a second post, may be allowed special pay under clause (b) of regulation 32, when his own post is subordinate to the second post but not when the second post is subordinate to his own post.



CHAPTER -V
ALLOWANCES

34. Allowances.- Unless otherwise provided or stipulated in the terms and conditions of Trust service, every Trust servant shall be entitled, inter alia, to dearness allowance, house rent allowance, compensatory local allowance, etc., at such rates as determined by the Committee and will be made applicable after obtaining the prior approval of the Government:

Provided that, grant of any allowances (other than dearness, house rent and compensatory local allowance shall be subject to the specific sanction of the Government.

35. Travelling Allowance and Daily Allowance on Tour or Transfer.-

(1) Save as otherwise provided in these regulations, travelling allowance and daily allowance on tour or transfer, local travelling allowance shall be admissible to the Trust servants at the rates prescribed, from time to time, by the Committee.

(2) No travelling allowance shall be admissible for joining on first appointment in the Trust service.

36. Overtime Allowance.- Notwithstanding the fact that the whole time of a Trust servant is at the disposal of the Trust, the Trust may grant overtime allowance not counting as pay for any purpose to a Trust servant in Group C and D who is required to put in extra working hours on week days in connection with the Trust's work subject to such terms, conditions and rates as may be prescribed by the Trust for such overtime allowance, from time to time:

Provided that, no overtime allowance shall be payable for the work done during overtime which has not been specifically approved by the Executive Officer, and it will not exceed the limit of Rs. 1,500/-p.m.

37. Leave Travel Allowance.- Leave travel allowance may be paid to every Trust servant once in a block of two years commencing from the year of implementation of this regulations in accordance with the orders of the Committee, in this behalf from time to time:

Provided that, leave Travel Allowance will be admissible to the employees on deputation as per terms and conditions of their deputation.

38. Reimbursement of Medical Expenses.- A Trust servant may be reimbursed the expenses on medical treatment of himself or his family at such rates and in such manner as the Committee may determine from time to time.

Executive Officer
Shree Siddhivinayak Ganapati Temple Trust
Management Committee



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Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi)
Services (Recruitment) Regulations, 2008.

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**Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi)
Services (Recruitment) Regulations, 2008**

**The
Shree Siddhi
Vinayak
Ganpati
Temple Trust
(Prabhadevi)
Act, 1980**

In exercise of the powers conferred by sub-section (3) of section 13 read with sub-section (2) of section 14 of the Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Act, 1980 (Mah.VI of 1981), the Shree Siddhi Vinayak Ganpati Temple Trust, Management Committee, after prior approval of the Government of Maharashtra, hereby makes the following regulations, namely; -

CHAPTER -1

GENERAL

1. Short title and commencement.- (1) These Regulations may be called the Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Services (Recruitment) Regulations, 2008

(2) - They shall come into force on 4th August 2008.

2. Extent of application.- Except as otherwise provided by or under these regulations, these regulations shall apply to all persons appointed to the Trust services and posts in connection with the affairs of the Trust

Provided that, any permanent Trust servants appointed prior to the date of coming into force of these regulations shall be exempted from the operation of these regulations for a period as may be determined by the Committee with the prior sanction of the Government.

3. Power of interpretation.- If any question arises relating to the interpretation of these regulations, it shall be referred to the Committee, whose decision thereon shall be final.

4. Power of relaxation.- Where the Committee is satisfied that the operation of any of these regulations causes or is likely to cause undue hardship in the case of any Trust servant or class of Trust Servant's it may, with prior sanction of the Government, by an order in writing, exempt any such Trust servant or class of Trust servants from any provisions of these regulations or may direct that such provisions shall apply to such Trust Servant's or class of Trust Servant's with such modifications not affecting the substance thereof as may be specified in such order.



5. **Validity of terms of contract.**- The terms of a specific contract, enforceable at law necessarily override the provisions of these regulations.

6. **Regulation of claims to pay and allowances.**- A Trust servant's claim to pay and allowances is regulated by the regulations in force at the time in respect of which the pay and allowances are earned.

7. **Exercise and delegation of powers under these regulations.**- It shall be open to the Committee to prescribe, by general or special order, that powers under these regulations may be exercised or delegated to the Executive Officer or any other officer of the Trust.

8. **Definitions.**- In this regulations, unless the context otherwise requires,-

(1) "Act" means Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Act, 1980 (Mah.VI of 1981).

(2) "Committee" means the Management Committee constituted under section 5 of the Act.

(3) "Degree" means the Degree of a Statutory University and includes qualifications recognised by Government as equivalent thereto.

(4) "Executive Officer" means the Executive Officer, appointed by the Government under section 12 of the Act.

(5) "Government" means the Government of Maharashtra.

(6) "Government Commercial Certificate" means a certificate issued by the Bureau of Government Examinations, Directorate of Technical Education and includes a certificate issued by any other Institution as may be specifically declared by the Government to be equivalent thereto.

(7) "Higher Secondary School Certificate Examination" means Higher Secondary School Certificate Examination conducted by a Divisional Board constituted under the Maharashtra Secondary and Higher Secondary Education Boards Act, 1965 (Mah. XLI of 1965) and includes any examination declared by Government to be equivalent thereto.

(8) "Permanent post" means a post carrying a definite rate of pay sanctioned without limit of time.

(9) "Schedule" means schedules appended to this regulations.



(10) "Secondary School Certificate Examination" means the Secondary School Certificate Examination conducted by a Divisional Board constituted under the Maharashtra Secondary and Higher Secondary Education Boards Act, 1965 (Mah. XLI of 1965) and includes any examination declared by the Government to be equivalent thereto.

(11) "Temporary post" means a post carrying a definite rate of pay sanctioned for a limited time.

(12) "Trust" means the Trust constituted under the Shree Siddhi Vinayak Ganpati Temple Trust (Prabhadevi) Act, 1980 (Mah. VI of 1981).

9. Appointment to the posts in the Trust Service shall be made either,- (a) by promotion of a suitable Trust Servant on the basis of seniority subject to fitness from amongst the persons holding the posts, possessing the qualifications and experience prescribed in the respective Schedule to these regulations, or

(b) by selection on the basis of a merit list prepared by the Committee -on the basis of Departmental Competitive Examination held amongst the eligible Trust servants possessing requisite qualifications and experience as prescribed in the respective Schedule to these regulations, or

(c) by nomination from amongst the candidates who possess the requisite qualifications as prescribed in the respective Schedule to these regulations, or

(d) by deputation of a suitable person from amongst the person holding equivalent Post in the Government.

10. Ratio of appointments by different modes.- The appointments by Promotion, by Selection, and by Nomination shall be made in the ratio mentioned in the respective schedules to these regulations.



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**Shree Siddhi Vinayak Ganapati Temple Trust (Prabhadevi)
Services (Recruitment) Regulations, 2008.**

SCHEDULE

Sr.No.	Post	Qualifications for and methods of appointment.
1.	Manager.	<p>Appointment shall be made either, (a) by nomination from amongst the candidates who,-</p> <ul style="list-style-type: none">(i) unless already in the service of the Trust, are not less than 18 years and not more than 35 years of age;(ii) possess a degree of a statutory university;(iii) C.C.C. or 'O' Level or 'A' Level or "B" level or "C" level Certificate of D.O.E.A.C.C. Society; or . <p>MS-CIT Course Certificate of an Institute authorised by the Maharashtra State Higher and Technical Education Board; and</p> <ul style="list-style-type: none">(iv) have minimum experience of 3 years in Executive capacity. <p>Preference shall be given to a person who possesses Master degree of a statutory university in Business Administration.</p> <p>(b) by promotion of a suitable person who,-</p> <ul style="list-style-type: none">(i) possess a degree of a statutory university;(ii) C.C.C. or 'O' Level or 'A' Level or 'B' Level or "C" Level Certificate of D.O.E.A.C.C. Society; or <p>MS-CIT Course Certificate of an Institute authorised by the Maharashtra State Higher and Technical Education Board; and</p> <ul style="list-style-type: none">(iii) have minimum experience of five years on the post of Assistant Manager in the service of the Trust.
2.	Assistant Manager	<p>Appointment shall be made either,-</p> <ul style="list-style-type: none">(a) by nomination from amongst candidates who,- <ul style="list-style-type: none">(i) unless already in the service of the Trust, are not less than 18 years and not more than 30 years of age;(ii) possess a degree of a statutory university;(iii) C.C.C. or 'O' Level or 'A' Level or 'B' Level or 'C' Level Certificate of D.O.E.A.C.C. Society; or <p>MS-CIT Course Certificate of an Institute authorised by the Maharashtra State Higher and Technical Education Board; and</p> <ul style="list-style-type: none">(iv) have minimum experience of 3 years in Executive capacity. <p>Preference shall be given to a person who possesses post- Graduate Diploma of a statutory university in Business Management or equivalent thereto.</p> <p>(b) by promotion of a suitable person from amongst the persons who,</p>



- (i) have passed Secondary School Certificate Examination;
- (ii) C.C.C. or 'O' Level or 'A' Level or 'B' Level or 'C' Level Certificate of D.O.E.A.C.C. Society; or :
MS-CIT Course Certificate of an Institute authorised by the Maharashtra State Higher and Technical Education Board; and (iii) have minimum experience of five years as Supervisor in the service of the Trust.

3. System Administrator and Information Technology Officer.

3. Appointment shall be made by nomination from amongst the candidates who,-
- (i) unless already in the service of the Trust, are not less than 18 years and not more than 30 years of age;
 - (ii) possess a degree of Master of Computer Applications/Master of Computer Science/Master of Computer Management/Master of Science in Computer; and
 - (iv) have minimum experience of three years in similar capacity

4. Supervisor.

- Appointment shall be made either,-
- (a) by nomination from amongst the candidates who,-
 - (i) unless already in the service of the Trust, are not less than 18 years and not more than 30 years of age;
 - (ii) possess a degree of a statutory university;
 - (iii) C.C.C. or 'O' Level or 'A' Level or 'B' Level or 'C' Level Certificate of D.O.E.A.C.C. Society; or MS-CIT Course Certificate of an Institute authorised by the Maharashtra State Higher and Technical Education Board; and
 - (iv) have minimum experience of three years in similar capacity.
 - (b) by selection of a suitable person from amongst the persons Who, (i) possess a degree of a statutory university;
 - (i) C.C.C. or 'O' Level or 'A' Level or 'B' Level or 'C' Level Certificate of D.O.E.A.C.C. Society; or MS-CIT Course Certificate of an Institute authorised by the Maharashtra State Higher and Technical Education Board; and :
 - (iii) is holding the post of Assistant Supervisor in the Trust service for not less than five years or having minimum experience for not less than seven years as a Clerk-cum-Typist.
 - (c) by promotion of a suitable person from amongst the candidates who,-
 - (i) have passed Secondary School Certificate Examination;
 - (ii) C.C.C. or 'O' Level or 'A' Level or 'B' Level or 'C' Level Certificate of D.O.E.A.C.C. Society; or



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MS-CIT Course Certificate of an Institute authorised by the Maharashtra State Higher and Technical Education Board; and

(iii) have minimum experience of five years as Assistant Supervisor in the service of the Trust.

5. Assistant Supervisor. Appointment shall be made either,

- (a) by nomination from amongst the candidates who,-
- (i) unless already in the service of the Trust, are not less than 18 years and not more than 30 years of age;
 - (ii) possess a degree of a statutory university;
 - (ii) C.C.C. or 'O' Level or 'A' Level or 'B' Level or 'C' Level Certificate of D.O.E.A.C.C. Society; or MS-CIT Course Certificate of an Institute authorised by the Maharashtra State Higher and Technical Education Board; and
 - (iv) have minimum experience of five years in similar capacity
- (b) by selection of a suitable person from amongst the persons who,-
- (i) possess a degree of a statutory university;
 - (ii) C.C.C. or 'O' Level or 'A' Level or 'B' Level or 'C' Level Certificate of D.O.E.A.C.C. Society; or MS-CIT Course Certificate of an Institute authorised by the Maharashtra State Higher and Technical Education Board; and Technical Education board and
 - (iii) is holding the post of Clerk-cum-Typist in the Trust service for not less than three years.
- (c) by promotion of a suitable person from amongst the persons who,-
- (i) have passed Secondary School Certificate Examination;
 - (i) C.C.C. or 'O' Level or 'A' Level or 'B' Level or 'C' Level Certificate of D.O.E.A.C.C. Society; or MS-CIT Course Certificate of an Institute authorised by the Maharashtra State Higher and Technical Education Board; and
 - (ii) have minimum experience of five years as a Clerk-cum-Typist in the service of the Trust.

6. Personal Assistant. Appointment shall be made either,

- (a) by nomination from amongst the candidates who,-
- (i) unless already in the service of the Trust, are not less than 18 years and not more than 30 years of age;
 - (ii) possess a degree of a statutory university;
 - (ii) C.C.C. or 'O' Level or 'A' Level or 'B' Level or 'C' Level Certificate of D.O.E.A.C.C. Society; or MS-CIT Course Certificate of an Institute authorised by the Maharashtra State Higher and Technical Education Board;

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- (iv) possess a certificate of speed not less than 120 words per minute in Marathi or English shorthand and not less than 30 words per minute in Marathi typewriting or 40 words per minute in English typewriting issued by the Commissioner, Bureau of Government Examination, Directorate of Education, Maharashtra State, Pune or other Institute as may be specifically approved by the Government; and
 - (vi) have minimum experience of five years on the post of Clerk-cum-Typist.
- (b) by promotion of a suitable person from amongst the persons who,-
- (i) possess a degree of a statutory university;
 - (ii) C.C.C. or 'O' Level or 'A' Level or 'B' Level or 'C' Level Certificate of D.O.E.A.C.C. Society; or MS-CIT Course Certificate of an Institute authorised by the Maharashtra State Higher and Technical Education Board; and
 - (iii) have minimum experience of five years as a Clerk-cum-Typist in the service of the Trust. ;

- 7. Assistant Accountant.** Appointment shall be made by promotion of a suitable person from amongst the persons who,-
- (i) possess a degree in Commerce faculty of a statutory university;
 - (iii) C.C.C. or 'O' Level or 'A' Level or 'B*' Level or 'C' Level Certificate of D.O.E.A.C.C. Society; or MS-CIT Course Certificate of an Institute authorised by the Maharashtra State Higher and Technical Education Board; and
 - (iii) have minimum experience of five years of accounting work as an Accounts Clerk in the service of the Trust.

8. Public Relation Officer-cum- Librarian

- Appointment shall be made either,-
- (a) by nomination from amongst the candidates who,-
 - (i) unless already in the service of the Trust, are not less than 18 years and not more than 30 years of age;
 - (ii) possess a degree of a statutory university;
 - (iii) C.C.C. or 'O' Level or 'A' Level or 'B' Level or 'C' Level Certificate of D.O.E.A.C.C. Society; or MS-CIT Course Certificate of an Institute authorised by the Maharashtra State Higher and Technical Education Board;
 - (iv) possess Diploma in Library Science or equivalent thereto recognized by the Government; and
 - (v) have minimum experience of 5 years in similar capacity. Preference shall be given to a person who



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possess Diploma in Journalism and Public Relations or equivalent thereto.

- (b) by promotion of a suitable person from amongst the persons who,-
- (i) possess a degree of a statutory university;
 - (ii) C.C.C. or 'O' Level or 'A' Level or 'B' Level or 'C' Level Certificate of D.O.E.A.C.C. Society; or MS-CIT Course Certificate of an Institute authorised by the Maharashtra State Higher and Technical Education Board;
 - (iii) possess Diploma in Library Science or equivalent there recognized by the Government, and
 - (iv) have minimum experience of 5 years in similar capacity. Preference shall be given to a person who possess Diploma in Journalism and Public Relations/Mass Communications or equivalent thereto.

9. Clerk-cum-Typist

Appointment shall be made either,-

- (a) by nomination from amongst the candidates who,
- (i) unless already in the service of the Trust, are not less than 18 years and not more than 30 years of age;
 - (ii) possess a degree of a statutory university;
 - (iii) C.C.C. or 'O' Level or 'A' Level or 'B' Level or 'C' Level Certificate of D.O.E.A.C.C. Society; or MS-CIT Course Certificate of an Institute authorised by the Maharashtra State Higher and Technical Education Board.
 - (iv) possess a certificate of speed not less than 30 words per minute in Marathi typewriting or 40 words per minute in English typewriting issued by the Commissioner, Bureau of Government Examination, Directorate of Education, Maharashtra State, Pune or other Institute as may be specifically approved by Government.
- (b) by selection of a suitable person from amongst the persons who,-
- (i) possess a degree of a statutory university;
 - (ii) C.C.C. or 'O' Level or 'A' Level or 'B' Level or 'C' Level Certificate of D.O.E.A.C.C. Society; or MS-CIT Course Certificate of an Institute authorised by the Maharashtra State Higher and Technical Education Board;
 - (iv) possess a Certificate of speed not less than 30 words per minute in Marathi typewriting or 40 words per minute in English typewriting issued by the Commissioner, Bureau of Government Examination, Directorate of Education, Maharashtra State, Pune or other Institute as may be specifically approved by Government.

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- (v) have minimum experience of three years on a post in Group "D" in the service of the Trust.
- (c)) by promotion of a suitable person from amongst the persons who,-
- (i) have passed Higher Secondary School Certificate Examination;
 - (ii) C.C.C. or 'O' Level or 'A' Level or 'B*' Level or 'C' Level Certificate of D.O.E.A.C.C. Society; or MS-CIT Course Certificate of an Institute authorised by the Maharashtra State Higher and Technical Education Board;
 - (iii) possess a certificate of speed not less than 30 words per minute in Marathi typewriting or 40 words per minute in English typewriting issued by the Commissioner, Bureau of Government Examination, Directorate of Education, Maharashtra State, Pune or other Institute as may be specifically approved by Government; and
 - (iv) have minimum experience of five years on a post in Group "D" in the service of the Trust.

10. Receptionist cum-Telephone Operator.

- Appointment shall be made either,
- (a) by nomination from amongst the candidates who,-
- (i) unless already in the service of the Trust, are not less than 18 years and not more than 30 years of age;
 - (ii) possess a degree of a statutory university;
 - (iii) -C.C.C. or 'O' Level or 'A' Level or 'B' Level or 'C' Level Certificate of D.O.E.A.C.C. Society; or MS-CIT Course Certificate of an Institute authorised by the Maharashtra State Higher and Technical Education Board;
 - (iv) Certificate Course of Telephone Operators of an Institute recognised by Maharashtra State Higher and Technical Education Board; and
 - (v) have minimum experience of five years in similar capacity.
- (b) by selection of a suitable person from amongst the persons who,-
- (i) possess a degree of a statutory university;
 - (ii) C.C.C. or 'O' Level or 'A' Level or 'B' Level or 'C' Level Certificate of D.O.E.A.C.C. Society; or MS-CIT Course Certificate of an Institute authorised by the Maharashtra State Higher and Technical Education Board;
 - (iii) Certificate Course of Telephone Operators of an Institute recognised by Maharashtra State Higher and Technical Education Board; and
 - (iv) have minimum experience of three years on a post in Group "C" in the service of the Trust.



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11. Senior Poojari.

Appointment shall be made by promotion of a suitable person from amongst the persons who,-

- (i) have passed Higher Secondary School Certificate Examination;
- (ii) has completed and passed five years course in 'Ved Shastra' from reputed Institution; and
- (iii) have minimum experience of five years on a post Poojari in the service of the Trust. :

12. Poojari.

Appointment shall be made either,-

- (a) by nomination from amongst the candidates who,-
 - (i) unless already in the service of the Trust, are not less than 18 years and not more than 30 years of age;
 - (ii) have passed Higher Secondary School Certificate Examination;
 - (iii) has completed and passed five years course in 'Ved Shastra' from reputed Institution; and
 - (iv) have minimum experience of five years as a Poojari.
- (b) by selection of a suitable person from amongst the persons who,-
 - (i) have passed Higher Secondary School Certificate Examination;
 - (ii) has completed and passed five year course in 'Ved Shastra' from reputed Institution; and :
 - (iii) have minimum experience of five years as a Assistant Poojari in the service of the Trust.
- (c)) by promotion of a suitable person from amongst the persons who,-
 - (i) have passed Secondary School Certificate Examination;
 - (ii) has completed and passed five year course in 'Ved Shastra' from reputed Institution; and
 - (iii) have minimum experience of 5 years as a Assistant Poojari in the service of the Trust.

13. Assistant Poojari

Appointment shall be made by nomination from amongst the candidates who,-

- (i) unless already in the service of the Trust, are not less than 18 years and not more than 30 years of age;
- (ii) have passed Higher Secondary School Certificate Examination;
- (iii) has completed and passed three years course in 'Ved Shastra' from reputed Institution; and
- (iv) have minimum experience of five years as a Poojari.

14. Stenographer.

Appointment shall be made either,-

- (a) by nomination from amongst the candidates who,-
 - (i) unless already in the service of the Trust, are not less than 18 years and not more than 30 years of age;
 - (ii) possess a degree of a statutory university;

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(iii) C.C.C. or 'OQ' Level or 'A' Level or 'B' Level or 'C' Level Certificate of D.O.E.A.C.C. Society; or MS-CIT Course Certificate of an Institute authorised by the Maharashtra State Higher and Technical Education Board;

(iv) possess a Certificate of speed not less than 120 words per minute in Marathi or English shorthand and not less than 40 words per minute in Marathi typewriting or 60 words per minute in English typewriting issued by the Commissioner, Bureau of Government Examination, Directorate of Education, Maharashtra State, Pune or other Institute as may be specifically approved by Government; and -

(vi) have minimum experience of three years as a Stenographer.

(b) by promotion of a suitable person from amongst the persons who,-

(i) possess a degree of a statutory university;

(ii) C.C.C. or 'O' Level or 'A' Level or 'B' Level or 'C' Level Certificate of D.O.E.A.C.C. Society; or MS-CIT Course Certificate of an Institute authorised by the Maharashtra State Higher and Technical Education Board;

(iii) possess a Certificate of speed not less than 120 words per minute in Marathi or English shorthand and not less than 40 words per minute in Marathi typewriting or 60 words per minute in English typewriting issued by the Commissioner, Bureau of Government Examination, Directorate of Education, Maharashtra State, Pune or other Institute as may be specifically approved by Government; and

(iv) have minimum experience of five years as a Clerk-cum-Typist in the service of the Trust. :

15. Computer Operator

Appointment shall be made either,-

(a) by nomination from amongst the candidates who,-

(i) unless already in the service of the Trust, are not less than 18 years and not more than 30 years of age;

(ii) possess a degree of a statutory university;

(iii) C.C.C. or 'O' Level or 'A' Level or 'B' Level or 'C' Level Certificate of D.O.E.A.C.C. Society; or MS-CIT Course Certificate of an Institute authorised by the Maharashtra State Higher and Technical Education Board;

(iv) possess a Certificate of speed not less than 40 words per minute in Marathi typewriting or 60 words per minute in English typewriting issued by the Commissioner, Bureau of Government Examination, Directorate of Education, Maharashtra State, Pune or



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other Institute as may be specifically approved by Government; and

(v) have minimum experience of three years in similar capacity.

(b) by selection of a suitable person from amongst the persons who,-

(i) possess a degree of a statutory university;

(ii) C.C.C. or 'O' Level or 'A' Level or 'B' Level or 'C' Level Certificate of D.O.E.A.C.C. Society; or

MS-CIT Course Certificate of an Institute authorised by the Maharashtra State Higher and Technical Education Board;

(iii) possess a Certificate of speed not less than 40 words per minute in Marathi typewriting or 60 words per minute in English typewriting issued by the Commissioner, Bureau of Government Examination, Directorate of Education, Maharashtra State, Pune or other Institute as may be specifically approved by Government; and

(iv) have minimum experience of three years on a post of Clerk-cum-Typist in the service of the Trust.

(c) by promotion of a suitable person from amongst the persons who,-

(i) have passed Higher Secondary School Certificate Examination;

(ii) C.C.C. or 'O' Level or 'A' Level or 'B' Level or 'C' Level Certificate of D.O.E.A.C.C. Society; or

MS-CIT Course Certificate of an Institute authorised by the Maharashtra State Higher and Technical Education Board;

(iii) possess a Certificate of speed not less than 40 words per minute in Marathi typewriting or 60 words per minute in English typewriting issued by the Commissioner, Bureau of Government Examination, Directorate of Education, Maharashtra State, Pune or other Institute as may be specifically approved by Government; and

(iv) have minimum experience of five years on a post of Clerk-cum-Typist in the service of the Trust.

16. Electrician.

Appointment shall be made either,-

(a) by nomination from amongst the candidates who,

(i) unless already in the service of the Trust, are not less than 18 years and not more than 30 years of age;

(ii) have passed Electrician Course of Government I.T.I.; and

(iii) have minimum experience of three years as a Electrician.

(b) by promotion of a suitable person from amongst the persons who,-

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- (i) have passed Electrician Course of Government I.T.I ; and
- (ii) have minimum experience of five years as a Assistant Electrician in the service of the Trust.

17. Assistant Electrician. Appointment shall be made by nomination from amongst the candidates who,-

- (i) unless already in the service of the Trust, are not less than 18 years and not more than 30 years of age;
- (ii) have passed Electrician Course of Government I.T.I.; and
- (iii) have minimum experience of five years as a Electrician.

18. Cook

Appointment shall be made either,-

- (a) by nomination from amongst the candidates who,-
 - (i) unless already in the service of the Trust, are not less than 18 years and not more than 30 years of age;
 - (ii) have passed Secondary School Certificate Examination; and
 - (iii) have minimum experience of three years as a Cook.
- (b) by promotion of a suitable person from amongst the persons who,-
 - (i) have passed Secondary School Certificate Examination; and
 - (ii) have minimum experience of five years as a Assistant Cook in the service of the Trust.

19 Assistant Cook

Appointment shall be made by nomination from amongst the candidates who,-

- (i) unless already in the service of the Trust, are not less than 18 years and not more than 30 years of age;
- (ii) have passed Secondary School Certificate Examination; and
- (iii) have minimum experience of five years as a Cook.

20. Class 'D' Servants

Appointment shall be made by nomination from amongst the candidates who,-

- (i) unless already in the service of the Trust, are not less than 18 years and not more than 30 years of age; and
- (ii) have passed Secondary School Certificate Examination.

Executive Officer

**Shree Siddhivinayak Ganapati Temple Trust
Management Committee**

**LAW AND JUDICIARY
DEPARTMENT**

