

# **DIRECTORATE GENERAL OF SHIPPING**

## **PERSONNEL BRANCH**

### **Frequently Asked Questions (FAQs)**

#### **1. Recruitment Rules/Service Rules**

(Attachment: FAQ on Recruitment Rules vide File No. AB.14017/13/2013-Estt. (RR) (1349))

##### **1.1. What are Recruitment Rules?**

**ANS-** Recruitment Rules are rules notified under provision to Article 309 or any specific statutes for post(s) prescribing inter alia the method of recruitment and eligibility for such recruitment. It contains notification part having substantive rules and schedule part (as per prescribed Annexure-I). Recruitment Rules are subordinate legislation and so, they are statutory in nature

(Attachment: FAQ on Recruitment Rules vide File No. AB.14017/13/2013-Estt. (RR) (1349))

##### **1.2. What Are Service Rules?**

**ANS-** Service Rules are Recruitment Rules for any of the Organized Central Services covering many aspects including constitution of the Service, seniority, probation and other conditions of service.

##### **1.3. Whether Recruitment Rules are applicable retrospectively?**

**ANS.** The legal position is that the posts are to be filled up as per the eligibility conditions prescribed in the Recruitment Rules in force at the time of occurrence of vacancies unless the Recruitment Rules are amended retrospectively. The practice has however been to give effect to the Recruitment Rules prospectively.

##### **1.4. Why are Recruitment Rules framed?**

**ANS.** As soon as decision is taken to create a new post/ service post to upgrade any post or re-structure any service, the Recruitment

Rules/Service Rules are framed. Any post is filled up as per the provisions of the Recruitment Rules/Service Rules.

### **1.5. Why are Recruitment Rules amended?**

**ANS.** Revision in the Recruitment Rule is made by way of amendment to incorporate changes to implementation of Central Pay Commission Report, modification of orders/instructions on the subject, creation/abolition of posts etc. during the intervening period.

### **1.6. How Recruitment Rules are framed/amended?**

**ANS.** Recruitment Rules for Group 'A' & 'B' posts/ service are framed/amended by the administrative Ministry/Department in consultation with Department of Personnel & Training, Union Public Service Commission and Ministry of Law (Legislative Department) and approval of competent authority in the Ministry/ Department to be obtained.

**2. Seniority** (Attachment O.M. No. 20011/1/2008-Estt. (D) dated 11.11.2010)

### **2.1. From which date the various provisions of consolidated instructions on seniority applicable?**

**ANS.** Unless specifically, otherwise provided against each instruction, the said instructions are effective from the date of the relevant O.M. by which they were issued, prospectively.

### **2.2. How the seniority of all direct recruits is determined?**

**ANS.** The seniority of direct recruit is in the order of merit in which they are selected for appointment on the recommendations of UPSC or other selecting authority. The persons appointed as a result of earlier selection

being senior to those appointed on subsequent selection. O.M.No.20011/1/2008-Estt.(D) dated 11.11.2010.

**2.3. Whether the seniority of direct recruits is determined by the date of confirmation?**

**ANS.** No. The relative seniority of direct recruits that used to be determined earlier according to date of confirmation and not original order of merit (in cases where confirmation was in an order different from order of merit indicated at the time of their appointment) has been discontinued with effect from 4.11.1992. O.M. No. 20011/5/90-Estt. (D) dated 04.11.1992.

**2.4. How seniority of candidates is determined in case two results of recruitment through examination are announced for selection to same grade or post within the same year.**

**ANS.** The seniority of the candidates will be determined as per date of publication/announcement of result. The candidate of the result announced earlier shall be senior to the candidate of the result announced later.

**2.5. Is a SC/ST Government servant promoted by virtue of rule of reservation entitled to consequential seniority?**

**Ans.** Yes. A SC/ST Government servant on promotion by virtue of rule of reservation roster will be entitled for consequential seniority. (O.M. No. 22011/1/2001-Estt.(D) 21.01.2002).

**2.6. Can a General/OBC category Government servant promoted through a later DPC regain his seniority of the feeder grade on promotion to higher grade?**

**Ans.** No. A General/OBC category officer promoted through a later DPC will be placed junior to the SC/ST category Government servant

promoted through earlier DPC even though by virtue of rule of reservation. (O.M. No. 22011/1/2001-Estt.(D) 21.01.2002).

### **3. Policy of Reservation to SCs, STs and OBCs**

#### **3.1. What is the policy of the Government on reservation for SCs, STs and OBCs?**

**Ans.** Reservation to the SCs, STs and OBCs in case of direct recruitment on all India basis by open competition is given at the rate of 15%, 7.5% and 27% respectively. In case of direct recruitment on all India basis otherwise than by open competition, reservation for SCs, STs and OBCs is 16.66%, 7.5% and 25.84% respectively.

### **4. MACP**

#### **4.1. What is Modified Assured Career Progression Scheme(MACPS)?**

**Ans.** The MACP Scheme for Central Civilian Clarification Government Employees is in supersession of earlier ACP Scheme. Under the MACP Scheme three financial Up-gradations are allowed on completion of 10, 20, 30 years of regular service, counted from the direct entry grade. The MACPS envisages merely placement in the immediate next higher grade pay as given in Section I, Part -A of the first schedule of the CCS (Revised Pay) Rules 2008, in case no promotion has been earned by the employee during this period.

#### **4.2. From which date the MACPS is effective?**

**Ans.** The MACPS is effective w.e.f. 01.09.2008 or on completion of 10, 20 & 30 years of continuous regular service, whichever is later. Financial upgradation will also be admissible whenever a person has spent 10 years continuously in the same grade pay. (Para 9 of OM dated 19/5/2009).

#### **4.3. What are the norms required?**

**Ans.** The financial upgradation would be on non- 1 functional basis subject to fitness in the hierarchy of pay band and grade pay within PB1. Thereafter, only the benchmark of 'Good' would be applicable till the grade pay of Rs.6600 In PB-3. The benchmark will be 'Very Good' for Financial upgradation to the grade pay of Rs.7600 and above. However, where the Financial upgradation under the MACPS also happen to be in the promotional grade and benchmark for promotion is lower than the benchmark for granting the benefits under MACPS as mentioned in para 17 of the Scheme, the benchmark for promotion shall apply to MACP also. OM.No.35034/312008-Estt(D) dated 0111 112010

**4.4. Whether the promotions in same grade would be counted for the purpose of MACPS?**

**Ans.** The financial up-gradation under the MACPS is in the immediate next higher grade pay in the hierarchy of recommended revised pay bands and grade pay as given in CCS (Revised Pay) Rules, 2008. However, if the promotional hierarchy as per recruitment rules is such that promotions are earned in the same grade pay, then the same shall be counted for the purpose of MACPS\

**4.5. Whether adhoc appointment would be counter towards qualifying service for MACPS**

**Ans.** No. Only continuous regular service is counted towards qualifying regular service for the purpose of MACPS onwards The regular service shall commence from the date of joining of a post in direct entry grade on a regular basis. (Para 9 of the MACPS)

**5. LTC Claims(Leave Travel Allowances)**

(1. O.M No. 31011/4/2007-Estt.(A) dated 02.05.2008, 2. O.M No. 31011/4/2007-Estt. (A) dated 23.04.2010, 3. O.M No. 31011/2/2003-Estt.(A) dated 18.06.2010)

**5.1. How are the claims of LTC be adjusted in case of delayed submission?**

**Ans.** Where advance has been drawn, the claim for reimbursement shall be submitted within one month of the completion of the return journey.

Where no advance has been drawn, the expenditure incurred shall be submitted within three months of the completion of the return journey.

Administrative Ministry/Department concerned can admit the claims in relaxation of the provisions subject to the following time limits without reference to DoPT:

(a) Where no advance is taken, LTC Bill submitted within a period not exceeding six months; and

(b) Where advance has been drawn, claim for reimbursement submitted within a period of three months after the completion of return journey (provided the Govt. servant refunds the entire advance within 45 days after the completion of the return journey. Rule 14 of CCS(LTC) Rules, 1988 read with - O. M. No. 31011/5/2007-Estt.A dated 27 September, 2007

**5.2. Can a Govt. servant visit NER or J&K on more than one occasion on conversion of Hometown under the relaxation allowed for LTC visits to NER/J&K?**

**Ans.** Govt. servant who has availed the benefit of Home Town conversion to NER/J&K in one block (say 2006-2009) can again visit NER/J&K in the new/next block (say 2010- 2013) subject to availability of LTC in a particular block so long as the relaxation is in force.

1. O.M No. 31011/4/2007-Estt.(A) dated 02.05.2008
2. O.M No. 31011/4/2007-Estt. (A) dated 23.04.2010
3. O.M No. 31011/2/2003-Estt.(A) dated 18.06.2010

**6.GPF( General Provident Funds)**

Frequently asked questions by GPF Subscribers (FAQs)

**6. 1 I have not received my GPF slip. How can I get a duplicate slip ?**

This office usually sends GPF Slips to all the DDOs in Maharashtra by last week of July every year. You may contact your Administrative Officer in your DDO Office to get the GPF slip. You can also download the GPF slip from our web-site after registering with us.

**6.2Why are there Missing credits in my GPF Account though Subscription, is regularly deducted from Pay Bills ?**

This may be due to wrong GPF Account no. quoted in the GPF Schedules by your DDO. It may also be due to your transfer to another DDO / Accounting circle. Get this corrected by contacting your Administrative Officer in your DDO Office.

### **6.3 My DOB is wrongly recorded in my GPF Account Slip, how can I get it corrected ?**

You may get it corrected with your DDO in the Sevarth portal of IFMS website. AG Office will correct the Date of Birth on receipt of data log from Director of Accounts & Treasury Office automatically.

### **6.4 How can I Download my GPF slip through system ?**

You can download the GPF slip from our web-site <https://agmaha.cag.gov.in/gpfnagv1.htm>. Click on GPF Account details option. Enter details of GPF Series and Account Number. Enter captcha. Press Validate button and submit. You can download or print the GPF Slip when displayed on your screen.

### **6.5 My balance is shown incorrect in the GPF slip. How can I get it corrected ?**

You may write a letter through your DDO to this office stating the correct GPF series, Account Number and details of discrepancy.

### **6.6 When can I get my GPF Final Amount after my retirement?**

You have to fill in application for Final Payment in the prescribed form and submit it your DDO at least six month prior to your retirement. This office will authorize your GPF balance within one month after receipt of duly completed application for Final withdrawal from your DDO.

### **6.7 How GPF Final Amount paid to the dependents in the event of death of the GPF subscriber while in service?**

In the event of death of GPF subscriber, the nominee / dependent has to submit the application in Form C along with a copy of death certificate of the GPF subscriber to the DDO. This office will authorize the GPF balance within one month after receipt of duly completed application for Final withdrawal from your DDO.

**6.8 My Name / Account number is shown wrongly in the GPF slip. How can I get this corrected?**

You may write a letter through your DDO to this office stating the correct GPF series, Account Number and details of discrepancy.

**6.9 The entire Advance drawn by me has been recovered in monthly installments then why is my GPF account shows missing debit despite that?**

The GPF amount recovered from your pay bill on account of refund of GPF advance has been subsequently credited to your GPF account only. However, the Debit against the advance drawn was not accounted for in your ledger. You are requested to furnish the details of Treasury, Month of Advance, Treasury Voucher Number and Treasury Voucher date to trace and correct your ledger to avoid complications in processing your Final payment case after retirement.

**6.10 Why Department is being asked for details of Missing debit when my entire advance has been recovered?**

The GPF amount recovered from subscribers pay bill on account of refund of GPF advance has been subsequently credited to subscribers GPF account only. However, the Debit against the advance drawn was not accounted for in his / her ledger. Hence DDO is requested to furnish the details of Treasury, Month of Advance, Treasury Voucher Number and Treasury Voucher date to trace and correct subscriber's ledger to avoid complications in processing his/her Final payment case after retirement.

**7. Rules Against Sexual Harassment at Workplace**

**7.1. Rule for prohibition of sexual harassment of working woman?**



**ANS-** According to the Rule 3-C of CCS (Conduct) Rules, 1964 prohibition sexual harassment of any woman at her workplace is being adhered at the Directorate General of Shipping.

(attachment link: CCS Rules)

## **7.2. What are the specific provisions of the Rule?**

**ANS-**

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

(2) Every Government servant who is incharge of a workplace shall take appropriate steps to prevent sexual harassment to any woman at such workplace. Explanation.- For the purpose of this Rule, 'sexual harassment' includes such unwelcomed sexually determined behaviour whether directly or otherwise, as —

(a) physical contact and advances;

(b) demand or request for sexual favours ;

(c) sexually coloured remarks;

(d) showing any pornography; or

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

## **7.3. What are the guidelines and norms to be maintained to prevent and deal with cases of sexual harassment in working place?**

**ANS-** The Hon'ble Supreme Court has laid down guidelines and norms in this matter in the case of Vishakha & Ors. Vs. State of Rajasthan & Ors. (Jt. 1997(7) SC 384). These guidelines and norms to be observed to prevent sexual harassment of working woman have been circulated to all Ministries and Departments vide DOPT's O.M. No. 11013/10/1997-Estt.A dated 13.2.1998. A copy of these guidelines are available on the website on the Ministry at [www.persmin.nic.in](http://www.persmin.nic.in) . As per above guidelines, there should be a Complaints Committee, a special Counsellor or other support service including maintenance of confidentiality. (DOPT's O.M. dated 21.7.2009 and 7.8.2009).

## **7.4. Composition of Complaints Committee.**

**ANS-** The Complaints Committee should be headed by a woman and not less than half of its Members should be women. Further, to prevent the possibility of any undue pressure or influence from senior levels, such Complaints Committee should involve a third party, either NGO or other body who is familiar with the issue of sexual harassment. (enclosure of DOPT's O.M. dated 13th Feb., 1998).

## **ALLOWANCES**

### **8.1. Whether reimbursement of Children Education Allowance is admissible for the.**

8.1.a Nursery/LKG/UKG as there is no provision of recognition of these classes in most of the States/UTs;

Ans Reimbursement is permissible only if the child is studying in a recognised educational institution

8.1.b Third child if either of the first two children is disabled to the extent that he/she cannot go to school

Ans Reimbursement is allowed to only the two eldest surviving children of the Government servant except when the 2 nd child birth results in multiple births or the 3rd child is born due to failure of sterilization operation.

8.1.c The children borne out of second marriage or the children of second wife/husband in additions to children from first marriage;

Ans Reimbursement is allowed to only the two eldest surviving children of the Government servant.\

8.1.d Entitlement of number of Note Books.

Ans Reimbursement is permissible for any number of note books as may be prescribed by the recognised educational institution.

### **8.2. Honorarium Fee**

8.2.a Whether honorarium is payable to the Chairperson/Members of the DPC and also such other Departmental Committees, viz., Committee on Sexual Harassments at work place, etc.?

Ans In terms of the provisions of FR 46 (b), the Central Government may grant or permit a Government servant to receive an honorarium as

remuneration for work performed which is occasional or intermittent in character and either so laborious or of such special merit as to justify a special reward. Except when special reasons, which should be recorded in writing, exist for a departure from this provision, sanction to the grant or acceptance of an honorarium should not be given unless the work has been undertaken with the prior consent of the Central Government and its account has been settled in advance. Guidelines for payment of Honorarium under FR 46 (b) have already been laid down inter alia vide this Department's OM No. 17011/9/85- Estt. (AL), dated 23.12.1985 and OM No. 17020/1/91- Estt. (AL), dated 18.11 .1991. It has also been clarified that no honorarium should be granted for temporary increases in work.

8.2.b Whether retention of "Fee" for delivering lectures in Government/private bodies is permissible?

Ans As per para 6 of DoP&T's O.M. No. I 6013/1/79-Estt.(AL) dated 11'h February, 1980, payments received by Government servants as income from books, articles, papers and lectures on literary, cultural, artistic, technological and scientific subjects including management sciences; will not be subject to crediting one-third of the amount to the general revenues.

### **3. Establishment (Leave) Section**

8.3.a Whether male Government servant, who is single parent, can be allowed Child Care Leave?

Ans No. CCL can be granted to female employees only.

8.3.b Whether Bond on Study Leave can be transferred from Central Government to State Government?

Ans No. Bond executed by the Government servant while proceeding on study leave cannot be transferred on his/her appointment in State Government/PSU/Autonomous bodies

8.3.c What is the limit of leave encashment while availing LTC by dependents or spouse within the same block year?

Ans The Government Servants governed by the CSS (Leave) Rules, 1972 and entitled to avail LTC may en-cash earned leave up to 10 days at the time of availing both types of LTCs., i.e., 'Hometown' and 'Anywhere in India'. However, when the one and the same LTC is being availed of by the Government Servant and his family members separately in a block year, encashment of leave would be restricted to one occasion only.