

AAI GRATUITY REGULATIONS 2003



34 T}-E GAZETTE OF : EXTRAORDINARY [PART III—SEC. 4) (iv) in tie case of a female, she has been on maternity leave, so, however, that the total period of such maternity leave doe not exceed 12 weeks. (j) "Employee" means a whde ume empybee of the Authority but does not include — (i) casual and non-regular employees; government. servane and other persons employed on deputation terms; (iii) employee on contract basis; apprentice and trainee; and (v) re-employed persons, Family' means :- (iii) (vii) (viii) (ix) wife, in case of a male employee; husband, in the case of a female employee; sons; unmarried and widowed daughters including step children and adopted children; brothers bebw the age of 18 years and unmarried and widowed sisters including step brother and sup sisters; father; mther; married daughters; children of pre-deceased son; and wife of pre-deceased son. (I)'Fonn- means Forns appended to these regulations; (m)'Fund" means the AirporG Authority of India Employee? Gratuity Fund; (n) "pay- means all which are earned by an employee while on duty or on leave in accordance with tie terms and conditions of his employment and which are or are payable to him in cash and include dearnes allowance but does not include any bonus, commision, house rent allowance, overime wages and any other albwanee;

(2) "Wads and uprssions used and not defined in these regulations but defined in the Act shall have tie same rtEaning repectively assigned them in the Act. Eligibility and Scale of Gratuity. — (1) Gratuity shall be payable to an employee on 3. be of his employment after he has rendered contnuous service for not less than 5 years:- on his superannuation, or on his resignation, retirement including voluntary retirement or termination of service or on his death or disablement due to accident or disease: (iii) Provided that the completion of continuous service of 5 years shall not be necessary where tie termination of the employrnt of any employee is due to death or disablement. (2) Whee an employee is transferred from one Public Sector Enterprise to the Authority or where an employee on to one Public Sector Enterprise from Authority, then the payment of Gratuity shall be paid as per the Schedule. Whenever such transfer take place from another Public Se&r Enterprise to Authority or from Authority to a Public Sector Enterprise, the Authority shall uecute an agreement with the Public Sector Enterprise concerned before receiving gratuity from that Public Sector Enterprise or before transferring gratuity to another Public Sector Enterprise. (3) anything contained in thõe regulations, - The gratuity of an employee, whose services have been terminated for any proven act of willful omission or negligence causing any damage or Voss-to, or detruction of property belonging to the Authority, shall be forfeited to the extent of the damage or bss so caused. fiprm--«tZ4] (4) Tegratutty payaUe to an employee shall be wholly or party forfeited: tf be sevics of such employee have been terminated for his riotous or diso&ty or any other act of violence on his part, or (b) if sevics such employee have been terminated for any proven act which an invoMng moral turpitude; bat such offence is •committed by him in the course of his (5) In ase an e•npbyee agairst whom a disciplinary proceeding has been initiated while empybee wæ in service whether before his or during his re-employment, Disciplinary may withhold paynmt of gratuity or patt thereof during the pending of tie dGdplinary for ordering recovery from gratuity of the whole or part of any pecuniary bs caused be under sub-regulabon (2) of 32 of the Airports Authority of Employee [Cotüct, DScWine and Appeal] regulatbns, 2003. 35 4. Benefit - Amunt of Gratuity shall be :- (a) equal to 15 days Pay last drawn by the employee concerned for every completed year seric or part in exces of six nmths subject to a rmaximum of The 15 days Pay shall be calculated by dividing the monthly rate of Pay drawn by him by twenty six (26) and multiplying the quotient by fifteen. (b) In ase deatl an employee while in service, amunt of gratuity shall be admissible on the sale calculated as under: - U Period service 1 ear More than 1 ear but u 5 ears More than 5 eats butu 20 ears teloce than 20 yers Amount of Gratui 2 months' Pa 6 mnths' Pa 12 months' Pa Half a month's Pay for completed half year of qualifying service subject to maximum of 33 tjtTE Pay provided the amount of gratuity shall in no case exceed Rs.3 50 000 5. Naninüns. - tl) Every enwoyee shall make a nomination in Form A or Form B, as be case may be, witlin stch as may be spedfied by the Competent Authority, conferring on one oc more persons of he family the right to reæve the gratuity in the event of his/her death while in sevice or quimng ervice but béore payment of the gratuity is made indicating the share made to menbz. Provided EWTinatjon in Form 'A' shall be accepted by the competent authority after the spedfied perbd if empybee shows reasonable grounds for delay and no nominaäon shall be invaw bæause it yas filled after M'e period. (2) (i) In case an employee having no family, the nomination may be made in favour of a pzsa•t Fons or a body of persons, corporate or incorporate; In tie ev•emt tiere being no nomination, the gratuity on death may be pid in the nunnz indicated bdow: if thæe are one or survMng members of the family specified in sub clause (i) (iv) clause (k) of sub-regulatbn (1) of regulaton 2, it may

be paid to all such members other than a widowed daughter in equal share; and GAZETTED IN :
EXTRAORDINARY [PART III—SEC. 41 (ii) if there are no such surviving members of the family of the
categories specified in clause (k), but there are one or surviving widowed daughters and/or one or more
members of the family as specified in Sub-clauses (v) to (x) of clause (k) of sub-regulation (1) of
regulation 2, the gratuity may be paid to all such members in equal shares; (4) Within 30 days of receipt of
nomination in Form A, the Competent Authority shall get the particulars of the employee as
mentioned in the said



form verified with reference to the records of and return to the employee, after obtaining receipt thereof on the duplicate copy of the nomination in Form A duly attested by an officer authorized in this behalf by him as a token of record of the nomination by the competent authority and the other copy of the nomination shall be recorded; (5) An employee may in his nomination distribute the amount of gratuity payable to him among more than one nominee. If an employee has family at the time of making nomination, the nomination shall be made in favour of one or more members of his family and any nomination made by an employee, who is member of his family, shall be valid. (7) If at the time of making a nomination, the employee has no family, the nomination may be made in favour of any person or persons, but if the employee subsequently acquires a family, such nomination shall forthwith become invalid and the employee shall submit within 90 days of family a fresh nomination in favour of one or more members of family, in duplicate in Form B to the Competent Authority and thereafter the provisions of regulation 3 shall apply, mutatis mutandis, as if it was made under sub-regulation (1). (8) A nomination made subject to the provisions of sub-regulation, (5) and (6) may be modified by an employee at any time after giving to the Competent Authority a written notice in Form C and thereafter the provisions of sub-regulation (4) shall apply, mutatis mutandis as if it was made in Sub-Regulation (1) of Regulation 5. If a nominee predeceases the employee, the interest of the nominee shall revert to the employee who shall make a fresh nomination in respect of such interests in Form 'C'. (10) Every nomination, fresh nomination or modification in nomination, as the case may be, be sent by the employee to the Competent Authority, who shall keep the same in his safe (ii) A nomination or a fresh nomination or a modification of a nomination shall be signed by the employee or if he is illiterate shall bear his thumb impression in the presence of two witnesses who shall also sign a declaration to that effect in the nomination, fresh nomination or modification of nomination as the case may be. (12) A nomination, fresh nomination or notice of modification of nomination shall take effect from the date of receipt by the Competent Authority

6. Application for Gratuity. (1) Every employee who is eligible for payment of gratuity under these regulations or any person authorized in writing to act on his behalf shall apply to the Competent Authority in Form 'D' within 30 days from the date on which gratuity became payable: Provided that where the date of superannuation or retirement of an employee is known, employee may apply to the Competent Authority 30 days before the date of such superannuation or retirement. (2) A nominee of an employee who is eligible for payment of gratuity under these regulations shall apply in Form 'E' within 30 days from the date on which the gratuity became payable to him, to the Competent Authority, but an application on paper with relevant particulars shall also be accepted and the Competent Authority may obtain such other particulars as may be deemed necessary by him. (3) A legal heir of an employee who dies before the date of gratuity under these regulations shall apply within one year from the date the gratuity payable to him in Form 'F' to the Competent Authority. (4) An application for payment of gratuity filed after the expiry of the periods specified in this regulation shall also be entertained by the Competent Authority if the applicant shows sufficient cause for the delay in his claim and no claim for gratuity under these regulations shall be invalid merely because the claimant failed to present an application within the specified period. 7. For payment of Gratuity. - Within fifteen days of the receipt of an application under 6 of these regulations, the Competent Authority shall: (a) if the claim is found admissible on verification, issue a notice in Form 'G' to the employee, nominee or legal heir, as the case may be, specifying the amount of gratuity payable and fixing a date not being later than the thirtieth day, after the date of receipt of the application, for payment thereof, or if the claim for gratuity is not found admissible, issue a notice in Form 'H' to the applicant, nominee or legal heir, as the case may be, specifying the reasons therefor.

8. Mode of payment of Gratuity.— The gratuity payable under these regulations shall be by cheque if so ordered by the payee, by Demand Draft drawn in favour of the eligible employee, nominee or legal heir, as the case may be. Provided that in case the eligible employee, nominee or legal heir, as the case may be, so orders, and the amount of gratuity is less than Rs.1,000/-, payment may be made by Order.

9. Protection of Gratuity. - No gratuity payable under these regulations shall be liable to attachment in execution of any decree or order of any civil, revenue or criminal court. 10. Other conditions for payment of Gratuity. The conditions for payment of gratuity to an employee in respect of which no provision is made under these regulations shall be the same as may be for the time being applicable to other employees under the Payment of Gratuity Act, 1972 (39 of 1972). S. K. NARULA, Chairman [ADVT-3/4/Ordinary/158/03] (4) An application for payment of gratuity filed after the expiry of the periods specified in this regulation shall also be entertained by the Competent Authority if the applicant shows sufficient cause for the

delay in presenting his claim and no claim for gratuity under these regulations shall be in valour. If the employee has failed to present application within the specified period, for payment of Gratuity, - Within fifteen days of the receipt of an application for gratuity, Competent Authority shall: (a) if the claim found admissible on verification, issue a notice in Form 'G' to the employee, nominee or legal heir, as the case may be, specifying the amount of gratuity and fixing a date not being later than the thirtieth day, after the date of receipt of the application, for payment thereof, or 37 (2) A running employee who is eligible for payment of gratuity under these regulations shall apply in Form 'E' within 30 days from the date on which the gratuity becomes payable to him, to the Competent Authority. Provided that an application on paper with relevant particulars shall also be accepted and the Competent Authority may obtain such other particulars as may be deemed necessary by him. i. 2. 3. 4. 5. 6. 7

8. Name of the Employee in Full Sex Religion Whether unmarried/married/widow/widower where held with Ticket No. or Serial if any. Date of appointment Permanent Address Village: Sub-division: District: Date: Thana: Post Office: State: Signature Thumb impression of the employee Certificate by the Authority Certified that the particulars of the above nomination have been verified and recorded in the establishment. Reference No. if any Signature of the Officer Authorised Designation Name and Address of the Officer Acknowledgement by the Employee Received the duplicate copy of Statement to Form A' filed by me duly certified by the Date: Signature of the Employee NOTE: - Strike the words and paragraphs not applicable. Shri / Name in full here] and the particulars are given in the Statement below have acquired a family within the meaning in clause (1) of regulation 2 of Airports Authority of India [Gratuity] Regulations 2003 with effect from (date here) in the manner indicated below and therefore nominate the person(s) below afresh to receive the gratuity payable after my death as also the gratuity standing to my credit in the event of my death before that amount has become payable or having become payable has not been paid and direct that the said amount of gratuity shall be in proportion indicated against the name(s) of the nominee(s)

2. I hereby certify that the person(s) mentioned is/are member(s) of my family within the meaning clause (l) of regulation 2 of the said Regulations, 2003. (Here give details as to how a

family was i.e. whether by marriage or parentage dependent or through other or adoption]

Signature and thumb impression of the employee Declaration by witness Notarisation signed/thumb impression before me. In full and of witnesses. Signature of Certificate by the Authority that the particulars of the above nomination have been verified and recorded in the establishment. Reference No. If any Date; Signature of Officer Authorised Designation Name and Address of the Officer Acknowledgement by the Employee the duplicate copy of Nomination in Form B' filed by me duly certified by the Authority. Date: Signature of the Employee NOTE: - Strike out the word and paragraphs not applicable. To OFNDIA : EXTRAORDINARY



FORM — C [See Regulation 5 (9)] NOTICE FOR MODIFICATION OF NOMINATION I,
 Shri/Shrimaã/Kumari [PART III---SEé. 41 [Name in full here] whose particulars are given in the
 nominations filed by me on reference no. the following manner: dated bebw hereby give notic that [Date]
 recorded under your shall send rmdified in i; [Here give d&ils of the modificaaõn intended] 2. 3, 41 5. 6. 7,
 8. Name of the Employee in Full' Sex Religion Whether unmarried/married/widow/widower
 Department/Branch/Section where employed Post held with Ticket No. or Serial No. if any. Date of
 appointment hiddress in full MFI III—uvz 4 J Place: Signature/Thumb Impresion of the employe
 De:laration by witn— Mcdlficabon nomination signed/thumb Impresed before Name in full and full addres
 ct witnss,e SignaWre WibES the or GAZEI*IE OF NDIA : EXIRAORDNARY Certificate by the
 Authority that the above nidifications have been recorded. - Refererwe No. if any Date: Signature of the
 Officer Authorised Designation Name and Address of the Officer Acknowledgement by the Employee
 [PART III—SEC. 41 Received the duplicate oopy of the notice for modification in Form C' filed by me
 duly oedied by tte Authority. Date: NOTE: - Signature of the Employee Strike out the words and paragraphs
 not applicable. 47 FORM [See RegulaUon 6 APPLICATION FOR PAYMENT OF GRATUITY BY AN
 EMPLOYEE .5 ü9\C.. Sir, I pynent of my gratuity to which I am entided under sub-regulation (1) Airpot#
 Authority of India [Gratuity] Regulations, 2003 on account of my supeannuation /rüz•ænt/ræignaõn after
 completion of not Iss than five years of conänws due to accident/total disablement due to disease with
 effect frm tte appointme•tt in Authority. My parâculars are given below: i. 2. 3. 4. 5. 6. 7. 8

9. Name in full Edr—in full / Branch / Section where last errWoyed held with employee Identification
 Number Date of Appoinbment Date and cause of Tobl perbd of service terminatbn of 2. Amunt of wage
 drawn Amount of gratuity dairned I was tobllly disabled as a result of [here give the debib of the nature of
 disese or accident]. The evidences/witnesses in support of my total disabkment are as fdbws: [Give debils]
 GAZETIEÓOVt\$biÄiÄTRAORDINARY-. Payn*nt may please made in As the amount of gratuity payable
 is Is than rupes one thousand, I would "to arrange for payrent Of the sum dLk to by rmney be addr
 rrendon«j after Order cornmission thergra•n. Yours faithfully, 9tiaturéÅhurrG iBSNOTE:iStrike out the
 and paragraph(s) nCt applicaNe. 49 3. 4. 7. 8. srATEMENT t NanE ETTWoy•æ in Full Religkn Wtuæüler
 unmarriedlnurriedlwidow/widower where wm etnployee idenüficatbn Date or appointnent Permanent
 Village; Thana.' Pect Office•; State: Signatureffhumb impression of tie employee Dælaradon by witnæs ?
 fig ' *Ed/tu.urb impcæd RE. NartEin full and fuu address witnesses, Date; Signature of Witness Rxeived
 duplicate copy of Application for payment of Gratuity Sin Form and Suter-ent filed me duly cttfied by the
 Authority. Signature of the Employe OTE: - SMIæ out tie word(s) and paragraph(s) not applicable. —
 Ceified tlat tie particulars of tie Sbternent above for payment of gratuity have been and recorded in tie
 ebblishment. Referere t•b. tf any Dae: Signature of the Officer Authorised Deignation Name and Address
 of Officer Acknowledgenent by the Employee Sir, I hereby apply for payment of gratuity which I am
 entitled under second pro.60 to sub-regulation (1) of Regulaåon 3 of the Airpot# Authority of India
 [GratuiW] Regulations, 2003 as a nominee of late employee of the establishment and who died on (Narre
 of tie employee) who w an . The gratuity payable on account of the death of tte aforsaid emftyee while is
 sevix/superannuation of the aforesaid employee on •employee on retirement or rsignatbn of the aforesaid
 after completion of years of service/ total disablement the afor&d urnpbyee due to accßent or dSese while
 in service with effect from the my claim are given below: . Necessary partculars in relation to 1. 2. 3. 4. 5.
 6. 7. 8. 9. 10

**11. Name of applicant/nominee Address in full of the applicant/nominee Marital status of the
 applicant/nominee [Unmarried/married/widow/widower] Name in full of the employee Marital
 status of the employee Relationship of the nominee with the employee Total period of service of the
 employee Date of appointment of the employee Date and cause of termination of service of the
 employee Department/Branch/Section where the employee last worked Post last held by the
 employee with employee 111 To FORM 'E' [See Regulation 6(2)] APPLICATION FOR PAYMENT
 OF GRATUITY BY A NOMINEE n-IE GAZETIE OF : EXIRAORDNARY Identtficatbn Number
 124 drawn 13.&ath aod A'idd'Ee/wib'E5 as proof of the deatt ct be employee 14, Reference No. of
 recoded nomination, if available 15. Total gratuity payable the employee 16. of gratuity dairned [PART
 III—SEC. 41 I cb:iatethat tre above are true and correct to the bet of my z 3. Parma* nuy cheque. As be
 amount pyable is Is ban rupee one thousand, I would requæt you to arrange 4. *ynmt of be sum dik to by
 mney order at the addrss mentioned abwe after deduacq poül money order &zgrom. Yours faibfully, -**

1. I, the undersigned, being a nominee of the applicant, hereby declare that I am a legal heir of the employee who died on the [Name of the employee] who was an employee of your establishment and who died on the [Name of the employee] who was an employee of your establishment and who died on the [Name of the employee] who was an employee of your establishment. The gratuity is payable on account of the death of the aforesaid employee while in service/superannuation of the aforesaid employee on the retirement or resignation of the aforesaid employee on the after completion of years of service/ term of the aforesaid employee due to accident or disease while in service with effect from the date of death of the aforesaid employee. Necessary particulars in relation to my claim are given below: 1. 2. 3. 4. 5. 6. 7. 8. 9. of applicant/legal heir. Address in full of the applicant. Marital status of the applicant legal heir [Unmarried/married/widow/widower]. Name in full of the employee. Relationship of the applicant with the employee. Religion of both the applicant and the employee. Date of appointment and total period of service of the employee. Department/Branch/Section where the employee worked last. Post last held by the employee with employee Identification Number. 10. 11. 12. 13. 14.

2. Total wages last drawn by the employee Date of death of the employee and evidence/witness in support thereof Total gratuity payable to the employee Percentage of the gratuity claimed Basis of the claim and evidence/witness in support thereof I declare that the particulars mentioned above are true and correct to the best of my knowledge and belief.

4. Payment may please be made in cash/crossed cheque. As the amount payable is less than rupee one thousand, I shall request you to arrange for payment of the sum due to me by postal money order at the address mentioned above after deducting postal order commission therefrom. Yours faithfully, [Signature of the applicant/legal heir] Place: Date: Declaration by witness Nomination signed/thumb impressed before me. 1. 2. 3. 4.

5. Total period of service of the employee concerned years months Wages last drawn [Proportion of the admissible gratuity payable in terms of nomination / as a legal heir Amount payable To Sir, 57 FORM 'G' [See Regulation 7(a)] NOTICE OF PAYMENT OF GRATUITY You are hereby informed as required under sub-regulation (a) of regulation 7 of the Airports Authority of India [Gratuity] (Rupee as gratuity / as your share as legal heir of an employee of this 2. Please call at [date] at 2003 that a sum of Rs. Regulations, only) as payable to gratuity in terms of nomination made by and recorded in this of establishment. [here specify Place] on for collecting your payment in cash / open or crossed cheque

3. Amount payable shall be sent to you by postal money order at the address given in your application [after deducting the postal money order commission] as directed by you. BRIEF STATEMENT OF CALCULATION Total period of service of the employee concerned 1

2. Sir, You are hereby informed as required under sub-regulation (a) of regulation 7 of the Airports Authority of India [Gratuity] (Rupee as gratuity / as your share as legal heir 2003 that a sum of Rs. Regulations, only) as payable to gratuity in terms of nomination made by and recorded in this of Sir, You are hereby informed as required under sub-regulation (b) of regulation 7 of the Airports Authority of India [Gratuity] Regulations, 2003 that your claim for payment of gratuity as indicated on your application is not admissible for the reasons stated below. SLC 41 To THE GAZETTE OF : EXTRAORDINARY FORM 'H' [See Regulation 7 NOTICE REJECTING CLAIM FOR PAYMENT OF GRATUITY [Name and address of the applicant employee/nominee/legal heir] R In 32 Service in new Organisation 3 1 1 2 3 Service in previous organisation provided the gratuity is transferred in new organisation in terms mutual agreement 2 Less than 5 years Less than 5 years Less than 5 years Total Service (2+3) 4 If resigns and gratuity Is not transferable to the employee's future organisation 5 If resigns and gratuity Is transferable to the employee's future organisation in terms of a mutual agreement 6 7 Less than Less than 5 No payment Will be made to the employee Gratuity will be transferred to the employee No payment Will be made to the employee The actual amount 5 years years received from the previous basis of last salary drawn in received from the organisation will be returned back to Authority for

the total period of organisation will be returned back service done in the previous to them them organisation and Authority i More than No paynpt Will be made to the Gratuity Will be transferred to the 5 years employee The actual amount new organisation calculated on the received from the previous basis of last salary drawn in organisation Will be returned back to Authority for the total period of them. service done in the previous organisation and Authority 5 Years or more than Gratuity will be paid to the employee Gratuity will be transferred to the more 5 years the total period of service done in new organisation calculated on the the previous organisation and in basis of last salary drawn in Authority, calculated on the basis of Authority for the total period of last salary drawn in Authority. service done in the previous organisation and Authority. 4 15 Years or more Less than More than If the employee was entitled to Gratuity will be transferred to the Gratuity will be paid for the total 5 years gratuity in his previous organisation new organisation calculated on the period of service done in the organisation and for the length of service put in basis of last salary drawn in previous previous organisation, he will be Authority for the total period of Authority calculated on the basis paid only the amount received on service done in the previous of last salary drawn in Authority transfer. otherwise no gratuity shall organisation and Authority. be paid to him and the amount received on transfer Will be refunded back to the previous organisation.

