

FINANCE DEPARTMENT

HARYANA CIVIL SERVICES (PAY) RULES, 2016

(Amendments incorporated upto 26th February, 2018)

FIXATION OF PAY ON FIRST OR SUBSEQUENT APPOINTMENT,
FIXATION /RE-FIXATION OF PAY ON PROMOTION, OPTION
FOR FIXATION OF PAY ON PROMOTION, FIXATION OF PAY ON
REVERSION, FIXATION OF PAY ON MODIFICATION OF
PAY STRUCTURE, INCREMENT, PUNISHMENT OF
WITHHOLDING OF INCREMENT OR REDUCTION
TO LOWER PAY, NEXT BELOW RULE, FIXATION
OF PAY ON RE-EMPLOYMENT AFTER
RETIREMENT, STEPPING UP OF PAY
OF SENIOR GOVERNMENT EMPLOYEE,
FIXATION OF PAY OF JUDICIAL
OFFICERS, MISCELLANEOUS



HARYANA CIVIL SERVICES (PAY) RULES, 2016

(Amendments incorporated upto 26th February, 2018)

(DEFINITIONS, FIXATION OF PAY ON FIRST OR SUBSEQUENT APPOINTMENT, FIXATION/REFIXATION OF PAY ON PROMOTION, FIXATION OF PAY ON REVERSION, FIXATION OF PAY ON MODIFICATION OF PAY STRUCTURE, INCREMENT, PUNISHMENT OF WITHHOLDING OF INCREMENT OR REDUCTION TO LOWER PAY, NEXT BELOW RULE, FIXATION OF PAY ON RE-EMPLOYMENT AFTER RETIREMENT, STEPPING UP OF PAY OF SENIOR GOVERNMENT EMPLOYEE, FIXATION OF PAY OF JUDICIAL OFFICERS, ETC.).

Preface of

1st Edition

Article 309 of the Constitution of India provides that subject to the provisions of the Constitution, Acts of appropriate Legislature may regulate the recruitment and conditions of service of persons appointed to public services and posts in connection with the affairs of the State, and, until a provision in that behalf is made by or under an "Act" of the appropriate Legislature, such rules may be framed by the Governor of the State.

- 2. All the three Volumes of Punjab Civil Services Rules, to regulate the terms and conditions of services of the employees of State of Haryana, which were in existence since reorganization of Haryana State, i.e. 1st November, 1966 have been revised by the Governor of Haryana in exercise of the powers conferred by the proviso to Article 309 of the Constitution of India in the following nine set of rules w.e.f. 19.07.2016, namely:-
 - 1. Haryana Civil Services (General) Rules, 2016
 - 2. Haryana Civil Services (Pay) Rules, 2016
 - 3. Haryana Civil Services (Travelling Allowance) Rules, 2016
 - 4. Haryana Civil Services (Allowances to Govt. Employees) Rules, 2016
 - 5. Haryana Civil Services (Leave) Rules, 2016
 - 6. Haryana Civil Services (General Provident Fund) Rules, 2016
 - 7. Haryana Civil Services (Pension) Rules, 2016
 - 8. Haryana Civil Services (Conduct of Government Employees) Rules, 2016
 - 9. Haryana Civil Services (Punishment & Appeal) Rules, 2016
- 3. The book in hand is the Haryana Civil Services (Pay) Rules, 2016, which contains rules pertaining to fixation of pay on first or subsequent appointment, fixation/refixation of pay on promotion, reversion, modification of pay structure, increment, punishment of withholding of increment or reduction to lower pay, next below rule, fixation of pay on re-employment after retirement, stepping up of pay of senior government employee, fixation of pay of judicial officers, etc.
- 4. I am thankful to Shri Raj Pal Nasa, HSS-I, HSAS (now retired) and members of his team who made sincere efforts in drafting of the Haryana Civil Services Rules incorporating all the instructions/policy decisions taken from time to time pertaining to these rules.
- 5. It is a priced publication and can be purchased from the Printing & Stationery Department, Haryana. The soft copy, in PDF searchable form, of these rules, both in Hindi and

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English languages, is available on the website of Finance Department namely www.finhry.gov.in.

6. If any error or omission is found in these rules the same may please be brought to the notice of Finance Department, Haryana Civil Secretariat, Chandigarh so that the same can be corrected.

Dated: 22nd March, 2018

T. V. S.N. Prasad Principal Secretary to Government, Haryana, Finance Department.

PREFACE

Article 309 of the Constitution of India provides that subject to the provisions of the Constitution, Acts of appropriate Legislature may regulate the recruitment, and conditions of service of persons appointed to public services and posts in connection with the affairs of the State, and, until a provision in that behalf is made by or under an "Act" of the appropriate Legislature, such rules may be framed by the Governor of the State.

- Earlier, at the time of framing three Volumes of Punjab Civil Services Rules, the desirability of framing the "Act" was examined by the then Punjab Government in consultation with the Government of India and it was observed that from the promulgation of the Constitution, various sets of rules were framed and revised under the proviso to Article 309 and brought into conformity with the Constitution. Since the said proviso empowers the President and the Governor to make rules in the case of services and posts in connection with the affairs of the Union and of the State respectively, it was not considered necessary to enact the Act, referred to above.
- 3. The matter regarding re-writing of all the three Volumes of Punjab Civil Services Rules has been under active consideration of Haryana Government for last many years. The Governor of Haryana in exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, has been pleased to approve the following seven rules books of Haryana Civil Services Rules to regulate the terms and conditions of services of the employees of State of Haryana:-
 - 1. Haryana Civil Services (General) Rules, 2016
 - 2. Haryana Civil Services (Pay) Rules, 2016
 - 3. Haryana Civil Services (Travelling Allowance) Rules, 2016
 - 4. Haryana Civil Services (Allowances to Govt. Employees) Rules, 2016
 - 5. Haryana Civil Services (Leave) Rules, 2016
 - 6. Haryana Civil Services (General Provident Fund) Rules, 2016
 - 7. Haryana Civil Services (Pension) Rules, 2016
- 4. Haryana Civil Services (Govt. Employees' Conduct) Rules, 2016, Haryana Civil Services (Punishment & Appeal) Rules, 2016 and Haryana Civil Services (Compassionate Financial Assistance) Rules, 2016 are being notified separately by the General Administration Department.

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5. Main features of these Rules are as under :-

(1) All the instructions/policy decisions taken by Haryana Government

upto December, 2015 have been incorporated and

redundant/obsolete rules or portion thereof have been deleted.

(2) The language of these rules is easy to understand and catchword

titles have been provided to make the reading user friendly.

(3) New terms created from time to time since 1953 have been defined.

Terms common for more than one rules books have been compiled at

one place.

6. The soft copy both in Hindi and English language has also been made

available on the website of Finance Department namely www.finhry.gov.in. The hard

copy of English language would also be made available in near future for sale in the

sale depots of Printing & Stationery Department, Haryana.

7. If any error or omission is found in these rules the same may please be

brought to the notice of Finance Department, Haryana Civil Secretariat, Chandigarh so

that the same can be corrected.

Dated: 19 July, 2016 Sanjeev Kaushal

Additional Chief Secretary to Government, Haryana,

Finance Department.

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Haryana Civil Services (Pay) Rules, 2016¹

In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Haryana hereby makes the following rules regulating fixation of pay of Government employees of the State of Haryana:-

Chapter - I

Preliminary

1. Short title and commencement.—

- (1) These rules may be called the Haryana Civil Services (Pay) Rules, 2016.
- (2) These rules shall be deemed to have come into force with effect from the 1st January, 2016.]²

2. Extent of application.—

Except as otherwise provided, these rules shall apply to all Government employees but shall not apply to—

- (i) members of the All India Services;
- (ii) employees serving in a department under Haryana Government on deputation from Centre or any other State Government or any other source, for a limited duration.
- Note 1.— The Speaker of the Legislative Assembly has agreed under clause (3) article 187 of the Constitution that until a law is made by the Legislature of the State under clause (2) of article 187 of the Constitution or rules are framed by the Governor in consultation with the Speaker of the Legislative Assembly under clause (3) of article 187 of the Constitution of India, these rules and amendments thereof, if any, after prior consent of the Speaker, shall apply to the secretarial staff of the Haryana Legislative Assembly.
- **Note 2.—** The Chairman, Haryana Public Service Commission, has agreed to the application of these rules as amended from time to time, in the case of officers and employees of the Haryana Public Service Commission.

Notified vide Notification No. 1/13/2016-1PR(FD)/22489, Dated 19th July, 2016 and printed in HARYANA GOVT. GAZ., of SEPT. 20, 2016.

Substituted vide Notification No.1/13/2016-1PR(FD), Dated 26th February, 2018.

Note 3.— If any doubt arises as to whether these rules apply to any person or not, the decision shall lie with the Finance Department.

3. Special provisions, if any, inconsistent with these rules.—

When in the opinion of the competent authority, special provisions inconsistent with these rules are required with reference to any particular post or any conditions of service, that authority may, notwithstanding anything otherwise contained in these rules, and subject to the provisions of clause (2) of article 310 of the Constitution of India, provide in the terms and conditions of appointment of the person appointed to such post for any matter in respect of which in the opinion of that authority special provisions are required to be made:

Provided that in respect of any matter for which no special provision has been made in the terms and conditions of appointment, provisions of these rules shall apply.

4. Right and privileges under other rules.—

Unless otherwise provided in these rules or in the terms and conditions offered at the time of appointment and accepted by the person, nothing in these rules shall operate to deprive any person of any right or privilege to which he is entitled by or under any law.

5. Regulation of claim of Government employee.—

Unless otherwise provided in any rules, Government employee's claim to entitlements shall be regulated by the rules in force at the time of earning of the claim.

6. Power to interpret, amend and relax.—

The power to interpret, change, amend, relax and removal of doubt of these rules shall lie with the Finance Department.

- **Note 1.—** Communications regarding the interpretation and alteration of these rules shall be addressed to the Finance Department through the Administrative Department concerned.
- Note 2.— Where the Finance Department is satisfied that the operation of any of these rules regulating the conditions of service of Government employees or any class of such Government employees, causes undue hardship in any particular case, it may by order dispense with or relax the requirements of that rule to such extent and subject to such conditions, as it may

consider necessary for dealing with the case in a just and equitable manner.

7. Repeal.—

- (1) The rules contained in Punjab Civil Services Rules Volume-I, Part-I are hereby repealed.
- (2) Anything done or any action taken under rules so repealed, shall be deemed to have been done or taken under the corresponding provisions of these rules.

Chapter - II

Definitions

8 Definitions.—

- (a) Unless the context otherwise requires;
- (1) ["ACP Level of a post" means the pay level higher than the functional level of a post admissible to a Government employee subject to completion of prescribed length of service and/or certain conditions. Where there is more than one level of a post, the first shall be the functional pay level, the next and subsequent shall be the ACP Level;
 - **Note.** The Government employees appointed to a post(s) having more than one level admissible before completion of 8 years regular satisfactory service, they shall be entitled to get the benefit of 2nd and/or 3rd ACP level under General ACP Scheme after completion of 16 and 24 years regular satisfactory service from the date of appointment provided they have not already availed overall three financial up-gradations during his service career.]¹
- (2) "additional increment" means the increment granted by the *competent* authority to a Government employee in addition to his normal increment;
- (3) "advance increment" means the increment(s) granted by the competent authority to a Government employee in advance to be subsumed in future increment(s);
- (4) [(a) "basic pay" of a Government employee means—
 - (i) the pay in the Functional/ACP Level; and
 - (ii) any other emoluments which specifically classed as basic pay by the competent authority
 - Note.— It does not include any other type of pay like special pay, personal pay, pay granted in lieu of his personal qualification or otherwise as a separate component."
 - (b) "cell" means the stages prescribed in the functional or ACP level with enhancement of 3% rounded to nearest multiple of 100.]

Substituted vide Notification No.1/13/2016-1PR(FD), Dated 26th February, 2018.

- (5) "dearness pay" means a portion of dearness allowance converted as dearness pay by the *competent authority* which is treated as a part of *basic pay* for specified purpose;
- (6) "entry level pay of a post" means pay equal to [first cell of the functional level]¹ of the post held by a *Government employee* or as prescribed by the competent authority at the time of appointment by direct recruitment or otherwise;
- (7) ["functional level or functional pay structure" in relation to a Government employee means the functional level in pay matrix prescribed for the post held by him. It does not mean any other level in which the Government employee is drawing his pay as a measure personal to him with any other justification like length of service, or higher/additional qualification or upgradation of pay scale due to any other reason.]¹
- (8) ["increment" means an enhancement in pay from one cell to another in the level applicable to a Government employee, which is admissible on the prescribed date, subject to completion of prescribed qualifying service without any increase in pay level and the same is admissible as a matter of course unless it is withheld.]¹
- [(8a "level" means a pay scale arranged in vertical cells.]²
- (9) "master pay scale" means the running pay scale applicable to all Judicial Officers for the purpose of granting biennial increment after stagnation. The rate of increment depends upon the stage of pay of Judicial Officer in the master pay scale;
- (10) "next below rule" means a provision to protect the interest of a *Government* employee who is working outside the cadre within or out of the parent department so that he may not be deprived of the benefit of officiating promotion which he would have otherwise availed had he been on the cadre post;
- (11) ["pay matrix" means Matrix specified in the Schedule-I, (appended at the end of these rules) with Levels of pay arranged in vertical cells as assigned to corresponding pay band and grade pay/scale which were in existence prior to 01.01.2016.]¹

Substituted vide Notification No.1/13/2016-1PR(FD), Dated 26th February, 2018.

Inserted vide Notification No.1/13/2016-1PR(FD), Dated 26th February, 2018.

(12) "pay" means—

- (i) basic pay;
- (ii) special pay, personal pay, overseas pay; and
- (iii) any other *emoluments* specifically classed as pay by the competent authority.
- (13) "personal pay" means additional pay granted to a Government employee—
 - (a) to save him from a loss of his substantive basic pay; or
 - (b) in *exceptional* circumstances, on other personal considerations;
- (14) "presumptive pay or presumptive basic pay" means the pay or basic pay, as the case may be, which would have been admissible to a Government employee had he been working on the feeder post or on the post on which he holds a lien;
- (15) "proforma promotion" means the officiating promotion of a *Government* employee, made under next below rule, who is working outside the cadre within the parent or any other department/organization;
- (16) "qualifying service" for the purpose of increment means the period of—
 - (i) service treated as duty;
 - (ii) all leave except extraordinary leave; and
 - (iii) extraordinary leave sanctioned on medical certificate or in continuation of study leave under Chapter XI of the Haryana Civil Services (Leave) Rules, 2016.
 - **Note.** In any case in which the Finance Department is satisfied that the extraordinary leave was taken for any cause beyond the control of Government employee the period of such leave may be treated as qualifying service;
- (17) "selection grade of Judicial Officers" means a pay scale higher than entry pay scale admissible to Judicial Officers as per provision in the relevant rules;
- (18) "special pay" means the pay granted—
 - (a) in consideration of arduous nature of the duties;
 - (b) in consideration of specific addition to the work or responsibility; or
 - (c) in lieu of higher pay scale;

- (19) "substantive pay or substantive basic pay" means the pay or basic pay, as the case may be, of a permanent Government employee to which he is entitled, under the rules applicable to him, while holding a post;
 - **Note.** Substantive pay does not include overseas pay or special pay (or any other pay) of arduous nature of duties;
- (20) "super time scale of Judicial Officers" means a pay scale higher than selection grade which is granted to them as per provision in the relevant rules.
- (b) The terms not defined in this chapter but defined in the Haryana Civil Services (General) Rules, 2016 shall have the same meaning for the purpose of these rules.

Chapter-III

Fixation of Pay on first or subsequent appointment

9. Fixation of entry level pay.—

[On first appointment to a post, the entry level pay shall be fixed at first cell of the functional level]¹

10. [Fixation of pay on subsequent appointment to a post higher or identical to Functional/ACP Level.—

On subsequent appointment to a post of level higher than or identical to functional or ACP level in the same or any other department of Haryana Government where the application for the same has—

- (i) not been submitted through proper channel, pay shall be fixed at entry level pay of the post of subsequent appointment admissible under rule
 9; or
- (ii) been submitted through proper channel, the pay shall be fixed—
 - (a) at entry level pay of the post; or
 - (b) equal to the corresponding cell if available in the functional level of the new post; or
 - (c) at the next cell above the existing cell if the same cell is not available in the functional level of the new post.
- **Note 1.—** Where pay is fixed equal to entry level pay, the date of next increment in both the cases (i) and (ii) above shall be the 1st January or 1st July subject to completion of minimum six months qualifying service before that date.
- **Note 2.** Where pay in the pay level is fixed equal to the pay already drawn, the date of next increment in (ii) above shall remain unchanged. However, where the pay is fixed under sub-clause (ii) of clause (c) above, the date of next increment shall be the 1st January or 1st July subject to completion of minimum six months qualifying service before that date.]¹

Substituted vide Notification No.1/13/2016-1PR(FD), Dated 26th February, 2018.

11 [Fixation of pay on subsequent appointment to a post of lower than functional or ACP level.—

On *subsequent appointment* from one post to another of lower level in the same or any other department of Haryana Government, while drawing pay in the higher level (Functional or ACP) the pay shall be fixed—

- (i) equal to *entry level pay* as per provision contained in rule 9, if not applied through proper channel; or
- (ii) by giving the notional benefit of past *qualifying service* in the same or *higher* pay structure which remained in existence from time to time, towards increment only in the pay structure of the post of *subsequent appointment* provided the application for subsequent appointment was submitted through proper channel. However, the past qualifying service of lower pay structure, if any, shall not be taken into account towards increment of higher pay structure of the post of subsequent appointment.
- **Note 1.—** Where pay is fixed under (i), the date of next increment shall be the 1st

 January or 1st July subject to completion of minimum six months qualifying service before that date on the post of subsequent appointment.
- **Note 2.—** Where pay is fixed under (ii), the date of next increment shall remain unchanged. 1¹

12. Pay on appointment to an ex-cadre post.—

On appointment by any mode of recruitment to an *ex-cadre post* of higher, same or *lower* [*level*]¹, while drawing pay in functional or *ACP* [*level*]¹, within the same or in any other department or on foreign service in any organization under Haryana Government, the pay shall be fixed as per provision contained in rule 10 or 11, as the case may be.

Substituted vide Notification No.1/13/2016-1PR(FD), Dated 26th February, 2018.

Chapter - IV

Fixation/re-fixation of pay on promotion

13. [Fixation of Pay on promotional post.—

On appointment by promotion to a cadre post of level higher than the functional or ACP level, pay shall be fixed—

- (i) with the benefit of one increment in the Level from which the employee is promoted and he shall be placed at a Cell equal to the figure so arrived at in the Level of promotional post and if no such Cell is available in that Level, he shall be placed at the next higher Cell; or
- (ii) equal to entry level pay of the promotional post;whichever is higher.
- Note 1.— For date of next increment see rule 37 infra.
- Note 2.— Where there are two or more lines of promotion for a feeder post, in such case, for the purpose of these rules, the promotion from feeder post to any post shall be treated as promotion on a cadre post. However, on change of line of promotion, the service of previous promotional post shall be treated as service on an ex-cadre post and pay on the post of changed line shall be fixed with reference to presumptive pay of the feeder post the seniority of which has been kept in view at the time of promotion to a post of changed line.
- **Example.** A Clerk while drawing pay in functional level and having knowledge of shorthand was promoted to the post of Stenographer. His pay on the post of Stenographer has been fixed with the benefit of one increment of promotion. While working as Stenographer he was promoted to the post of Assistant w.r.t. his seniority of the post of Clerk, as per provision in the respective service rules. His pay on the post of Assistant shall be fixed w.r.t. his presumptive pay admissible to him in the pay scale of Clerk on the date of assuming charge of the post of Assistant. The service rendered by him as Stenographer shall be treated as service on an ex-cadre post.]¹

Substituted vide Notification No.1/13/2016-1PR(FD), Dated 26th February, 2018.

14. [Omitted]¹

15. Pay on promotion to a post of same pay structure (clubbed from or after 01.04.1979).—

[The benefit of one increment shall be admissible on promotion from one post to another where functional pay structure of feeder and promotional posts have been clubbed/merged from or after 1st April, 1979 and at present the pay level of both the posts is same.

Note.— The benefit admissible under this rule shall be treated as financial upgradation for the purpose of grant of benefit under Haryana Civil Services (Assured Career Progression) Rules, 2016.²

16. Pay on promotion to a post of same pay structure (identical/same prior to 01.04.1979).—

[The benefit of one increment shall not be admissible on promotion from one post to another where the functional pay structure of feeder and promotional posts were same/identical prior to 1stApril, 1979 or from the date of creation of post (feeder/promotional); and at present the pay structure of both the posts is also the same. In such cases, on promotion from one post to another, pay and date of increment shall remain unchanged.

Note.— as the pay structure of promotional post has never remained higher than that of feeder post, therefore, the benefit of one increment of promotion shall not be admissible. J²

17. [Pay on promotion or subsequent appointment while drawing special pay in lieu of higher time scale/Level.—

- (1) On promotion or subsequent appointment from one post to another of identical, higher or lower level while drawing pay in functional or ACP level alongwith special pay in lieu of higher time scale/Level, the pay shall be fixed as per provision in the relevant rule; and
- (2) Special pay in lieu of higher time scale of the *feeder or previous post* shall be converted into personal pay which will be subsumed in future increment provided the pay structure of promotional post or the post of subsequent appointment carries no special pay in lieu of higher time scale. Where feeder post carry special pay in lieu of higher time scale more than that of

Omitted vide Notification No.1/13/2016-1PR(FD), Dated 26th February, 2018.

Substituted vide Notification No.1/13/2016-1PR(FD), Dated 26th February, 2018.

- the promotional post or the post of subsequent appointment, the difference of special pay shall be converted into personal pay to be subsumed in future increment(s).
- (3) The pay fixed above shall not be less than the entry level pay of promotional post.
- **Note 1.—** If special pay in lieu of higher time scale of feeder or previous post is more than that of the special pay of the promotional post or the post of subsequent appointment, the difference between special pay of both the posts shall be converted into personal pay to be subsumed in future increment.
- **Note 2.—** Special pay of arduous nature of duties drawn before promotion or subsequent appointment shall not be converted into personal pay.
- **Note 3.—** Where feeder or previous post carry special pay in lieu of higher time scale and promotional post or the post of subsequent appointment carry special pay of arduous nature of duties, the special pay in lieu of higher time scale shall be converted into personal pay to be subsumed in future increment.]¹

18. Pay on premature promotion.—

- [(1) On premature promotion (i.e. promotion before the completion of prescribed experience) in public interest while drawing pay in the functional level, the pay for the period upto the date of completion of deficiency of prescribed experience, shall be fixed equal to—
 - (i) entry level pay of promotional post; or
 - (ii) presumptive pay in the level of feeder post, whichever is more.

feeder post shall be taken into consideration.

- (2) After completion of prescribed experience, the pay shall be re-fixed under normal rules, as if the incumbent has been promoted on that day. At the time of re-fixation of pay of promotional post, presumptive basic pay of the
- **Note.** The period of service from the date of premature promotion shall be counted for further promotion, if any.]¹

Substituted vide Notification No.1/13/2016-1PR(FD), Dated 26th February, 2018.

19. [Pay on re-appointment by promotion on the same post after reversion.—

On re-appointment by promotion to a post previously held, the pay on promotional post shall be fixed —

- (i) at the cell already drawn at previous occasion; or
- (ii) as admissible under these rules in case of promotion afresh, whichever is more.

In case of fixation as at (i) above, the period of qualifying service of the same pay in the level previously drawn shall be taken into account at the time of computing minimum six months qualifying service for the purpose of grant of normal increment of promotional post. However, in case of (ii) above, the annual increment shall be admissible as per normal rules.

Note.— The 'same post' also includes the interchangeable promotional post of same level.]¹

20. [Pay on promotion while drawing pay in ACP Level.—

On promotion to a post of level higher than ACP level drawn at the time of promotion, the pay shall be fixed —

- in the level of promotional post with the benefit of one increment in the ACP level of feeder post; or
- (ii) entry level pay of promotional post;

whichever is more advantageous. However, such benefit of promotion shall not be admissible where the level of promotional post is identical to or lower than the ACP Level in which the Government employee is drawing his pay before promotion.

Note.— If functional level of promotional post is identical to ACP level already drawn, the nomenclature of the ACP level shall be changed to functional level. I¹

21. [Re-fixation of pay in the functional or ACP Level.—

(i) On enhancement in presumptive pay in the functional level of feeder post, due to increment or otherwise, while working on promotional post, the pay of promotional post shall be re-fixed as if the incumbent has been promoted on the date of such enhancement, if it is advantageous to him.

Substituted vide Notification No.1/13/2016-1PR(FD), Dated 26th February, 2018.

(ii) Similar benefit of refixation of pay shall be admissible on enhancement in presumptive pay of ACP level where a Government employee has been promoted to higher post while drawing pay in the ACP level of feeder post.]¹

22. Pay on promotion in case of inter-se seniority.—

Where the promotional posts are filled from amongst more than one feeder cadres on inter-se seniority basis, the pay of incumbent shall be fixed keeping in view the basic pay of the *feeder* post the seniority of which has been kept in view at the time of promotion.

Illustration: In various Departments as per provision in their service rules, the posts of Assistant are filled by promotion from amongst Clerk/Stenotypist/Junior Scale Stenographer on inter-se seniority basis. Two employees Mr. 'A' & 'B' initially joined service as Clerk, later on, after qualifying departmental test of shorthand Mr. 'B' was promoted to the post of Steno-typist and thereafter to the post of Junior Scale Stenographer, but in the meanwhile Mr. 'C' has directly joined service as Jr. Scale Stenographer before promotion of Mr. 'B' as Jr. Scale Stenographer and Mr. 'C' is senior to Mr. 'B' in the seniority list of Jr. Scale Stenographer. At present Mr. 'A' is working as Clerk and is senior to Mr. B in the seniority list of Clerks, Mr. 'B' & 'C' are Junior Scale Stenographer and Mr. 'C' is senior to Mr. 'B' in the seniority list of Junior Scale Stenographers. Two vacant posts of Assistants are to be filled by promotion amongst Clerks/Stenotypists/Junior Scale Stenographers on inter-se seniority. The Service record of all the above three employees is satisfactory. Under the rules, Mr. 'A' & 'B' would be promoted to the post of Assistant w.r.t. their seniority as Clerk. Mr. 'B' has been promoted to the post of Assistant while working as Junior Scale Stenographer with reference to his seniority of Clerk, therefore, his pay as Assistant shall be fixed keeping in view his presumptive pay of Clerk instead of the pay actually drawn by him as Junior Scale Stenographer at the time of promotion. If pay of Mr. 'B' to the post of Assistant is fixed w.r.t. his presumptive pay of Clerk, the promotion already availed by him to the post of Junior Scale Stenographer shall be ignored treating it as appointment on ex-cadre post for a limited period

Substituted vide Notification No.1/13/2016-1PR(FD), Dated 26th February, 2018.

otherwise it shall be a financial upgradation for the purpose of grant of ACP [level]¹ and may create anomaly between junior and senior.

Substituted vide Notification No.1/13/2016-1PR(FD), Dated 26th February, 2018.

Chapter - V Option for fixation of pay on promotion

- 23. [Omitted]¹
- 24. [Omitted]¹

Omitted vide Notification No.1/13/2016-1PR(FD), Dated 26th February, 2018.

Chapter - VI

Fixation of Pay on Reversion

25. Pay on reversion from ex-cadre to cadre post.—

- [(1) Pay drawn on ex-cadre post of higher pay structure in the same or any other department shall not be protected on return to a post of parent cadre. However, the period of qualifying service of ex-cadre post in the level identical to or higher than that of the cadre post shall be counted towards increment in the level of cadre post(s). On return, the pay shall be re-fixed with reference to presumptive basic pay which may have been admissible had the appointment not been made on ex-cadre post.
- (2) On reversion from ex-cadre post of lower level to cadre post of higher level, the pay shall be fixed equal to—
 - (i) last drawn pay at the previous occasion in the level of cadre post; or
 - (ii) the cell of ex-cadre post, if available, otherwise at the next cell in the level of cadre post;

whichever is more advantageous.]1

26. [Pay on reversion from higher to lower level or from promotional to feeder post.—

On reversion from one post to another of lower level while drawing pay in functional level, on his own accord or due to administrative reasons, but not as a measure of punishment, the pay shall be fixed equal to the pay which would have been admissible in the lower level of feeder post on the date of reversion, had the promotion or appointment not been made on the post of higher level. The qualifying service of the higher level shall be counted towards increment in the level of feeder post.]¹

Substituted vide Notification No.1/13/2016-1PR(FD), Dated 26th February, 2018.

Chapter - VII

Fixation of Pay on modification of pay structure

27. [Pay on modification of level after 01.01.2016.—

- (1) Except as otherwise provided in any case, on modification of level from a date later than the 1st January, 2016, the modified level shall be admissible from the date of modification or option exercised by the Government employee.
- (2) On modification of level from a date later than the 1st January, 2016, the pay shall be fixed at the same cell, if available in the modified level otherwise at the next cell but not less than first cell of the modified level.
- **Note.** Where pay in the modified level is fixed more than the pay already drawn in the pre-modified level, the date of next increment shall be 1st January or 1st July subject to eligibility. If pay is fixed at the same cell in such case the date of next increment shall remain unchanged.
- (3) On modification of level of a post from a date after 1st January, 2016, 1st/2nd/3rd ACP level of that post shall be corresponding to the Grade Pay as on 01.01.2016. Where the modified functional level is identical to or higher than the ACP Level, on grant of ACP Level from a date after the date of modification of functional level, the pay shall be fixed identical to the cell at which it would have been admissible had the functional level not been modified, if identical is not available then at the immediate next level. The nomenclature shall be changed from functional to ACP Level.]¹

28 [Fixation of Pay on modification of level.—

- (1) On modification of level (functional or ACP), the option shall be exercised within a period of three months from the date of order of the modification, for fixation of pay either from the date of modification or from the date of next increment, whichever is more beneficial. If no response is received within the prescribed period from the concerned Government employee, the date of modification of level shall be deemed to be the date of his option for the purpose of fixation of pay.
- (2) Where modified level is opted from the date of next increment, in such

Substituted vide Notification No.1/13/2016-1PR(FD), Dated 26th February, 2018.

case the existing pay in the pre-modified level shall be admissible upto that period.

(3) Option once exercised shall be final and shall not be changed in any circumstances except where the pay is re-fixed with retrospective effect from a date prior to the date of effect of modification of level.]¹

Substituted vide Notification No.1/13/2016-1PR(FD), Dated 26th February, 2018.

Chapter - VIII

Increment

29. Grant of Increment.—

- [(1) The Head of office shall be competent authority to allow annual increment in normal course to subordinates working under him. The increment to Head of office shall be allowed by the next designated higher authority.
- (2) On promotion to a post of higher level on the date of normal increment, first the normal increment in the level of feeder post shall be granted, if otherwise admissible under the rules on that day, thereafter, the pay shall be fixed in the level of promotional post.
- (3) In case of death while in service, the normal increment on the 1st January or 1st July shall, subject to eligibility, be granted to the Government employee—
 - (a) actually, in case of death on the 1st January or 1st July while not on leave; and
 - (b) notionally, in case of death on or after the 1st January or 1st July while on leave provided the same would have been admissible had he been on duty on the date of death.
- (4) Advance or non-compoundable increment(s) which are granted as a result of passing of certain examination, higher qualification or otherwise, shall be regulated by the relevant rules and orders issued from time to time by the competent authority.
- **Note.** No benefit of increment shall be admissible to a Government employee who is not in service on the 1st January or 1st July, as the case may be.]¹

30. Service qualifying for increment.—

The following periods of service rendered by a Government employee appointed on regular basis shall be qualifying for the purpose of increment:-

[(a) the period of service treated as qualifying in rule 8 (16) ibid;]²

Substituted vide Notification No.1/13/2016-1PR(FD), Dated 26th February, 2018.

Inserted vide Notification No.1/13/2016 1PR(FD), Dated 26th February, 2018.

- [(b) the period of suspension, dismissal, removal, compulsory retirement, followed by re-instatement and treated as duty for the purpose of pay by the competent authority;]¹
- [(c) any other period of service treated as duty for the purpose of increment by the competent authority.]¹
- Note 1.— In any case in which the Finance Department is satisfied that the extraordinary leave was taken for any cause beyond the control of Government employee or for prosecuting higher scientific, technical or professional studies connected with his duties, the same may be allowed to be counted for increment.
- **Note 2.—** The period of suspension shall not be treated as qualifying service unless any such final decision for this period is taken by the competent authority.
- Note 3.— The period of dies non, if any, shall not be treated as qualifying service.

31. [Rate of increment in Pay Matrix.—

The increment in the pay matrix shall be specified in the vertical Cells of the applicable Level in the Pay Matrix.]²

32. [Date of Increment.—

(1) There shall be two dates for grant of increment namely, 1st January and 1st July of every year:

Provided that an employee shall be entitled to only one annual increment either on 1st January or 1st July depending on the date of his appointment, promotion or grant of financial upgradation.

Provided further that a Government employee who does not complete six months qualifying service before the date of normal increment due on 1st July or 1st January, as the case may be, his date of next increment shall be changed to 1st January or 1st July and shall be granted subject to admissibility.

(2) The date of next increment of a Government employee, who has been appointed or promoted or granted ACP level during the period between the—

Renumbered vide Notification No.1/13/2016-1PR(FD), Dated 26th February, 2018.

Substituted vide Notification No.1/13/2016-1PR(FD), Dated 26th February, 2018.

- (i) 2nd day of January and 1st day of July (both inclusive), shall be the 1st day of January;
- (ii) 2nd day of July and 1st day of January (both inclusive) shall be the 1st day of July.]¹

33. Grant of increment while on leave on [1st January or 1st July]1.—

The increment due on the [1st January or 1st July]¹ shall, subject to eligibility, be granted notionally if the Government employee is on leave (other than casual leave) on that day and actually from the date of joining duty after return from leave, provided the leave has been sanctioned by the competent authority.

Note.— Any period of absence without proper sanction of the competent authority shall not be considered as leave.

34. [Date of increment if there is holiday on 1st January or 1st July.—

When a Government employee who has been appointed or promoted to a post is otherwise able to join his duty but could not join due to holiday, or series of holidays, falling on 1st of January or 1st July, and joins on forenoon of 1st working day of the month of January or July, i.e. on or after 2nd January or 2nd July, he shall be treated to have completed 6 months qualifying service upto 30th June or 31st December of that year for the purpose of grant of normal increment provided the same shall have been admissible to him on 1st July or 1st January, had there been no holiday or series of holidays on 1st January or 1st July. However, the pay shall be admissible from the date of actually joining duty and not from 1st January or 1st July. In all other cases the date of increment shall be 1st January or 1st July subject to completion of minimum six months qualifying service before that date.]¹

35. Postponement of increment in case of non-qualifying service.—

[Where the qualifying service is less than six months before the date of next increment, on whatsoever reason, such as due to extraordinary leave without medical certificate, period of dies non, undecided suspension period, treatment of suspension period as non-duty, period of un-authorized absence, etc., it shall have the effect of postponing the increment and such case shall be reconsidered on 1st January or 1st July and increment shall be granted subject to completion of minimum six months qualifying service before that date.]¹

Substituted vide Notification No.1/13/2016-1PR(FD), Dated 26th February, 2018.

36. [Increment on 1st January or 1st July while on duty.—

When a Government employee is not actually present in office on the date of his next increment (i.e. on 1st January or 1st July) but under the rules he is on duty, like on training, tour, compulsory waiting period, availing joining time, vacation or otherwise, the normal increment shall be granted if the same shall have otherwise been admissible had he been in office on that day.]¹

37. [Grant of Advance increment.—

A Government employee who performs work of exceptional merit may be granted advance increment(s) instead of additional increment(s) subject to following conditions:-

- (i) The maximum age of the concerned Government employee shall not exceed 55 years.
- (ii) He should have never been punished either under Rule 7 or 8 of Haryana Civil Services (Punishment & Appeal) Rules remained in existence from time to time.
- (iii) It shall not be granted on one or more isolated incidents as the entire service record is the criteria for grant of advance increment.
- (iv) It shall be given with effect from 1st January or 1st July and for a limited period i.e. up to the date of next increment.]¹

38. Grant of increment in case departmental test is a pre-condition.—

[On appointment by direct recruitment to a post where, as per provision in service rules, passing of any departmental test or fulfilling other conditions is a pre-requisite to get the normal increment and the same is qualified/fulfilled before the date of first increment due on the 1st January or 1st July, as the case may be, the normal increment shall be granted on the 1st January or 1st July if otherwise admissible. If the same is qualified thereafter, the increment(s) shall be granted notionally from the due date(s) at the rate applicable from time to time and actually from the last date of appearance of test(s) which has/have been qualified;

Provided that on appointment by promotion to such a post, the presumptive basic pay of feeder post shall, if it is more advantageous, be admissible till qualifying the departmental test or fulfilling of other conditions prescribed for normal increment of promotional post.]1

39. [Increment after maximum of the level.—

Where a Government employee arrives at maximum of the level he shall not be entitled to any increment above the maximum or last cell of his level.]¹

40. Regulation of increment during the period of probation.—

The normal increment shall be admissible on [1st January or 1st July,]¹ subject to eligibility, on appointment as '*Probationer*' or 'on *Probation*' by direct recruitment or otherwise unless any provision contrary to this rule exists in the terms and conditions of appointment or in service rules regulating the service conditions of the post held.

Substituted vide Notification No.1/13/2016-1PR(FD), Dated 26th February, 2018.

Chapter - IX

Punishment of withholding of increment or reduction to lower pay

41. Pay on withholding of increment.—

Increment of any Government employee may be withheld by the competent authority under Haryana Civil Services (Punishment and Appeal) Rules, 2016 or any other rules. In ordering the withholding of increment, the withholding authority shall clearly state the number of increments and/or the period for which the same are to be withheld, and whether the postponement shall have the effect of postponing future increment or not, i.e. whether withholding of increment is with or without cumulative effect.

[Explanation 1.— If a punishment of 'withholding of three increments without cumulative effect' is awarded, the same shall be effective from the date of next increment due on the 1st January or 1st July, as the case may be. In such case normal increment shall be granted notionally for a period of three consecutive years and actually from the 1st January or 1st July, as the case may be, of fourth year, if otherwise admissible, alongwith restoration of three increments granted notionally previously.

Explanation 2.— If punishment of 'withholding of three increments with cumulative effect' is awarded, no normal increment shall be admissible for a period of three consecutive years. On the 1st January or 1st July of fourth year, only one normal increment shall be allowed, if otherwise admissible.]¹

Note.— Postponement of normal increment, during the currency of punishment, due to non-qualifying service of more than six months, shall have the effect on punishment already awarded and shall be deemed to be extended upto that extent.

42. When a series of penalties of stoppage of increment is imposed.—

In case of imposition of penalties of stoppage of increment one after the other in separate cases, the effect of the first punishment of stoppage of increment shall continue for the period specified in the punishment order. Thereafter the pay

Substituted vide Notification No.1/13/2016-1PR(FD), Dated 26th February, 2018.

shall be raised (if the penalty is without cumulative effect) by giving increment(s) which, but for the imposition of the penalty, shall have been admissible and only then the second order of stoppage of increment(s) shall be made effective which shall continue for the period specified in the second punishment order and so on.

43. Reduction of pay in the [level] as a measure of punishment.—

The authority competent to revert or transfer as a measure of punishment from a higher to lower post shall also withdraw ACP or reduce pay in the [level]¹ to a [cell]¹ at which it may think proper. The competent authority ordering any punishment of reduction of pay shall specify—

- (i) the [cell]¹ at which pay in the [level]¹ is to be fixed;
- (ii) whether the punishment shall be operative for a limited or permanent period; if for limited period at which [cell]¹ pay is to be fixed after the expiry of punishment period, i.e. equal to the pay which shall have been admissible had the punishment not been awarded or the pay last drawn before punishment;
- (iii) whether the normal increment(s) shall or shall not be earned during the period of punishment.

44. [Reduction to lower post or level.—

(A) While drawing pay in functional level—

On reduction to a feeder post as a measure of punishment, the pay shall be fixed equal to presumptive pay in the—

- (i) functional level of feeder post which would have been admissible had he not been promoted; or
- (ii) one step down in ACP level of feeder post if he was promoted while drawing pay in ACP level of feeder post which is identical to functional level of promotional post held at the time of punishment.

Once the pay is fixed in lower level, the annual increment(s) shall be admissible under the normal rules. On re-appointment by promotion on the same post, in both the cases the pay shall be regulated under rule 19.

Substituted vide Notification No.1/13/2016-1PR(FD), Dated 26th February, 2018.

(B) While drawing pay in ACP level.—

If punishment of reduction to lower level is awarded while drawing pay in-

- (i) ACP level of the post held; or
- (ii) ACP level of the feeder post but working on the promotional/ higher post,

the ACP level last granted shall be deemed to have been withdrawn automatically. In such case the pay shall be fixed equal to the presumptive pay in the functional or ACP level which would have been admissible had the last ACP level not been granted. On completion of duration of punishment the pay shall be fixed under normal rules but not less than the pay already drawn at the time of punishment.]¹

45. Definite and clear order of punishment.—

It is, therefore, ordered that-

[Every order passed by a competent authority imposing the penalty of withholding of increment, reduction to a lower post/level or withdrawal of ACP level shall be definite and clear and in the form as given below:-

Shri	is awarded a	punishment of withholding	of
increment(s) with	/without cumula	tive effect. The currency of	the
effect of punishment shall	automatically s	stand extended if he otherw	ise
becomes ineligible for any	normal increme	nt(s) due on the 1 st January	or
1 st July. The effect of pu	unishment shall	continue even if the level	is
changed on whatsoever rea	son during the c	currency of punishment.	
	OR		
Shri	is awarded a p	ounishment of reduction of p	oay
from cell of Rs	to	_ in his level for a period from	om
to	He	shall/shall not earn ann	ual
increment during the period	of punishment.	Further, his pay shall be fix	ced
Rs after	the expiry of po	unishment period, i.e. equal	l to
the pay which would have	e been admiss	sible to him had he not be	en
awarded this punishment or			

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Substituted vide Notification No.1/13/2016-1PR(FD), Dated 26th February, 2018.

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	OR		
Shri	is awa	arded a punishment of	withdrawal of
ACP level. I	He shall draw the presu	ımptive basic pay whic	ch would have
been admiss	sible had he not been	granted the last AC	P level being
withdrawn for	a period from	to	•
	OR		
Shri	is awa	rded a punishment of	reduction from
the post of	to	His pay in t	the level of the
post on which	n he has been reverted s	hall be fixed equal to th	e presumptive
pay which wo	ould have been admissib	ole to him had he not b	een appointed
on promotion	al post.]1		

46. [Re-fixation of pay when an order of punishment is set aside or modified.—

Where an order of penalty of withholding of increment, reversion to lower post/ service, reduction in Pay, withdrawal of ACP etc. is set aside or modified by a competent authority on appeal or review, the pay shall, notwithstanding anything contained in these rules, be regulated in the following manner:-

- (a) If the said order is set aside, the difference between the pay which would have been admissible had the punishment not been awarded shall be given for the period such order remained in force;
- (b) If the said order is modified, the pay shall be regulated as if the order so modified had been made in the first instance.

Explanation.— If the pay is refixed in respect of any period prior to the issue of orders of competent reviewing or appellate authority, the difference of due and drawn (other than Travelling Allowance), if any, admissible during that period shall be paid.

Note 1.— In respect of cases falling under clause (a) of this rule, the qualifying service of the lower level, post or at lower cell due to withholding of increment(s), from the date of imposition of such penalty by the punishing authority to the date on which the order of penalty is set aside by the competent reviewing or appellate authority, shall count towards increment and for other purposes for the post which was being held immediately

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Substituted vide Notification No.1/13/2016-1PR(FD), Dated 26th February, 2018.

before the imposition of the penalty or any other post which shall have been held but for the order of penalty.

Note 2.— In respect of cases falling under clause (b) of this rule, the qualifying service from the date of imposition of the penalty by the punishing authority to the date on which the order is modified by the reviewing or appellate authority, shall be counted towards increment and for other purposes for the post which was being held immediately before the imposition of the penalty or any other post which shall have been held but for the order of penalty, to the extent, the modified order permits for such counting.

Illustration.— An officer in Level 14 is reverted to a post of Level 12 for a period of, say two years, and after six months, the order of punishment of reversion to lower post of Level 12 is set aside by the appellate authority, the period of six months shall count for increment in level 14 held before punishment. If, on the other hand, the order of penalty is modified as reduction to a lower level for a specified period or withholding of increment in that level for specified period, the period that has already elapsed since the date of imposition of the original penalty shall be taken into account only for the purpose of computing the specified period of penalty under the modified order.

Note 3.— A post vacated by a Government employee reverted to lower post/service as a measure of punishment shall not be filled substantively until the expiry of a period of one year from the date of such reversion. Where on the expiry of period of the one year, the post is filled and the original incumbent of the post is reinstated thereafter, he shall be accommodated against any post which may be vacant in the grade to which his previous post belonged. If there is no such vacant post, he shall be accommodated against a supernumerary or temporary post which shall be created in this grade with proper sanction and with the stipulation that it shall be terminated on the occurrence of the first vacancy in that grade.]¹

Substituted vide Notification No.1/13/2016-1PR(FD), Dated 26th February, 2018.

Chapter - X

Next Below Rule

47. The next below rule.—

- (1) A Government employee working outside the ordinary line, i.e. on ex-cadre post in the same or any other department or on deputation/foreign service within or out of India, shall be allowed by the competent authority proforma officiating promotion in the [level]¹ of the promotional post if he is otherwise fit for the same subject to following conditions:-
 - (a) person junior to him have been promoted. If immediate junior is ineligible for promotion then next junior have been promoted. In such case this benefit shall be admissible from the date junior to him has been promoted;
 - (b) if no junior is eligible for promotion and the post has been lying unfilled for want of an eligible person junior to him, in such case this benefit shall be admissible from the date of order of the competent authority for proforma promotion;
 - (c) he shall be accommodated to a post identical to pay scale of promotional post by the organization where he is working on a post outside the regular line; and
 - (d) all Government employees senior to the Government employee to whom the benefit under this rule is to be allowed are also drawing officiating pay in the same or higher [level]¹ unless they are passed over by reason of inefficiency or unsuitability etc.
- (2) The intention of this rule is to protect the public interest as well as of a Government employee working outside the regular line of service or on foreign service. In order to ensure to fill up the vacancy within the cadre and also to protect the interest of a Government employee gone out of his regular line, one for one principal shall be adopted for proforma promotion with or without any change in the duties subject to conditions mentioned above.

Substituted vide Notification No.1/13/2016-1PR(FD), Dated 26th February, 2018.

(3) Government employee gone out of the regular line shall not be eligible for benefit under Next Below Rule in case a junior Government employee is promoted in exceptional circumstances, e.g. promotion as a reward of outstanding achievements or any other personal measures.

48. One for one principle under next below rule.—

In case where a consecutive series of two or more employees in a cadre are on deputation/foreign service to post outside the regular line, and the employee next below them is promoted to officiate in a higher post in the cadre. In such cases only one employee, i.e., the senior most employee eligible for promotion shall be allowed the benefit under the 'next below rule'.

49. When senior most employee does not require the benefit under next below rule.—

In case the senior most employee serving outside the regular line does not require to be protected under the *next below rule* as he is already holding a post carrying a pay scale identical to or higher than that of the promotional post of parent cadre, and on return is eligible for the pay and incremental benefits of the higher post in the regular line. In such cases, the protection under the next below rule in respect of any one vacancy occurring in the regular line shall go to the next senior most eligible employee of the series serving outside the cadre.

50. Fixation of pay on proforma promotion under next below rule.—

[A Government employee outside the regular line granted the benefit under 'next below rule' is entitled to draw the higher rate of pay to which he would have been entitled had he been in his regular line. Further, the period of qualifying service from the date of proforma promotion shall be counted for the purpose of increment on return to parent cadre.]¹

51. Benefit of ACP under next below rule.—

[The benefit of next below rule shall also be extended in regard to grant of ACP Level subject to eligibility under Haryana Civil Services (ACP) Rules, 2016.]¹

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Substituted vide Notification No.1/13/2016-1PR(FD), Dated 26th February, 2018.

Chapter - XI

Fixation of Pay on re-employment after retirement

52. Fixation of pay on re-employment after retirement.—

- [(1) No Government employee shall retire from service before attaining the age of superannuation with a view to being re-employed and drawing pension in addition to pay, whether in any Department or *Organization* under Haryana Government. However, appointment after retirement, on or before attaining the age of superannuation, by way of direct recruitment or otherwise, shall be treated as re-employment for the purpose of these rules.
- (2) On re-employment of a pensioner (including military pensioner retired on or after attaining the age of 55 years) to a post of level—
 - (a) identical to level last held, the pay shall be fixed at the cell equal to the last drawn pay; or
 - (b) higher than the level last held, the pay shall be fixed at the cell equal to the last drawn pay or at the lower cell, whichever is available, but not less than entry level pay.

minus pension (including commuted portion of pension);

- (c) if maximum of the level of the re-employed post is lower than the pay last held, the pay shall be fixed at maximum of the level of reemployed post, minus pension (including commuted portion of pension):
 - Provided that the actual *pay admissible* under clause (a), (b) or (c) above plus pension shall not exceed Rs. 2,24,100. The appointing authority shall be competent to fix pay at any cell but not more than the pay admissible under this rule.
- **Note.** The retirement gratuity (i.e. PEG) shall not be a part of pension for the purpose of this rule.
 - (3) The increment shall be admissible on the 1st January or 1st July subject to completion of minimum six months qualifying service on reemployed post.

- Illustration 1.— Mr. 'A' while drawing pay Rs.58,600 in Level 8 was retired from service on attaining the age of superannuation. His Pension including the commuted portion of pension was fixed Rs. 29,300 p.m. He was reemployed in public interest to a post of higher level 9. His Pay shall be fixed Rs. 58,000, but actual pay shall be admissible Rs. 58,000 minus 29300 = 28,700.
- Illustration 2.— Mr. 'B' while drawing pay Rs. 1,41,000 in Level 17 was retired from service on attaining the age of superannuation. His Pension including the commuted portion of pension was fixed Rs.70,500 p.m. He was reemployed in public interest to a post of level 20. His Pay shall be fixed Rs. 1,82,200, at minimum of the level but actual pay shall be admissible Rs.1,82,200 minus 70,500 = 1,11,700.
- **Illustration 3.— Mr. 'X'** was re-employed after attaining the age of superannuation. His last pay drawn was Rs. 1,28,600 in level 9 and his Basic Pension was fixed Rs. 64,300. He was re-employed on a post of level 6. His pay shall be fixed upto maximum of the level 6 i.e.1,12,400 but actual pay shall be admissible Rs.1,12,400 minus 64,300 = 48,100.1

53. Fixation of pay of military pensioner on re-employment before 55 years.—

On re-employment of military pensioners in civil service before attaining the age of 55 years, at the time of fixation of pay of military pensioners—

- below commissioned officers whole military pension shall be ignored and their pay shall be fixed equal to entry level pay of the re-employed post;
 and
- (ii) of commissioned officers first Rs. 4000 of military pension shall be ignored for the purpose of fixation of pay. The remaining provision of rule 52 above shall be applicable.

54. Fixation of pay of invalid pensioner or compensation pensioner.—

On subsequent appointment or re-employment of an invalid pensioner or compensation pensioner of Haryana Government only, the benefit of past qualifying service rendered in any department of Haryana Government in the same or higher pay structure shall be admissible towards increment in the pay structure of re-employed post.

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Substituted vide Notification No.1/13/2016-1PR(FD), Dated 26th February, 2018.

55. Fixation of pay of a Government employee who is retired prior to revision of pay scales and re-employed thereafter.—

The pay of a re-employed pensioner retired prior to revision of pay scales shall be fixed notionally from unrevised to revised pay scale as if he had retired under the revised pay scale. This shall be done with reference to the fitment table prescribed for the employees who were actually in service on the date of revision of pay scales. Thereafter treating it his last pay drawn, the pay of re-employed post shall be fixed as per provision in rule 52. In such case, the revised pension shall be taken into account while fixing the pay of re-employed post in the revised pay scale.

56. Fixation of pay on re-employment of an employee retired with CPF benefit.—

For fixation of pay of a person who has availed benefit under the Contributory Provident Fund and/or Defined Contributory Pension Scheme at the time of retirement and has been re-employed in any department, the contribution made by the employer in the contributory provident fund account of the incumbent alongwith interest thereon shall be worked out and thereafter pension equivalent of contributory provident fund shall be calculated on the basis of commutation table with the following formula:-

- $X = (A + Pension if any) \div (B x 12)$
- X is the amount of Pension equivalent of CPF plus actual pension, if any.
- A is the amount of Employer share of CPF plus interest thereon.
- B is the commutation value to be ascertained from the commutation table against the relevant age on next birth day after retirement.
- **Note 1.—** While working out the amount of employer share in CPF, the actual amount received by the incumbent at the time of retirement shall not be kept in view because the same may be less due to getting refundable/non-refundable advances.

The figure worked out above as 'X' shall be treated as pension for the purpose of fixation of pay of such re-employed person. Formula for fixation of pay shall be the same as provided in rule 52 above.

Note 2.— This provision shall also be applicable in case of re-employment after availing the benefit of defined contributory pension scheme.

Chapter - XII

Stepping up of Pay of senior Government employee

57. Instances where stepping up of pay of senior is not admissible .—

[In the instances listed below, stepping up of pay shall not be admissible even if a junior Government employee is drawing more pay than that of senior Government employee:-

- (a) Where a senior proceeds on extraordinary leave resulting in postponement of date of next increment, consequently he starts drawing less pay than that of his junior in the lower level itself. Therefore, in such case senior shall not claim pay parity on promotion even though he has been promoted earlier to the higher level.
- (b) If a senior forgoes/refuses promotion leading to his junior being promoted/ appointed to the higher post earlier, junior draws higher pay than the senior.
- (c) If a senior joins the higher post later than the junior, for whatsoever reasons, whereby he draws less pay than that of junior. In such cases, senior shall not claim stepping up of pay at par with the junior. e.g. on promotion from one post to another junior joins on 1st January/July and senior joins on 2nd January/July or thereafter, the pay of junior shall be more than that of senior.
- (d) If a senior has joined later than the junior in the feeder post whereby he is in receipt of less pay than that of junior, in such cases also the senior shall not claim pay parity in the higher post though he shall have been promoted earlier to the higher post.
- (e) Where a person is promoted from lower to a higher post, his pay is fixed with reference to the pay drawn on the lower post under rule 13 and he is likely to get more pay than a direct appointee whose pay is fixed under different set of rules. For example, a Junior Scale Stenographer on promotion to the post of Senior Scale Stenographer gets his pay fixed under rule 13 with

reference to the pay drawn on the post of Junior Scale Stenographer, whereas the pay of direct recruit Senior Scale Stenographer is fixed under rule 9. In such cases, the senior direct recruit cannot claim pay parity with the junior promoted from a lower post to higher post as seniority alone is not a criteria for allowing stepping up.

- (f) Where a junior gets more pay than his senior due to length of service, appointment by transfer, adjustment in any department after being declared surplus or otherwise.
- (g) Where a senior draws less pay than that of junior due to different date(s) of option for fixation of pay in the pay band revised or modified from time to time.
- (h) Where a senior draws less pay than that of junior due to different date(s) of option for fixation of pay on promotion from one post to another or grant of ACP pay scale.
- (i) If a senior who has been awarded any punishment of reduction of pay or withholding of increment(s) with cumulative effect etc. and is drawing less pay than that of junior.
- (j) If a senior, who was placed under suspension and the period of suspension has been treated as non-duty, is drawing less pay than that of junior.
- (k) Where a junior gets more pay than his senior due to additional increment(s) granted to him on acquiring higher qualifications or as a personal measure or otherwise.]¹

58. Instances where stepping up of pay of senior is admissible.—

In case of any anomaly between junior and senior Government employee which shall not cover in the list of instances as laid down in rule 57 and satisfy the conditions given below shall be sent to Finance Department alongwith documents required under rule 59 through Administrative Department for consideration:-

(a) both the junior and senior Government employee should belong to the

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- same cadre and the posts in which they have been promoted or appointed are identical and in the same cadre;
- (b) the pay scale of the both lower and higher posts in which the junior and senior Government employees are entitled to draw pay are identical;
- (c) the anomaly is directly as a result of the application of these rules.

59. Pre-requisites to refer the case to competent authority for stepping up of pay.—

The following facts/documents are required before sending the case to the Finance Department for stepping up of pay of a senior Government employee who is drawing less pay than that of his junior.—

- (i) primary reason for request of stepping up;
- (ii) whether all the conditions of stepping up are fulfilled in terms of provision in rule 58. If not, which condition is not fulfilled;
- (iii) copy of promotion order of the senior and junior;
- (iv) comparative pay fixation statements of both employees from the date of joining service;
- (v) whether promotion is on regular basis or for stop gap arrangement;
- (vi) whether senior and junior belong to same cadre;
- (vii) whether the pay scales of lower and higher posts of both employees are identical;
- (viii) specify the cause of anomaly or any other reason;
- (ix) specific views of Accounts Personnel of the Department on this point with reference to rules/instructions,
- **Note.** If the case is to be referred to Finance Department, the same shall be referred with the views/opinion of Administrative Secretary of the Department.

Chapter - XIII

Fixation of Pay of Judicial Officers

60. Fixation of pay of judicial officers.—

The provision of this chapter shall be applicable to the Judicial Officers for fixation of their pay on first appointment or appointment from one post to another:-

Pay scales of Judicial Officers.—

The pay scales revised from 01.01.2006 of Judicial Officers are as under :-

Sr. No.	Functional pay scale as on 31.12.2005	Functional pay scale as on 01.01.2006	1 st ACP pay scale as on 01.01.2006	2 nd ACP pay scale as on 01.01.2006	
I.	Civil Judge (Juni	or Division)			
1	Rs. 9000-250- 10750-300- 13150-350- 14550	Rs. 27700-770- 33090-920- 40450-1080- 44770	Rs. 33090-920-40450- 1080-45850 (After 5 years of regular satisfactory service)	Rs. 39530-920- 40450-1080- 43090-1230- 54010 (After another 5 years of the grant of 1st Assured Career Progression pay scale)	
II.	Civil Judge (Senior Division)				
2	Rs. 12850-300- 13150-350- 15950-400- 17550	Rs. 39530-920- 40450-1080- 43090-1230- 54010	Rs. 43690-1080- 49090-1230-56470 (After 5 years of regular satisfactory service, after placement in the senior division)	Rs. 51550- 1230-58930- 1380-63070 (After another 5 years of the grant of 1 st Assured Career Progression pay scale)	

III.	District Judge	Functional pay scale	Selection Grade	Super-time pay scale
3	Pay scale(s) as on 31.12.2005 =	Rs. 16750-400- 19150-450- 20500	Rs. 18750-400-19150- 450-21850-500-22850 (for 25% of the posts with 5 years' service in cadre subject to suitability)	Rs. 22850-500- 24850 (for 10% of the posts in the cadre as District Judge with minimum of 3 years service in Selection Grade)
	Pay scale(s) as on 01.01.2006 =	Rs. 51550- 1230-58930- 1380-63070	Rs. 57700-1230- 58930-1380-67210- 1540-70290 (for 25% of the posts with 5 years' service in cadre subject to suitability)	Rs. 70290- 1540-76450 (for 10% of the posts in the cadre as District Judge with minimum of 3 years service in Selection Grade)

61. Fixation of pay on promotion.—

On promotion of a Judicial Officer from one post to another of higher pay structure, the pay shall be fixed at the stage next above or minimum of the pay scale of promotional post, whichever is higher.

62. Fixation of pay on grant of ACP.—

On grant of ACP pay scale to a Judicial Officer the pay shall be fixed at the stage next above or minimum of the ACP scale, whichever is higher.

63. Fixation of pay on grant of selection grade or supertime scale.—

On grant of selection grade or supertime scale, the pay of Judicial Officer shall be fixed at the stage next above or minimum of the selection grade or supertime scale, as the case may be, whichever is higher.

64. Fixation of pay on promotion while drawing ACP.—

On promotion while drawing ACP, the benefit of next stage shall not be admissible but the pay shall not be fixed less than the minimum of functional pay scale of promotional post.

65. Increment.—

The increment shall be admissible on first of the month in which it is due. But an officer, who reaches stagnation level, shall be eligible for the grant of biennial stagnation increment(s) in the master pay scale subject to such increments not exceeding five in a particular cadre.

Chapter - XIV

Miscellaneous

66. Competent authority for fixation of pay.—

Except as specifically provided in these rules, the Head of Department or Appointing Authority, whichever is lower, is competent to fix the pay of a Government employee upto the [cell/stage]¹ admissible under these rules. No authority is competent to fix more or less pay than the pay admissible under these rules without prior sanction of the Finance Department. However, pay of a Government employee may be reduced by the punishing authority under Haryana Civil Services (Punishment & Appeal) Rules, 2016

Note.— Heads of the Departments or Appointing Authorities concerned shall redelegate the powers, to any gazetted officer subordinate to them on their own overall responsibility and subject to condition of verification of pay from the officer of SAS Cadre and restrictions as they shall like to impose.

67. Fixation of pay above entry level pay.—

Where the Haryana Public Service Commission/Haryana Staff Selection Commission recommends pay higher than entry level pay, in such case the prior approval of Finance Department shall be sought before issuing the appointment letter by the appointing authority.

68. Date of reckoning of pay and allowances.—

Subject to any exceptions specifically provided in these rules, a Government employee commences or ceases to be entitled to pay and allowances of a post with effect from the—

- (a) day, he assumes or relinquishes charge in the forenoon; or
- (b) next day, he assumes or relinquishes charge in the afternoon.

69. Pay during the period treated as duty under the rules.—

(a) Except as otherwise provided in these rules or any other rules, a Government employee, during a course of training, compulsory waiting period or any other period of service treated as duty under Haryana Civil

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Services Rules, shall draw basic pay including special pay in lieu of higher pay scale/grade pay, if any, equal to the basic pay which may have been admissible from time to time had he been actually on duty.

(b) In respect of any other period of absence (i.e. period of suspension or otherwise) treated as duty by the competent authority, a Government employee shall be granted such pay as the competent authority may allow but in no case exceeding the pay which would have been admissible to him had he actually been on duty.

70. Fixation of pay in case of appointment as probationer or on probation.—

On appointment from one post to another as a 'probationer' or 'on probation', by promotion, direct recruitment or otherwise, the pay shall be fixed under normal rules, like promotion, subsequent appointment or otherwise, as the case may be.

71. Treatment of resignation from service for the purpose of pay fixation.—

On subsequent appointment from one post to another in any department of Haryana Government by direct recruitment or otherwise, the resignation from service shall be a technical formality for the purpose of fixation of pay provided the application has been submitted through proper channel for such post. The period of break, if any, limited to joining time may be condoned. The pay shall be fixed as per provision in rule 10 or 11, as the case may be.

Note.— The resignation shall also be treated technical formality for the purpose of fixation of pay if the Government employee was not in service at the time when the application for subsequent appointment was directly submitted by him.

72. Regulation of pay on subsequent appointment after termination.—

[On subsequent appointment on the same post or the post of same or higher level in the same or any other department under Haryana Government while working on adhoc basis, including purely temporary basis or where services are terminated or discharged while drawing pay in the functional level due to—

- (i) abolition of post; or
- (ii) replacement by a candidate selected by the Staff Selection Commission or any Approved Agency against the post held by discharged employee, the pay shall be fixed under Rule 10 or 11, as the case may be, provided no

pensionary benefit has been availed of the past service at the time of termination/discharge from service and the application has been submitted through proper channel.

- **Note 1.—** The above provision shall also be applicable where application for subsequent appointment was submitted directly at the time when the incumbent was not in service.
- **Note 2.—** Period of break, if any, between termination of adhoc service and appointment on regular basis shall be condoned by the Administrative Department subject to the following conditions:-
 - (i) The interruption should have been caused by reasons beyond the control of the Government employee.
 - (ii) Service preceding the interruption shall not be less than two years' duration.
 - (iii) The interruption shall not be more than one year's duration.
- **Note 3.—** This provision shall not be applicable on re-employment after removal from service as a measure of punishment. 1

73. Fixation of pay in case of suspension before revision and/or modification but retirement after revision/ modification of pay scale.—

A Government employee placed under suspension before revision and/or modification of pay scales and retired from service while under suspension after the revision and/or modification of pay scale, shall not be entitled to actual pay in the revised pay scale. However, the pay shall be fixed notionally from the pre-revised to revised and/or modified pay scale with reference to pay actually drawn in the pre-revised pay scale before the date of suspension, and it shall be taken into account for the purpose of calculation of retiral benefits, if any, until the final decision on suspension period is taken by the competent authority.

74. Appointment from an organization to any department under Haryana Government or vice-versa.—

On appointment from an *organization* under the control of Haryana Government to any department of Haryana Government to a post of higher, same or lower *pay scale*, the pay shall be fixed under rule 10 or 11, as the case may be. Any extraordinary benefit (in the shape of additional increments, personal pay etc.)

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granted by the previous *organization* over and above the rules/instructions issued from time to time applicable to Haryana Government employees shall not be allowed to be continued and the same shall be excluded at the time of fixation of pay.

75. Pay on charge of one or more posts of identical or higher pay scale.—

On appointment, in addition to ordinary duties as a temporary measure, to hold full charge of the duties of one or more posts of identical or higher pay structure in the same department and in the same cadre/line of promotion, no additional or higher pay shall be admissible. However, the special pay of arduous nature of duties and/or compensatory allowance(s), if any, attached with such post(s) shall be admissible.

76. Fixation of pay on current duty charge.—

No additional pay shall be admissible for holding, independently or in addition to own duties, *current duty charge* of another post(s) of the same or higher grade pay regardless of the duration.

Note.— The current charge of the duties of another post(s) should be given in exceptional circumstances with the approval of appointing authority.

77. Grant of personal pay and/or special pay.—

In exceptional circumstances or other personal considerations, the Finance Department may grant to any Government employee or a class of Government employees, with recorded detailed reasons thereon:-

- (a) personal pay,
- (b) special pay; or
- (c) both personal pay and special pay.

Prominent terms defined in Haryana Civil Services Rules

ACP pay scale	Pay	family	Pension	pension	Pension
actual travelling expenses	TĂ	fee	Gen.	pension contribution	Gen.
additional increment	Pay	feeder post	Gen.	pension disbursing authority	Pension
administrative department	Gen.	final payment	GPF	pension payment order	Pension
administrative secretary	Gen.	first appointment	Gen.	permanent Govt. employee	Gen.
advance	GPF	fixed medical allowance	Gen.	permanent post	Gen.
advance increment	Pay	foreign service	Gen.	personal pay	Pay
age	Gen.	functional pay scale	Pay	premature retirement	Gen.
appointing authority	P&A	fund	GPF	prescribed authority	P&A
appointment on regular basis	Gen.	gazetted Government employe		presumptive pay	Pay
basic pay	Pay	Government	Gen.	Principal Accountant General	Gen.
boy service	Pension	Governor	P&A	probationer	Gen.
cadre	Gen.	Government employee	Gen.	proforma promotion	Pay
cadre post	Gen.	Government employee	P&A	pro-rata pension	Pension
casual leave	Leave	GPF Account	. GPF	provisional pension	Pension
censure	P&A	half pay leave	Leave	public conveyance	TA
charged person	P&A	Head of Department	Gen.	purely temporary service	Gen.
child	Gen.	Head of Department	GPF	qualifying service	Pay
child adoption leave	Leave	Head of Mission	Leave	qualifying service	Pension
child care leave	Leave	Head of office	Gen.	quarantine Leave	Leave
commission	P&A	headquarters	Gen.	quitting service	Gen.
commutation of pension	Pension	hill compensatory allowance	Allow.	re-employment	Gen.
commuted leave	Leave	holiday	Gen.	removal from service	P&A
compassionate financial assis	Pension	home town	Gen.	rent free accommodation	Allow.
compensation pension compensatory allowance		honorarium	Gen.	residual pension	Pension
compensatory allowance	Allow. Gen.	hospital leave	Leave	retirement on superannuation	Gen.
competent authority competent medical authority L		house rent allowance	Allow.	retiring pension	Pension
completed year of service	Leave	increment	Pay	retrenchment	Gen.
composite transfer grant	TA	inter-se-seniority	Gen.	road mileage allowance	Allow.
compulsory retirement	Gen.	invalid pension joining time	Pension Gen.	service book	Gen. Pension
compulsory retirement	P&A	judicial officer	Gen. Gen.	service gratuity services	Gen.
compulsory waiting period	Gen.	last pay certificate	Gen.	services	P&A
confirmation	Gen.	leave	Leave	shortest route	TA
consolidated fund	Gen.	leave encashment	Leave	special disability leave	Leave
controlling officer	Gen.	leave not due	Leave	special pay	Pay
conveyance allowance	Allow.	leave not due	Gen.	sphere of duty	Gen.
cooling period	Gen.	leave salary	Leave	standard rent	Allow.
current duty charge	Gen.	leave salary contribution	Gen.	statutory body	Gen.
daily allowance	TA	length of service	Leave	strike	Gen.
day	Gen.	licence fee	Allow.	study Leave	Leave
DCRG	Pension	lien	Gen.	subscriber	GPF
DDO	Gen.	life certificate	Pension	subsequent appointment	Gen.
dearness allowance	Allow.	local fund	Gen.	subsistence allowance	Gen.
dearness pay	Pay	local holiday	Gen.	substantive appointment	Gen.
dearness relief	Pension	local mileage allowance	Allow.	substantive pay	Pay
deemed suspension	Gen.	leave preparatory to retirement		superannuation pension	Pension
dependent	Gen.	market rent	Allow.	supernumerary post	Gen.
deputation	Gen.	master pay scale	Pay	suspension	Gen.
deputation allowance	Gen.	matching contribution	Gen.	temporary Govt. employee	Gen.
deputation out of India	Gen.	maternity leave	Leave	temporary post	Gen.
dies non	Gen.	medical certificate of fitness	Gen.	temporary transfer	Gen.
disciplinary authority	P&A	military pension	Pension	tenure post	Gen.
dismissal	P&A	ministerial employee	Gen.	terminal gratuity	Pension
duty point	TA	month	Gen.	terminal leave	Leave
earned leave	Leave	next below rule	Pay	termination of services	P&A
emoluments	Gen.	nomination	Gen.	tour	TA
emoluments	Allow.	nominee	Gen.	transfer	Gen.
emoluments	Pension	NPA	Allow.	transfer in public interest	Gen.
emoluments	TA	officiating appointment	Gen.	transfer travelling allowance	TA
emoluments	Leave	officiating pay	Gen.	travelling allowance	TA
enhanced family pension	Pension	organization	Gen.	uniform allowance	Allow.
entry level pay	Pay	overseas pay	Gen.	vacation	Leave
ex-cadre post	Gen.	own vehicle	TA	voluntary retirement	Gen.
extension in service	Gen.	pay	Pay	wilful absence	Gen.
extraordinary leave	Leave	pay in the pay scale	Pay	withdrawal	GPF
family	Gen.	pension equivalent to gratuity	Pension	working day	Gen.
				-	