



**GOVERNMENT OF HARYANA
FINANCE DEPARTMENT**

**The Punjab Civil Service Rules
Volume - I, Part – I**

(As applicable to Haryana State)

(Amendments incorporated upto 28th February, 2015)

**Rules relating to Pay and Allowance, Leave, Passage and other
General Conditions of Service**

PREFACE

This is an updated compilation of Punjab Civil Services Rules, Volume-I, Part-I, as applicable in Haryana State. All the amendments made after last re-print/edition, i.e. during the period between 31st December, 1998 and February, 2015, have been incorporated in the respective rule of this Volume. The notification number and date vide which the amendment(s) were made after last re-print has also been given in footnote(s) below the respective rule. Whenever any amendment is made in future the same will also be incorporated in the relevant rule to make available updated copy of the rules.

Presently, the existing rules are under revision, once these rules are finalized, the same will be published in the form of Haryana Civil Services Rules and will be uploaded on the website of Finance Department, Haryana i.e. www.finhry.gov.in.

If any error or omission is found in this Volume the same may please be brought to the notice of Finance Department (FR Branch), Haryana Civil Secretariat, Chandigarh so that the same can be corrected.

Dated : 30th March, 2015.

P. K. DAS
Principal Secretary to Government, Haryana,
Finance Department.

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**THE PUNJAB CIVIL SERVICES RULES
VOLUME - I, PART - I**

CHAPTER - I

Extent of application

1.1¹ These rules, which have been issued by the Governor of the Punjab, under proviso to Article 309 of the Constitution of India (see Appendix 1), may be called the Punjab Civil Services Rules. They shall come into force from the 1st April, 1953.

1.2² Except as otherwise provided in rule 1.4 infra or in any other rule or rules, these rules shall apply to all Government employees belonging to the categories mentioned below, who are under the administrative control of the Haryana Government and whose pay is debitable to the Consolidated Fund of the State of Haryana:-

- (1) Members of State Services, Classes I and II;
- (2) Members of State Services, Class III;
- (3) Members of State Services, Class IV;
- (4) Holders of Special Posts; and
- (5) Any other Government employee or class of Government employees to whom the competent authority may, by general or special order, make them applicable:

[Provided that the rules in Volume II of these rules called the Punjab Civil Services Rules, Volume II" shall not apply to the Government employees who are appointed to the posts mentioned in categories (1) to (5) above on or after 1st day of January 2006. They shall be covered by the 'New Defined Contribution Pension Scheme' to be notified by the Government]³

Note 1.— *Unless stated to the contrary in any rule or rules or the contrary is apparent from the context, the term "Government employee" includes also a temporary or an officiating Government employee.*

Note 2.— *The Speaker of the Legislative Assembly has agreed under Article 187(3) of the Constitution that until a law is made by the Legislature of the State under Article 187(2) 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 3.— *Omitted.*

Note 4.— *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.*

¹ For the extent of application of these rules to the employees of the erstwhile State of Punjab and Pepsu, see para 3 of the Preface to First Edition (Second Reprint).

² Unless there is something repugnant in the subject or context the word Punjab wherever it occurs with reference to the Legislative Assembly, State Public Service Commission, any department, service of organization. Government, Governor, Accountant General or any office or officer of the State shall be substituted by the word "Haryana" Inserted vide Haryana Government F.D. Notification No. 6/1(4)/78/1FR-I, dated 22nd August, 1978.

³ Inserted vide Notification No. 1/1/2004-1Pension, dt. 28.10.2005.

1.3 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 (see Appendix I), provide agreement with 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 every agreement so made it shall be provided that in respect of any matter for which no provision has been made in the agreement, provisions of these rules shall apply.

1.4 These rules shall not apply to—

- (i) any Government employee between whom and the Government, a specific contract or agreement subsists in respect of any matter dealt with herein to the extent up to which specific provision is made in the contract or agreement (see rule 1.3 above);
- (ii) any person for whose appointment and conditions of service special provision is made by or under any law for the time being in force; and
- (iii) any Government employee or class of Government employees to whom the competent authority may by general or special order, direct that they shall not apply in whole or in part. One of such classes of Government employees is that employed only occasionally or which is subject to discharge at one month's notice or less. A list of such Government employees is given in Appendix 2

Note.— *Different types of Model forms of agreement for use in the case of Government Employees engaged on contract are given in Form Pb. C.S.R.No.1.*

1.5 If any doubt arises as to whether these rules apply to any person or not, the decision shall lie with the competent authority,

1.6 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 or by the terms of his agreement.

1.7 Unless otherwise provided in any rule or rules, a Government employee's claim to pay and allowances shall be regulated by the rules in force at the time in respect of which the pay and allowances are earned; to travelling allowance by the rules in force at the time the journeys in respect of which they are made are undertaken; to leave by the rules applicable to him at the time the leave is applied for and granted; and to pension by the rules in force applicable to him at the time when the Government employee retires or is discharged from the service of Government. See also rule 1.1 (b) of Volume II of these rules.

1.8 The power of interpreting, changing and relaxing these rules is vested in the Finance Department.

Note 1.— *Communications regarding the interpretation and alteration of these rules should 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 State 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. The expression "State Government employees," means all persons whose conditions of service may be regulated by rules made by the Governor of Haryana under the provision to Article 309 of the Constitution.

CHAPTER - II

Definitions

2.1 Unless there be something repugnant in the subject or context, the terms defined in this chapter are used in these rules in the sense here explained.

2.2 **Accountant General** means the head of the office of audit and accounts subordinate to the Comptroller and Auditor-General of India, who keeps the accounts of the Haryana State and exercises audit functions in relation to those accounts on behalf of the Comptroller and Auditor –General of India.

Note.— *This definition covers also the term “Audit Officer”.*

2.3 **Active Service**, for the purpose of pension, includes besides time spent on duty in India:-

- (i) Leave of all kinds except extraordinary leave not counting towards increment under rule 4.9 (b) (ii);
- (ii) Time spent on the voyage to India by a Government employee who is recalled to duty before the expiry of any recognized leave out of India: provided his return to duty is compulsory.
- (iii) The period of absence from India of a Government employee deputed or detained out of India on duty.

Note.— *Omitted.*

2.4 **Actual Travelling expenses** means the actual cost of transporting a Government employee with his domestic servants and personal luggage, including charges for ferry and other tolls, if paid, and for carriage of camp equipment, if such is necessary. It does not include charges for hotels or travelers' bungalows or refreshments or for the carriage of stores or conveyances or for presents to coachmen and the like; or any allowance for such incidental losses or expenses as the breakage of crockery; wear and tear of furniture and the employment of additional domestic servants and the like.

2.5 **Age.—** When a Government employee is required to retire, revert, or cease to be on leave on attaining a specified age, the day on which he attains that age is reckoned as a non-working day and the Government employee must retire, revert, or cease to be on leave (as the case may be) with effect from and including that day.

Note 1.— *Every person newly appointed to a service or post under Government should at the time of appointment declare the date of his birth by the Christian Era with confirmatory evidence as far as possible, confirmatory documentary evidence such as Matriculation Certificate, Municipal Birth Certificate and so on. If the exact date is not known an approximate date may be given. The actual date or the assumed date determined under Note 2 below should be recorded in the History of Service, Service book or any other record that may be kept in respect of the Government employees' service under Government and once recorded, it cannot be altered except in the case of clerical error, without the previous orders of Government. See also Annexure A to Chapter VII of Punjab Financial Rules, Volume 1.*

Note 2.— (a) *If a Government employee is unable to state his exact date of birth but can state the year or year and month of birth, 1st July or 16th of the month respectively may be treated as the date of his birth.*

(b) *If a Government employee is only able to state his approximate age, his date of birth may be assumed to be corresponding date after deducting the No. of years representing his age from his date of appointment.*

(c) *When a Government employee, who first entered as a military employee is subsequently employed in a civil department, the date of birth for civil employment should be the date stated by him at the time of attestation, or if at the time of attestation he stated only his age the date of birth should be deduced with reference to that age according to the method indicated in sub-para (b) above.*

Note 3.— *In respect of alteration in date of birth the provisions laid down in Annexure A to Chapter VII of Punjab Financial Rules, Volume I shall apply.*

2.6 **Apprentice** means a person deputed for training in a trade or business with a view to employment in Government service, who draws pay at monthly rates from the Government during such training, but is not employed in or against a substantive vacancy in the cadre of a department.

2.7 *Omitted.*

2.8 *Omitted.*

2.9 Cadre means the strength of a service or a part of service sanctioned as a separate unit.

2.10 **Camp equipage** means the apparatus for moving a camp.

Note.— *Camp equipage; is essentially different from “Camp equipment”. The latter term includes everything necessary to a Government employee to enable him to live in a Camp. But Camp equipage is distinctly defined as the apparatus for moving a camp. The definition distinctly shows, that nothing is meant except equipping apparatus or “carriage” which can only include baggage camels, pack-bullocks, carts (together with the mazdoors and necessary bullocks or horses etc,) driving of bullocks etc, mazdoors who carry camp equipment and possibly servants employed as tent pitchers. Any private or extra servants cannot be held to be included in this term.*

2.11 **Camp equipment** means tents and requisites for pitching and furnishing them or, where tents are not carried such articles of camp furniture as it may be necessary in the interests of the public service for a Government employee to take with him on tour.

2.12 *Omitted.*

2.13 Compensatory Allowance means an allowance granted to meet personal expenditure necessitated by the special circumstances in which duty is performed. It includes travelling allowance, dearness allowance but does not include sumptuary allowance nor the grant of a free passage by sea to or from any place outside India.

Note.— *See the explanation and note 1 under rule 2.52.*

2.14 **Competent authority** in relation to the exercise of any power means the Administrative Department concerned of Government acting in consultation with the

Finance Department, or any other authority to which such power may be delegated by or under these rules. A list of authorities which exercise the powers of a competent authority under the various rules is given in Chapter XV.

Note.— *Unless the contrary appears from the context, the High Commissioner for India exercises the powers of the competent authority except in respect of rules 8.21, 8.124 and 8.125 in so far as Government employees on leave in the United Kingdom are concerned.*

2.15 Day means a calendar day, beginning and ending at midnight; but an absence from headquarters, which does not exceed twenty-four hours shall be reckoned for all purposes as one day at whatever hours the absence begins or ends.

2.16 Duty.—

(a) Duty includes-

- (1) Services as a probationer or apprentice, provided that service as a probationer is followed by confirmation: Provided further that in the case of apprentice, on confirmation either in the post for which he was undergoing apprenticeship or in any other post, he cannot count his apprentice period for leave as if it had been service rendered substantively in a permanent post;
- (2) joining time.

(b) A Government employee is also treated as on duty under the circumstances specified in the schedule to this Chapter. (See pages 18-21).

Note.— *No leave of any kind can be treated as duty for the purpose of any rule unless the contrary is expressly stated therein.*

2.17 Family means a Government employee's wife or husband, as the case may be residing with the Government employee and legitimate children and step children residing with and wholly dependent upon the Government employee. Except in rules, 2.59, 2.85 and 2.86 of the Punjab Civil Services Rules, Volume III (Travelling Allowance Rules) Second edition 1966, it includes in addition parents, sisters and minor brothers, if residing with and wholly dependent upon the Government employee.

Note 1.— *The term "legitimate children" in this rule does not include adopted children except those adopted under the Hindu Law.*

Note 2.— *The term "child" or "children" used in this rule includes major sons and married daughters so long as they are residing with and wholly dependent on the parent (the Government employee) and subject to this condition being fulfilled, it includes widowed daughter also.*

Note 3.— *Note more than one wife is included in the term family for the purpose of these rules.*

Note 4.— *An adopted child shall be considered to be a legitimate child, if, under the personal law of the Government employee adoption is legally recognized as conferring on it the status of a natural child.*

Note 5.— *A person in receipt of a gross pension (including temporary increase in pension and pension equivalent of death-cum-retirement gratuity) not exceeding Rs.100 per mensem but otherwise dependent on and residing with the Government employee shall*

be considered a member of his/her family for the purposes of Rules 5.3 and 5.5 of these Rules.

- 2.18 Fee** means a recurring or non-recurring payment to a Government employee from a source other than the Consolidated Fund of India or the Consolidated Fund of a State (including the Haryana State) whether made directly to the Government employee or indirectly through the intermediary of Government, but does not include:-
- (a) unearned income such as income from property, dividends, and interest on securities; and
 - (b) income from literary, cultural, artistic, scientific or technological efforts if such efforts are not aided by the knowledge acquired by Government employee in the course of his service.
- 2.19 Finance Department** means the Finance Department of the Haryana Government.
- 2.20 First appointment** includes the appointment of a person not at the time holding any appointment under Government, even though he may have previously held such an appointment.
- 2.21 Foreign service** means service in which a Government employee receive his pay with the sanction of Government from any source other than the Consolidated Fund of India or the Consolidated Fund of State.
- 2.22 A Gazetted Government Employee** is one who is a member of an All-India, Specialist or State Service, Classes I and II, or a person appointed in accordance with the terms of a contract or agreement and whose appointment is gazetted by Government and any other Government employee holding a post which may be declared to be a gazetted post by competent authority.
- 2.23 General revenues** include the revenues of the Union Government or of State Government and exclude the revenues of a Local Fund.
- 2.24 Government** means the Haryana Government in the Administrative Department.
- 2.25 Head of Department** means the authority shown in column 3 of Appendix D to the Punjab Budget Manual in respect of the Government employees whose pay is charged to the corresponding head of account in column I of that Appendix, with the following exceptions:-
- (1) Governor is Head of the Department with respect to himself and his personal staff;
 - (2) Commissioners of Divisions are Heads of Departments with respect to Government employees whose pay is charged to the minor heads 'Commissioners'; 'District Establishment', and 'Other Establishment';
 - (3) The Conservators of Forests are Heads of Departments for all ministerial Government employees; Forest Rangers, Deputy Rangers, Foresters, Forest Guards and Class IV Government employees and other employees serving in their circles.
 - (4) Any other authority specially appointed by the competent authority to exercise the powers of a Head of Department.

2.26 Heads of Offices means the authorities designated as Disbursing Officers or any other Government employee declared to be the head of an office by competent authority.

2.27 The Headquarters of a Government employee are--

- (a) if he is attached to the Secretariat offices of the Government, the head quarters for the time being of the Government; and
- (b) in other cases, the station which has been declared to be his headquarters by competent authority or, in the absence of such declaration, the station where the records of his office are kept.

2.28 Hill station means any place which a competent authority may declare to be a hill station.

2.29 Holiday means—

- (a) a holiday prescribed or notified by or under section 25 of the Negotiable Instruments Act, 1881; and.
- (b) in relation to any particular office, a day on which such office is ordered, by notification in the Gazette or otherwise to be closed for the transaction of Government business without reserve or qualification.

Note.— *This term does not include “local holiday” which may be granted at the discretion of the Head of the Office.*

2.30 Honorarium means a recurring or non-recurring payment granted to a Government Employee from the Consolidated Fund of India or the Consolidated Fund of a State (including the Haryana State) as remuneration for special work of an occasional or intermittent character.

Note 1.— *No honorarium should be paid in respect of any work which can fairly be regarded as part of the legitimate duties of the Government employee concerned.*

Note 2.— *It is one of the liabilities If Government employees to have to work outside office hours in exceptional time and circumstances. No honoraria should ordinarily be given on this account, but continuous working out of office hours may justify a claim to honoraria or to special pay.*

Note 3.— *No honoraria should be paid to Government employees for attending meetings of boards and committee financed wholly or partly from Government revenues.*

Note 4.— *No honorarium should be granted to gazetted officers engaged on work in connection with the setting up of companies, corporations, etc, which forms a part of their normal duties even if they work beyond office hours.*

2.31 *Omitted.*

2.32 Joining time means the time allowed to a Government employee in which to join a new post or to travel to or from a station to which he is posted.

2.33 *Omitted.*

2.34 Leave salary means the monthly amount paid by Government to a Government employee on leave.

2.35 Lien means the title of a Government employee to hold substantively, either immediately or on the termination of a period or periods of absence, a permanent post, including a tenure post, to which he has been appointed substantively.

Note.— *In the case of a Government employee who holds no lien on any appointment except that which it is proposed to abolish, the correct practice in deciding the exact date from which the appointment is to be abolished, would be to defer the date of abolition up to the termination of such leave as may be granted.*

2.36 Local Fund means—

- (a) revenues administered by bodies which by law or rule having the force of law come under the control of Government, whether in regard to proceedings generally or to specific matters such as the sanctioning of their budgets, sanction to the creation or filling up of particular posts, or the enactment of leave, pension or similar rules, and
- (b) the revenues of anybody which may be specially notified by the competent authority as such.

2.37 *Omitted.*

2.38 Military Commissioned Officer means a commissioned officer other than a department officer. It does not include a warrant officer.

2.39 Military Officer means any officer falling within the definition of Military Commissioned Officer and a warrant officer.

2.40 Ministerial employee means a Government employee belonging to State Service, Class III, whose duties are entirely clerical, and any other class of Government employees specially defined as such by general or special order of the competent authority.

Note.— *Those members of Class II service whose duties are predominantly clerical, shall be classed as Ministerial employees for the purpose of this rule.*

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

Example.— *Calculation of period expressed in terms of months and days:-*

	Y	M	D
25 th January to 31 st January	00	00	07
February to April	00	03	00
1 st May to 13 th May	00	00	13
	00	03	20

Example.— *The period commencing on 30th January and ending with 2nd March should be deemed as 1 month and 4 days, as indicated below:-*

	Y	M	D
30 th January to 31 st January	00	00	02
February	00	01	00
1 st March to 2 nd March	00	00	02
	00	01	04

2.42 Officiate A Government employee officiates in a post when he performs the duties of a post on which another person holds a lien. A competent authority may, if it thinks fit appoint a Government employee to officiate in a vacant post on which no other Government employee holds a lien.

Note.— *Omitted.*

2.43 Overseas pay means pay granted to a Government employee in consideration of the fact that he is serving in a country other than the country of his domicile.

2.44 (a) Pay means the amount drawn monthly by a Government employee as--

- (i) the pay, other than special pay or pay granted in view of his personal qualifications, which has been sanctioned for a post held by him substantively or in an officiating capacity or to which he is entitled by reason of his position in a cadre; and
 - (ii) overseas pay, special pay and personal pay; and
 - (iii) any other emoluments which may be specially classed as pay by the competent authority.
- (b) In the case of a military officer in receipt of the rates of pay introduced on July 1, 1924, pay includes the amount which he receives monthly under the following designations:--
- (i) pay of appointment, lodging allowance and marriage allowance; and
 - (ii) pay of rank command pay, additional pay Indian Army Allowance, lodging allowance and marriage allowance.

Note 1.— *Judicial pay has been classed as pay under rule 2.44 (a) (iii).*

Note 2.— *If language allowance are lump sum allowances, they will be dealt with under rule 5.55. If they are recurring payments they will fall under the head “pay” under clause (a) (iii) of this rule.*

Note 3.— *A Civil Officer undergoing Military training is not a Military Officer as defined in rule 2.39 and in his case “Pay” as defined in rule 2.44(a) does not include “rank pay” received during the period of training.*

2.45 Pension.— Except when the term “Pension” is used in contradistinction to “Gratuity”, pension includes Gratuity.

2.46 Permanent post means a post carrying a definite rate of pay sanctioned without limit of time.

2.47 Personal pay means additional pay granted to a Government employee—

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

Note.— *No case will be entertained which is not of an entirely exceptional character; and in submitting cases for the grant of personal pay, this should be carefully born in mind.*

2.48 Presumptive pay of a post, when used with reference to any particular Government employee, means the pay to which he would be entitled if he held the post

substantively and were performing its duties; but it does not include special pay unless the Government employee performs or discharges the work or responsibility in consideration of which the special pay was sanctioned .

Note.— *The first part of the definition is intended to facilitate the use of the term in relation to a Government employee who has been absent from a post for some time but still retains a lien on it.*

2.49 Probationer means a Government employee employed on probation in or against a substantive vacancy in the cadre of a department. This term does not, however, cover a Government employee who holds substantively a permanent post in a cadre and is merely appointed “on probation” to another post.

Note 1.— *The status of a probationer is to be considered as having the attributes of a substantive status except where the rules prescribe otherwise.*

Note 2.— *No person appointed substantively to a permanent post in a cadre is a probationer unless definite conditions of probation have been attached to his appointment, such as the condition that he must remain on probation pending the passing of certain examinations.*

Note 3.— *The provisions of this rule and note 2 above are to be taken as complementary and not as mutually exclusive. Taken together, they contain the essence of the tests for determining when a Government employee should be regarded as a probationer, or as merely; ‘on probation’ irrespective of whether he is already a permanent Government employee or is merely a Government employee without a lien on any permanent post. While a probationer is one appointed in or against a post substantively vacant with definite conditions of probation, a person on probation is one appointed to a post (not necessarily vacant substantively) for determining his fitness for eventual substantive appointment that post. There is nothing in this rule to prevent a Government employee substantive in one cadre from being appointed (either through selection by a departmental committee or as a result of competitive examination through Haryana Public Service Commission) as a ‘probationer’ in or against a post borne on another cadre, when definite conditions of probation such as the passing of departmental examinations are prescribed, In such a case the Government employee should be treated as a probationer, and (subject to specific rules, if any to the country) allowed only, as initial and subsequent pay the rates of pay prescribed for the probationary period, irrespective of whether these rates are actually included in or shown separately from the time-scales of the services concerned. The case of departmental candidates of the same department promoted by selection is however different, If the departments of the Government of Haryana concerned consider it expedient, these promoted men may properly be put, on probation for a period to see if they make good on the actual work of the post to which they are promoted and have liens (active or suspended) retained for them on their former posts mean while to provide for their possible reversion; whatever the department arrangements be to test their capacity etc. during the ‘on probation period their initial pay should be fixed under the operation of the normal rules regulating pay fixation.*

2.50 Public conveyance means a train, streamer or other conveyance which plies regularly, though not necessarily at fixed intervals, a regular course for the conveyance of passengers and does not deviate there from according to the wishes of passengers. Cabs cars and horses are not regarded as public conveyances.

2.51 *Cancelled.*

2.52 Special pay means an addition, of the nature of pay to the emoluments of a post or of a Government employee, granted in consideration of-

- (a) the specially arduous nature of the duties; or
- (b) the specific addition to the work or responsibility and includes non-practicing allowance granted to doctors in lieu of private practice.

Explanation.— *The circumstances which justify the grant to a Government employee of special pay are entirely different in character from those which justify the grant of a compensatory allowance a difference emphasized in the definition of those terms embodied in rules 2.13 and 2.52, These definitions should be strictly considered and an exact compliance required with the conditions stated in them as antecedent to the grant of either special pay and compensatory allowance .It is not the intention of the rule either that where the cost of living would justify the grant to a Government employee of a compensatory allowance, he should be rendered ineligible for such allowance, because he has already been granted special pay in recognition of the duties and responsibilities of his post, or that if the attachment of special pay to a post is justified under the terms of the rules it should be subject to reduction because for reasons essentially different, a compensatory allowance as defined in rule 2.13 is subsequently granted .*

Note 1.— *The reasons for the grant of special pay and compensatory allowance should be recorded in the sanctioning orders so that their classification may be duly watched in audit, In cases in which an official record in an open letter is considered undesirable it should be possible to communicate the reason confidentially to the Accountant General.*

Note 2.— *Omitted. .*

Note 3.— *A provision in the contract of a Government employee appointed to a particular post that he should “also do all things that may be required of him” does not contemplate his being required to perform onerous additional duties in another post without remunerations.*

2.53 Sphere of Duty of a Government employee is the local area outside which he cannot travel without the special orders of competent authority. The sphere of duty of Administrative Secretaries is Haryana and Delhi of Heads of Departments other than Commissioners is Haryana of Commissioner his respective Division; of Secretariat Staff and Staff working in the office of Head of Departments, Haryana and Delhi provided that in their cases this power shall not be exercised by Officers below the rank of Deputy Secretary concerned, Head of Department concerned respectively, and of other Government employees as may be ordered by the competent authority.

2.54 Subsistence grant means a monthly grant made to a government employee who is not in receipt of pay or leave salary.

2.55 Substantive pay means the pay, other than special pay, personal pay or emoluments classed as pay by the competent authority under rule 2.44 (a) (iii), to which a Government employee is entitled on account of a post to which he has been appointed substantively or by reason of his substantive position in a cadre.

Note 1.— *Substantive pay includes the pay drawn by a probationer in a post to which he has been appointed on probation .*

Note 2.— *Substantive pay does not include overseas pay.*

2.56 *Omitted.*

2.57 *Omitted.*

2.58 **Temporary post** mean a post carrying a definite rate of pay sanctioned for a limited time. Such a post can either be held substantively or in an officiating capacity.

Note.— *An extension of a temporary post necessary to cover the period of leave granted to its holder, is expedient only when the grant of leave involves, no expense to Government, but improper in the absence of this condition.*

2.59 Tenure post means a permanent post which an individual Government employee may not hold for more than a limited period.

2.60 (a) Time scale pay means pay which, subject to any conditions prescribed in these rules, rises by periodical increments from a minimum to a maximum, It includes the class of pay previously known as progressive.

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

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

Note.— *Identical time-scales, one governed by the Civil Service Regulations and the other by these rules can be treated as identical for the purpose of the Pay Chapter of these Rules. When two posts are on identical time-scales, it is reasonable to hold that the duties and responsibilities of the posts are not very different in nature irrespective of the fact Whether the pay of the posts is governed by the Civil-Service . Regulations or these rules. Duty rendered in one of them may, therefore, be allowed to count towards increment in the other.*

2.61 **Transfer** means the movements of a Government employee from one headquarters station in which he is employed to another such station, either—

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

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

2.62 **Travelling allowance** means an allowance granted to a Government employee to cover the expenses which he incurs in travelling in the interests of the public service, It includes allowances granted for the maintenance of conveyances, horses and tents.

SCHEDULE*Referred to in Rule 2.16 (b)*

I. A Government employee is treated as on duty under the following circumstances:-

(i) When he is following out a duly authorized course of training or instruction in India.

Note 1.— *The period of Military training of Civil Government employees admitted to the Army in India Reserve of Officers or the Indian Territorial Forces is treated as duty.*

Note 2.— *The period spent by Civil Government employee, whether paid from the Defence Services, estimates or Civil Estimates, on training at precadet provincial school with the permission of the Head of Office is treated as duty. This concession is also admissible to temporary Government employees only for so long as they would have continued in service but for their training. These orders will have effect from the 1st October, 1942.*

Note 3.— *The authorities competent to appoint the Government employee to the post for which the training is essential are empowered to treat the period of training or instruction in India of the Government employee as 'duty' for the purpose of rule 2.16 subject to the following conditions:-*

- (a) *The training or instruction should be in India;*
- (b) *The training or instruction should be connected with the post which the Government employee is holding at the time of placing him on training or instruction*
- (c) *It is obligatory on the part of the Government to send the person for such training or instruction;*
- (d) *The training should not be in professional or technical subjects which are normally brought under the provisions relating to study leave; and*
- (e) *The period of training should not exceed one year .*

The Heads of the Departments shall have full powers to treat the period of training or instructions in India as duty in respect of non-gazetted employees & Class II Officers subject to the conditions mentioned above.

Exception.— *Teachers in Government service who are untrained or who being trained are desirous of undergoing a further course of training shall not be regarded as on duty during the course of training. They may be granted leave therefore under the ordinary, rules with such leave salary as may be admissible.*

The provisions of the above Exception do not apply in the following cases:-

- (a) *Women teachers required to undergo a duly authorized course of training approved by competent authority;*
- (b) *teachers in Intermediate Colleges required to undergo S.S.T.C. or B.T. training at a Training College;*
- (c) *teachers and Block Education Officers required to attend a course in physical training;*
- (d) *Physical Training Supervisors in Government Colleges required to attend the Elementary Library Routine Class conducted by any University in the State of Haryana; and*

- (e) *Women teachers from the Government Industrial Schools for girls or from Government Travelling Demonstration Parties required to undergo industrial training at the Industrial Teachers Training Class for Women.*
- (ii) Period or periods spent by an employee of the Haryana Government, in A.R.P. training or A.R.P. duty during normal working hours with the permission of the head of his office shall be treated as duty for the purpose of rule 2.16.
- (iii) In the case of a Government employee who has been substantively appointed to a post or cadre in a Government service during any course of instruction or training which he may be required or permitted to undergo in accordance with the terms of any general or special orders of the competent authority.
- (iv) In the case of a student, stipendiary or otherwise, who is entitled to be appointed to the service of Government on passing through a course of training at a University College or School; during the interval between satisfactory completion of the course and his assumption of duties, unless in any case, it be otherwise provided in the terms of his appointment.
- (v) On the first arrival in India of Government employees appointed outside India, who do not, before they report themselves at the seat of the Government of the Haryana, receive orders to take charge of a specified post during the interval between the date of such report and the date on which they take charge of their duties: Provided that the interval between the receipt of orders and their assumption of duties shall not exceed the amount of joining time which would be admissible to a Government employee entitled to joining time under the rules in Chapter IX.
- (vi) The period of compulsory waiting by a Government employee returning from leave for orders of Government posting him to a particular post.
- (vii) During the period occupied in attending obligatory examinations including the time reasonably necessary for the journeys to and from the place of examination.
- (viii) During the period occupied in attending optional examinations at which a Government employee is permitted to appear by competent authority and during the time reasonably necessary for the journey to and from the place of examination.
- (ix) For the treatment of the periods of periodical military training of Reservists of the Indian Army in Civil Government employee as duty, see Explanation 2" under rule 4.3.
- (x) The period spent by newly-appointed Engineer Officers from the day they report for duty to the day they complete taking over charge of posts involving verification and inspection of stores etc. It is not necessary to create new posts to accommodate the direct recruits since treating the period as duty is by itself a sufficient sanction in this regard.
- (xi) In all cases of enforced halts occurring enroute on tour journeys necessitated by break down of communications due to blockade of roads on account of floods, rains, heavy snowfall, landslides, etc.

- II. A Government employee is not on duty during any time he may spend beyond his sphere of duty except in the following circumstances:-
- (1) Under the conditions laid down in clause I above.
 - (2) If a Police Officer, acting with his legal power.
 - (3) If an Excise and Taxation Officer, Assistant Excise and Taxation Officer, Excise Inspector, Taxation Inspector acting under the orders of—
 - (i) the Excise and Taxation Commissioner, or
 - (ii) Deputy Excise and Taxation Commissioner, or
 - (iii) the Collector.
 - (4) A Tehsildars, or Naib-Tehsildars serving in mahal, a settlement or a colony post who proceeds under the orders of the Deputy Commissioner, Settlement Officer, or Colonization Officer, as the case may be, beyond his sphere of duty but inside the district, or who proceeds under the orders of the Commissioner beyond the districts to which he is posted.
 - (5) If authorized by competent authority, by general or special order.
 - (6) If a ministerial Government employee or a peon, accompanying a recessing officer to his recess station.

CHAPTER - III**General conditions of service****CONDITIONS REGARDING HEALTH AND AGE****(i) Medical Certificate of fitness on first entry into Government service.**

- 3.1** Except as provided in rules 3.2 and 3.3, no person may be appointed in India to a post in Government Service without a medical certificate of health, in the following form. In the case of non-gazetted staff, a declaration in the form appended as an Annexure at the end of this Chapter shall be obtained from the candidates at the time of medical examination required by this rule, or on re-employment to Government service. This declaration form should be filled in by the candidate concerned in the presence of the medical officer:-

“Signature of applicant”

“I hereby certify that I have examined A.B., a candidate for employment in the _____ Department whose signature is given above, and cannot discover that _____ has any disease (communicable or otherwise), constitutional weakness or bodily infirmity, except _____. I do not consider this disqualification for employment in the office of _____. A, B, 's age is, according to _____ own statement, _____ years and by appearance about _____ years _____ has been vaccinated within the last 12 months Or has been re-vaccinated within the last 12 months, or has already had small-pox and shows obvious scars thereof”.

“Marks of identification _____

Impression of left hand thumb and fingers.

Exception (1).— *The Administrative Departments may authorize the drawal of pay and allowances for a period not exceeding two months in respect of fresh recruits to Government service without a medical certificate of health, subject to the condition that if the person concerned is subsequently found medically unfit his services should be terminated after the expiry of the period of one month from the date of communication to him of the findings of the Medical Officer /Board if no appeal for second medical examination is made by him during this period of or after the case for second medical examination is finally decided if such an appeal is made and accepted. This condition should be clearly stated in the initial letter of appointment.*

The Administrative Department shall, however, exercise this power sparingly and in exceptional circumstances only, e.g. when it is considered necessary in the public interest that a selected person should be appointed immediately in anticipation of his medical examination.

Exception (2).— *The Administrative Department may authorize the drawal of pay and allowances without production of fitness certificate in respect of Government employees, other than those covered by clauses (a) and (b) of Note (2) (iv) below rule 3.4 who are promoted to hold gazetted posts and who are required to undergo medical examination by the appropriate medical authority, for a period not exceeding two months subject to the conditions that if the person concerned is subsequently found*

medically unfit, he should be reverted to the lower post from which he had been promoted, after the expiry of one month from the date of communication to him of finding of the examining medical authority if no appeal for a second medical examination is made by him during this period or after the case for second medical examination is finally decided if such an appeal is made and accepted. This condition should clearly be stated in the relevant orders of promotion to the Gazetted post.

Note 1.— *In the case of literate persons who can sign in English, it will be sufficient if the examining Medical Officer or Board obtains on the Medical Certificate only the signature of the candidate in his or its presence which should be verified by the Head of Office by comparison with that in the Service Book.*

Note 2.— *A Certificate to the effect that the medical certificate in the prescribed form has been obtained in respect of the Government Employee should be furnished to the Audit Office as under:-*

- (i) In respect of Gazetted Officer, Certificate furnished by the competent authority, to whom the medical certificate has been submitted, should be attached to the first pay bill.*
- (ii) In respect of non-gazetted officers, the drawing and disbursing officers should furnish certificate along with the first pay bill of the Government employee concerned.*
- (iii) Where the competent authority under "exception" to this rule authorizes the drawal of the pay and allowances of a newly appointed Government Employee for a period not exceeding two months without a medical certificate of health, a certificate of this effect should be furnished in the first pay bill.*
- (iv) Where an officer is declared temporarily unfit by the competent medical authority and retained in service the period for which the officer has been declared temporarily unfit should be intimated to Audit.*

Note 3.— *The Accountant-General, Haryana, is authorized to accept certified copies of Medical Certificate by the Medical Board, India Office, London, in the case of officer, recruited in England through the High Commissioner for India, instead of the original certificate required under the rules.*

Note 4.— *The following fees shall be levied for medical examination of candidates selected for fresh appointment to posts under the Government:-*

- (a) Rs. 16/- in case of appointment to gazetted posts .*
- (b) Rs. 8/- and Rs. 2/- in case of appointment to Class III and Class IV posts, respectively;*

Provided that in the case of candidates belonging to Scheduled Caste or Scheduled Tribes appointed to Class III and IV posts a fee of Rs. 4 and Rs. 1 shall be levied respectively;

Provided further that ex-servicemen/ families of deceased/ serving soldiers shall be exempted from payment of fees for medical examination for first entry into State Government Service and for commutation of portion of pensions.

The fee on account of the above charges shall be credited into Government Treasury in entirety.

Note 5.— *The following fee shall be charged for appeals against Medical Examination of Government employees who have been declared unfit by the Chief Medical Officer or Deputy Chief Medical Officer (Medical) Standing Medical Board:-*

1. *The fee in case of a non gazetted Government employee against the decision of a Chief Medical Officer or Deputy Chief Medical Officer (Medical) declaring him /her unfit whether on account of visual acuity or otherwise should be Rs. 10 .*
2. *The fee in case of appeal by a Gazetted Government employee against the decision of Standing Medical Board declaring him/her unfit whether on account of visual acuity or otherwise should be Rs. 48/-.*
3. *The fee for the second appeal in case of rejection on account of visual acuity which is permissible in doubtful cases will be the same as the fee in case of first appeal .*
4. *There should be no additional charges for the inclusion of second ophthalmologist in the special Medical Board in cases of appeals against rejection of account of visual acuity . It is the responsibility of the Government to constitute the Special Medical Board with two ophthalmologists and it is internal arrangement as to where the second ophthalmologist is called from.*
5. *The successful appellant may be refunded the fee of appeal and also be paid travelling allowance by his department for his attendance before the Board on the analogy of the practice in case of appeal against invalidment. The travelling allowance should be granted equal to actual railway fare (of class of accommodation to which they are entitled) without any allowance for incidental expenses and daily allowance for journey to be undertaken to appear before the Medical Board which is constituted to have another opinion about fitness.*

3.2 A competent authority may, in individual cases dispense with the production of a medical certificate and may, by general order, exempt any specified class of Government employees from the operation of rule 3.1.

Note.— *Once a person is asked to produce a Medical Certificate of fitness for entry into Government Service and has actually been examined and declared unfit, it is not open to the competent authority to use his discretion to ignore the certificate.*

3.3 Except where the competent authority by general or special order directs otherwise, the following classes of Government employees are exempted from producing a Medical Certificate of health:-

- (1) A Government employee appointed by the High Commissioner for India.
- (2) A qualified student of the Thomason College, Roorkee, permanently appointed to the Public Works Department within 18 months from the date of the health certificate granted to him on the completion of the College Course.
- (3) A Government employee appointed in a temporary vacancy for a period not exceeding six months.
- (4) A temporary Government employee who has already been medically examined in one office if transferred to another office without a break in his service . The person concerned should, however, obtain a certificate from the Head of office from which he is transferred to the effect that he had already produced the requisite medical certificate of health.
- (5) A retired Government employee re-employed immediately after retirement.

Note 1.— *The production of a Medical Certificate is necessary when:-*

- (i) *a Government employee is promoted from a non-qualifying service paid from a local fund to a post in Superior Government service;*
- (ii) *a person is re-employed after resignation or forfeiture of past service;*

Exception.— *A person re-employed after resignation shall be exempted from producing a Medical certificate of fitness if the resignation was for taking up another appointment under Government or quasi-Government body for which he applied with the approval of and through the appropriate departmental authority, provided that he was medically examined by the competent medical authority and declared fit according to the medical standards not lower than those required in his new post.*

Note 3.— *In the case of Government employees referred to in clause (3) of the rule; the appointing authorities should, in any case, satisfy themselves that the candidate is protected against smallpox.*

3.4 (1)(a) Except in the case of members of the Haryana Home Guards, the Medical Certificate of health shall be signed by a Medical Board in the case of a Gazetted Government employees, and by a Chief Medical Officer or a Senior Medical Officer or a Medical Officer of equivalent status in the case of Non-Gazetted Government employee other than Class IV.

(b) In the case of members of the Haryana Home Guards who are primarily governed by the Punjab Home Guards Act, 1947 and the Punjab Home Guards, Rules 1960 the medical certificate of health shall be signed by a Chief Medical Officer in the case of a gazetted officer and by a Senior Medical Officer or a Medical Officer of equivalent status in the case of non-gazetted officers and the Medical examination shall be held in accordance with the standard laid down by the Commandant-General, Haryana Home Guards.

(2)(a) In the case of a female candidate appointed to a gazetted post. The medical certificate shall be signed by a Medical Board consisting of a woman doctor possessing Medical qualification included in one of the Schedules to the Indian Medical Council Act, 1956 (102 of 1956) as one of its members, and

(b) in the case of a female candidate appointed to a Non-gazetted post, the medical certificate shall be signed by a registered female medical practitioner possessing a medical qualification included in one of the Schedules to the Indian Medical Council Act, 1956. (102 of 1956).

(3) In the case of Class IV Government employees, the medical certificate shall be signed by the Authorised Medical Attendant possessing a medical qualification included in one of the Schedules to the Indian Medical Council Act, 1956 (102 of 1956) and where there is no such Authorised Medical Attendant by a Government Medical Officer of the nearest dispensary or hospital possessing such qualification.

(4) A candidate who is likely to be employed in a temporary capacity continuously for a period exceeding six months shall produce either before or within a week from the date of employment, the certificate from the competent medical authority as prescribed in this rule. When however, a Government employee initially employed in an office in a

temporary capacity for a period not exceeding six months is subsequently retained in that office or is transferred without a break to another office and the total period of continuous service under Government is expected to last for a period exceeding six months he shall produce such a certificate within a week from the date of orders sanctioning his retention in that office or joining the new office.

Note 1.— (i) A person who is appointed to the Government service a fresh after a break in service not exceeding one year should be treated as in continuous service from the purpose of these provisions, the period of break not being counted. If however the period of break exceeds one year, he should be regarded as a fresh entrant to Government Service.

(ii) A person who is in continuous service but in different posts should be deemed the purpose of these provisions to have been in continuous service in the same post.

Note 2.— (i) A permanent Government employee holding a gazetted post under the Haryana Government when appointed to another gazetted post under the State Government need not be subjected to a fresh medical examination by a Medical Board;

(ii) A permanent Government employee holding a gazetted post in Centre or under any other State Government when appointed to a gazetted post under the State Government need not be subjected to a fresh medical examination by a Medical Board.

(iii) A permanent Government employee holding a Non-gazetted post in the Centre or under any other State Government when appointed to a gazetted post under the Haryana Government will be required to undergo a fresh medical examination by a Medical Board, but when appointed To a non-gazetted post, no medical examination will be necessary; and

(iv) In cases where the rules for recruitment to new appointments prescribe a fresh medical examination in respect of all candidates all directly recruited/selected candidate irrespective of the fact whether they are already in permanent or quasi – permanent Government service in the same or in other departments or are fresh appointees, should undergo a medical examination by the prescribed Standard and by the prescribed medical authority; provided that a fresh medical examination will not be necessary in the case of—

(a) a person who is already in permanent or temporary employee of the Government and has already undergone a medical examination by a standard and by a medical authority which are recognised by the appointing authority as equivalent to those prescribed for the new appointment for which he is recruited to selected; and

(b) A person who is already in permanent or temporary employee of the Government in the same line and being eligible for promotion to the new appointment against a promotion quota of vacancies, is actually so promoted and has already been medically examined and declared fit for Government service.

Note 3.— These provisions do not apply to the medical examination of persons recruited through the competitive examination conducted by the Haryana Public Service Commission.

Note 4.— These provisions will not have retrospective effect and past cases need not be reopened.

Note 5.— The gazetted staff posted at Delhi is permitted to produce certificates of health and age signed by the Medical Board, Delhi.

Note 6.— *A candidate recruited to the H.C.S. (Executive Branch) from Register A-1 (Tehsildars and Naib-Tehsildars) and Register-A-II (Ministerial Government Employees) should not be required to undergo medical examination if he was medically examined and declared fit on appointment to Government service.*

3.5 When a Government employee in whom a defect has been noticed by the examining surgeon, but which defect is not considered to be a disqualification for employment in the particular office or department in which he is serving is subsequently transferred to another office or department the duties of which are of a different character, the transfer shall not be regarded as permanent until the Chief Medical Officer or other Medical authority referred to in rule 3.4 has, at the written request of the Head of the new office or department, certified either that the defect previously noticed has disappeared or that it does not constitute a disqualification for the new duties entrusted to the Government employee.

3.5-A. The appointing authority shall have power to require a Government employee to appear before a Medical Board to test his physical fitness for the efficient discharge of the duties of his post, whenever, it has reason to believe that the Government employee is not physically fit to carry out his duties satisfactorily. The Government employee concerned shall, however, have a right of appeal to an appellate Medical Board, against the decision of the first Medical Board.

(ii) Age of entry into Government Service.

[3.6 (a)] Notwithstanding anything contrary contained in the respective service rules, no person whose age exceeds 40 (Forty) years may ordinarily be admitted into pensionable service under the Government.

(b) The age limit of 40 (Forty) years shall be extended by five years in the case of Scheduled Castes/Scheduled Tribes and Backward Classes for appointment to Gazetted as well as non-Gazetted services or posts.

Note 1.— *The restriction as to age will not apply in the case of recruitment of ex-soldiers, military pensioners and reservists to class IV posts.*

Note 2.— *The age limit prescribed for appointment to any service or post shall be relaxed in favour of ex-serviceman who has rendered military service to the extent of his military service added by three years provided he had rendered continuous military service for a period of not less than six months before his release and he had been released otherwise than by way of dismissal or discharge on account of misconduct or inefficiency.*

3.7 The limit in rule 3.6 in the following cases shall be;

(a) Forty years in the case of a person appointed to be a subordinate Judge; provided that Barristers, Vakils and Pleaders who are actually practising in the High Court or Courts subordinate thereto, will be allowed to subtract from their age one year for each year of practice upto maximum of 3 years:

Note.— *The maximum age limit in this clause may, in special circumstances, be relaxed by the Hon'ble Judges at the time of appointment by not more than one year.*

(b) fifty years in the case of Senior Town Planner;

(c) forty-five years in the case of Regional Town Planner;

(d) forty years in the case of Divisional Town Planner;

0 The question of relaxing the age limit for entry into Government service laid down in rules 3.6 and 3.7 shall be considered at the time of first appointment to a post whether such appointment is of an officiating, temporary or permanent nature.]⁴

3.8 The Government may, in case of any class or category of persons, waive the restriction of age limit specified in rule 3.6 if in its opinion it is justified in view of the special circumstances.

Provided that in the case of persons to be recruited as class IV employees in the Haryana Raj Bhawan, the competent authority to waive the said restriction shall be the Secretary to Governor .

Provided further that in the case of persons to be recruited as class III and class IV employees in the secretariat of the Haryana Legislative Assembly, in competent authority to waive the said restriction shall be the speaker, Haryana Legislative Assembly.

(iii) Vaccination and re-vaccination.

3.9 Every Government employee shall get himself vaccinated and re-vaccinated at any time when so directed by the Government by general or special order.

WHOLE TIME OF A GOVERNMENT EMPLOYEE AT THE DISPOSAL OF GOVERNMENT

3.10 Unless in any case it be otherwise distinctly provided, the whole time of a Government employee is at the disposal of the Government which pays him and he may be employed in any manner required by proper authority, without claim or additional remuneration whether the services required of him are such as would ordinarily be remunerated from Union or State revenues, or from the revenues of a local fund.

SUBSTANTIVE APPOINTMENT AND LIEN

3.11(a) Two or more Government employees cannot be appointed substantively to the same permanent post at the same time.

(b) A Government employee cannot be appointed substantively except as a temporary measure, to two or more permanent posts at the same time.

(c) A Government employee cannot be appointed substantively to a post on which another Government employee holds a lien.

3.12 Unless in any case it be otherwise provided in these rules, a Government employee on substantive appointment to any permanent post acquires a lien on that post and ceases to hold any lien previously acquired on any other post.

⁴ Rule 3.6 & 3.7 Substituted w.e.f. 22.09.1999 vide Notification No. 6/1(1)/2000-1FR-I, Dt. 05.06.2001

- 3.13** Unless his lien is suspended under rule 3.14 or transferred under rule 3.16, a Govt. employee holding substantively a permanent post retains a lien on that post:-
- (a) while performing the duties of that post;
 - (b) while on foreign service, or holding a temporary post, or officiating in another post;
 - (c) during joining time on transfer to another post; unless he is transferred substantively to a post on lower pay; in which case his lien is transferred to the new post from the date on which he is relieved of his duties in the old post;
 - (d) except as provided in Note below while on leave other than refused leave granted after the date of compulsory retirement under rule 8.21: and
 - (e) while under suspension.

Note.— *When a Government employee holding substantively the post of a Chief Engineer of the Public Works Department, takes leave immediately on vacating his post he shall during the leave be left without a lien on any permanent post.*

The word “vacate” as used in this note refers only to vacation as a result of completion of tenure on attainment of superannuation.

- 3.14** (a) A competent authority shall suspend the lien of a Government employee on a permanent post which he holds substantive; if he is appointed in a substantive capacity—
- (1) to a tenure post, or
 - (2) to a permanent post outside the cadre on which he is borne, or
 - (3) provisionally, to a post on which another Government employee would hold a lien, had his lien not been suspended under this rule.
- (b) A competent authority may, at its option, suspend the lien of a Government employee on a permanent post which he holds substantively, if he is deputed out of India or transferred to foreign service, or in circumstances not covered by clause (a) of this rule, is transferred, whether in a substantive or officiating capacity, to a post in another cadre, and if in any of these cases there is reason to believe that he will remain absent from the post on which he holds a lien, for a period of not less than three years.
- (c) Notwithstanding anything contained in clause (a) or (b) of this rule, a Government employee's lien on a tenure post may, in no circumstances, be suspended. If he is appointed substantively to another permanent post, his lien on the tenure post must be terminated.
- (d) If a Government employee's lien on a post is suspended under clause (a) or (b) of this rule, the post may be filled substantively, and the Government employee appointed to hold it substantively shall acquire a lien on it : Provided that the arrangements shall be reversed as soon as the suspended lien revives.

Note 1.— *This clause shall also apply to a post in a selection grade of a cadre.*

Note 2.— *When a post is filled substantively under this clause, the appointment will be termed “a provisional appointment”: the Government employee appointed will hold a provisional*

lien on the post; and that lien will be liable to suspension under clause (a) but not under clause (b) of this rule.

- (e) A Government employee's lien which has been suspended under clause (a) or (b) of this rule, shall revive as he ceases to hold a lien on a post of the nature specified in sub-clause (1), (2) or (3) of that clause.
- (f) A Government employee's lien which has been suspended under clause (b) of this rule shall revive as soon as he ceases to be on deputation out of India or on foreign service or to hold a post in another cadre : Provided that a suspended lien shall not revive because, the Government employee takes leave if there is reason to believe that he will on return from leave, continue to be on deputation out of India or on foreign service or to hold a post in another cadre and the total period of absence on duty will not fall short of three years or that he will hold substantively a post of the nature specified in sub-clause (1) (2) or (3) of clause (a).

Note.— *When it is known that a Government employee on transfer to a post outside his cadre is due to retire on superannuation pension within three years of this transfer, his lien on the permanent post cannot be suspended.*

- 3.15** (a) Except as provided in clause (c) of this rule and in note under rule 3.13, a Government employee's lien on a post may, in no circumstances, be terminated, even with his consent, if the result will be to leave him without a lien or a suspended lien upon a permanent post.
- (b) In a case covered by sub-clause (2) of clause (a) of rule 3.14 the suspended lien may not, except on the written request of the Government employee concerned, be terminated while the Government employee remains in Government Service.
 - (c) Notwithstanding the provisions of rule 3.14 (a), the lien of a Government employee holding substantively a permanent post shall be terminated while on refused leave granted after the date of compulsory retirement under rule 8.21; or on his appointment substantively to the post of Chief Engineer of the Public Works Department.

Note.— *In a case covered by rule 3.14(a) (2), where a Government employee is appointed in a substantive capacity to a permanent post outside the cadre on which he is borne, rule 3.15 (b) precludes permanently the termination of his suspended lien unless and until a written request to this effect is received from him. The result is that it is possible for such a Government employee to stop his suspended lien being removed from the parent cadre indefinitely and thus cause inconvenience to the parent office. Such a situation may be met by appropriate executive action being taken by the Controlling officer who may refuse his consent to such a Government employee being confirmed or retained in a permanent post outside his cadre unless he agrees to his lien on a permanent post in his parent office being terminated.*

- 3.16** Subject to the provisions of rule 3.17 a competent authority may transfer to another permanent post in the same cadre the lien of a Government employee who is not performing the duties of a post to which the lien relates, even if that lien has been suspended.

3.17 (a) A Government may transfer a Government employee from one post to another:

Provided that except—

- (1) on account of inefficiency or misbehaviour or
- (2) on his written request,

a Government employee shall not be transferred substantively to, or, except in a case covered by rule 4.22, appointed to officiate in a post carrying less pay than the pay of the permanent post on which he holds a lien, or would hold a lien had his lien not been suspended under rule 3.14.

- (b) Nothing contained in clause (i) above or in rule 2.35 shall operate to prevent the re-transfer of a Government employee to the post on which he would hold a lien, had it not been suspended in accordance with the provisions of clause (a) of rule 3.14.

Note 1.— *In cases covered by clause (a) (2) above the Government employee will have his initial pay fixed under rule 4.4 and, if necessary; under rule 4.1.*

Note 2.— *Permanent transfer from a higher to a lower scale in anticipation of the abolition of a post is not transfer within the meaning of this rule.*

Note 3.— *In cases in which it is desired to give to a Government employee an extension of service on the condition that he voluntarily agrees to accept a post in a lower grade, so as not to interfere with the legitimate expectations of his juniors to promotion; the only method is to create a temporary post. Such a step only be permitted under most exceptional circumstances. It must be regarded as the normal course of events that an extension of service involve delay of promotion to juniors and no proposal for the creation of a temporary post to satisfy legitimate expectations will be considered unless it has been submitted to the competent authority before the extension of service is granted.*

SUBSCRIPTION TO PROVIDENT FUNDS

- 3.18** A Government employee may be required to subscribe to a provident fund, a family pension fund or other similar fund in accordance with such rules as the competent authority may by order prescribe.

DATE OF RECKONING PAY AND ALLOWANCES

- 3.19 (1)** Subject to any exceptions specifically made in these rules, a Government employee commences or ceases to be entitled to the pay and allowances of a post with effect from the date he assumes or relinquishes charge of the duties of that post, if he assumes or relinquishes charge of those duties in the forenoon of that date; otherwise from the following day.

Note.— *This rule does not apply to cases in which it is the recognized practice to pay a Government employee at higher rate for more important duties performed during a part only of a day.*

- (2) The date from which a person recruited overseas shall commence to draw pay on first appointment shall be determined by the general or special orders of the authority by whom he is appointed.

- 3.20** *Omitted.*

3.21 *Cancelled***CHARGE OF OFFICE**

3.22 Except as provided in rules 3.23, 3.24 and 8.25 to 8.33, the charge of an office must be made over at its head quarters; both the relieving and relieved Government employee being present.

Note 1.— *Every relieving Government employee is responsible for informing the Government employee to be relieved, at the earliest possible moment of the date when he will be in a position to receive charge and it is the duty of the Government employee to be relieved to be in readiness to deliver charge on that date.*

Note 2.— *When more than one day is occupied in making over charge, the last date should be entered in the Charge Report and an explanation should be submitted.*

3.23 A competent authority may permit the provisions of rule 3.22 to be relaxed either as to the place of making over charge or the condition that both Government employees shall be present, or both: Provided—

- (a) both Government employees must be present unless the transfer or assumption of *charge* does not involve the handing or taking over of securities or of moneys other than a permanent advance;
- (b) if the Government employee relieved departs before the arrival of his relief, his early departure shall not entail a correspondingly early transfer from another station of a Government employee to perform his duties; and
- (c) If the Government employee relieving arrives or returns from leave after the *departure* of the Government employee relieved, the delay in his arrival or returns shall not involve in a corresponding delay in the transfer to another station of the Government employee who was performing his duties during his absence or in the discharge from Government service of a person temporarily appointed to it.

Explanation.— *In deciding whether the absence of a Govt. employee involves the transfer of a Government Employee from another station for the purpose of the provisions (b) and (c) of this rule, account should be taken only of the substitute who takes the place of the absent Government employee, not of all Government employees, in the claim of arrangements arising from one Government employee's absence on leave.*

Note 1.— *For rules regarding the prefixing and affixing of holidays and vacation to joining time and leave see rule 8.26 to 8.33.*

Note 2.— *In cases involving transfer and charge of an office elsewhere than its headquarters, the exact nature of the reasons should be expressed on the face of the orders for the information of the Audit Officer.*

3.24 On condition that the departing Government employee remains responsible for the moneys in his charge, a competent authority may declare that proviso (a) under rule 3.23 is not applicable to any particular case.

Note.— *The handing over of a permanent advance is not a transfer of money, but the Government employee going on leave continues, to be responsible for the money till the formal assumption of charge by his successor.*

CONTINUOUS ABSENCE FROM DUTY

- 3.25** Unless the competent authority in views of the exceptional circumstances of the case otherwise determines, no Government employee shall be granted leave of any kind for a continuous period exceeding five years.

COMPULSORY RETIREMENT

- 3.26(a)** Except as otherwise provided in other clause of this rule, every Government employee shall retire from service on the afternoon of the last day of the month in which he attains the age of fifty-eight years. He must not be retained in service after the age of compulsory retirement, except in exceptional circumstances with the sanction of the competent authority in public interest, which must be recorded in writing.

[Provided that the age of compulsory retirement for the members of the [Judicial Services, blind and] Class IV Government employees shall be sixty years].

Provided further that a Government employee whose date of birth is the first of a month shall retire from service on the afternoon of the last day of the preceding month on attaining the age of fifty eight or sixty years, as the case may be.

- (b) *Deleted*
- (c) [No Engineer-in-Chief in the P.W.D., shall, without re-appointment, hold the post for more than five years, but re-appointment to the post may be made as often, and in each case for such period not exceeding five years, as the competent authority may decided, provided that the term of re-appointment shall not extend beyond the date of his superannuation.]¹
- (d) The appointing authority shall, if it is of the opinion that it is in the public interest so to do, have the absolute right to retire any Government employee, other than Class IV Government. employee by giving him notice of not less than three months in writing or three months pay and allowances in lieu of such notice—
- (i) If he is in class I or class II Service or post and had entered Government service, before attaining the age of thirty five years, after he has attained the age of fifty years; and
- (ii)(a) if he is in class III service or post, or
- (b) if he is class I or class II service or post and entered Government service after attaining the age of thirty five years;

after he has attained the age of fifty five years:

[Provided that in the case of a member of the Judicial Service, if he had entered Government service before or after attaining the age of thirty five years, his case for retention in service beyond the age of fifty-eight years, shall be considered before he attains such age;]

The Government employee would stand retired immediately on payment of three months pay and allowances in lieu of the notice period and will not be in service thereafter.

- (e) A Government employee, other than a class IV Government employee, may be giving a notice of not less than three months in writing to the appointing authority, retire from service—
- (i) if he is in class I or II service or post and had entered Government service before attaining the age of thirty-five years after he has attained the age of fifty years; and
 - (ii)(a) if he is in class III service or post; or
 - (b) if he is in class I or class II service or post and entered Govt. service after attaining the age of thirty-five years;

after he has attained the age of fifty five years:

[Provided that in the case of a member of the Judicial Service, he shall have the option to retire at the age of fifty –eight years, which should be exercised by him in writing before he attains the age of fifty-seven years. A member who does not exercise such option before he attains the age of fifty-seven years, would be deemed to have opted for continuing in service till the superannuation age of sixty years with the liability to compulsory retirement at the age of fifty- eight years; and]¹

Provided [further]¹ that it shall be open to the appointing authority to withhold permission to a Government employee under suspension who seeks to retire under this clause.

Note 1.— *Officiating service unless followed by confirmation without interruption in such service does not count towards the period of five years mentioned in sub-clause © (3). The period shall however include any period which the holder of the post may spend on deputation or special duty.*

Note 2.— *Military Officers serving in Civil employee shall cease to be in such employee on reaching the age of fifty-eight years.*

Note 3.— *Clauses (a), (b) and (c) (i) of this rule apply to all Government employees to whom these rules as a whole apply, whether they be holding temporary or permanent posts substantively or in an officiating capacity. When a Govt. employee holding a permanent post substantively is officiating in another post, this rule should be applied according to the character or the post in which he is officiating and not according to the character of the permanent post held substantively by him.*

Note 4.— *The grant, under rule 8.21 of leave extending beyond the date on which a Govt. employee must compulsorily retire, or beyond the date upto which a Govt. employee has been permitted to remain in service, shall not be treated as sanctioning an extension of service, for the purposes of pensionary or contributory provident fund benefits or the retention of lien. The Govt. employee shall become eligible from the date of expiry of such leave, for all pensionary benefits as due to him on the date of compulsory retirement, or if an extension of service is granted, on such other later date upto which his service is extended or on which he is actually relieved whichever is earlier.*

Note 5.— *Regarding the day of attaining a specified age see rule 2.5.*

Note 6.— *This rule is applicable to re-employed personal and the rules in chapter VII of volume II of these rules . are subject to the conditions laid down in this rule. Rule 7.17 of Volume II of these rules, however from the nature of its concession and conditions puts the re-employment of a person in receipt of a superannuation or retiring pension in special class outside this rule and subject to the conditions stated in that rule itself which must be observed with every renewal of sanction.*

Note 7.— *In computing the notice period of three months referred to in clauses (d) and (e) the date of service of the notice and the date of its expiry shall be excluded.*

Note 8.— (i) *A Government employee shall retire immediately on payment of pay and allowances in lieu of notice given to him under clause (d) . He shall be entitled to pension from the date of such retirement and the pension shall not be deferred till the expiry of the period of three months for which he is paid pay and allowances. In other words pay and allowances paid in lieu of the notice period shall be in addition to pension for the said period.*

(ii) *The payment of pay and allowances in lieu of the notice period shall be made simultaneously with the order of retirement.*

(iii) *The pay and allowances to be paid in lieu of the notice period shall be the pay and allowances including House Rent Allowances and City Compensatory Allowance drawn immediately before the retirement.*

(iv) *Since the Government employee shall stand retired immediately on payment of three months pay and allowances in lieu of notice period and shall not be in service thereafter, the question of either taking into consideration the date of increment or counting of any period subsequent to the date of such retirement for the purpose of pension etc. does not arise.*

(v) *The three months pay and allowances paid in lieu of notice are, “Salary” and therefore, income tax shall be deducted at source.*

Annexure

(Referred to in Rule 3.1)

Candidate's Statement and Declaration

The candidate must make the statement required below prior to his Medical Examination and must sign the declaration appended thereto. His attention is specially invited to the warning contained in the note below:-

1.	State your name in full (in block letters)				
2.	State your age and place of birth				
3 (a)	Have you ever had small-pox, intermittent or any other fever, enlargement or suppuration of glands, spitting of blood, asthma, heart disease, lung disease, fainting attacks, rheumatism, appendicitis ? or				
(b)	any other disease or accident requiring confinement to bed and medical or surgical treatment ?				
4.	When were you last vaccinated ?				
5.	Have you or any of your near relations been afflicted with consumption, scrofula, gout, asthma, fits, epilepsy or insanity?				
6.	Have you ever suffered from any form of nervousness?				
7.	Have you been examined and declared unfit for Government service by a Medical Officer/Medical Board, within the last three years? If so, mention results				
8.	Furnish the following particulars concerning your family:				
	Father's age if living and state of health	Father's age at death and cause of death	Number of brothers living, their ages and state of health	Number of brothers dead, their ages at death and cause of death	
	Mother's age, if living and state of health	Mother's age at death and cause of death	Number of sisters living, their ages and state of health	Number of sisters dead, their ages at death and cause of death	
9.	Please state whether you have deposited the Medical Examination Fee in the Government Treasury under head "0210—Medical-other				

	receipts Fees for Medical Examination" according to the status of the post against which you have been appointed. If so, state the amount and the Treasury challan number and date	
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I declare to the best of my knowledge and belief that the above statement is true and correct.

I also solemnly affirm that I have not received a disability certificate/ pension on account of any disease or other condition.

Candidate's Signature_____

Signed in my presence

Signature of Medical Officer

Note.— *The candidate will be held responsible for the accuracy of the above statement. By willfully suppressing any information he will incur the risk of losing the appointment and, if appointed, of forfeiting all claims to past service.*

CHAPTER - IV**Pay****GENERAL**

- 4.1 (1)** Subject to the rules contained in this chapter, a competent authority may fix the pay of a Government employee, but his pay shall not be so increase as to exceed the pay sanctioned for his post without the sanction of the authority competent to create a post in the same cadre on a rate of pay equal to his pay when increased.

Note.— *It is not the intention of this clause that it should give an authority power to grant less pay than or to grant pay in excess of what is permissible under rules 4.4 to 4.6. But once an initial pay is fixed under rule 4.4, rule 4.10 enables an authority mentioned therein to grant advance increments. Thus, in fact, rules 4.4 and 4.10 read together, enable a competent authority to fix initial pay in excess of the amount permissible by rule 4.4 only.*

- (2) Notwithstanding the restriction referred to in or imposed by clause (1) above, a competent authority may grant to any Government employee—

- (i) personal pay as defined in clause (a) of rule 2.47, or
- (ii) special pay as defined in rule 2.52, or
- (iii) both personal pay and special pay.

Note 1.— *Special pay of ten rupees may be drawn by a Munshi in the Irrigation Branch of the Public Works Department when he is appointed to the post of Ahlmad.*

Note 2.— *Omitted.*

Note 3.— (a) *The following principles should be strictly observed for the grant of personal pay as defined in rule 2.47:-*

No application for the grant of compensatory personal pay should be entertained unless:-

- (i) *The Government employee's service has consistently been of exceptional merits;*
 - (ii) *The Government employee is fit for promotion but there is no possibility of giving him any advancement in the near future; and*
 - (iii) *the Government employee has been at least three years on the same pay or if his pay is progressive, on the maximum pay of his post.*
- (b) *The mere fulfillment of the conditions mentioned above should not be regarded as securing a personal pay to a Government employee as a matter of course, the purpose of the conditions being to enable obviously weak claims to be summarily rejected.*
- (c) *individual cases of Government Employees who hold selected posts which form a cadre by themselves in a particular office will not be covered normally under this rule.*

4.2 *Cancelled.*

4.3 In respect of any period treated as duty under rule 2.16(b), a Government employee may be granted such pay as the competent authority may consider equitable but in no case exceeding the pay which the Government employee would have drawn had he been on duty other than duty under rule 2.16(b)

Explanation 1.— *Civilian Government employees while undergoing training in the Army in India Reserve of Officers will draw the following rates of civil pay, in addition to their military pay and allowances:-*

- (i) *When proceeding to carry out their training from their duty posts, the pay and allowances they would have drawn in their civil appointment but for the training for the whole period of absence on such training inclusive of the time spent in transit to and fro;*
- (ii) *While on leave in India, Burma and Ceylon, the civil leave-salary and allowances which they would have drawn but for the training; and*
- (iii) *When proceeding to carry out their training on the expiry of leave out of India taken from their civil posts but before rejoining their civil posts for duty—*
 - (a) *joining time civil pay from the date of disembarkation in India to the date preceding that on which their military training commences, and*
 - (b) *full civil pay during the period of training and the period spent in journeying to the places of their civil posts.*

The period spent in training and on the journey to and from the place of training will be treated as duty for the purpose of civil leave and increments in civil pay.

Explanation 2.— *A reservists of the Indian Armed Forces (excluding the reserves of officers), in civil employ will, when called up for periodical military training, receive military pay and allowances. He will also receive the excess, if any, of the civil pay over his military pay: Provided that this concession is specifically sanctioned by the competent authority. Except, where the civil pay of the reservist is met from the Defence Estimates the extra expenditure involved will not constitute a charge against the Defence Estimates.*

The period spent in training and on the journey to and from the place of training will be treated as duty for purpose of civil leave, pension and increments of civil pay.

Note.— *The expression 'Pay' occurring in this rule should be held to include special pay, if any, which the Government. employee drew in the post which he held substantively or in officiating capacity.*

FIXATION OF INITIAL PAY

4.4 The initial substantive pay of a Government employee who is appointed substantively to a post on a time-scale of pay is regulated as follows:-

- (a) If he holds a lien on a permanent post, other than a tenure post, or would hold a lien on such a post had his lien not been suspended-
 - (i) when appointment to the new post involves the assumption of duties or responsibilities of greater importance (as interpreted for the purposes of rule 4.13) than those attaching to such permanent post, he will draw as initial pay the stage of the time-scale next above his substantive pay in respect of the old post;
 - (ii) when appointment to the new post does not involve such assumption, he will draw as initial pay the stage of the time scale which is equal to his substantive pay in respect of the old post, or, if there is no such stage, the stage next below that pay plus personal pay equal to the difference; and in either case will continue to draw that pay until such time as he would have received an increment in the time scale of the old post or for the period

after which an increment is earned in the time scale of the new post, whichever is less. But if the minimum of the time scale of the new post is higher than his substantive pay in respect of the old post he will draw minimum as initial pay;

- (iii) when appointment to the new post is made on his own request under rule 3.17(a) and maximum pay in the time scale of that post is less than his substantive pay in respect of the old post, he will draw that maximum as initial pay.

Note.— *The expression “if he holds a lien on a permanent post” occurring in this clause should be held to include the lien on a permanent post to which a Government employee is appointed in a provisional substantive capacity under rule 3.14 (d), and the expression “substantive pay in respect of the old post” occurring in it should be held to include his substantive pay in respect of that provisional substantive appointment. This clause should, therefore, be held to permit the substantive pay in respect of a provisional substantive appointment being taken in to account in determining his initial pay in another post to which he is appointed. When the initial pay of a Government employee in a post is thus fixed, it will not be affected even if during the tenure of his appointment to that post he reverts from his provisional appointment.*

- (b) If the conditions prescribed in clause (a) are not fulfilled, he will draw as initial pay the minimum of the time-scale:

Provided both in cases covered by clause (a) and in cases, other than cases of re-employment after resignation or removal or dismissal from the public service, covered by clause (b) that if he either—

- (1) has previously held substantively or officiated in—
 - (i) the same post, or
 - (ii) a permanent or temporary post on the same time-scale or
 - (iii) a permanent post other than a tenure post or a temporary post (including a post (including a post in a body, incorporated or not, which is wholly or substantially owned or controlled by the Government) on an identical time scale, or
- (2) is appointed substantively to a tenure post on a time-scale identical with that of another tenure post which he has previously held substantively or in which he has previously officiated,

then the initial pay shall not except in cases of reversion to parent cadre governed by proviso 1(iii) be less than the pay, other than special pay, personal pay or emoluments classed as pay by the competent authority under rule 2.44 (a)(iii), which he drew on the last such occasion, and he shall count for increments the period during which he drew that pay on such last and any previous occasions for increment in the stage of the time-scale equivalent to that pay. If, however, the pay last drawn by the Government employee in a temporary post has been inflated by the grant of premature increments the pay which he would have drawn but for the grant of these increments shall, unless otherwise ordered by the authority competent to create the new post, be taken for the purposes of this proviso to be the pay which he last drew in the temporary post. The service rendered in a post referred to in proviso (1) (iii) shall, on reversion to the parent cadre, count towards initial fixation of pay, to the extent and subject to the conditions indicated below:-

- (i) The Government employee should have been approved for appointment to the particular grade/post in which the previous service to be counted.
- (ii) all his seniors, except those regarded as unfit for such appointment, were serving in the post carrying the scale of pay in which benefit is to be allowed or in higher post, whether in the department itself or elsewhere, and at least one junior was holding a post in the Department carrying the scale of pay in which the benefit is to be allowed; and
- (iii) the service will count from the date his junior is promoted and the benefit will be limited to the period the Government employee would have held the post in his parent cadre had he not been appointed to the ex-cadre post.

Note.— *In respect of Government employee serving in an ex-cadre post on identical time scale of pay as the time scale of the parent cadre service rendered in the ex-cadre post upto 31st May, 1966 shall count for purposes of fixation of pay and increment to the extent admissible under proviso I (iii) as it existed immediately before 1st June, 1966, if the same is more advantageous to him.*

- (c)(i) Notwithstanding anything contained in these rules, where a Government employee holding a post in a temporary or officiating capacity promoted or appointed in a substantive, temporary or officiating capacity to another post carrying duties and responsibilities of greater importance than those attaching to the post held by him, his initial pay in the time scale of the higher post shall be fixed at the stage next above his pay drawn by him in the lower post provided it is certified by the Head of the Department or Head of the Office where he is appointing authority in respect of Class III and IV Government employees in which the Government employee was holding the lower post that he would have continued to officiate in the lower post but for his promotion/appointment to the higher post.
- (ii) The provisions of sub rule (2) of rule 4.14 shall also be applicable in any case where the initial pay is fixed under this clause. In cases, where a Government employee is, immediately before his promotion or appointment to a higher post, drawing pay at the maximum of the time scale of the lower post, his initial pay in the time scale of the higher post shall be fixed in the same manner as provided in sub-clause (i) above.

Explanation.— *Reversion to the ordinary cadre of service from a tenure post included in that cadre or from a tenure of special post not included in it, does not constitute substantive appointment to a post for the purpose of this rule.*

Note 1.— *When a Government employee is appointed to a higher post on the date on which his increment in the lower substantive post falls due, his substantive pay for the purpose of fixing his initial pay in the higher post shall be inclusive of his increment accruing on that date.*

Note 2.— *A Government employee when appointed to a post substantively while officiating in it is entitled to have his fixed anew under this rule with reference to his substantive pay at the time in respect of his old permanent post.*

Note 3.— *When the next increment in the time-scale of either the new or old post falls due, the Government employee should draw the next increment in the time-scale of the new post, and forthwith lose the personal pay allowed under clause (a) (ii) of this rule and all connections with the time-scale of his old post. The personal pay is given to a Government employee only for the purpose of initial pay and not any subsequent stage*

in the new time-scale in which the Government employee might draw less pay than he would have drawn had he remained in the old time-scale.

Note 4.— A Time-scale may be recent introduction, whereas the cadre or class to which it is attached may have been in existence on a graded scale before the time-scale came into force or it may be that one time-scale has taken the place of another.

Explanation.— If a Government employee has held substantively or officiated in a post prior to the introduction of new time scale and has drawn during the period salary or pay equal to a stage in the revised time scale then the initial pay in the new time scale may be fixed at the salary or pay last drawn and the period during which it was drawn may be counted for increments in the same stage or if the salary or pay drawn in the pre-revised scale was intermediate between the two stages in the new scale than at the stage in the revised scale next above the pay drawn in the existing scale immediately before the introduction of the revised scale with date of next increment falling due after putting in the prescribed length of services:

Provided that a Government employee may opt to continue to draw pay in pre-revised scale until the date on which he earns his next or any subsequent increment in that scale, if it is more beneficial to him. In the absence of any orders to the contrary in the orders sanctioning the revision of time scale he must exercise such option within a period of six months from the date of issue of orders sanctioning the revised scale.

Note 5.— See also Notes 3 and 4 under rule 4.6

Note 6.— Under rule 4.4 and 4.13, it is necessary for the purposes of fixing the initial pay of a Government employee transferred from one post to another on a different scale of pay in a substantive or officiating capacity, to determine the degree of responsibility attaching to the two posts. A declaration as to the relative degree or responsibility shall, therefore, be necessary and will be given by the competent authority. Such declarations will, however, be necessary only in cases where there is some doubt as to the relative degree of responsibilities attaching to the new posts.

Note 7.— The intention underlying the restrictive sub-clause of the proviso to clause (b) of this rule is to prevent men, who were given enhanced rates of pay when competition in the labour market was keen and qualified men scarce, from carrying the inflated pay with them after those conditions had abated to any other posts to which they might be appointed. Accordingly this sub-clause applies even in the case of a temporary Government employee who is appointed to another temporary post either on the abolition of his previous temporary post or for other reasons. In the latter case, however, when the transfer has been made in the interest of public service, the restriction in question may be relaxed by the authority competent to create the post.

The word “minimum of the scale” appearing in the respective sub-clause of the provision should be taken to mean the minimum of the previous post in which the advance increments were granted.

Note 8.— It is permissible to post-date the substantive promotion of a Government employee to a higher post upto to a date when it will be to his benefit to be promoted under the operation of this rule. This date may be selected at the option of the Government employee concerned, which must be exercised within six months from the date of order making the promotion and when once exercised must be final. No compensation will be given for any consequences which may follow from the exercise of this option. When the option has been exercised, an entry should be made to this effect in the service book of the Government employee concerned and attested by the Head of the Office.

These orders will apply to promotions in the same class of appointments and not to cases where there is complete change in the nature of the appointment and they should be confined to departments or establishments divided into grades.

For so long as the promotion is deferred under the orders in paragraph 1 above, the place in the superior grade will remain vacant but promotions can be made in the place of the Government employee who would have been promoted from the date, the vacancy originally occurred as if the promotion had actually taken place on that date. All that would happen is an excess appointment in the lower grade against a vacancy left unfilled in the higher grade and this is permissible under rule 7.15 of the Punjab Financial Rules, Volume I.

Note 9.— (1) *Where a Government employee is in receipt of a special pay in a post, his pay on promotion to a higher post will be fixed after taking into account the special pay drawn in the lower post subject to the following conditions:-*

- (i) *the special pay in the lower post should have been granted in lieu of a separate higher time scale (e.g. special pay granted to steno-typists, clerks in-charge, etc.);*
- (ii) *if the special pay has been drawn in the lower post continuously for a minimum period of three years on the date of promotions, the pay in the higher post will be fixed under the normal rules, treating the special pay as part of basic pay. In other cases, the pay in the time scale of the higher post will be fixed under the normal rules with reference to basic pay drawn in the lower post (excluding the special pay), where this results in drop in emoluments, the difference between the pay so fixed and the pay plus special pay drawn in the lower post will be the pay so fixed and the pay plus special pay drawn in the lower post will be allowed in the form of personal pay to be absorbed in future increases of pay;*
- (iii) *in both the kinds of cases referred to in clause (ii) above, it should be certified that, but for the promotion, the Government employee would have continued to draw the special pay in the lower post:*

[Provided that where the lower and higher promotion posts carry special pay in lieu of a separate higher time scale, the special pay drawn in the lower post shall not be taken into account while fixing pay on promotion to a higher post].

Exception.— (i) *The Condition of special pay having been drawn continuously for a minimum period of three years as well as the certificate of continued drawl of special pay but for promotion should not be insisted upon in the case of a person holding substantively the lower post carrying special pay in lieu of a separate higher scale. This exemption will not be available to officers with substantive position in a cadre and holding, post carrying a special pay in lieu of a separate higher scale in the cadre as confirmation of officers in the cadre is not made against individual posts. The condition of drawl of special pay in such posts continuously for not less than three years should be applied in those cases.*

- (ii) *The certificate of continued drawl of special pay but for promotion in case where a special pay is in lieu of a higher scale of pay and has been drawn continuously for at least three years should be dispensed with. In other cases, such a certificate should be insisted upon.*
- (iii) *It may happen that a senior person promoted to the higher post before completing three years in the special pay post draws less pay than his junior who is promoted after completing three years in the special pay post. Where such cases occur the pay of the senior should be stepped up to the level of pay of the junior from the date of promotion*

of the latter, provided the junior was not drawing higher pay than the senior from time to time in the lower post and the lower and higher posts held by the junior and the senior belonging to the same cadre.

(2) *The following type of special pay will not be taken into account for fixation of pay in the higher posts:-*

- (i) *Special pay drawn in a tenure post;*
- (ii) *Special pay granted for service in particular localities on account of remoteness, un-healthiness, severity of climate, etc.;*
- (iii) *Deputation (Duty) Allowance or special pay drawn in lieu thereof.*

Note 10.— *In the case of a person who proceeds from a lower cadre posts to a higher ex-cadre post, the benefit of the pay drawn in the ex-cadre post will not be allowed for the purpose of fixation of pay on promotion/reversion to a higher cadre post. On reversion from the ex-cadre post, the pay of the official will be fixed under rule 4.4(c) with reference to the pay admissible in the lower cadre post.*

4.5 The initial substantive pay of a Government employee who is appointed substantively to post on a time scale of pay which has been reduced for reasons other than a diminution in the duties or responsibilities attached to posts thereon and who is not entitled to draw pay on the time-scale as it stood prior to reduction, is regulated by rule 4.4: Provided in cases, other than cases of re-employment after resignation or removal or dismissal from the public service, covered by clause (a) or clause (b) of that rule if he either—

- (1) has previously held substantively or officiated in—
 - (i) The same post prior to reduction of its time-scale or
 - (ii) a permanent or temporary post on the same time scale as the unreduced time-scale of the post, or
 - (iii) a permanent post other than a tenure post, or a temporary post on a time scale of pay identical with the unreduced time-scale of the post, such temporary post being on the same time scale as a permanent post, or
- (2) is appointed substantively to a tenure post, the time scale of which has been reduced without a diminution in the duties or responsibilities attached to it, and has previously held substantively or officiated in another tenure post on a time scale identical with the unreduced time scale of the tenure post,

then the initial pay shall not be less than the pay, other than special pay, personal pay or emoluments classed as pay by the competent authority under rule 2.44 (a)(iii), which he would have drawn under rule 4.4 on the last such occasion, if the reduced time scale of pay had been in force from the beginning and he shall count for increments the period during which he would have drawn that pay on such last and any previous occasions : Provided that service rendered on pay at a stage in a time scale which is less than the minimum of the revised scale shall not count for increment in that scale.

Note 1 to 3.— *Omitted.*

Note 4.— *A Government employee held up at an efficiency bar in the old scale will not be entitled to initial pay in the reduced scale at a stage higher than the corresponding efficiency bar in the reduced scale. When there is only one efficiency bar in the old*

scale and more than one in the new scale, he will be held up at the first bar unless he is declared fit to cross it by the competent authority.

4.5-A (1) Notwithstanding anything contained in these rules, the following provisions shall govern the pay of a Government employee who is appointed as a probationer in another service or cadre, and subsequently confirmed in that Service or cadre—

(a) during the period of probation he shall draw pay at the minimum of the time scale or at the probationary stages of the time scale of the service or post, as the case may be;

Provided that if the presumptive pay of the permanent post, other than a tenure post, on which he holds a lien or would hold a lien had his lien not been suspended, should at any time be greater than the pay fixed under this clause, he shall draw the presumptive pay of the permanent post;

(b) on confirmation in the service or post after the expiry of the period of probation, the pay of the Government employee shall be fixed in the time scale of the service or post in accordance with the provisions of Rule 4.4.

(2) The provisions contained in sub-rule (1) shall apply mutatis-mutandis to cases of Government employees appointed on probation with definite conditions against temporary posts in an another service or cadre where recruitment to permanent posts of such service or cadre is made as probationers, except that in such cases the fixation of pay in the manner indicated. In clause (b) of sub-rule (1) shall be done under Rule 4.14 of these Rules immediately on the expiry of the period of probation and on regular officiating appointment to a post, either permanent or temporary, in the Service or cadre.

(3) Notwithstanding anything contained in these rules, a Government employee appointed as an apprentice in another Service or cadre shall draw—

(a) during the period of apprenticeship, the stipend or pay prescribed for such period provided that if the presumptive pay of the permanent post, other than a tenure post, on which he holds a lien or would hold a lien had his lien not been suspended, should at any time be greater than the stipend or pay fixed under this clause, he shall draw the presumptive pay of the permanent post;

(b) on satisfactory completion of the apprenticeship and regular appointment to a post in the Service or cadre, the pay as fixed in the time scale of the Service or post under Rule 4.4 or 4.14 as the case may be, of these Rules.

4.6 The holder of a post the pay of which is changed shall be treated as if he was transferred to a new post on the new pay; subject to such restrictions as the competent authority may in each case lay down.

Note 1.— Omitted.

Note 2.— This rule applies to an officiating as well as to a substantive holder of a post.

Note 3.— If the maximum pay of a post is altered with no change in the rate of increment and the minimum, the initial pay of the holder of that post should be fixed under rule 4.4 (a) (ii) and not under rule 4.4 (a) (i) even though he may be holding the post substantively. See also note 5 below.

Note 4.— *For the purpose of rules 4.4 and 4.6 a temporary post on a certain rate of pay (fixed or time-scale), which is converted into a permanent post on same or a different rate of pay is not the “same post” as the permanent post even though the duties remain the same. In other words, in view of rule 2.58, the temporary post is to be regarded as having ceased to exist and to have been replaced by the permanent post. The incumbent of the temporary post is, thus, entitled only to the pay of the permanent post if it is on a fixed rate of pay or to the minimum pay of the time-scale of the permanent post if it is on a time-scale unless his case is covered by the concession admissible under proviso (1)(ii) and (1)(iii) to rule 4.4. Consequently, service in a temporary post created on a certain scale of pay when converted into a permanent post on a different scale of pay, will not count for increment in the latter scale.*

Note 5.— *The orders in note 4 above do not refer to cases of transfer from one temporary post to another such post or from a temporary post to a permanent post. Nor do they debar service in a temporary post, created as an addition to a cadre, and on the same time-scale, from counting towards increments in a permanent post in that cadre even after such a temporary post has been abolished.*

INCREMENTS

4.7 An increment shall ordinarily be drawn as a matter of course, unless it is withheld. An increment may be withheld from a Government employee by a competent authority if his conduct has not been good or his work has not been satisfactory. In ordering the withholding of an increment, the withholding authority shall state the period for which it is withheld and whether the postponement shall have the effect of postponing future increments.

Note 1.— *With effect from the 1st day of November, 1975, an increment shall be drawn from the 1st day of the month in which it falls due.*

Note 2.— *The increment of an employee on leave on the 1st of the month shall be actually drawn from the date of resuming duty on return from leave.*

Note 3.— *If an employee has officiated in a par scale for short periods at different times at the same stage of pay, he shall be granted increments from the 1st of month in which it falls due after counting the broken periods equal to one year, provided the employee has also been holding the post from the first of that month to the date on which increment falls due. In case he is not holding the post on the first of the month, the increment shall be granted from the date it falls due.*

Note 4.— *Where a normal increment is withheld for specific period and the period of such penalty expires after the 1st of the month increment shall be granted/restored from the date of penalty ceases.*

Note 5.— *Advance/enhanced increments which are allowed as a result of passing of certain examination, will be governed by the relevant rules and orders issued from time to time.*

4.8 Where an efficiency bar is prescribed in a time-scale the increment next above the bar shall not be given to a Government employee without the specific sanction of the authority empowered to withhold increments under rule 4.7 or the relevant disciplinary rules applicable to the Government employee or of any other authority whom the Governor may, by general or special order, authorize in his behalf.

Note 1.— *When a Government employee is allowed to pass an efficiency bar which had previously been enforced against him, he should come on to the time-scale as such stage as the authority competent to declare the bar removed may fix for him, subject, of course to the pay admissible according to his length of service.*

Note 2.— *The application of the efficiency bar in the junior time scale should not affect a Government employee pay in the senior time-scale; he should be paid in the latter scale according to his length of service, unless his pay in such scale is itself effected by the operation of an efficiency bar or by a disciplinary order passed against him.*

Note 3.— *The cases of all officers held up at the efficiency bar should be reviewed annually with a view to determine whether the quality of their work has improved and generally whether the defects for which they were stopped at the bar have been remedied to an extent sufficient to warrant the removing of the bar.*

4.9 The following provisions prescribed the conditions on which service counts for increment in a time-scale—

(a) All duty in a post on a time-scale counts for increment in that time-scale:

Provided that, for the purpose of arriving at the date of the next increment in that time-scale, the total of all such periods as do not count for increment in that time-scale shall be added to the normal date of increment.

Note 1.— *See also clause (e) of this rule.*

Note 2.— *In the case of a Government employee who, while officiating in a post, proceeds on training or to attend a course of instruction and who is treated as on duty while under training, these periods of such duty will count for increment in the post in which he was officiating prior to his being sent for training or instruction for which he is allowed the pay of the officiating post during such period.*

Exception 1.— *The period of training at Madhuban of probationary Inspectors and Sub-Inspectors of Police during which time they draw pay below the minimum rates in the time scale of pay counts towards increments in the time-scales applicable to them.*

Exception 2.— *The period of training spent by probationary Inspectors of Police in districts during which time they draw pay below the minimum rates of the time scale applicable to them counts towards increments in such time-sales.*

Note 3.— *A period of overstayal of leave does not count towards increments in a time scale unless under rule 8.121(2) (a) it is converted into extraordinary leave and under the proviso to clause (a) below the extraordinary leave is specially allowed to count for increments.*

Note 4.— *For counting of service rendered in a time-scale governed by the Civil Service Regulations for increment in an identical time-scale governed by these rules, see note under rule 2.60.*

Note 5.— *If a probationer is confirmed at the end of a period of probation exceeding twelve months, he is entitled to claim retrospectively the increments, which but for his probation he would have received in the ordinary course. This provision is applicable only to cases where the normal probationary period itself is more than twelve months and not to the type of cases where the normal probationary period of a probationer is extended on account of his failure to pass the departmental examination within the time limit prescribed for the purpose. In other words, in cases where the normal*

probationary period is itself more than twelve months on confirmation the officer may be given the increments which he would have drawn but for his probation and arrears in this regard may also be allowed to the officer. On the other hand, in cases where the period of probation is extended on account of failure to pass the departmental examination, while there is no objection to the pay and increments being regulated on confirmation at the end of the extended probationary period on the basis of what the officer would have drawn but for his probation, no arrears on this account should be allowed to him for the period prior to the date of confirmation. This would mean that the increment of the officers is withheld without cumulative effect for failure to pass the departmental examination and cannot be considered as a penalty within the meaning of rule 4 of the Punjab Civil Services (Punishment & Appeal) Rules, 1952.

- (b)(i) Service in another post other than a post carrying less pay referred to in clause (a) of rule 3.17, whether in a substantive, or officiating capacity, service on deputation out of India and leave except extraordinary leave taken otherwise than on medical certificate count for increments in the time scale applicable to the post on which the Government employee holds a lien, as well as in the time scale applicable to the post or posts, if any, on which he would hold a lien had his lien not been suspended.
- (ii) All leave except extraordinary leave taken otherwise than on medical certificate and the period of deputation out of India shall count for increment in the time scale applicable to a post in which a Government employee was officiating at the time he proceeded on leave or deputation out of India and would have continued to officiate but for his proceeding on leave or deputation out of India;

Provided that the competent authority may in any case in which it is satisfied that the extraordinary leave was taken for any cause beyond the Government employee's control or for prosecuting higher scientific and technical studies, direct that extraordinary leave shall be counted for increments under clause (i) or (ii).

Note 1.— *The period of annual holidays with wages corresponding to earned leave will count towards increments in the case of temporary workmen governed by the Factories Act in grades in which the appointing authority will in each case certify that the workman concerned would have actually continued to work, but for his proceeding on leave and the period of leave will count for increments only to the extent it is covered by the certificate. A permanent workman working in a higher grade in an officiating capacity may also count such leave towards increments in that higher post subject to the certificate in the case of temporary workmen.*

Note 2.— *In the case of non-gazetted Government employees, whenever the requisite certificate under this rule is issue by the Administrative authority, a very concise entry such as "Certificate under rule 4.9 (b) (ii) of the Punjab Civil Services Rules, Volume I, Part I, issued for the period from _____ to _____" should be recorded after the entry regarding leave in the service book.*

Note 3.— *In case of Government employees engaged on contract who are governed by the leave terms mentioned in appendix 16 in Part II of this Volume, certificate under rule 4.9(b) (ii) may be dispensed with where such officers are appointed on contract to specific posts and proceed on leave from these posts.*

Note 4.— *In the case of officers who are given definite contracts without specifying any particular posts and other contract officers, who, though appointed initially in specific posts, are transferred in an officiating capacity to other posts, and who proceed on leave thereafter, the certificate under rule 4.9(b)(ii) will be necessary to count the*

period of such leave for increments in the posts which they hold in an officiating capacity immediately prior to proceedings on leave.

Note 5.— *In the case of a Government employee proceeding on leave, where no officiating arrangement is made in the leave vacancy and the Government employee is likely to return to the same post after leave, the certificate that he would have actually continued to officiate in the post, but for his proceeding on leave shall be issued by the leave sanctioning authority at the time of grant of leave. In all other cases, the certificate shall be issued by the appointing authority.*

In all other cases, the certificate shall be issued by the appointing authority.

Exception.— *The above certificate in respect of all the employees of the Haryana Vidhan Sabha should be issued by its Secretary concerned and in respect of the Secretary the certificate should be issued by the Speaker of the Haryana Vidhan Sabha.*

Note 6.— *In the case of temporary/officiating Government employees a certificate that Government employee concerned would have continued to officiate in that post but for his proceeding on extraordinary leave is necessary and the period of extraordinary leave would count for increment only to the extent covered by the certificate.*

Note 7.— *Quasi permanent Government employees will be treated in the same way as permanent Government employees in respect of the specified posts in which they have been declared quasi permanent but in respect of other posts in which they may be officiating, the certificate of continued officiation as envisaged in Clause (b)(ii) would be necessary as in the case of the temporary Government employees.*

- (c)(i) If a Government employee, while officiating in a post or holding a temporary post on a time scale pay, is appointed to officiate in a higher post or to hold a higher temporary post, his officiating or temporary service in the higher post, shall, if he is re-appointed to the lower post or is appointed or re-appointed to a post on the same time-scale of pay count for increments in the time-scale applicable to such lower post. The period of officiating service in the higher post which counts for increment in the lower is, however, restricted to the period during which the Government employee would have officiated in the lower post but for his appointment to the higher.

This clause applied also to a Government Employee who is not actually officiating in the lower post, at the time of his appointment to the higher post, but who would have so officiated in such lower post or in a post on the same scale of pay had he not been appointed to the higher post.

- (ii) If a Government employee on reversion from an ex-cadre post to the parent cadre is appointed to a post on a scale lower than that of the ex-cadre post but not on the same time scale as the post held at the time of his transfer to the ex-cadre post, the service rendered on the higher scale in the ex-cadre post shall count for increments in the time-scale applicable to the cadre post subject to the same conditions as are laid down for cases falling under proviso (1)(iii) to Rule 4.4(b):

Note 1.— *The intention of this rule is to allow the concession, irrespective of whether the higher post is within or outside the department to which the Government employee belongs.*

Note 2.— *For the purpose of this clause, the officiating and temporary service in the higher post will also include the period of leave except extraordinary [leave taken otherwise than on medical certificate] provided it is certified by the appointing authority that Government*

employee concerned would have actually officiated in the lower post but for proceeding on leave from the higher post.

Note 3.— *These benefits shall also be extended to State Government employees officiating in higher posts or holding higher temporary posts under the Central Government*

(d) Foreign service counts for increments in the time scale applicable to—

- (i) the post in Government service on which the Government employee concerned holds a lien as well as the post or posts, if any, on which he would hold a lien had his lien not been suspended, and
- (ii) any post in the parent cadre on a lower scale of pay to which the Government employee is appointed on reversion from the ex-cadre post subject to the fulfillment of the conditions mentioned in proviso (1)(iii) to Rule 4.4(b).,
- (iii) the post in Government service in which the Government employee was officiating immediately before his transfer to foreign service, for so long as he would have continued to officiate in that post or a post on the same time scale but for his going on foreign service.

(e) Joining time counts for increment:-

- (i) If it is under clause (a) of Rule 9.1, in the time scale applicable to the post on which a Government employee holds a lien or would hold a lien, had his lien not been suspended as well as in the time scale applicable to the post, the pay of which is received by a Government employee during the period; and
- (ii) If it is under clause (b) of Rule 9.1, in the time scale applicable to the post/posts in which the last day of leave before the commencement of the joining time counts for increment.

4.10 An authority may grant a premature increment to a Government employee on a time-scale of pay, if it has power to create a post in the same cadre on the same scale of pay.

Note 1.— *A proposal to grant an increment in advance of the due date should always be scrutinized with special jealousy as it is contrary to the principle of a time-scale of pay to grant an increment before it is due. Such a grant should not be made or advised except in very rare circumstances which would justify a personal pay to a Government employee whose pay is fixed.*

Note 2.— *The expression “scale of pay” represents the maximum of the scale which is to be taken into account for determining the authority competent to sanction increments rather than the stage of it.*

Note 3.— *The grant of premature increments to members of the State Civil Medical Service is governed by the rules in Appendix XI to the Punjab Medical Manual.*

Note 4.— *In the case of increments granted in advance, it is usually the intention that the Government employees should be entitled to increments in the same manner as if he had reached his position in the scale in the ordinary course and in the absence of special orders to the contrary he should be placed on exactly the same footing, as regards future increments, as a Government employee who has so risen.*

TRANSFER FROM A HIGHER TO A LOWER GRADE OR FROM A HIGHER STAGE TO A LOWER STAGE

- 4.11** The authority which orders the transfer of a Government employee as a penalty from a higher to a lower grade or post may allow him to draw any pay, not exceeding the maximum of the lower grade or post, which it may think proper;

Provided that the pay allowed to be drawn by a Government employee under this rule shall not exceed the pay which he would have drawn by the operation of rule 4.4 read with clause (b) or clause (c) as the case may be of rule 4.9.,

- 4.12(1)** If a Government employee is reduced as a measure of penalty to a lower stage in his time-scale, the authority ordering such reduction shall state the period for which it shall be effective and whether, on restoration the period of reduction shall operate to postpone future increments and, so to what extent.

- (2) If a Government employee is reduced as a measure of penalty to a lower service, grade or post, or to a lower time-scale, the authority ordering the reduction may or may not specify the period for which the reduction shall be effective; but where the period is specified, that authority shall also state whether, on restoration, the period of reduction shall operate to postpone future increments, and if so, to what extent.

Note 1.— *Having regard to the principle underlying rule 4.12, the question as to whether an increment falling during due the period of reduction should or should not be allowed is one necessarily to be decided with reference to the exact terms of the order of the punishing authority. If the Audit Officer feels any doubt about the intention underlying the orders of the punishing authority, he has simply to ascertain it and act accordingly.*

Note 2.— *If the reduction to a lower post or grade is for an unspecified or indefinite period, the pay of the Government employee, on reappointment to the higher post or grade shall be regulated under the normal rules and not under rule 4.12.*

Note 3.— (a) *Every order passed by the authority imposing on a Government employee the penalty of reduction to a lower stage in a times scales should indicate—*

- (i) *The date from which it will take effect and the period (in terms of years and months) for which the penalty shall be operative;*
- (ii) *The stage in the time-scales (in terms of rupees) to which the Government employee is reduced; and*
- (iii) *The extent (in-terms of years and months), if any, to which the period referred to at (i) above should operate to postpone future increments.*

It should be noted that reduction to a lower stage in a time-scale is not permissible under the rule either for an unspecified period or as a permanent measure. Also when a Government employee is reduced to a particulars stage, his pay will remain constant at that stage for the entire period of reduction. The period to be specified under (iii) should in no case exceed the period specified under (i)

- (b) *The question as to what should be the pay of a Government employee on the expiry of the period of reduction should be decided as follows:-*

- (i) *If the order of reduction lays down that the period of reduction shall not operate to postpone future increment, the Government employee should be allowed the pay which he would have drawn in the normal course but for the reduction. If,*

however, the pay drawn by him immediately before reduction was below the efficiency bar, he should not be allowed to cross the bar except in accordance with the provision of rule 4.8.

- (ii) *if the order specifies that the period of reduction was to operate to postpone future increments for any specified period the pay of the Government employee shall be fixed in accordance with (i) above but after treating the period for which increment were to be postponed as not counting for increments.*
- (c) *In order to ensure that every order passed by a competent authority imposing on a Government employee the penalty of reduction to a lower stage in a time scale is definite and clear, such an order should be worded as in the form given below:-*

It is, therefore, ordered that the pay of Shri _____ be reduced by _____ stages from Rs. _____ to Rs. _____ in the time scale of pay for a period of _____ year/month with effect from _____
it is further that Shri _____ will/will not earn increments of pay during the period of reduction and that on the expiry of this period, the reduction will/will not have the effect of postponing his future increments of pay .

- 4.12** *A Where an order of penalty of withholding of increment of a Government employee or his reduction to a lower service, grade or post, or to a lower time-scale, or to a lower stage in a time scale, is set aside or modified by a competent authority on appeal or review, the pay of the Government employee shall, notwithstanding anything contained in these Rules, be regulated in the following manner:-*
- (a) *if the said order is set aside, he shall be given, for the period such order has been in force, the difference between the pay to which he would have been entitled had that order not been made and the pay he had actually drawn;*
- (b) *if the said order is modified, the pay shall be regulated as if the order so modified had been made in the first instance.*

Explanation.—*If the pay drawn by a Government employee in respect of any period prior to the issue of the orders of the competent authority under this rule is revised the leave salary and allowances (other than travelling allowance), if any, admissible to him during that period shall be revised on the basis of the revised pay.*

Note.—*In respect of cases falling under clause (a) of this rule, service rendered by the Government employee in the lower service, grade or post or lower time scale or lower stage in the time scale or at the stage the increment was withheld from the date of imposition of such penalty by the disciplinary authority to the date on which the order of penalty is set aside by the competent appellate or reviewing authority shall count for increment or for other purposes in the post which he was holding immediately before the imposition of the penalty provided that he would have continued to hold that post but for the order of penalty. In respect of cases falling under clause (b) of this rule, such service from the date of imposition of the penalty by the disciplinary authority to the date on which the order is modified by the appellate or reviewing authority, shall be counted for the purpose of increment or for other purposes in the post which he was holding immediately before the imposition of the penalty or any other post which he would have held but for the order of penalty, to the extent, the modified order permits of such counting. For example, if an officer of a Class I Service in the Senior scale (Rs. 700-1250) is reduced to a Class II Service (Rs. 350-900) for a period of, say two years, and if after six months, the order is modified by the appellate authority as reduction to*

the Class I Service in the Junior Scale (Rs. 400-1100) the period of six months will count for increment in the Junior Scale. If, on the other hand, the order of penalty is modified as reduction to a lower stage in the time scale (Rs. 700-1250) for a specified period or withholding of increment in that time scale 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.

Administrative Instruction.— *A permanent post vacated by reduction of a Government employee to a lower service, grade or post or to a lower time-scale, should not be filled substantively until the expiry of a period of one year from the date of such reduction. Where on the expiry of period of the one year, the permanent post is filled and the original incumbent of the post is reinstated thereafter, he should be accommodated against any post which may be substantively vacant in the grade to which his previous substantive post belonged. If there is no such vacant post, he should be accommodated against a supernumerary post which should be created in this grade with proper sanction and with the stipulation that it would be terminated on the occurrence of the first substantive vacancy in that grade.”*

PAY OF OFFICIATING GOVERNMENT EMPLOYEES

- 4.13(1)** Subject to the provisions of rule 4.22 and 4.23, a Government employee who is appointed to officiate in a post shall not draw pay higher than his substantive pay in respect of a permanent post, other than a tenure post, unless the post in which he is appointed to officiate is one of those enumerated in the schedule to this rule or unless the officiating appointment involves the assumption of duties and responsibilities of greater importance than those attaching to the post, other than a tenure post, on which he holds a lien or would hold a lien had his lien not been suspended.

Provided that the competent authority may exempt from the operation of this rule any service which is not organized on a time-scale basis and in which a system of acting promotions from grade to grade is in force at the time of the coming into force of these rules.

Provided further that the competent authority may specify posts outside the ordinary line of a service the holders of which may, notwithstanding the provisions of this rule and subject to such conditions as the competent authority may prescribe, be given any officiating promotion in the cadre of the service which the authority competent to order promotion may decide and may thereupon be granted the same pay (whether with or without any special pay, if any, attached to such posts) as they would have received if still in the ordinary line.

- (2)** For the purpose of this rule, the officiating appointment shall not be deemed to involve the assumption of duties or responsibilities of greater importance if the post to which it is made is on the same scale of pay as the permanent post, other than a tenure post, on which he holds a lien or would hold a lien had his lien not been suspended, or on a scale of pay identical therewith.

Note 1.— *The words ‘duties and responsibilities’ used in this rule are to be interpreted in a wide sense as including besides the works to be performed the general responsibilities and*

liabilities incidental to being member of a particular service, See also note 7 below rule 4.4.

Note 2.— *Higher officiating pay is not permissible to old incumbents in cases where different posts on different scales of pay have been merged into a single time-scale for entrants into Government service after 31st December, 1930.*

Note 3.— *With reference to the 2nd proviso in clause (1) of this rule, it has been decided not to issue a list of the posts of the kind referred to therein, but to deal, on its merits, with each case as it arises. In each, case so dealt with, adequate safeguards should be laid down so as to prevent the tenure of posts outside the ordinary line of a service by unduly senior Government employees which might cause undue expense and be in other ways contrary to public interest and also to prevent Government employees from receiving the rate of pay attached to selection posts which they would have been regarded as unfit to hold if present in the ordinary line. This point should be carefully kept in view by the authority recommending a case for the declaration by the competent authority.*

Note 4.— *(i) Punjab Government has sanctioned the adoption of the following guiding principles for purpose of clarifying the position and for the working of the convention usually known as the “next below rule”—*

- (1) A Government employee out of his regular line should not suffer by forfeiting officiating promotion which he would otherwise have received, had he remained in the regular line.*
- (2) The fortuitous officiating promotion of someone junior to a Government employee who is out of the regular line does not in itself give rise to a claim under the next below rule.*
- (3) Before such a claim is established, it should be necessary that all the Government employees senior to the Government employee who is out of the regular line have been given officiating promotion.*
- (4) It is also necessary that the Government employee next below him should have been given promotion, unless in any case the officiating promotion is not given because of inefficiency, unsuitability or leave.*
- (5) In the event of one or more of the three bars mentioned above being applicable to the Government employee immediately below the Government employee outside his regular line, a more junior Government employee should have received officiating promotion and the Government employees, if any, in between should have been passed over for one of these reasons.*

(ii) The holders of special (interim) posts such as Secretary ship to a Governor or a State Government should be ready to accept loss of officiating promotion in a higher scale or grade to higher posts in the ordinary line for short periods, not exceeding three months in consequence of their incumbency of special posts, and that when the stage is reached at which their retention involves loss of substantive or lengthy officiating promotions the proper course would be to make arrangements to enable them to be released from the special posts rather than to compensate them for the loss of officiating promotion under the next below rule.

(iii) In cases where an officer is deprived of officiating promotion to a higher paid post owing to it being impracticable for the time being to release him from the special post outside the ordinary line no compensation shall be granted in respect of the first three

months of his retention in the lower paid post unless the conditions of the next below rule are satisfied.

- (iv) *In cases where the period for which officiating promotion is lost exceeds three months the officer concerned may be granted the pay of the higher post for the excess period but arrangements should be made wherever possible to avoid depriving officers of lengthy period of officiating promotions.*
- (v) *Save in exceptional circumstances no officer to whom the next below rule would apply should be retained in a lower paid post for more than six months beyond the date on which he becomes entitled to officiate continuously in a higher post.*
- (vi) *The expression "posts outside the ordinary line of a service" in the second proviso to rule also includes besides ex-cadre posts, special posts, outside the ordinary line, which are borne on the cadre of a service. Holders of such posts can be given the benefit of a declaration under that rule provided that the conditions precedent to the application of the next below rule are fulfilled in their case.*
- (vii) *Cases of these holders of posts in the ordinary line, who may suffer loss of officiating promotion owing to it being impracticable to release them from their posts can also be dealt with under the second proviso to rule 4.13 if the conditions precedent to the application of the next below rule are satisfied in any case.*
- (viii) *In the case of officers, who in the public interest have to be deprived of officiating promotions whether they are serving outside the ordinary line or in the ordinary line and in which case the conditions laid down in the next below rule are not satisfied, the instructions contained in clause(iii)and (iv) above will apply.*

Orders of the Punjab Government .

In some instances claims have been supported for the protection of more than one officer in respect of a single officiating appointment in cases where a consecutive series of two or more officers in a cadre are on deputation to post outside the regular line, and the officer next below them is promoted to officiate in a higher post in the cadre. In order to eliminate any doubt in the matter it has been decided by Government that one officer and one officer only namely, the most senior fit officer who is not debarred by the conditions prescribed for the application of the rule should be allowed the benefit under the "next below" rule.

It may happen that the senior most officers serving outside the regular line does not require to be protected under the "next below" rule by his belonging to one or other of the types indicated below:-

- (i) *An officer serving outside the ordinary line holds a post carrying a scale of pay identical with that of an administrative post in the ordinary line, and is eligible for the pay and incremental benefits of the higher post in the ordinary line and also for the benefit of special additional pension by virtue of a declaration under rule 6.15 of Punjab Civil Services Rules, Volume II.*
- (ii) *An officer outside the regular line holds a post (generally temporary) carrying better pay than the "identical" scale and qualifying per se or by special declaration, for special additional pension as for the higher post in the ordinary line.*

In such cases, the protection under the "next below" rule in respect of any one vacancy occurring in the regular, line may go to the next senior most fit officer of the series serving outside the cadre who is not independently protected in respect of pay, increment or pension by belonging to one or other of these types.

Note 5.— *In the case of ministerial and other establishment in which there are no grades in the sense in which the words was used in the Civil Service Regulations the proviso in clause (1) of this rule is intended to cover, where necessary all cases of the grant of officiating allowance from one fixed rate of pay to another without change of duty.*

Note 6.— (i) *It is not intended that the phrase “outside the ordinary line of service” in the second proviso to clause (1) of this rule should be rigidly interpreted either as “outside the cadre of a service” or as “outside the ordinary time scale”. The form of words adopted in this rule gives discretion to the competent authority in regard to a case where exceptional circumstances which could not be foreseen and provided for by rule, might arise.*

(ii) *The specification of a post under this proviso will enable a Government employee to count service in that post for increment in the grade in which he would have officiated had he not been holding the specified post.*

Note 7.— *The pay of a Government employee officiating in a post the pay of which is subject to increase upon the passing of an examination or on the completion of a certain period of service is the pay which he would, from time to time, receive if he held the post substantively.*

Note 8.— *The pay of a Government employee officiating in a post of the pay which has been reduced from the next succession thereto is the reduced pay.*

Note 9.— *It is not the intention behind rule 4.14 under which the title to presumptive pay is always subject to the provisions of this rule that the presumptive pay of the post as determined by rule 4.4 (a)(ii) be allowed as a matter of course. According to rule 4.13, where the officiating appointment does not involve the assumption of duties and responsibilities of greater importance, it is not permissible for the Government employee to draw pay higher than his substantive pay (if any) in respect of a permanent post. In other words, while the Punjab Civil Services Rules are not prohibitive in respect of officiating promotions in such circumstances they, undoubtedly restrict the officiating pay to the substantive pay, from time to time of the Government employee concerned.*

The case of a Government Employee without a permanent post and therefore, having no substantive pay in respect of such a post is, however, different, Rule 4.13 being inapplicable in such cases, he is entitled to have his pay regulated exclusively under rule 4.14 read with rule 4.4 (b) but to check any extravagance in officiating pay in such cases, it is always open to the competent authority to take resort to the provisions of rule 4.16.

Note 10.— *Though no change of duties is involved, deputation pay in England may be enhanced on account of officiating promotion in India.*

Note 11.— *A declaration by Government that a particular post involves more important duties or duties of a different character justifies the grant of officiating pay to a Government employee appointed to the post from another post in the same cadre.*

Note 12.— *Normally no pay higher than the substantive pay is admissible on an officiating appointment to a selection grade post which does not involve assumption of duties or responsibilities of greater importance except where such a post has been included in the schedule to rule 4.13 of Punjab Civil Services Rules, Volume I, Part-I. It has now been decided in relaxation of the provisions of rule 4.13 *ibid*, that:-*

(i) *officiating appointment to the Selection Grade may be permitted in such cases;*

- (ii) *the pay of the employee in the Selection Grade may be fixed at the stage next above his pay at the relevant stage of the time scale and the date of next increment would be on the completion of the normal period. The provision of sub-rule (2) of rule 4.14 shall also be applicable in such cases.*
- (iii) *the benefit of the "next below rule" may be extended in such cases, subject to all the conditions of that rule being satisfied.*

SCHEDULE

1. District and Session Judges, Selection Grade.

- 4.14(1)** Subject to the provisions of Rules 4.13 and 4.16 a Government employee who is appointed to officiate in a post shall draw the presumptive pay of that post.
- (2) On an enhancement in the substantive pay, as a result of increment or otherwise, the pay of such Government employee shall be re-fixed under sub-rule (1) from the date of such enhancement as if he was appointed to officiate in that post on that date where such re-fixation is to his advantage.

Note 1.— See also notes 7 and 8 below rule 4.13.

Note 2.— *In the case of a Government employee whose officiating pay on refixation under clause (2) of this rule carries his pay above the efficiency bar stage in the time scale of the officiating post, the Government employee concerned should be deemed to have automatically crossed the efficiency bar at the time, of refixation of officiating pay and the question of application of efficiency bar shall not arise. In the case of a Government employee officiating in a post and whose pay had been refixed under clause (2) of this rule, if he is confirmed in that post from a retrospective date, the refixation under clause (2) above after the date of his confirmation will have to be revised and consequently overpayments, if any, should be recovered.*

Note 3.— *In the case of a person proceeding on leave, if the period of leave counts for increment in the officiating post under rule 4.9(b) subject to the fulfillment of the conditions and production of the necessary certificates, his officiating pay may be refixed under rule 4.14(2) from the very date of increment or increase in the substantive pay as if he was appointed to officiate in that post on that date. The benefit of the increase in officiating pay can be had by him only from the date of resumption of duties but his next increment in the officiating post will accrue to him from an earlier date in the next year calculated with reference to the date of refixation of pay.*

If, however, the period of leave does not count for increment in the officiating post, Government employee loses all connection with that post during that period and he will be entitled to get his officiating pay fixed only from the date he returns from leave in which case the next increment will fall due only after completion of the prescribed period of duty from the date of resuming charge unless he becomes entitled to refixation of pay under rule 4.14(2) once again from an earlier date.

Note 4.— *Where the increment of a Government employee in the post in which he is officiating has been withheld under rule 4.7 without any reference to the increments that will accrue to him in the post held by him substantively, the provisions contained in sub-rule (2) of this rule shall not apply before the date from which the orders withholding the increment finally cease to be operative. However, the Government employee may be allowed during the period of penalty of withholding of increment, his substantive pay from time to time if the same happens to be more than the officiating pay.*

These provisions shall also apply in respect of a Government employee whose pay in the post held by him in an officiating capacity has been withheld at a particular stage or the efficiency bar stage of the time scale of that post for failure to pass a departmental examination.

Note 5.— *The pay of the Government employee who was not actually officiating at the time of enhancement of his substantive pay, but would have officiated under the “next below rule”, but for his deputation to some other post/officiating appointment to a still higher post shall be refixed under clause (2) above notionally in the post in which he would have continued to officiate, but for his deputation to some other post/appointment in an officiating capacity to a still higher post. As and when the Government employee reverts to that post, from deputation/higher post, the actual pay to be given to him on the date of reversion will be arrived at with reference to such notional pay. Once the notional pay in respect of the lower officiating post has been fixed under this note, the pay of the Government employee concerned in the still higher post shall be refixed with reference to his notional pay of the lower officiating post in accordance with the provisions of rule 4.4 (c).*

4.15 When a Government employee officiates in a post the pay of which has been fixed at a rate *personal* to another Government employee the competent authority may permit him to draw pay at any rate not exceeding the rate so fixed or, if the rate so fixed be a time-scale may grant him initial pay not exceeding the lowest stage of that time scale and future increments not exceeding those of the sanctioned scale.

Note 1.— *This rule prescribes the initial rate of pay only. If the pay personally fixed is on a time scale it is not intended that an officiating incumbent should be debarred from drawing increments in that time scale according to the ordinary rules.*

Note 2.— *Omitted.*

4.16 A Competent authority may fix the pay of an officiating Government employee at an amount less than that admissible under these rules.

Note 1.— *One class of cases falling under this rule is that in which a Government employee merely holds, charge of the current duties and does not perform the full duties of the post.*

Note 2.— *When a Government employee is appointed to officiate in a post on a time scale of pay but has his pay fixed below the minimum of the time scale under this rule he must not be treated as having effectually officiated in that post within the meaning of rule 4.4 or having rendered duty in it within the meaning of rule 4.9. Such a Government employee on confirmation, should have his initial pay fixed under rule 4.4(b) and draw the next increment after he has put in duty for the usual period required, calculated from the date of his confirmation.*

Note 3.— *The power conferred by this rule is not exercisable save by a special order passed in an individual case and on a consideration of the facts of that case. A general order purporting to oust universally the operation of rule 4.14 would be ultra vires of this rule. Although, the practice of passing ostensibly special order on every individual case would not be ultra vires of this rule it would constitute the grossest possible fraud thereon.*

4.17 A competent authority may issue general or special orders allowing acting promotions to be made in the place of Government employee who are treated as on duty under rule 2.16(b).

Note.— *Acting promotions have been permitted under this rule in place of Government employees who are treated as on duty under item (i) of the Schedule of Chapter II.*

PERSONAL PAY

4.18 Except when the authority sanctioning it orders otherwise, personal pay shall be reduced by any amount by which the recipient's pay may be increased and shall cease as soon as his pay is increased by an amount equal to his personal pay.

4.19 *Cancelled.*

PAY OF TEMPORARY POSTS

4.20 When a temporary post is created which may have to be filled by a person not already in Government service, the pay of the post shall be fixed with reference to the minimum that is necessary to secure the services of a person capable of discharging efficiently the duties of the post.

4.21 When a temporary post is created which will probably be filled by a person who is already a Government employee, its pay shall be fixed by the competent authority with due regard to—

- (a) the character and responsibility of the work to be performed; and
- (b) the existing pay of Government employees of a status sufficient to warrant their selection for the post.

Note 1.— *Under these rules, special duty or deputation in India will not be recognized. A temporary post will be created for the performance of that duty. If the special duty is to be undertaken in addition to the ordinary duties of the Government employee then rule 4.21 and 4.22 will apply.*

Note 2.— *Omitted.*

Note 3.— (1) *Temporary posts may be divided into two categories, viz., posts created to perform the ordinary work for which permanent posts already exist in a cadre, the only distinction being that the new posts are temporary and not permanent and isolated posts created for the performance of special tasks unconnected with the ordinary work which a service is called upon to perform. An example of the latter type of post would be a post on a commission of enquiry. A distinction by strict verbal definition is difficult, but in practice there should be little difficulty in applying the distinction in individual cases. The former class of posts should be considered to be a temporary addition to the cadre of a service whoever may be the individual appointed to the post; while the latter class of temporary posts should be considered as unclassified and isolated ex-cadre posts.*

(2) *Temporary posts which by this criterion should be considered as temporary additions to the cadre of a service should be created in the time scale of the service, ordinarily without extra remuneration. Incumbents of these posts will, therefore, draw their ordinary time scale pay. If the posts involve increase in work and responsibility in comparison with the duties of the parent cadre generally, it may be necessary to sanction a special pay in addition. Such special pay may only be allowed with the approval of the competent authority.*

- (3) *For isolated ex-cadre posts, it may occasionally be desirable to fix consolidated rates of pay. Where however, the post is to be held by members of a service, it will ordinarily be preferable to create the post in time scale of the holder's service. The observations contained in paragraph 2 above will apply with equal force to the grant of special pay over and above the ordinary time scale.*

COMBINATION OF APPOINTMENTS

4.22 A competent authority may appoint a Government employee already holding a post in a substantive or officiating capacity to officiate as a temporary measure, in one or more of other independent posts at one time. In such cases, his pay is regulated as follows:-

- (i) where a Government employee is formally appointed to hold full charge of the duties of a higher post in the same office as his own and in the same cadre/line of promotion, in addition to his ordinary duties, he shall be allowed the pay admissible to him, if he is appointed to officiate in the higher post unless the competent authority reduces his officiating pay under Rule 4.16; but no additional pay, shall however, be allowed for performing the duties of a lower post;
- (ii) where a Government employee is formally appointed to hold dual charge of two posts in the same cadre in the same office carrying identical scales of pay, no additional pay shall be admissible regardless of the period of dual charge; provided that if the Government employee is appointed to an additional post, which carries a special pay, he shall be allowed such special pay;
- (iii) *[Deleted]*⁵
- (iv) no additional pay shall be admissible to a Government employee who is appointed to hold current charge of the routine duties of another post or posts regardless of the duration of the additional charge;
- (v) if compensatory or sumptuary allowances are attached to one or more of the posts, the Government employee shall draw such compensatory or sumptuary allowances as the competent authority may fix: Provided that such allowances shall not exceed the total of the compensatory and sumptuary allowances attached to all the posts.

4.23 When a Government employee holds charge of the current duties of a post after being relieved of those of his substantive post, he officiates in that post. If it is not considered that he is entitled to the full officiating pay of the post, his pay may be fixed under rule 4.16 This should be done whenever the Government employee is not carrying out the full duties of the post.

Note.— See also Note 1 below rule 4.1(2)

4.24 *Deleted.*

⁵ Deleted Vide Notification No. 2/03/2003-4FR, Dt. 03.09.2003.

CHAPTER - V**ADDITIONS TO PAY****1 - Compensatory Allowances General**

- 5.1** Subject to the provisions of rule 5.2 to 5.8 and to the conditions that the amount of compensatory allowance is so regulated that it is not on the whole a source of profit to the recipient, a competent authority may grant such an allowance to any Government employee.

Unless in this section it be in any case otherwise expressly provided and subject to the provisions of rule 4.22 (v), a compensatory allowance attached to a post will be drawn in full by the Government employee actually performing the duties of that post and will not be drawn in whole or in part by anyone else. Save as provided by the rules in this part, a compensatory allowance attached to a post will cease to be drawn by a Government employee when he vacates the post.

Note 1.— *Compensatory allowances to the personal staff of the Governor (including the Military Officers, if any), are regulated by the Government of India (Governors' Allowances and Privileges) Order, 1950.*

Note 2.— *The grant of T.A. (which is also a compensatory allowance, - vide rule 2.13) is regulated by the rules in Volume III of these rules.*

- 5.2** In this section—

- (a) 'Leave' means leave taken for a period not exceeding 120 days, other than leave preparatory to retirement. The title to compensatory allowance will remain intact:-
 - (i) when the original leave not exceeding 120 days is not subsequently extended, or if extended, the total does not exceed 120 days, throughout the period;
 - (ii) when the original or extended leave not exceeding 120 days referred to in sub-clause(i) is subsequently extended and the total period exceeds 120 days, up to the date of expiry of the original or extended leave not exceeding 120 days or the date of sanction to the first subsequent extension which causes the total period of leave to exceed 120 days, whichever is earlier;
- (b) 'Temporary Transfer' means a transfer to duty in another station which is expressed to be for a period not exceeding 120 days. For the purpose of this section it includes deputation. Subject to the limit of 120 days, the title to compensatory allowance, if the temporary duty is subsequently extended beyond 120 days in all, will remain intact up to the date of the orders of extension.

Note 1.— *Unless in any case it be otherwise expressly provided in these rules, joining time may be added to the period of 120 days provided in this rule.*

Note 2.— *When vacation is combined with leave, the entire period of vacation and leave should be taken as one spell of leave for the purpose of clause (a) of this rule.*

Note 3.— *'Leave' as defined in this rule includes "extraordinary leave".*

Compensatory allowances, other than a house rent allowance or motor car or motor cycle allowance

5.3 An allowance granted owing to the expensiveness of living, other than a house-rent allowance, may be drawn—

(a) during leave, if—

- (i) the authority sanctioning the leave, certifies that the Government employee is likely, on the expiry of the leave, to return to duty at the station from which he proceeds on leave or at another station in which he will be entitled to a similar allowance; and
- (ii) the Government employee certifies that he or his family or both reside for the period for which the allowance is claimed, at any of the stations mentioned in sub-clause (i) above.

Note 1.— *The provisions of this clause do not apply to the case of industrial or other employees whose leave terms are governed by special orders and not by the Revised Leave Rules. In such cases, the compensatory allowance should be granted only during holidays or leave with pay. For this purpose, a weekly holiday, where admissible, will be treated as a holiday with pay except when it forms a part of spell of leave without pay or holiday without pay.*

(b) during temporary transfer if;—,

- (i) the authority sanctioning the transfer certifies that the Government employee is likely on the expiry of the temporary duty to return to the station from which he is transferred.
- (ii) the Government employee draws no allowance of the same kind in the post to which he is transferred; and
- (iii) The Government employee certifies that he kept his family, for the period for which the allowance is claimed at the station from which he proceeded on transfer.

Note 1.— *To obviate all misunderstanding the authority sanctioning the leave or transfer should invariably embody in the sanctioning orders, in terms of rules 5.3 to 5.9, a certificate regarding the likelihood of the Government employee returning to the post or station as the case may be.*

The certificate mentioned above must be embodied in the original order sanctioning the leave or transfer, otherwise, it will not be accepted in audit except in cases where such an order is revised before the Government employee actually hands over the charge to proceed on leave or temporary transfer.

Note 2.— *Subject to the fulfillment of the requisite conditions laid down in rules 5.3 to 5.8, an officiating Government employee will draw compensatory allowance during leave if he is excepted to return on the expiry of his leave—*

- (a) *either to the same post from which he proceeded on leave or to another post in the same or another station carrying a similar allowance at the same rate as he was drawing immediately before proceeding on leave;*
- (b) *to another post in the same or another station carrying a similar allowance at a reduced or enhanced rate- at the same rate at which he was drawing it immediately before proceeding on leave or at the rates admissible for the post to which he is excepted to return whichever is less; and*

- (c) to another post in the same or another station not carrying similar allowance-no allowance.

These orders will apply uniformly in all cases, irrespective of whether the post to which the allowance is attached is held by the Government employee in a substantive or officiating capacity.

Note 3.— *The underlying intention of rule 5.3 is to restrict Government employees title to compensatory allowance during leave to periods of leave prescribed in rule 5.2 (a) other than leave preparatory to retirement. Authorities empowered to sanction leave should, therefore, scrutinize with special care leave applications from Government employees on the verge of retirement and should in cases where there is an obvious intention to evade the rule by taking leave for four months or less, returning to duty for a few days only and then retiring, refuse to grant leave of any other kind than “leave preparatory to retirement”.*

Motor Car or Motor Cycle Allowance

5.4 A portion not exceeding Rs.25 of an allowance granted on condition that a motor car or motor cycle is maintained, may be drawn during leave or temporary transfer, if :

- (i) the substantive pay of the Government employee during the period of claim does not exceed Rs.1, 500.
- (ii) the authority sanctioning the leave or transfer certifies that the Government employee is likely. on the expiry of the leave or temporary duty to return to the post from which he proceeds on leave or is transferred. or to be appointed to a post in which the possession of a motor car or motor cycle, as the case may be, will be advantageous from the point of view of his efficiency; and
- (iii) the Government employee certifies that he continued to maintain the vehicle, that the amount claimed was spent by him on garage hire or wages to staff or both for the period for which the amount is claimed and that the vehicle was not during that period in use by anybody.

Note 1.— See note 1 below rule 5.3.

Note 2.— *The maximum allowance for a motor cycle is limited to Rs. 10.*

Note 3.— *The provisions of note 1 below rules 5.3 and 5.6 apply mutatis mutandis in the applications of provisos(ii) and (iii) to this rule.*

Note 4.— *The grant of motor car or motor cycle allowance during joining time is governed by rule 2.13 of the Punjab Travelling Allowance Rules.*

HOUSE RENT ALLOWANCE

5.5 A house rent allowance may be drawn by a Government employee during leave or transfer in the circumstances specified in clauses (a)(i) or (b)(i) and (ii) of rule 5.3 : Provided that he certifies that his previous rate of expenditure for a house continues during his absence and that he places his house, free of rent, at the disposal of the Government employee if any, who officiates in his post. The officiating Government employee cannot, in such case, draw the house-rent allowance attached to the post. If, however, the officiating Government employee for a reason which a competent

authority considers to be sufficient, refuses the accommodation placed at his disposal, he and not the absent Government employee, will draw the allowance.

Note 1.— See note 1 below rule 5.3.

Note 2.— A Government employee who, on transfer, has been permitted to retain Government accommodation at the old station will be eligible for house-rent allowance in respect of the new station, if otherwise admissible, without regard to the fact whether he has been permitted to retain the Government accommodation at old station on payment of normal rent or penal rent.

CONVEYANCE ALLOWANCE

5.6 An allowance granted on condition that a horse or other animal is maintained may be drawn during leave, if—

- (i) the authority sanctioning the leave certifies that the Government employee is likely, on the expiry of the leave, to return to the post from which he proceeds on leave, or to be appointed to a post in which the possession of the animal will be advantageous from the point of view of his efficiency; and
- (ii) the Government employee certifies that he continued to maintain the animal and that he spent the amount claimed on its upkeep during the period for which the claim is submitted.

For periods of temporary duty, it can only be drawn with the sanction of competent authority.

Note 1.— See note 1 below rule 5.3.

Note 2.— No allowance shall be drawn by Head constables and Constables of the Mounted Police sick or on leave except to meet expenditure actually incurred on the feeding, shoeing and maintenance of the animals and for chanda subscriptions for the period of absence of men concerned.

Note 3.— Mounted Police Officers who temporarily cease to be members of the Chanda Fund owing to their transfer to a post where they are not required to maintain a charge and whose substitutes in the posts from which they are transferred are not members of the said Fund will cease to draw horse, pony or camel allowance, as the case may be, and will hand over their mounts to the Line Officer or the Officer-in-charge of the Mounted Police who shall be responsible for the feeding and keeping of such animals under the supervision of a Gazetted Government employee. A Mounted Police Officer temporarily ceasing to be a member of the Chanda Fund will not be given the conveyance allowance admissible when a mount is maintained, but may draw any other conveyance allowance to which he may otherwise be entitled under any rules for the time being in force as a non-mounted Police Officer. The term "Mounted Police Officer" includes members of the Mounted Police as well as Upper Subordinates who keep mounts.

Note 4.— Mounted Police Officers proceeding on leave or undergoing promotion courses at the Police training College, Madhuban and sub-Inspectors when posted to the mobile patrols who are in possession of horses, or camels, shall hand over these mounts to the Line Officer or the Officer-in-charge of Mounted Police who should be responsible for the feeding and keeping of such animals under the supervision of a gazetted officer. No conveyance allowance shall be drawn for them for the period of their absence on leave or training at the Police training College, Madhuban, or in the case of sub-

Inspectors when posted to the mobile patrol except to meet expenditure actually incurred on feeding, shoeing and maintenance of animals. The account shall be kept in form 7.24(3) of the police rule. Such horses and camels shall be looked after and may be used for instruction or duty by mounted Upper Subordinates under orders of the gazetted officers in supervisory charge. In such cases, responsibility under Police rule 7.12 (b) for loss or injury by misconduct or neglect shall rest with the officer so ordered to look after or use the animals: Provided that no policeman shall be held responsible for more than one animal at a time. Where, however, adequate accommodation for horses and syces is not available in the Police Lines, the Superintendent of Police may authorize such officers to make their own arrangements for the care and maintenance of animals and draw the prescribed conveyance allowance admissible to each of them. Assistant Sub-Inspectors are not Mounted Police Officers.- vide Police Rule 7.2 and are exempted from the operation of the rule.

Note 5.— *When a conveyance or horse allowance of a Government employee has been reduced during leave by the competent authority under this rule and the Government employee is transferred immediately on the expiry of leave to another post carrying similar allowance, then during joining time the allowance shall be granted at the rate at which it was drawn during leave.*

5.7 A conveyance allowance to which the obligation of maintaining a motor vehicle or a horse or other animal is not attached is not admissible during leave or temporary transfer.

OTHER COMPENSATORY ALLOWANCES

5.8 A compensatory allowance other than an allowance for the regulation of which provision is made in any of the rules 5.3 to 5.7 may be drawn during leave or temporary transfer if:

- (a) the authority sanctioning the leave or transfer certifies that the Government employees is likely, on the expiry of the leave or temporary transfer, to return to the post to which the allowance is attached or to another post carrying a similar allowance; and
- (b) the Government employee certifies that he continued, for the period for which the allowance is claimed to incur the whole or a considerable part of the expenditure for which the allowance was granted.

Note 1.— See note 1 below rule 5.3.

Note 2.— *With reference to clause (b) of this rule, a Government employee, who desires to avail himself of the benefit of the rule, should submit his claim with a statement of the relevant expenses to the authority sanctioning the leave or transfer. That authority should then decide having regard to the provisions of rule 5.1 and 5.2, how much of the allowance should be drawn and communicate his decision to the Accountant General, with a copy of the statement of expenses referred to above. The copy of the statement of expenses may be sent to the A.G. in a confidential cover, if this is considered desirable. It will then be open to the A.G., either to accept the decisions or to challenges such of them as reveal any manifest breach of the canons of financial propriety. – vide P.F.R. 2.10. In regard to the drawal of local and other hill compensatory allowances during leave, it will suffice if it is certified by the Government employee concerned that he or his family or both resided at the hill station concerned for the period for which the allowance is claimed.*

Note 3.— A Medical Officer in receipt of non-practicing allowance during leave under this rule should certify under clause (b) that he did not conduct private practice during the period of such leave.

COMPENSATORY ALLOWANCE DURING JOINING TIME

5.9 A Government employee on joining time under rule 9.1(b), if he is entitled to tentage while holding his old post and tentage is also attached to his new post, may draw tentage during joining time at the lower of the two rates.

5.10 and 5.11 Cancelled.

5.12 Omitted.

II - RENT OF GOVERNMENT RESIDENCES

GENERAL

5.13 The following rules govern the allotment to Government employees for use by them as residences of such buildings owned or leased by Government of such portions thereof as may be made available for the purpose.

Note.— When a Government employee of a Government other than the Haryana Government occupies by official arrangement a residence provided by the Haryana Government or vice versa, rent shall be recoverable from the Government employee in accordance with the rules in appendix 4 to the Punjab Financial Rules.

5.14 Nothing contained in these rules shall so operate as to require payment of rent, for the occupation of residences supplied by Government by those Government employees who have been exempted from such payment under the provisions of law or to affect the amount of rent or charges payable by those Government employees in whose case the amount so payable is prescribed by law for the time being in force.

Capital Cost of Building and Assessment of rents

(i) Capital cost of a Residence

5.15 For the purpose of the assessment of rent, the capital cost of a residence owned by Government shall include the cost or value of sanitary, water-supply and electric installations and fittings, but exclude the cost or value of the site (including expenditure on its preparation); and shall be either:-

- (a) the cost of acquiring or constructing the residence and any capital expenditure incurred after acquisition or construction; or, when this is not known,
- (b) the present value of the residence;

Provided that, where it is so directed by general or special order, the value of the site and the cost of its preparation shall be included in the capital cost, and the cost of sanitary, water-supply and electric installations may be excluded. If the cost of sanitary, water supply and electric installations are ordered to be excluded rent for such installations shall be levied at the rates specified under rule 5.23 (d).

Note 1.— For cases in which the above proviso will apply, see paragraph 3.27. Punjab Public Works Department Code, 2nd Edition.

Note 2.— *The cost of restoration of special repairs shall not be added to capital cost or present value unless such restoration or repairs add to accommodation or involves replacement of the existing type of work by work of a more expensive character.*

5.16 For the purpose of rule 5.15—

(i) expenditure incurred on works such as—

- (a) raising, leveling and dressing sites;
- (b) construction of revetments and retaining walls, unless when incurred in connection with the provision of a tennis court;
- (c) storm water drains, and
- (d) boundary pillars;

shall be considered as expenditure on preparation of site; and

(ii) expenditure incurred on works such as—

- (a) compound walls, fences and gates;
- (b) approach roads, culverts and paths within the compound;

shall be included in the capital cost of the residence for the purpose of assessment of standard rent

5.17 When the present value of a residence and of the site on which it stands is unknown, - vide clause (b) of rule 5.15, the value of the residence and of the site shall be estimated separately by the Divisional Officer, who shall, if the estimated value of either does not exceed Rs.25, 000, submit the estimate to the Superintending Engineer who shall determine the present value. If the Divisional Officers, estimate of either the site or the residence exceeds Rs. 25, 000 he shall submit it to the Superintending Engineer, who shall forward it to the Chief Engineer, who shall determine the value of the residence and of the site. The Divisional Officer's estimate shall, in both cases, be accompanied by a report of the Chief Civil Officer of the district in regard to the value of the land and also the value of the building with reference to the market value of similar building in the vicinity.

5.18 A competent authority may, for reasons which should be recorded authorize a revaluation of all residences of a specified class or classes within a specified area to be conducted under rule 5.17 above. and may revise the capital cost of any or all such residences on the basis of such revaluation.

Note.— *The intention of this rule is to authorize revaluation of a residence or residences in accordance with rule 5.17 even when the factors specified in clause (a) of rule 5.15 are known.*

5.19 The capital cost, howsoever, calculated, shall not take into consideration (1) any charges on account of establishment and tools and plant other than such as were actually charged direct to the work in cases in which the residence was constructed by Government. or (2) in other cases, the estimated amount of such charges .

Note.— *Full departmental charges should be levied in cases referred to in note (1) below rule 5.15.*

5.20 Renewals of a building or of its subsidiary works, such as out houses, roads, drains, culverts etc. or new construction, such as retaining walls necessitated by the occurrence of fire, flood, earthquake, abnormal storm or other calamity will be chargeable to the capital cost, but on completion a competent authority will decide what amount should be written off the original capital cost. When a portion of a building required to be dismantled to make room for alterations and additions, the capital value of the dismantled portion should be dealt with under the rules in the Public Works Department Code applying to buildings generally.

5.21 A competent authority may, for reasons which should be recorded write off a specified portion of the capital cost of a residence—

- (1) when a portion of the residence must be set aside, by the Government employee to whom the residence is allotted, for the reception of official and non-official visitors visiting him on business; or
- (2) when it is satisfied that the capital cost, as determined under the above rules, would be greatly in excess of the proper value of the accommodation provided.

Note.— See also rule 5.39.

5.22 In assessing the cost or value of the sanitary, water-supply and electric installations and fittings (vide rule 5.15) the following shall be regarded as comprising the installation and fitting:-

Electric Supply

- (1) Wiring including the supply line from the main and all connected apparatus such as fuse boxes and switches.
- (2) Fixed lamps (bracket and pendant) including shade holders but excluding shades and bulbs.
- (3) Walls plugs of table lamps, table fans, and electric and water heaters.
- (4) Fan points (including} ceiling fans and regulators)
- (5) Lightning interceptors .
- (6) Meters when supplied by Government

Sanitary and Water-Supply.

- (1) Pipe, including service pipe from the main;
- (2) Apparatus for hot water-supply;
- (3) Cisterns, taps and other necessary equipment;
- (4) Bath, basins and lavatory fittings;
- (5) Meters when provided at the cost of Government;
- (6) Drains, including the main connection with the sewer; and all connected apparatus such as gulleys, channels, traps and vent pipe for the disposal of house-wastes and sewage.

Note 1.— The inclusion of these articles in this rule does not bind Government to provide all or any of them in a residence.

Note 2.— *When table lamps, table fans or other electrical appliances not included under “Electric Supply” above. have already been supplied, their cost should be included in the capital cost of the residence, but on their becoming unserviceable they should not be replaced, the capital cost of the residence being reduced accordingly.*

(ii) Standard Rent

5.23 The standard rent of a residence shall be calculated as follows:-

- (a) In the case of leased residences the standard rent shall be the sum paid to the lessor plus an allowance for meeting during the period of lease the probable cost of charges for—
 - (i) both ordinary and special maintenance and repairs of the residence as may be charged on Government including maintenance and repairs of any additional work done at Government expense;
 - (ii) capital expenditure on additions and alterations as may be a charge on Government;
 - (iii) interest on capital expenditure referred to in (ii) above; and
 - (iv) the rates or taxes in the nature of house or property tax, if any, payable under any law or custom by the owner to a municipality or other local body (but not recoverable from the Government servant to whom the residence is allotted).

The allowances for meeting such capital expenditure on addition and alterations as may be a charge on Government and the Interest and depreciation in connection therewith, shall be as laid down in paragraph 3.22 (3) of the Punjab Public Works department Code (Second Edition).
- (b) In the case of residence owned by Government the standard rent shall be calculated on the capital cost of the residence, (including cost of addition & alteration if any), and shall be either-
 - (i) a percentage of such capital cost equal to such rate of interest as may from time to time be fixed by competent authority plus an addition for municipal and other taxes in the nature of house or property tax in respect of the residence payable by Government and for both ordinary and special maintenance and repairs, such addition being determined under rule 5.28; or
 - (ii) Six per cent per annum of such capital cost, whichever is less. The restriction of 6 percent per annum shall not apply in the case of residences the capital cost of which is calculated under the proviso to rule 5.15.
- (bb) in the case of residence gifted to Government or leased on a nominal rent or on a rent free basis to Government, the standard rent shall be the same as in the case of a residence owned by Government
- (c) In all cases mentioned in clauses (a), (b) and (bb) above standard rent shall be expressed as standard for a calendar month and shall be equal to one-twelfth of the annual rent as calculated above subject to the proviso that, in special localities or in respect of special classes of residences a competent authority may fix a standard rent to cover a period greater than one month, but not greater than one year. Where a competent authority takes action under this proviso standard

rent so fixed shall not be a larger proportion of the annual rent than the proportion which the period of occupation as prescribed under rule 5.48 below bears to one year.

- (d) When sanitary, water-supply and electric installations as defined in rule 5.22 are not included in the capital cost of residence, rent shall be assessed on the capital value of such installations at the following percentage:-

-	Interest	Maintenance	Depreciation
Sanitary Installations	As per rule 5.26	6 ½ per cent (ordinary 5 percent and special 1 ½ per cent)	..
Water-supply installations	Ditto	4 per cent	5 per cent

- [(e) The employees who have retired/ transferred but do not vacate Government accommodation immediately shall be required to pay the following rent:-

(i)	On retirement:	Upto four months at normal rent;
(ii)	On transfer:	Upto two months in normal circumstances at normal rent. Additional two months at normal rent on medical grounds of self or members of family or on ground of education of children of the employees subject to the approval of competent authority;
(iii)	After that, till the employee vacate the Government accommodation:	Fifty times of the normal rent shall be charged from the employees after prescribed time limit of four months & two months as mentioned in sub-clauses (i) and (ii) above. In case Government accommodation is not vacated by the Government employee after the transfer from station 'A' to 'B' the employee shall not be entitled to any house rent allowance at station 'B' where he has been transferred until and unless he vacates the Government accommodation at his previous station 'A'.] ⁶

Note 1.— Municipal taxes which by local rule or custom are levied on the occupant will be payable by occupant in addition to the rent payable to Government under these rules.

Note 2.— See also rule 5.40 *infra*.

Note 3.— For the purpose of clauses (a), (b) and (bb) above the additions for both ordinary and special maintenance and repairs shall not include anything for the establishment and tools and plant charges except to the extent allowed under rule 5.19. above. Full departmental charges should, however, be levied in cases referred to in note (1) below rule 5.15.

⁶ Substituted Vide Notification No. 10/13/2003-2FICW, dt. 06.06.2003.

5.24(a) When the standard rent of residence has been calculated, minor additions and alterations may be made without the rent of the residence being increased subject to the following conditions:-

- (i) the total cost of such additions and alterations shall not exceed 5 percent of the capital cost on which the standard rent was last calculated; and
 - (ii) such additions and alterations shall be made within five years after the last calculation on the standard rent.
- (b) When by reasons of additions and alterations, the capital cost of a residence exceeds by more than 5 percent the capital cost on which the standard rent was last calculated, the standard rent shall be recalculated with effect from the 1st April next following or from the date upon which a new tenant becomes liable for the payment of rent whichever is earlier.
- (c) Subject to the provisions of clause (b) the standard rent of residence shall be recalculated on the expiry of five years from the date of the last calculation and the recalculation shall take effect from the 1st of April next following or from such other date as the competent authority may direct.
- (d) When the portion of a capital cost of a residence is written off under the orders of a competent authority the rent should be recalculated forthwith.

Note 1.— *It is the duty of the Executive Engineer to give timely notice to the tenant concerned of the increase in rent. Omission however, on his part to give such intimation in any case will not constitute a reason for the enhancement of rent taking effect from a date later than that on which it is due under the above rule.*

Note 2.— *In the case of substantial additions or alteration to a residential building, pending sanction of the revised standard rent by the competent authority, its rent should be provisionally fixed so as to allow an adequate margin to cover rent in respect of the estimated expenditure of such additions or alterations and unforeseen charges, an recovery of rent from the tenant should be effected at that rate. If the provisional rent is more than the revised standard rent, the amount recovered in excess shall be refunded to the tenant.*

5.25 If a building is actually occupied prior to the closing of the accounts of expenditure on its construction, acquisition or equipment, rent is nevertheless chargeable from the date of occupation and should be fixed provisionally with the sanction of the competent authority. The rent, thus fixed provisionally while the accounts are open, is subject to revision with retrospective effect when they are closed and no remission of rent on this account can be made save with the sanction of the competent authority.

Note.— *The provisions of note 2 below rule 5.24 also apply mutatis mutandis to newly constructed buildings.*

5.26 The rate of interest given in the following table should be applied in calculating the standard rent of residences under rule 5.23(b):-

Date of acquisition or constructions of the residence	Rate of interest	
	Buildings occupied On or before the 19th June, 1922.	Buildings occupied after the 19 th June 1922.
	Per Cent	Per Cent
Before 1 st April, 1919	3 ½	4
1 st April, 1919 to 31 st July, 1921	3 ½	5
1 st August, 1921 to 31 st December, 1921	3 ½	6
From 1 st January, 1922 until further orders	6	6

Note.— The date of construction referred to in column (1) of this table should be taken as the date on which the accounts of the estimate for the construction of the residence are closed. In respect of expenditure on additions and alterations to residences the interest should be calculated at the rate applicable on the date on which the accounts of the estimates for the additions or alterations are closed.

5.27 The average annual cost of maintenance and repairs will consist of two parts special and ordinary charges as explained below:-

- (i) Special charges, will be those incurred in the renewal of floors or roofs, or on other special repairs or replacements occurring at long intervals. Provisions for such charges should be made in the form of percentages on the capital cost of each building. These percentages will vary for different classes of buildings and are laid down in rule 5.28. When repairs are necessitated by the occurrence of fire, flood, earthquake, abnormal storm or other calamity the cost of such special repairs should be shown separately in the Capital and the Revenue Accounts under Revenue Charges during the year, and should not be included in the total charges or taken into account as a basis for a revision of the rent.
- (ii) Ordinary charges will include the cost of ordinary annual repairs together with a proportional share of the expenditure that may be required quadrennially or at other short intervals. The amount of these charges as regards buildings constructed or acquired by the Irrigation Branch is estimated as laid down in rule 5.28. For buildings constructed or acquired by the Building and Roads Branch these will be estimated within the limits laid down in rule 5.28 by the Executive Engineer of the Division and approved by the Superintending Engineer.

Note.— See also rule 5.20.

5.28 The following percentages of cost will be assessed on account of ordinary and special repairs in calculating the standard rent under rule 5.23(b)(i):-

- (1) When acquired or constructed through the agency of the Public Works Department, Irrigation Branch—

Class of buildings	Description	Assessable %age on the capital cost of the building excluding value of site	
		Special repairs	Ordinary repairs
A	Those in good order built by the Works Department in a semi-permanent style, i.e. with pucca foundation, Kutcha pucca outside walls, lime pointed pucca parapets and karri roofs over steel girders.	½	1 ½

B	Those of similar style of construction but not in good condition either built by the Public Works Department or purchased from private individuals and added to and altered after purchase	$\frac{3}{4}$	2
C	Temporary building i.e. those with walls of mud masonry with a roof of thatch or tiles or wooden Karries.	1	

- (2) When acquired or constructed through the agency of the Public Works Department, Building and Roads Branch.

Class of Building	Description	Assessable %age on the capital cost of the building excluding value of site	
		Special repairs	Ordinary repairs
A	Those in good order built by the Public Works Department in a semi-permanent style, i.e. with pucca foundation kutcha pucca outside walls, lime pointed pucca parapets and chimneys terraced jack arch or wooden karri roof over steel girders.	$\frac{1}{2}$	1 to 3
B	Those of similar style of constructions, but not in good condition, either built by the Public Works Department on purchased from private individuals and added to or altered after purchase.	$\frac{3}{4}$	3 to 5
C	Temporary buildings i.e. those with walls of mud masonry with thatched or tiled roof.	$1\frac{1}{2}$	5 to 7

- (3) A charge of $4\frac{1}{2}$ per cent of the capital cost will be made in addition to the above to cover the maintenance of water-supply, sanitary and electric installations, where such exist.

Note.— With reference to the minimum and maximum rates fixed above for annual ordinary repairs, Superintending Engineers of the Public Works Department, Building and Roads Branch, should arrange to communicate to the Accountant General such percentages as are actually applied in fixing the standard rent in each individual case, so that the rents fixed may be susceptible of scrutiny.

(c) Conditions of Tenancy and Rent payable by Government Employees

5.29 When Government supplies a Government employee with a residence leased or owned by it, the following conditions, shall be observed:-

- the scale of accommodation supplied shall not, except at the Government employee's own request, exceed that which is appropriate to the status of the occupant;
- Unless otherwise expressly provided in these rules, he shall except where the residence meant for one Government employee is shared by more than one Government employee, pay:-
 - rent calculated at the rate of ten per cent of his monthly emoluments; and
 - municipal and other taxes payable by Government in respect of the residence not being in the nature of house or property tax.

Note 1.— Government employee who have been allotted (without their having asked for such allotment) accommodation of a lower category than to which they were entitled and if that accommodation carries standard rent less than ten percent of their emoluments

shall be charged only standard rent for that accommodation. This note shall not apply in a case where Government employee has himself asked for an accommodation of a lower category than to which he was entitled.

Note 2.— *Shared accommodation has been categorized as follows:-*

- (a) *where the portions do not have independent amenities like kitchen, bath room and lavatory, etc. as in the case of sharing being done at Chandigarh; and*
- (b) *where a big residential building has been converted into independent portions provided with essential amenities like bath room, lavatory and kitchen etc.*

Note 3.— *In case falling under category (a) of note 2 above—*

- (1) *at Chandigarh, where accommodation is shared by*
 - (i) *two Government employees, each Government employee shall be charged rent at the rate of five per cent of his monthly emoluments; and*
 - (ii) *three Government employees, each Government employee shall be charged rent at the rate of 3 per cent of his monthly emoluments; and*
- (2) *at places other than Chandigarh where the accommodation can be equally shared by two or three Government employees, the principle of charging rent applicable in Chandigarh shall apply and where accommodation cannot be equally shared, the rent shall be charged proportionately to accommodation shared.*

Note 4.— *In cases falling under category (b) of note 2 above, the residential accommodation shall be allotted to suitable category of Government employees according to norm of cost and space (to be calculated on the basis of Chandigarh norm and rates) and Government employees shall be liable to pay ten per cent of their emoluments irrespective of the Standard rent.*

Note 5.— *The Government employees living in cheap (Katcha) houses or tin sheds, which do not provide the minimum residential amenities shall be charged standard rent or ten per cent of their emoluments, whichever is less.*

Note 6.— *The leased accommodation shall be treated at par with the Government owned accommodation in the matter of charging of rent and the Government employee shall be charged at the rate of ten per cent of their emoluments irrespective of the rent paid for it by the Government to the owner.*

5.30 Notwithstanding anything contained in clause (b) of rule 5.29 above, Government may—

- (i) at any time, after the standard rents have been calculated under the provision of rule 5.23 above, group a number of residences, whether in a particular area or of a particular class or classes, for the purpose of assessment of rent, subject to the following conditions being fulfilled:-
 - (1) that the basis of assessment is uniform; and
 - (2) that the amount taken from any Government employee shall not exceed 10 per cent of his monthly emoluments;
- (ii) by the general or special order provide for taking a rent in excess of that prescribed in rule 5.29(b) or clause (i) above from a Government employee-
 - (1) who is not required or permitted to reside on duty at the station at which the residence is supplied to him; or

- (2) who at his own request, is supplied with accommodation which exceeds that which is appropriate to the status of the post held by him; or
- (3) who, is in receipt of a compensatory allowance granted on account of dearness of living; or
- (4) who is permitted to sub let the residence supplied to him; or
- (5) who sublets without permission the residence supplied to him; or
- (6) who does not vacate the residence after the cancellation of allotment; or
- (7) at whose request additions or alterations are made in the residence supplied to him.

Note 1.— *Under clause (ii) of this rule rent may be recovered in excess of 10 per cent of a Government employee's emoluments but not in excess of the standard rent as defined in rule 5.23.*

Note 2.— *If the rent of a building allotted to a Government employee is enhanced from a previous date nothing shall prevent Government from effecting the recovery at the enhanced rate with retrospective effect.*

5.31 A Government employee who at his own request, is supplied with a residence owned or leased by Government of a class higher than that for which he is eligible for affording accommodation in excess of that which is appropriate to his status, shall unless otherwise decided by the competent authority, be charged the full standard rent as calculated under rule 5.23 *et seq* and shall not be given the benefit of the 10 per cent concession afforded by rule 5.29(b).

5.32 *Omitted.*

5.33 For the purposes of clause (b) of rule 5.29 above "emoluments" means:-

- (i) Pay;
- (ii) Payment from Government revenues and fees if such payments or fees are received in the shape of a fixed addition to monthly pay and allowances as part of the authorized remuneration of a post;
- (iii) Compensatory allowances other than travelling allowance, uniform allowance, clothing allowance, outfit allowance, special outfit allowance, uniform allowance and grant for horse and saddlery, whether drawn from the general revenues or from a local fund;
- (iv) Exchange Compensation Allowance;
- (v) Pension, other than a pension drawn under the provisions of Chapter VIII of Volume II of these rules or compensation received under the Workmen's Compensation Act, 1923, as subsequently amended;
- (vi) In the case of a Government employee under suspension and in receipt of a subsistence grant, the amount of the subsistence grant, provided that if such Government employee is subsequently allowed to draw pay for the period of suspension the difference between the rent recovered on the basis of the subsistence grant and the rent due on the basis of the emoluments ultimately drawn shall be recovered from him.

It does not include allowances attached to Decorations and Medals conferred on Civil, Military and Police personnel.

Note 1.— *The emoluments of a Government employee paid at piece work rates shall be determined in such manners as the competent authority may prescribe.*

Note 2.— *The emoluments of a Government employee on leave mean the emoluments drawn by him for the last complete calendar month of duty performed by him prior to his departure on leave.*

Note 3.— *The amount of pension to be taken into account will be the amount originally sanctioned i.e. before commutation, if any, and will also include the pension equivalent of death-cum-retirement gratuity and other forms of retirement benefits, if any e.g. Governments contribution to a Contributory Provident Fund, commuted value of pension etc.*

Note 4.— *Omitted.*

Note 5.— *Under clause (ii) above, fees received by a Government employee in shape of a fixed addition to monthly pay and allowances as a part of the authorized remuneration of a post count as emoluments for the purposes of clause (b) of rule 5.29 where under rule 5.58 a part of any fee is required to be credited by the Government employee concerned to Government revenues and the remaining fees is retained by him, only that portion of the fees received by a Government employee which he is allowed to retain under the rules, will count as “emoluments” for the purpose of clause (b) of rule 5.29.*

5.34 The Government employee to whom a residence is allotted is responsible for the rent recoverable under the rules during the period of allotment unless exempted by competent authority under the provisions of rule 5.35. Rent shall be recovered monthly in arrears for the period of allotment.

(d) Rent free accommodation and waiving or reducing the amount of rent

5.35 In special circumstances, for reasons which should be recorded, a competent authority—

- (a) may, by general or special order, grant rent free accommodation to any Government employee or class of Government employees; or
- (b) may, by special order, waive or reduce the amount of rent to be recovered from any Government employee or class of Government employees; or
- (c) may, by general or special order, waive or reduce the amount of municipal and other taxes, not being in the nature of house or property tax, to be recovered from any Government employee or class of Government employees.

Note 1.— *The following are types of cases in which such exemption or reduction may be sanctioned:-*

- (a) *When a Government employee is performing the duties of a post in addition to those of his substantive post and already pays rent for a house.*
- (b) *When a Government employee, in addition to the duties of a post carries on those of another post which preclude him from occupying the house.*
- (c) *When a Government employee has been promoted or transferred to a post in the same station and it is not considered necessary that he should change his residence.*

- (d) *When a Government employee officiating in a post for a period not exceeding two months is actually prevented from occupying the house provided for him by circumstances which the competent authority considers sufficient to warrant an exception being made in his favour.*

Note 2.— *When rents are fixed in accordance with rule 5.23 and when one or more Government employees supplied with residences in the particular areas are granted a house free of rent or at reduced rent, the proper course is to apply rule 5.23, first and rule 5.35 afterwards : that is, the ordinary rent of the occupation of each house should be fixed under rule 5.23 and any reduction necessary should then be made under this rule.*

Note 3.— *The Assistant Superintendent of Hisar Live Stock Farm is allowed to occupy quarters at a reduced rent of Rs. 25 per mensem.*

Note 4.— *A list of Government employees who have been granted rent free accommodation under this rule is given in Appendix 7.*

5.36 When, under clause (a) of rule 5.35, a Government employee is provided with quarters free of rent the exemption from rent shall, in the absence of any orders of Government to the contrary, be considered to be completed, i.e. no additional charge shall be made in respect of the rent of special services, i.e. sanitary, water supply and electricity, in the building the cost of which has been included in the capital cost of the building.

The concession of rent-free quarters does not carry with it the free supply of water and electric energy, the cost of which must be defrayed by the Government employee himself. The rent of water and electric meters the cost of which has not been included in the capital cost of the building, is also payable by the Government employee.

Note 1.— *The occupants of staff quarters and other buildings appurtenant to Government House are exempt from payment of charges for electricity consumed. As regards water charges see the "Exception" below the section "water charges" in rule 5.44.*

Note 2.— *See also rule 5.44.*

5.37 *Omitted.*

5.38 A competent authority may sanction remission of rent due for the occupation of a Government building when the building is rendered uninhabitable by reason of extensive repairs being in progress, or from any other cause: Provided that if the occupier finds that the house has become uninhabitable he shall at once report the matter to the Executive Engineer in charge of the building, who will immediately inspect it and forward a report on the subject to the Superintending Engineer. The latter will take such steps in the matter as he considers necessary, reporting his action to the competent authority, who will then decide whether partial or total remission of rent is to be allowed.

Note 1.— *Inconvenience caused by petty or ordinary annual repairs is insufficient to warrant remission of rent which should be granted only when extensive structural repairs, justifying in the opinion of the competent authority the vacation of the building, are carried out.*

5.39 When a building is occupied partly as a residence and partly as an office the capital value of the portion occupied as a residence should be separately estimated for the purpose of rule 5.23. The cost of maintenance of the residential portion should also be

separately estimated and accounted for. This is usually done on the basis of plinth area.

Note.— *When (a) separate office accommodation is provided for the occupant, and (b) the use of part of his residence for office or business purposes is optional, no deduction from the rent is permissible on this account. Where, however, a Government employee though provided with office accommodation elsewhere then in his residence is in the opinion of the competent authority, obliged to set apart a portion of his residence for the reception of visitors both official and non official on business, a deduction from the rent is permissible on this account to the extent of half the assessed rent of the accommodation so used.*

5.40 In leasing, acquiring or constructing an official residence for any one of the Government employees mentioned in column 2 of the statement in rule 5.42. Government will arrange to provide accommodation for visitors in the shape of a waiting room, and for a Commissioner or Deputy Commissioner, quarters for a police guard. The accommodation so provided plus half of the room set apart for the reception of visitors will not be taken into account in calculating the standard rent fixed for such residence under rule 5.23.

Note 1.— *Where waiting rooms have been set apart for visitors in residence of Gazetted Government employees entitled to rebate of rent under this rule, rebate will also be allowed for the portion of verandahs, if any, attached to the waiting rooms.*

Note 2.— *The guards quarters and visitor's waiting room, with visitors Book shed, and half of the room set apart for the reception of visitors in the residence of the Hon'ble Chief Justice of the High Court are to be treated as non-residential portions for purpose of calculation of rent. Rebate of rent will be granted in respect thereof.*

5.41 A rebate of rent will be allowed to the Deputy Collectors of the Irrigation Department for the room in their residential quarters occupied by peons when administrative requirements necessitate their living in the room provided in the quarters and it is not used for Deputy Collector's private purposes.

5.42 In the case of privately owned buildings hired directly by the Government employee mentioned in column 2 of the statement below for use as residences, the following concessions will be admissible when suitable accommodation (other than a mere open verandah) for visitors or in the case of Commissioner or Deputy Commissioner for a police guard, as the case may be, is set aside to the satisfaction of the authority mentioned in column 3 of the statement:-

- (i) The rent of the waiting room and half the rent of the room in which visitors are received and the rent of the quarters for the police guard will be borne by Government.
- (ii) The portion of the rent which is, thus, to be borne by Government on account of the waiting and reception rooms and quarters for the police guard will be assessed by the Executive Engineers concerned on the value of the accommodation in question. Its amount will bear the same proportion to the rent of the premises occupied as the space occupied by the accommodation provide bears to the total plinth area of the building.

- (iii) The portion payable for the waiting and reception rooms will be paid by the Executive Engineer to the landlord. He will also arrange with the Police Department for the portion payable for the quarters for the police guard being paid by that Department as a police contingent charge direct to the Government.

STATEMENT

1	2	3
1.	Commissioners	Commissioner of Division concerned
2.	Deputy Commissioners	-do-
3.	Settlement Officers, Assistant Settlement Officers, Colonization and Assistant Colonization Officers	-do-
4.	Members of the I.A.S. or H.C.S. in charge of sub-divisions.	-do-
5.	<i>Omitted.</i>	
6.	Registrar	Hon'ble Judges of the High Court
7.	Inspector-General of Police, all Deputy Inspector-General of Police, and all Superintendents of Police (except the Principal, Police Training College, the Personal Assistant to the Inspector-General of Police and the Assistant to the Inspector-General, Special Branch).	Inspector-General of Police
8.	Deputy Superintendent of Police, placed in charge of Sub-Division	-ditto-

- 5.43** Constant charges in the accommodation to be set apart for visitors are depreciated on principle, but so long as these charges are necessary and are made for sound reasons, Government employees concerned can set apart different rooms during summer and winter on condition that the accommodation set apart—

- is to the satisfaction of their superiors;
- is not less in area than that for which Government waives rent; and
- if in excess of that originally reserved, Government is not called upon to waive a larger portion of the rent than that already fixed.

RENT FOR SPECIAL SERVICES

- 5.44** If a residence is supplied with services other than water-supply sanitary, or electric installation and fittings such as furniture, tennis courts or garden, the cost of which is not taken into account in calculating the standard rent of the residence under rule 5.23 and which are maintained at the cost of Government, rent shall be charged for these in addition to the rent payable under rules 5.29 to 5.32. The tenant will also be required to pay the cost of water, electric energy, etc. consumed. The additional rent and charges will be fixed and recovered in full as below. A competent authority may, however, in very special circumstances and for reasons which should be recorded, waive or reduce the additional rent and charges for any of the special amenities referred to above.

Note 1.— *The value of site shall not be taken into account in calculating the rent of special services under this rule.*

Note 2.— *Where, however, it is so directed by general or special order:-*

- (a) *The value of the site, and the cost of its preparation, shall be included in the capital cost of tennis courts and gardens,*
- (b) *Departmental charges shall be included in the capital cost of furniture. [] tennis courts and gardens as well as their maintenance, depreciation and storage charges. The percentage rates for maintenance, depreciation and storage shall not be levied on the capital cost after the addition of departmental charges but before such addition interest shall, however, be calculated on the capital cost including departmental charges.*
- (c) *The cost of sanitary, water-supply and electric installations may be excluded from the capital cost of tennis courts and gardens.*

Should the cost of sanitary, water-supply and electric installations be ordered to be excluded, rent for such installation shall be levied at the rates specified under rule 5.23 (d).

For cases in which the above provision will apply. see paragraph 3.27 of the Punjab Public Works Department code under furniture.

(a) Furniture

The rent shall be recovered at the rate of 15 per cent per annum on the capital cost as detailed below:-

(a)	Maintenance	4 per cent
(b)	interest	5 per cent
(c)	Depreciation including Renewals and replacements	6 per cent
	Total	15 per cent

Note.— *Free furniture is provided in the quarter of the Private Secretary to the Governor, Haryana at Raj Bhawan, Chandigarh.*

(b) TENNIS COURT

Rent to be recovered for a tennis court should cover both interest on the capital outlay involved at the rate prescribed by the competent authority for the purposes of rule 5.23 (b) and average actual maintenance charges for the past three years. The charges which may be incurred in connection with the provision and maintenance of tennis courts are:-

A In regard to courts in the plains-

- (1) construction of the court and of retaining walls where necessary;
- (2) surfacing of the court with bajri, grass, cement, etc., at the time of construction.

B In regard to courts in the hills—

- (1) and (2) as in section A above;
- (3) provision and erection of posts and wire-netting for the purpose of enclosing the court and of permanently fixed posts for suspending lawn tennis-nets;
- (4) Provision and erection of fixture and appurtenances for hanging screens; and

(5) maintenance of items 3 and 4 only.

Note 1.— *The cost of providing and renewing tennis-nets, the marking of courts, the provision of screens, the maintenance of the surface of the courts and also the maintenance of items (3) and (4) in section B above, in so far as they relate to the courts in the plains, should on no account, be admitted as a charge against the State.*

Note 2.— *For the purpose of these rules the maintenance charges shall be revised after every three years.*

Note 3.— *See also note under the head "Garden" below.*

(c) GARDEN

Both interest on the outlay incurred at the rate prescribed by the competent authority for the purposes of rule 5.23 (b) and actual maintenance charges should be recovered.

The cost of planting shade trees, shrubs and hedges in the compounds of residential buildings, of transporting soil in a portion of the compound meant for a garden, if the nature of the existing surface soil renders such transportation necessary in order to form a garden, of grassing plots, of sinking a well and of providing irrigation channels may be debited to public funds as capital expenditure on the residence and included in the capital cost thereof for the purpose of assessment of standard rent. The maintenance of shrubs and hedges and of grass plots shall be a liability of the tenant. The sale-proceeds of timber shall be credited to Government

Note.— *If the capital outlay on the tennis court/gardens is not known, it may be determined by the Divisional Officer with reference to the market value of similar tennis court/gardens in the vicinity.*

(d) WATER CHARGES

Charges for water supplied to tenant of Government residential buildings are assessed as follows:-

- (a) Every official occupying a Government quarter with a separate water connection must pay water charges including the meter rent as fixed by a Municipality. District Board or the Public Health Department . No exception shall be granted in such cases.
- (b) Where quarters have not been provided with separate water connections and the occupants have to use outside, and technically public taps, no water charges should be recovered from them.
- (c) Where water tax as distinct from water charges is levied such tax is payable by the tenants.

Exception.— *This rule does not apply to class IV Government employees entitled to rent-free quarters under item 14 in Appendix 7 to these Punjab Public Works Department Code, second Edition.*

CLASSIFICATION OF RESIDENCES

5.45 Government building intended for occupation residences are divided into two classes:-

Class I.— Building which will ordinary be occupied by Government employees liable to pay the full standard rent subject to the limit of 10 per cent of their emoluments.

Class II.— Buildings from which recovery of the full standard rent is not expected, that is, buildings which will ordinarily be occupied by Government employees who are entitled to accommodation free or at reduced rents under the sanction of competent authority.

Note 1.— *The fact that a building in class I is occasionally occupied a Government employee who is entitled to accommodation rent free. or at reduced rents. will not justify its removal from class I to class II, and similarly a building in class II should not be transferred to class I whenever it is occupied by a Government employee who may be required to pay the full standard rent (subject to 10 percent of emoluments). Buildings should be transferred from one class to the other only when there is a permanent change in the conditions under which they will ordinarily be rented. Transfers should be made under the orders of the competent authority, and should have effect in all cases from the commencement of a financial year.*

Note 2.— *When a building in class II is occupied by any person who is not entitled to quarters rent free, the rent to be paid shall be fixed by the competent authority in accordance with the rules in this chapter.*

Note 3.— *In the Forest Department Gazetted Government employees not entitled rent- free accommodation are permitted to occupy quarters meant for free occupation on payment of rents to be assessed by the Public Works Department under the rules in this chapter.*

GENERAL RULES AND INSTRUCTIONS REGARDING ALLOTMENT OF RESIDENCE

5.46 The expression “allotted” means “provided” and a Government employee residing in a Government residence before definite allotment may be regarded as having been allotted that residence. Subject to the provision of rule 5.51-A, an incumbent, permanent or temporary, of a post for whose benefit a residence has been constructed, bought or leased is allotted that residence.

Note.— *A residence will not be held to have been allotted to a Government employee who shares it by private arrangement with another Government employee to whom it has been allotted.*

5.47 A Government employee shall not be considered to be in occupation of residence when he proceeds on leave unless the competent authority otherwise directs .

5.48 The period of allotment is determined as follows:-

- (a) If the house has been constructed, purchased or leased for the benefit of a particulars post. it is the period of incumbency, permanent or temporary. of each Government employee in that appointment except in the case provided for in rule 5.51-A.
- (b) Otherwise it is for twelve months at a time, but terminates on his transfer from the place where he is stationed.

5.49 When during a twelve months’ tenancy, a Government residence is vacated, owing either to the occupants appointment having been altered or to his proceeding on leave, the residence should, when this is possible and always when occupation of the residence is a condition of the tenure of the appointment, be allotted to his successor in office and rent recovered accordingly.

When a Government employee takes over charge of an office entitling him to occupy a Government residential building, he should, apart from the usual charge certificate on assumption of office, sign a supplementary certificate stating that he becomes responsible for the rent of the building from a given date. The relieved Government employee should similarly state that his responsibility for rent has ceased. A copy of this certificate should be sent to the Accountant-General and the Executive Engineer concerned to enable the former to exercise a check on the prompt recovery of rent and the latter to complete his records, etc. A Government employee will be held responsible for the rent until such date as he vacates the building and:-

- (a) After informing the Executive Engineer of the division in which the house is situated of the vacation, hands over the key to him; or
- (b) in the case of relief by another officials, furnishes the Executive Engineer concerned with the certificate referred to above.

If an office does not carry with it any responsibility for the rent of a building, the supplementary certificate will be blank and will be signed with a line drawn across it.

5.50 A Government employee in occupation of a residence may sub-let it subject to the following conditions:-

- (a) the lessee shall be approved by the Chief Engineer, Public Works Department, incharge of the building;
- (b) the sub tenancy shall not be recognized by the Government;
- (c) the lessor shall remain personally responsible for the rent and for any damage caused to the residence beyond fair wear and tear;
- (d) the sub tenancy shall terminate not later than the date on which lessor ceases to hold the post to which the residence has been allotted;
- (e) the rent payable by the lessee shall, not except with the previous sanction of Government exceed the rent payable to Government by the lessor;
- (f) the rent payable to Government by the lessor shall be the rent payable by him, if he has not sub-let the residence or the rent payable by the lessor, if the residence has been allotted to him direct by the Government whichever is higher;
- (g) in the case of sub letting of a Government residence when the lessor is not entitled to rent-free quarter or house- rent allowance in lieu but the lessee is so entitled, the rent payable by the lessor, should be the rent payable by him, if he had not sub-let the residence or the rent payable by the lessee, if the residence have been allotted to him direct by Government, otherwise than free of rent, whichever is higher;
- (h) when a Government residence is sub-let and the lessee and the lessor are, or the lessor is, entitled to rent-free quarters or house rent allowance in lieu, the following procedure should be adopted in regard to the recovery of rent:-
 - (i) when both the lessor and the lessee are entitled to rent free quarters or house rent allowance in lieu, the lessor will pay to Government an amount equivalent to the higher of the two house-rent allowances; and

- (ii) when the lessor is entitled to rent-free quarters or house-rent allowance in lieu and the lessee is not so entitled, the lessor will pay to Government an amount equivalent to the house-rent allowance admissible to him or to the rent payable by the lessee if the house had been allotted to him direct by Govt., whichever is higher.

Note 1.— *Whenever a residence cannot be allotted to the incumbent of the post to which it is attached or to a Government employee of the class for which it was constructed it may be let to a Government employee not holding the particular post or not belonging to that class subject to the conditions that—*

- (i) *the allotment ceases within two months of a Government employee for whom the residence is intended becoming available at the station as a tenant; and*
- (ii) *the rent to be recovered under the rules from the temporary tenant is not less than two-third of the standard rent of the house.*

A competent authority relax the provisions of this note as a special case, if considered necessary.

Note 2.— *Where only a part of the residence is sub-let, the rent payable by the lessee shall not exceed the rent calculated on the basis of the plinth area occupied by him.*

5.51 A competent authority may permit Government employee during temporary absence from his station to store his furniture and other property at his own risk free of rent in the residence occupied by him prior to his absence when both the conditions specified below are fulfilled:-

- (a) If the house is allotted to another Government employee under rule 5.48 (a), subject to the condition that the latter does not require the residence and is exempted under rule 5.34 from responsibility from the rent.
- (b) In any case subject to the condition that arrangements cannot be made to let the house under paragraph 3.10 of the Public Works Department Code – First Edition.

5.51-A. If a Government employee to whom a residence is allotted dies, is dismissed from the service or retires from the service, the allotment to him of the residence shall be cancelled, with effect from one month after the date of his death, dismissal or retirement, as the case may be, or with effect from any date after such death, dismissal or retirement on which the residence is actually vacated, whichever is earlier. In such cases the recovery of rent should be governed by Rules 5.29 (b) i.e., while the original allotment subsists, rent should be charged at the same concessional rate as was being paid by the Government employee before his death, dismissal or retirement as the case may be. Similarly the concession of rent free quarters, if it was granted in any case, should continue during the period of grace.

5.52 In the case of residences under the control of the Forest Department these rules should be read as if the words “Public Works Department”, “Chief Engineer”, and “Executive Engineer” were “Forest Department”, Chief Conservator of Forests” and “Divisional Forest Officer” respectively.

III COMPENSATIONS

5.53 Claims to compensation made by Government employees will ordinarily be considered only in cases in which—

- (i) the exposure of the property to risk is directly connected with the duties on which the Government employee is employed at the time e.g. when the action of an enemy or insurgents or of raiders or wild tribes on the frontier causes the loss of the property of the Government employee employed in the area affected; or
- (ii) the property is lost in consequence of endeavors on the part of the Government employee to save the property of Government which was also endangered at the time; or
- (iii) the property is destroyed under the orders of competent authority:

Provided that the mere fact that at the time of accident, the Government employee is technically on duty or is living in Government quarters in which he is forced to reside for the performance of his duties will not be considered as a sufficient ground for the grant of compensation. Compensation will not be granted to a Government employee for any loss of his property—

- (a) which is caused by an act of God, e.g. earthquake, floods etc., or
- (b) Which is due to an ordinary every day accident which may occur to any citizen, e.g., loss by theft, even when accompanied by violence or the result of a railway accident, fire, etc, or
- (c) which is due in any way to negligence or other default on the part of claimant.

Note 1.—*Claims for compensation will be considered in respect of animals (1) which are killed, captured or stolen by the enemy, (2) which are destroyed by order of competent authority to prevent the spread of infectious or contagious diseases, or (3) when the loss animal is due to exposure or excessive work necessitated by use in the public service or to an accident directly due to such use.*

Note 2.—*Compensation is not admissible where as a matter of ordinary prudence the owner of the property could and should have insured it. The question whether the property ought to have been insured is one of fact for the decision of the sanctioning authority. Failure to insure motor cars by their owners will, however, be considered as negligence within the meaning of this rule, and no compensation is admissible for any loss sustained by a Government employee who has omitted to insure his car. The kind of insurance contemplated in this case is the ordinary form of insurance which most motorists take out- the kind which a Government employee who buys a car with an advance from Government is required to take out. The ordinary policy provides fully against malicious damage, fire or theft, and it is not considered necessary that Government employees should cover their cars against any but the risks provided against in ordinary insurance policies.*

5.54 When any one of the conditions in rule 5.53 is satisfied a competent authority may, as an act of grace and at its discretion, grant compensation to the Government employee up to the then value of the necessities lost by him.

Explanation.—*The question whether the articles lost are “necessaries” within the meaning of this rule will be determined by the sanctioning authority with reference to the Government employee’s personal standing and circumstances. Care should be taken not to admit claims for articles which could clearly be regarded as unessential in the*

circumstances in which the Government employee was situated when the claim arose, or which, as matter of ordinary prudence Government employees might have been expected to refrain from taking into situation.

IV HONORARIA AND FEES

Honoraria

- 5.55** Subject to the condition prescribed in rule 5.56 a competent authority may grant or permit a Government employee to receive an honorarium as remuneration for work performed which is occasional or intermittent in character and either so laborious or of such special merit as to justify a special reward. Except when special reasons, which should be recorded in writing, exist for a departure from this provisions sanction to the grant or acceptance of an honorarium should not be given unless the work has been undertaken with the prior consent of the competent authority and its amount has been settled in advance.

Note 1.— *In a case where an honorarium is to be granted to a Government employee there must first be an order of competent authority permitting acceptance of the honorarium by the Government employee, and there must also be an order sanctioning the grant of the honorarium. In a case where an honorarium is to be granted to a Government employee belonging to a department other than the one which is to pay it there should, therefore, be two sanctions, one for the payment of the honorarium by the Department in which the expenditure, is to be incurred and the other for the acceptance for the honorarium which must be issued by the Department to which the Government employee belongs. In order to avoid duplication of work in having to give two different sanctions, one single sanction should be given both to the grant (and acceptance of the honorarium and this sanction should be given by the department paying the honorarium after obtaining the concurrence of the department in which the Government employee happens to be serving.*

Exception.— *A Government. employee under the Haryana Government may accept remuneration upto any amount for work connected with an examination or examinations conducted by the Union Public Service Commission or Secretariat Training School (Government. of India) or the Director Industrial Training Haryana and up to the limit of Rs. 1,000 during the financial year for work connected with an examination or examinations conducted by the Haryana Public Service Commission or Subordinate Service Selection Board, Haryana or the Director, Technical education, Haryana, or for work connected with departmental examination or examinations conducted by State Government Departments, without the sanction of the authority competent to permit the acceptance of a fee or honorarium by him. For the acceptance of honorarium in excess of Rs. 1,000 in the case of work connected with the examination or examinations conducted by the Haryana Public Service Commission or Subordinate Services Selection Board, Haryana, or the Director, Technical Education Haryana or for work connected with departmental examination or examinations conducted by the state Government, Departments, sanction of the Haryana Government in the Administrative Department under which the Government employee concerned is serving is necessary.*

Note 2.— *The sanctioning authority shall record in writing that due regard has been paid to the general principle enunciated in rule 3.10 and shall record also the reasons which in his opinion justify the grant of the extra remuneration.*

Note 3.— *Note 2 above requires that the reasons for the grant should be recorded in writing as it is intended, that the grant of an honorarium should be carefully controlled by Government and scrutinized by audit and that audit should be given an effective opportunity of comments if it be deemed necessary. Accountant General may, therefore, require that the reasons for the grant of an honorarium should be communicated to him in each case.*

Note 4.— *The amount of an honorarium must be fixed with due regard to the value of the service in return of which it is given.*

Note 5.— *Temporary increase in work due to the holding of special conferences under the auspices of a department or subordinate authority or of inter-departmental committees are normal incidents of Government service and form part of the legitimate duties of Government employees according to the general principal enunciated in rule 3.10. Those so employed have, therefore, no claim to extra remuneration.*

Note 6.— *The grant of honorarium to the heirs of a deceased Government employee for work done by him is unobjectionable in audit.*

Note 7.— *No honorarium should be granted to gazetted officers engaged on work in connection with the setting up of companies, corporations, etc, which forms a part of their normal duties even if they work beyond office hours.*

5.56 When the service rendered falls within the course of the ordinary duties of the Government. employee performing it, the test of special merit prescribed in rule 5.55 must be very strictly applied.

Note.— *The expression “within the course of the ordinary duties” has been defined as follows:-*

A service rendered by a Government employee is said to be within the course of the duties of that Government employee when it is of the same nature as that for which his regular employment exists. The test that should be applied is deciding any particular case is to determine whether the service rendered is such as the Government employee habitually performs in the course of his ordinary duties. A service does not cease to be within the course of the duties of the Government. employee because it has been rendered for an object not concerned with the usual operations of his department or involves an unusual expenditure of labour.

FEES

5.57 Subject to rules under which a fee may be received by a medical officer of Government for services other than professional attendance (see note 5 below) or an expert witness summoned in a criminal court (see note 6 below) and subject to rules 5.58 to 5.60, a competent authority may permit a Government employee, if it be satisfied that this can be done without detriment to his official duties or responsibilities, to perform a specified service or series of service for a private person or body or for a public body, including a body administering a local fund and to receive as remuneration therefor, if the service be material, a non-recurring or recurring fee.

Note 1.— *The sanctioning authority must make it clear that sanction under this rule to perform work does not involve sanction to the acceptance of a fee in excess of his own power of sanction under this rule.*

Note 2.— *Acceptance of fees by medical officers of Government for professional attendance is regulated by the rules in Chapter VI of the Punjab Medical Manual.*

Note 3.— *Government employee of the Education, Agriculture, Animal Husbandry, Fisheries and Health Department are authorized to undertake work of examining and setting papers in respect of University and other examinations and to accept remuneration therefor:*

Provided the total of sum so drawn by an individual does not exceed in the case of Agriculture, Animal Husbandry and Fisheries Department Examinations Rs. 500 and in the case of the Education and Health Department Examinations Rs. 1, 000 in a financial year.

The teaching staff of the Department of Agriculture, Animal Husbandry and Fisheries is permitted to retain fees up to Rs. 500 in a financial year for working as Supervisor's, Superintendents, Deputy Superintendents, Invigilators etc., at the University examination; or the examinations conducted by the school Education Board, Haryana provided the work is undertaken outside the normal hours of duty. The officials doing research work besides teaching work, are not permitted to undertake this work. Government employees of the Education Department are permitted to retain fees upto Rs. 1, 000 for working as supervisors or superintendents at university examinations or the examination conducted by the School Education Board provided the work in undertaken outside the normal hours of duty. For the acceptance of fees in excess of this sum the sanction of the competent authority should be obtained. In order to watch the above mentioned limits the Heads of Departments concerned should obtain annually from the Government employees of their respective departments who receive remuneration under this note, a statement showing the amount received by each Government employee in the preceding financial year.

Note 4.— *Notes 2 to 4 under rule 5.55 apply mutatis mutandis in the case of fees also.*

Note 5.— *The rules prescribing the conditions and limits subject to which a fee may be received by medical officers of Government other than professional attendance are contained in Appendix 8 of the Punjab Civil Services Rules, Vol. I, Part-II.*

Note 6.— *The rules for the payment of fees to expert witnesses summoned in Criminal Courts are contained in Appendix 8-A of Haryana Civil services Rules, Vol. I, Part-II.*

Note 7.— *The personal assistant/ Private Secretaries/Stenographers extra attached to the officers nominated as Chairman and members of the Board of Directors of certain corporation and companies should not be allowed any additional remuneration from corporation or companies. when the officers with whom they are attached are allotted duties on the Board of Directors of Corporation or Companies as part of their normal functions.*

5.58 Unless the competent authority by special order otherwise directs, one third of the total amount of any fee in excess of Rs. 400 or, if a recurring fee of Rs. 250 a year, paid to a Government employee shall be credited to general revenues :Provided that the fee to be retained by the Government employee concerned will not be reduced below Rs. 400 if non recurring or Rs. 250 a year if recurring and provided further that where a fee is paid for work done during the time which would otherwise be spent in the performance of official duties, the entire fee must be credited to Government, unless the competent authority for special reasons which should be recorded, directs otherwise.

Note 1.— *Fees received by Government employees for giving expert evidence on technical matters before a court of law should also be governed by this rule.*

Note 2.— *Non recurring and recurring fees should be dealt with separately and should not be added for the purpose of crediting one third to Government under this rule. In the case of the former the limit of Rs. 400 prescribed in this rule should be applied in each*

individual case, and in the case of the latter the limit of Rs. 250 should be applied with reference to total recurring fees for the financial year.

Note 3.— *The fees received by Government employees from the following institutions are exempted from the operation of this rule:-*

1	<i>Society for the Prevention of Cruelty to Animals</i>
2	<i>Indian Roads Congress</i>
3	<i>India Cattle Show Committee</i>
4	<i>Inter-University Board</i>
5	<i>Inter State Board for Anglo Indian Education</i>
6	<i>Indian Red Cross Society</i>
7	<i>Bharat Scouts and Guides Haryana (Exemption) relates only to fee received by Government employees for doing clerical work.</i>
8	<i>Child Activity Centers</i>
9	<i>Bharat Sewak Samaj</i>

Provided the work for them is done during the time which will not be otherwise spent in the performance of official duties.

Note 4.— *The fees referred to in Note 3 below rule 5.57 in excess of Rs. 500 in the case of Government employees of Agriculture, Animal Husbandry and Fisheries Department and Rs. 1000 in the case of Government employees of the Education and Health Department during a financial year shall be shared between the Government employee and Government in the ratio of 2:1, i.e. one third of the amount in excess of these limits should be credited to Government. These orders will, however, not be applicable to the fees received by Government employees of the Health Department for acting as Examiners of the Punjab University, Punjabi University or Kurukshetra University or the Haryana State Medical Faculty. In their case the orders regarding the sharing of fees would apply only to the fees received by them for acting as Examiners of the outside Universities and Bodies.*

When a Medical Officer conducting examination/inspection on behalf of an Indian University other than the Universities of the Haryana and the Medical Council of India does not take regular/casual leave for the purpose : he shall credit the entire fee received by him to the Haryana Government revenues. In case, however, the period of his absence is treated as regular/casual leave, the orders of sharing the fees will apply.

Note 5.— *The term “Fee” used in this rule shall not include conveyance allowance provided the amount of conveyance allowance received by a Government employee from a source other than the revenues of the State does not exceed what would be admissible under the Haryana Government Rules under similar circumstances and is not a source of profit to the Government employee concerned. In case of doubt, a competent authority may decide whether the conveyance allowance thus received by a Government employee, is reasonable as compared with the standard adopted by the Government for the grant of conveyance allowance and is not a source of profit to the Government employee.*

Note 6.— If any fee to which this rule applies exceed Rs. 400 non recurring of Rs. 250 a year recurring of Rs. 500 in the case of Government employees of Agriculture, Animal Husbandry and Fisheries Department and Rs. 1000 in the case of Government employee of the Education and Health Department refer to in note 3 below rule 5.57 during a financial year 1/3rd of the total amount payable, as the case may be, should be credited to general revenues, provided that the amount retained by the Government employee concerned will not merely owing to the operation of this rule, be reduced below Rs. 400 if non-recurring or Rs. 250 a year if recurring or Rs. 500 or 1000 as the case may be.

Non-recurring and recurring fees should be dealt with separately and should not be added for the purpose of crediting one third to general revenues under this rule. In the case of the former the limit of Rs. 400 prescribed in this rule should be applied in each individual case and in the case of the latter the limit of Rs. 250 should be applied with reference to the total recurring fee for the financial year.

Note 7.— The fee received by a Superintending Engineer of the Public Works Department Building and Roads Branch for acting as an arbitrator in a dispute arising between contractors and a local Body relating to a contract shall be apportioned between the Government, the officer and the staff employed in that connection as follows:-

Government	35 percent
Superintending Engineer	55%
Staff (Clerical employed)	10%
In case no staff is employed, the fee shall be distributed as follows:	
Government	40%
Superintending Engineer	60%

No superintending Engineer shall, however, be allowed to draw more than Rs. 500 (Rs. Five hundred only) in any one arbitration case without the prior approval of Government

Note 8.— Any scholarship or stipend received during study leave or otherwise, by a Government employee from a source other than the Consolidated Fund of India or Consolidated Fund of state for the purposes of prosecuting a course of studies or receiving specialized training in professional or technical subjects will not be subject to a cut under the provisions of this rule.

However, this rule will continue to apply, unless specially relaxed to the payments received by such Government employees as a result of full time or part time employment undertaken by them.

Note 9.— This rule will not apply to the income derived by a Government employee from exploitation of a patent for an invention taken out by him with the permission of competent authority under rule 5.64.

Note 10.— (1) The term “fee” contained in this rule shall not include the following payments and therefore, no special sanction is necessary:-

- (a) *unearned income, such as income from property, dividends and interest on securities; and*
- (b) *income from literary, cultural, artistic, scientific or technological efforts.*

Exemption.— *But acceptance of fee mentioned below would not be covered by (b) above:-*

- (i) *Sale proceeds or royalties on a book which is mere compilation of Government rules, regulations and procedures.*
 - (ii) *Income derived by performing clerical, administrative or technical functions for private bodies including those engaged in literary, cultural, artistic, scientific, charitable or sports activities.*
- (2) *The following payment received by Government employees will not be subject to crediting one third of the amount to general revenue:-*
- (a) *writing or reports, papers or study reports on selected subject for international bodies like (United Nations Organization, United Nations Educational Scientific Cultural Organization etc.*
 - (b) *fees received from statutory bodies like institute of Chartered Accountants and Haryana Institute of Public Administration.*
 - (c) *When a Government Department undertakes the works for a non-Government Organization in its turn assigns the work to the officials suited for the purpose and pays them at rates approved by Government*
 - (d) *income from books, articles papers and lectures on literary, cultural, artistic, technological and scientific subjects including management sciences.*
 - (e) *income from essential participation in sports, games and athletic activities as players, referees, umpires or managers of the team.*

Exemption.— *In case a Government employee is permitted to participate in sports activities and accepts payment as a professional, the income derived therefrom would continue to be subject to the deduction under this rule.*

- 5.59** The attesting and revising officers of outlying courts and officers of the Revenue Department and the attesting and revising officers of the Judicial Department are permitted to receive with the sanction of the presiding officers of the courts and offices concerned one-tenth of the copying and urgent fees received in respect of the copies attested and revised by them. All copies prepared at Government expense shall, however, be examined and attested without fee.
- 5.60** When a Government employee of an Educational Service is permitted to receive fees for private tuition the financial limits of the powers of sanction accorded to by a competent authority shall be considered to apply to the total amount of fees to be accepted by such Government employee during any particular scholastic term of vacation.
- 5.61** *Cancelled.*
- 5.62** *Cancelled*
- 5.63** Any Government employee is eligible to receive and except as otherwise provided by a general or special order of the competent authority, to retain without special permission—

- (a) the premium awarded for any essay or plan in public competitions
- (b) any reward offered for the arrest of a criminal or for information or special service in connection with the administration of justice.
- (c) any reward payable in accordance with the provisions of any Act or rules or regulation framed thereunder.
- (d) any reward sanctioned for services in connection with the administration of the customs and excise laws; and
- (e) any fees payable to a Government employee for duties which he is required to perform in his official capacity under any special or local law or by order of Government

Note.— A fee payable to a Government employee under rule 5.63 (e) can be retained by him without special permission / other words rule 5.58 which requires that one third of all fees received by Government employee from private source should be credited to Government does not apply to such remuneration. It is not considered desirable that a Government employee, who in his official capacity is nominated as Chairman or Member of a Government or quasi Government Body or governing body of an institution which receives a grant from Government should be made eligible for any fee or other remuneration except travelling allowance which is admissible to non Government employees for attending a meeting of the institution concerned or for performing other work thereof. This object can be served by making a suitable provision in the article of association or other regulations of the body concerned or any Act relating to its institutions without having recourse to an amendment of rule 5.63.

5.64 A Government employee whose duties involve the carrying out of scientific or technical research shall not apply for or obtain or cause or permit any other person to apply for or obtain a patent for an invention made by such Government employee save with the permission of the competent authority and in accordance with such conditions as the competent authority may impose.

If a question arises whether a Government employee is a Government employee to whom this rule applies the decision of the competent authority shall be final.

Note 1.— The administrative Instructions issued by Government under this rule are contained in Appendix 9 of Part II of this Volume.

Note 2.— The payments of honoraria as remuneration for the use by Government of inventions, patented by persons in Government employ whose duties do not involve the carrying out of scientific or technical research should be regulated by the provisions of section 17 of the Inventions and Designs Act 1888 and Section 21 of the Indian Patents and Designs Act 1911 and not by rule 5.55 or 5.64. The terms on which an invention may be used for the services of the Union should be settled with the approval of the Union Government before any payment is made to the patents.

CHAPTER - VI**Deputation out of India**

6.1 No deputation of a Government employee out of India shall be sanctioned without the previous approval of the competent authority.

6.2 (1) When a Government employee is with proper sanction, temporarily deputed for duty out of India either in connection with the post held by him in India or in connection with any special duty on which he may temporarily be placed, he may be allowed by the Competent Authority to draw during the period of deputation the same pay which he would have drawn had he remained on duty in India.

Provided that a Government employee, who is placed on deputation while already on leave out of India on earned leave may be required by the competent authority to continue to be on leave, in which case he shall be given during that period, in addition to his leave salary, an honorarium of one-sixth of the pay which he would have drawn had he remained on duty in India, the cost of passage from and to India shall be borne by him.

Note.— *The portion of the pay which a Government employee may be permitted to draw in foreign currency while on deputation abroad will be determined in accordance with the orders issued by the competent authority in this regard from time to time.*

(2) A Government employee on deputation may also be granted a compensatory allowance in a foreign country of such amount as the competent authority may think fit.

(3) The foreign exchange equivalent of the pay, honorarium or compensatory allowance admissible under sub-rule (1) or sub-rule (2) shall be calculated at such rate of exchange as the Union Government may be order prescribe.

1. The grant of free passages, and of subsistence and travelling allowance to Government employees on duty in Europe and Americas is governed by the rule in Chapter XIII of this volume and Appendix 10 of Part II of this volume, respectively.

2. *Omitted.*

Note 1.— *A competent authority may depute a subordinate police employee to any country outside India to accompany or take of criminals or lunatic, or any other business which is part of his duty as a police officer, and may grant to the officer so deputed—*

(a) *full pay, for the entire period of absence from India, with;*

(b) *actual travelling expenses, and a subsistence allowance not exceeding the following scale, while in any country outside India:—*

	S.	d.
For Government employees of the Inspector class (including Sub-Inspector)	22	6 a day
For Government employees of the sergeant class For Government Employees of the Constables and Assistant Sub-Inspectors classes. Pakistan for the purposes of this note is treated as in India.	15	0 a day

Note 2.— *Omitted.*

Note 3.— *The period of deputation runs from the date on which the Government, employee makes over charge of his office in India to the date on which he resumes it; or, if the Government employee is on leave out of India, at the time he is placed on deputation, the period of the deputation is the time actually occupied by the duty.*

Note 4.— *The term “pay” in the expression “pay which he would have drawn had he remained on duty in India”. Occurring in this rule, should be interpreted literally with reference to the definition in rule 2.44 and the pay which a Government employee would have drawn if he were on duty in India should be determined, for the purpose of this rule, with reference to what the competent authorities in India, save the Government employee’s pay would have been if he were on duty in India. It will, therefore, be necessary for Accountant-General to intimate to the High Commissioner in each case after consultation with Government, the pay which a Government employee would have drawn if on duty in India.*

As overseas pay is included in “pay” and as a Government employee would draw overseas pay under rule 6.2(i) (if entitled to it) had he remained on duty in India, it should be taken into account for the purpose of calculation of the deputation pay under that rule.

In the case of Government employees who are not deputed out of India for special items of works but are placed on continuous service with commissions and Committees whose functions require work both in and out of India, the expression should be interpreted as having reference to the pay which they would have drawn in India had they continued on duty with the Commission or Committee there.

Note 5.— *In the case of a Government employee proceeding on deputation, the grant of return passage to India on conclusion of a deputation is conditional on his return to duty forthwith on the conclusion of the deputation, unless an arrangement to the contrary effect is specially permitted at the time the deputation closes or is about to close, and the proposed; leave is begun.*

Note 6.— *The provision of 1st class ordinary or P and O. “Special” rate to the place of deputation and back should be left to the discretion of the High Commissioner for India in cases in which Government employees are placed on deputation in some other country while on leave in England.*

Note 7.— *For terms to be granted to Government employees sent on training abroad under the various training schemes. See Appendix 20-A Part II of this Volume.*

6.3 When a Government employee is with proper sanction deputed for duty out of India to hold a regular constituted permanent or quasi-permanent post, other than a post borne on the cadre of the service to which he belongs his pay shall be regulated by the orders of the competent authority.

Chapter – VII

Dismissal, Removal and Suspension Cessation of pay and allowances on removal or dismissal

- 7.1** The pay and allowances of a Government employee who is dismissed or removed from service cease from the date of such dismissal or removal.

ALLOWANCES DURING PERIOD OF SUSPENSION

- 7.2 (1)** A Government employee under suspension shall be entitled to the following payments, namely:-

- (i) in the case of a Warrant Officer in Civil employ who is liable to revert to military duty, the pay and allowances to which he would have been entitled had he been suspended while in military employment.
- (ii) in the case of any other Government employee—

- (a) A subsistence allowance at an amount equal to the leave salary which the Government employee would have drawn if he had been on leave on half pay, and in addition dearness allowance, if admissible, on the basis of such leave salary;

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

- (i) the amount of subsistence allowance may be increased by a suitable amount not exceeding 50 per cent of the subsistence allowance admissible during the period of the first six months, if, in the opinion of the said authority, the period of suspension has been prolonged for reasons to be recorded in writing, not directly attributable to the Government employee;
- (ii) the amount of subsistence allowance may be reduced by a suitable amount, not exceeding 50 per cent of the subsistence allowance admissible during the period of the first six months, if, in the opinion of the said authority, the period of suspension has been prolonged due to reasons to be recorded in writing, directly attributable to the Government employee.
- (iii) the rate of dearness allowance will be based on the increased, or as the case may be, the decreased amount of subsistence allowance admissible under clauses (i) and (ii) above;

- (b) any other compensatory allowances admissible from time to time on the basis of pay of which the Government employee was in receipt on the date of suspension subject to the fulfillment of other conditions laid down for the drawal of such allowances.

- (2)** No payment under sub-rule (1) shall be made unless the Government employment furnishes a certificate, and the authority which made or is deemed to have made the order of suspension is satisfied that he is not engaged in any other employment, business, profession or vocation;

Provided that in the case of a Government employee dismissed, removed or compulsorily retired from service, who is deemed to have been placed or to continue to be under suspension from the date of such dismissal or removal or compulsory retirement and who fails to produce such a certificate for any period or periods during which he is deemed to be placed or to continue to be under suspension, he shall be entitled to the subsistence allowance and other allowances equal to the amount by which his earnings during such period or periods as the case may be falls short of the amount of subsistence allowance and other allowances that would otherwise be admissible to him. Where the subsistence and other allowances admissible to him are equal to or less than the amount earned by him nothing in proviso shall apply to him.

Note 1.— *Mounted Police Officers who are placed under suspension will cease to draw horse, pony or camel allowance, as the case may be, and will hand over their mounts to the Lines Officer or the officer-in-charge of the Mounted Police who shall be responsible for the feeding and keeping of such animals under the supervision of a gazetted Government employee. The actual expenditure incurred on this account will be debitable to Materials and Supplies under the head “Feeding and keeping of animals of Mounted Police Officer under suspension.”*

The term “Mounted Police Officer” includes members of the Mounted Police as well as Upper Subordinates who keep mounts.

Note 2.— *The initial grant of subsistence allowance payable at an amount equal to leave salary on half pay shall be subject to the maximum limit prescribed in rule 8.122(2). In the event of an increase or decrease in the subsistence allowance after the first six month of suspension under the proviso to sub-rule (i) (ii) (a) of this rule, however the increase or decrease shall be calculated on the amount of subsistence allowance initially fixed and will not be subject to any maximum limit.*

Note 3.— *It is obligatory under this rule in sufficient time before the expiry of the six months of suspension the competent authority should review each case in which the period of suspension is likely to exceed six months and even if it comes to the conclusion that the rate is not to be altered having regard to all the circumstances of the case specific orders to that effect are to be passed placing on record the circumstances under which the decision had to be taken.*

ALLOWANCES ON REINSTATEMENT

7.3 (1) When a Government employee, who has been dismissed, removed, compulsory retired, or suspended, is reinstated, or would have been reinstated but for his retirement on superannuation the authority competent to order the reinstatement shall consider and make a specific order:-

- (a) regarding the pay and allowances to be paid to the Government employee for the period of his absence from duty, occasioned by suspension and/or dismissal, removal or compulsory retirement ending with his reinstatement on or the date of his retirement on superannuation as the case may be, and
- (b) whether or not the said period shall be treated as a period spent on duty.

(2) Where the authority mentioned in sub-rule (1) is of opinion that the Government employee has been fully exonerated or, in the case of suspension, that it was wholly unjustified, the Government employee shall be given the full pay and allowances to

which he would have been entitled, had he not been dismissed, removed, compulsorily retired or suspended, as the case may be.

- (3) In other cases, the Government employee shall be given such proportion of such pay and allowances as such competent authority may prescribe:

Provided that the payment of allowances under sub-rule (2) or sub-rule (3) shall be subject to all other conditions under which such allowances are admissible.

Provided further that such proportion of such pay and allowances shall not be less than the subsistence and other allowances admissible under rule 7.2.

- (4) In a case failing under sub-rule (2) the period of absence from duty shall be treated as a period spent on duty for all purposes.

- (5) In a case failing under sub-rule (3) the period of absence from duty shall not be treated as a period spent on duty unless such competent authority specifically directs that it shall be so treated for any specified purpose:

Provided that if the Government employee so desires, such authority may direct that the period of absence from duty shall be converted into leave of any kind due and admissible to the Government employee.

Note 1.— *This rule is absolute and unconditional and so the question of lien does not arise in the case of a Government employee who is dismissed from service and re-instatement on appeal when the period of unemployment between the date of dismissal and re-instatement is declared by the appellate authority as duty.*

Note 2.— *Clause (b) of sub-rule (1) of this rule does not forbid the period spent under suspension being regarded as leave, and it is open to the revising or appellate authority to prescribe as the proportion of pay and allowances to be paid the leave salary which would be permissible if the Government employee were on leave.*

Administrative Instruction.— *A permanent post vacated by the dismissal, removal or compulsory retirement of Government employee should not be filled substantively until the expiry of the period of one year from the date of such dismissal, removal or compulsory retirement, as the case may be. Where on the expiry of the period of one year, the permanent post is filled and the original incumbent of the post is reinstated thereafter, he should be accommodated against any post which may be substantively vacant in the grade to which his previous substantive post belonged. If there is no such vacant post, he should be accommodated against a supernumerary post which should be created in this grade with proper sanction and with the stipulation that it would be terminated on the occurrence of the first substantive vacancy in that grade.*

Note 3.— *A suspended Mounted Police officer on reinstatement, even if such officer is found not guilty of charges preferred against him, will not be given conveyance allowance for the period of suspension.*

Note 4.— *The term “revising authority” as used in this rule includes an authority revising its own orders.*

Note 5.— *The period spent under medical treatment by a Government employee under suspension shall be treated as spent under suspension and the subsistence allowance as admissible under the rules shall be given for that period. On reinstatement, it shall be specified whether it is to be treated as ‘duty’ or ‘non duty’ with reference to the*

provisions of the above rule, unless the Government employee concerned desires that it may be converted into leave of the kind due and admissible.

Note 6.— *The order of the competent authority regarding the treatment of the period of absence from duty passed under the proviso to sub-rule (5) above is absolute and no higher sanction would be necessary for the grant of extraordinary leave in excess of six months in so far as temporary Government employees are concerned.*

Note 7.— *The term “Proportion” used in sub-rule (3) of this rule does not mean “whole”.*

Note 8.— *If no order is passed under sub-rule (5) of this rule directing that the period of absence be treated as duty for any specified purpose, the period of absence should be treated as ‘non-duty’. In such event, the past service (i.e. service rendered before dismissal removal, compulsory retirement or suspension) will not be forfeited.*

Note 9.— *Where a Government employee under suspension is acquitted by a Court of Law and the order reinstating him is passed some time after the date of acquittal, full pay and allowances have to be paid from the date of acquittal to the date of re-joining duty and the period counted as duty for all purposes whereas for the period from the date of suspension/removal/dismissal to the date of acquittal he is to be allowed pay and allowances as directed by competent authority under sub-rule (2) or sub-rule (3) of this rule and the period treated as duty or non-duty under sub-rule (4) or sub-rule (5) of this rule, as the case may be.*

[However, where a Government employee is prosecuted for commission of defalcation of public funds and fabrication of records and said prosecution culminates into acquittal, he cannot be made entitled to reinstatement with grant of all consequential benefits alongwith back wages etc., as a matter of course, if the conduct alleged is the foundation for prosecution, though it may end in acquittal on appreciation of lack of sufficient evidence. In such a case, unless the selfsame conduct was subject of charge and on trial the acquittal was recorded on a positive finding that the accused did not commit the offence at all or the acquittal is not on a benefit of doubt given, it would be open to the competent authority to enquire into the misconduct and take appropriate action thereon. Even otherwise, the competent authority may, on reinstatement after following the principles of natural justice, pass appropriate order including treating suspension period as non-duty and when the suspension period pending trial of such an employee is so treated to be as non duty, he would not be entitled to the consequential benefits i.e. not entitled to be treated as on duty from the date of suspension till the date of the acquittal for the purpose of computation of pensionary benefits etc.]⁷

Note 10.— *As this rule, is absolute, the law of limitation need not be invoked at the time of paying the arrears of pay and allowances for the period from the date of dismissal/removal/compulsory retirement/suspension to the date of reinstatement in respect in respect of cases where the pay and allowances are regulated on reinstatement in accordance with the provisions contained in sub-rule (2) or sub-rule (3), as the case may be.*

Note 11.— *Where any amount is earned by a Government employee through an employment during any period between the date of dismissal/ removal/compulsory retirement and the date of reinstatement; and the emoluments admissible under this rule, exceed those earned during such employment, the former shall be reduced by the latter. Where however, the emoluments admissible under this rule are equal to or less than*

⁷ Inserted Vide Notification No. 6/1(1)97-1FR-I, Dt. 25.07.2001.

those earned during the employment, nothing shall be paid to the Government employee.

LEAVE TO A GOVERNMENT EMPLOYEE UNDER SUSPENSION

- 7.4** Leave may not be granted to a Government employee under suspension. See also note 2 under rule 7.3.

Note 1.— *A suspension vacancy should be treated as filled by a reservist, if one is available at the time, a Government employee belonging to an establishment containing a leave reserve is placed under suspension. If no reservist is available at the time, an outsider may be appointed but replaced by a reservist as soon as one is available.*

Note 2.— *In an establishment where provision for leave reserve exists, any vacancy caused on account of suspension of a Government employee should be filled by a 'reservist' and where a 'reservist' is not available, the post should be filled by an officiating appointment. It is, however, not necessary to create an extra post.*

SUSPENSION DURING PENDENCY OF CRIMINAL PROCEEDINGS, OR PROCEEDINGS FOR ARREST FOR DEBT, OR DURING DETENTION UNDER A LAW PROVIDING FOR PREVENTIVE DETENTION

- 7.5.** An employee of Government against whom proceeding have been taken either for his arrest for debt or on a criminal charge or who detained under any law providing for preventive detention should be considered as under suspension for any periods during which he is detained in custody or is undergoing imprisonment, and not allowed to draw any pay and allowances (other than any subsistence allowance that may be granted in accordance with the principles laid down in rule 7.2) for such period until the final termination of the proceedings taken against him or until he is released from detention and allowed to rejoin duty, as the case may be. An adjustment of his allowances for such periods should thereafter be made according to the circumstances of the case, the full amount being given only in the event of the officer being acquitted of blame or (if the proceedings taken against him were for his arrest for debt), of its being proved that the officer's liability arose from circumstances beyond his control or the detention being held by the competent authority to be unjustified.
- 7.6 (1)** A Government servant against whom a criminal charge is pending may, at the discretion of the competent authority be placed under suspension by the issue of a specific order to this effect during the periods when he is not actually detained in custody or imprisoned (e.g. while released on bail), if the charge made against him is connected with his position as Government servant or is likely to embarrass him in the discharge of his duties as such or involves moral turpitude. However, as soon as a criminal charge is framed by a court against a Government servant in a case involving moral turpitude, suspension should follow automatically.
- (2)** A Government servant against whom a proceeding for arrest for debt is pending should be placed under suspension by the issue of specific order to this effect during the period when he is not actually detained in custody or imprisoned (e.g. while released on bail) if the proceeding taken against him is connected with his position as a Government servant or is likely to embarrass him in the discharge of his duties as such.

- (3) In regard to pay and allowances in the cases referred to in sub rules (1) and (2) the provisions of rule 7.5 shall apply.

CHAPTER - VIII**Leave****SECTION I - GENERAL CONDITIONS AND EXTENT OF APPLICATION****I - SERVICE COUNTING FOR LEAVE**

8.1 Leave is earned by duty only. For the purpose of this rule, a period spent in foreign service counts as duty if contribution towards leave salary is paid on account of such period.

Note.— See also note below rule 2.16 (b).

8.2(a) If a Government . employee, who quits the public service on compensation or invalid pension or gratuity, is re-employed, and if his gratuity is thereupon refunded or his pension is held wholly in abeyance, his past service thereby becoming pensionable on ultimate retirement, he may, at the discretion of the authority sanctioning the re-employment and to such extent as that authority may decide, count his former service towards leave.

Note.— *Resignation of the public service even though it is followed immediately by re-employment should entail forfeiture of past service for the purpose of leave under the rules in this chapter and should, therefore, constitute an 'interruption of duty'.*

(b) A Government employee who is dismissed or removed from the public service, but is reinstated on appeal or revision, is entitled to count his former service for leave.

Note.— *The re-employment of a person who has retired on a superannuation or retiring pension is generally an exceptional and temporary expedient. The service of a re-employed pensioner should, therefore, be regarded as temporary and his leave during the period of re-employment should be regulated by the rules applicable to temporary Government employees.*

II - APPLICATION FOR AND GRANT OF LEAVE**(1) GENERAL**

8.3 Subject to any instructions issued by the comptroller and Auditor-General of India in order to secure efficiency and uniformity of audit in relation to leave procedure the following rules govern the procedure for making applications for leave and for granting leave in India.

Note.— *The instructions issued by the Comptroller and Auditor-General of India are contained in paragraphs 1 to 5 of part I of Appendix 11 in Part II of this volume.*

(2) APPLICATION FOR LEAVE.**(a) To whom to be submitted.**

8.4 An application for leave, or for an extension of leave, shall be made to the authority competent to grant such leave or extension.

Note.— *Applications for leave should be made on form Punjab C.S.R. No. 2.*

- 8.5** A Government employee on foreign service in India should submit all applications for leave, other than earned leave, with the report of the Accountant General, through his employer, to the authority competent to sanction the leave.

(b) Procedure in case of leave on medical certificate Instruction for Medical Officers.

- 8.6** Medical Officers must not recommend the grant of leave in any case in which there appears to be no reasonable prospect that the Government employee concerned will ever be fit to resume his duties. In such cases the opinion that the Government employee is permanently unfit for Government service should be recorded in the medical certificate.
- 8.7** Every certificate of a medical committee or board or a medical officer recommending the grant of leave to a Government employee must contain a proviso that no recommendation contained in it shall be evidence of a claim to any leave not admissible to the Government employee under the terms of his contract or of the rules to which he is subject.

Medical certificate for gazetted Government employees

- 8.8** Before a gazetted Government employee can be granted leave or an extension of leave on medical certificate he must obtain a certificate in the following form.

Statement of the case of Medical Certificate for Gazetted Officers

Name (to be filled in by the applicant in the presence of the Chief Medical Officer or Deputy Chief Medical Officer (Medical))	
Appointment	
Age	
Total Service	
Previous periods of leave of absence on medical certificate	
Habits	
Disease	

I, _____ Chief Medical Officer or Deputy Chief Medical Officer (Medical) after careful personal examination of the case hereby certify that _____ is in a bad state of health; and I solemnly and sincerely declare that according to the best of my judgment, a period absence from duty is essentially necessary for the recovery of his/her health, and recommend that he/she may be granted _____ month's leave with effect from _____.
In my opinion it is/it is not necessary for the officer to appear before Medical Board.

Dated :

Chief Medical Officer
or Deputy Chief Medical Officer (Medical)

Note 1.— *This form should be adhered to as closely as possible and should be filled in after the signature of the applicant has been taken. The Certifying Officer is not at liberty to certify that the applicant requires a change from or to a particular locality. Such certificate should only be given at the explicit desire of the administrative authority concerned, to whom it is open to decide, when an application on such grounds has been made to him, whether the applicant should go before a Medical Board to decide the question of his fitness for service.*

Note 2.— *No recommendation contained in this certificate shall be evidence of a claim to any leave not admissible to the Government employee under the terms of his contract or of the rules to which he is subject.*

Note 3.— *In a case, where the period of leave initially recommended, or the period of leave initially recommended together with any extension thereof subsequently recommended does not exceed two months, the medical officer should invariably certify whether in his opinion it is or it is not necessary for the officer to appear before the medical committee*

8.9 Having secured such a certificate, the Government employee must, except in cases covered by rule 8.12, obtain the permission of the head of his office, or, if he himself is the head of an office, of the head of his department, to appear before a medical committee or board. He should then present himself, with two copies of the statement of his case, before such a committee or board. The committee or board will be assembled under the orders of the Director, Health Services, Haryana, who will, where practicable, preside over the board. The committee or board will be assembled either at the headquarters of the State or at such other place as the Government may appoint.

8.10 Before the required leave or extension of leave can be granted, the Government employee must obtain from the committee or board a certificate to the following effect:-

"We do hereby certify that, according to the best of our professional judgment, after careful personal examination of the case, we consider the health of _____ to be such as to render leave of absence for a period of _____ months absolutely necessary for his recovery."

Note 1.— *In cases in which the leave recommended is for more than three months or leave for three months is extended beyond three months, the medical committee or board shall state, at the time of granting this certificate whether the Government employee should or need not appear before another medical committee or board for obtaining the certificate of fitness for return to duty.*

8.11 Before deciding whether to grant or refuse the certificate, the committee or board may, in a doubtful case, detain the applicant under professional observation for a period not exceeding fourteen days. In that case, it should grant to him a certificate to the following effect:-

"_____ having applied to us for a medical certificate recommending the grant to him of leave, we consider it expedient, before granting or refusing such a certificate, to _____ under professional observation, for _____ days."

8.12(i) if the state of the applicants health is certified by a commissioned medical officer of Government or by a medical officer incharge of a civil station to be such as to make it convenient for him to present himself at any place in which a committee or board can

be assembled, the authority competent to grant the leave may accept, in lieu of the certificate prescribed in rule 8.10 either—

- (a) a certificate signed by any two medical officers holding a gazetted rank or medical officers in charge of districts in whatsoever state they may be serving; or
 - (b) if the authority considers it unnecessary to require the production of two medical opinions, a certificate signed by an officer in medical charge of a district and countersigned by the Deputy Commissioner of the district or the Commissioner of the division.
- (ii) Notwithstanding anything contained in sub-rule (i) the authority competent to sanction leave may dispense with the procedure laid down in rules 8.9 and 8.10—
- (a) when the leave recommended by the Authorized Medical Attendant is for a period not exceeding two months; and he certifies that in his opinion it is unnecessary for the applicant to appear before a Medical Committee.
 - (b) when the applicant is undergoing treatment in a hospital as an indoor patient and the leave is recommended by the Medical Officer-in-charge of the case in the hospital not below the rank of Chief Medical Officer or Deputy Chief Medical Officer (Medical) or Staff Surgeon for the period of hospitalization or convalescence.

Medical certificate for non-gazetted Government employees

- 8.13(a)** Every application for leave on medical certificate made by a non-gazetted Government employee in Class III service shall be accompanied by a medical certificate given by a registered medical practitioner or a registered Vaid or Hakim defining as nearly as possible the nature and probable duration of the illness or by a request for the issue of a requisition for examination by a medical officer of Government.
- (b) The authority competent to sanction leave may, at its discretion, secure a second medical opinion, by requesting the Chief Medical Officer to have the applicant medically examined. Should it decide to do so, it must arrange for the second examination to be made on the earliest possible date after the date on which the first medical opinion was given.
- (c) It will be the duty of the Chief Medical Officer to express an opinion both as regards the facts of the illness and as regards the necessity for the amount of leave recommended, and for this purpose he may either require the applicant for leave to appear before himself or require the applicant for leave to appear before a medical officer nominated by himself.

Note 1.— *The possession of a certificate as prescribed in this rule does not itself confer upon the Government employee concerned any right to leave.*

Note 2.— *A registered medical practitioner includes a medical practitioner—*

- (a) *whose name appears in the latest annual medical list, and*
- (b) *who having been registered after the closing of the latest medical list, certifies his registration number.*

Note 3.— *Non-Gazetted Government employees should obtain a medical certificates in the following form or as nearly in that form as the circumstances may permit:-*

“Medical certificate for non- gazetted Government employees recommended for leave, extension or commutation of leave”.

Signature of applicant _____

(to be filled in by the applicant in the presence of Government Medical Attendant or Medical Practitioner).

I, _____, after careful personal examination of the case here by certify that _____ whose signature is given above, is suffering from _____, and I consider that a period of absence from duty of _____ with effect from _____ is absolutely necessary for the restoration of his health.

Dated the _____

Government Medical Attendant or
other Registered practitioner.

(second medical opinion if called or by the authority competent to sanction leave).

_____ Chief Medical Officer.

Note 1.— *The nature and probable duration of the illness should be specified, --vide rule 8.13.*

Note 2.— *This form should be adhered to as closely as possible and should be field in after the signature of the applicant has been taken. The Certifying Officer is not at liberty to certify that the applicant requires a change to (or from) a particular locality, or that he is not fit to proceed to a particular locality. Such certificates should only be given at the explicit desire of the administrative authority concerned, to whom it is open to decide, when an application on such grounds has been made to him, whether the applicant should go before a Medical Board to decide the question of his fitness for service.*

Note 3.— *The term registered Vaid or Hakim used in Rule 8.13(a) would mean a practitioner registered in Part I or II of the register maintained under sub-section (2) of section 15 of the East Punjab Ayurvedic and Unani Practitioner s’ Act, 1949.*

Note 4.— *Should a second medical opinion be required the leave sanctioning authority should arrange for the second, medical examination made to be at the earliest possible date. The chief medical officers opinion both as to the facts of illness and the necessity for the amount of leave applied for should be recorded . He may require the applicant to appear before him or before a medical officer nominated by him- vide rule 8.13 (b) and (c).*

8.14 In support of an application for leave, or for an extension of leave, on medical certificate, from a Government employee in Class IV service, the authority competent to grant the leave may accept such certificate as it may deem sufficient.

(3) GRANT OF LEAVE**(a) General**

- 8.15** Leave cannot be claimed as of right. When the exigencies of the public services so require discretion to refuse or revoke leave of any description is reserved to the authority empowered to grant it.

The nature of leave due and applied for by a Government employee, cannot be altered at the option of the sanctioning authority. So, while it is open to the sanctioning authority to refuse or revoke leave due and applied for under this rule it is not open to him to alter the nature of such leave.

- 8.16** The grant of a certificate under rules 8.10, 8.12, 8.13 or 8.14 does not itself confer upon the Government employee concerned any right to leave. The certificate should be forwarded to the authority competent to grant the leave, and the orders of the authority should be awaited. A Government employee who absents himself from his duty without permission of the competent authority is liable to have his absence treated as absence from duty without leave.

- 8.17** In cases where all applications for leave cannot, in the interests of the public service, be granted, an authority competent to grant leave should, in deciding which application should be granted, take into account following considerations :

- (a) The Government employee who can, for the time being, best be spared.
- (b) The amount of leave due to the various applicants.
- (c) The amount and character of the service rendered by each applicant since he last returned from leave.
- (d) The fact that any such applicant was compulsorily recalled from his last leave.
- (e) The fact that any such applicant has been refused leave in the public interest.

- 8.18** When a medical committee or board in India has reported that there is no reasonable prospect that a particular Government employee will ever be fit to return to duty, leave should not necessarily be refused to such a Government employee. It may be granted, if due by a competent authority on the following conditions:-

- (a) If the medical committee or board is unable to say with certainty that the Government employee will never again be fit for service in India, leave not exceeding twelve months in all may be granted. Such leave should not be extended without further reference to a medical committee or board.

Note.— Omitted.

- (b) If the medical committee or board declares the Government employee to be completely and permanently incapacitated for further service in India, he should except as provided in clause (c) below, be invalided from the service, either on the expiration of the leave already granted to him, if he is on leave when examined by the committee or board, or if he is not on leave from the date of the committee's or board's report.
- (c) A Government employee declared by a committee or board to be completely and permanently incapacitated may, in special cases, be granted leave, or an

extension of leave, not exceeding six months as debited against the leave account if such leave be due to him. Special circumstances justifying such treatment may be held to exist when the Government employee breakdown in health has been caused in and by Government service, or when he has taken a comparatively small amount of leave during his service or will complete at an early date an additional year's service for pension.

- 8.19** Leave shall not be granted to a Government employee whom a competent authority has decided to dismiss, remove or compulsorily retire from Government Service .
- 8.20** Leave to Government employees must not be granted without obtaining report from the Head of the Office in which he is employed or if he is himself Head of the Office from his immediate superior, upon his title to leave, except in case of emergency, and on the responsibility of the Government employee for the consequence of the leave asked for being inadmissible.
- 8.20-A** It is contrary to accepted principles in the case of a Government employee, on leave preparatory to retirement, either to grant an extension of leave on medical certificate on full pay or to permit the conversion of leave on half pay already granted, to leave on full pay on the production of a medical certificate.

(b) Leave beyond the date of compulsory retirement.

- 8.21** (a) Leave at the credit of a Government employee in his leave account shall lapse on the date of compulsory retirement : Provided that if in sufficient time before that date he has—
- (1) formally applied for leave due as preparatory to retirement and the same has been refused; or
 - (2) ascertained in writing from the sanctioning authority that such leave if applied for would not be granted, in either case, the ground of refusal being the requirements of the public service, after the date of compulsory retirement, the amount of earned leave so refused subject to a maximum of 120 days.
- (b) A Government employee retained in service after the date of compulsory retirement shall earn earned leave, at the rate of 1/12th of duty performed after that date and shall be allowed to add thereto any amount of leave which could have been granted to him under clause (a) had he retired on that date. The total period of leave which he may take on each occasion shall not exceed 180 days earned leave. When his duties finally cease, the Government employee may be granted leave preparatory to retirement up to a maximum of 180 days or earned leave, as the case may be, as follows:-
- (i) The balance after deducting the amount of leave, if any, taken during the period of extension, from the amount of leave which could have been granted to him under clause (a) had he retired on the date of compulsory retirement, plus.
 - (ii) The amount of leave earned under this clause which is due to the Government employee and which he has, in sufficient time during the period of extension—
 - (1) formally applied for a preparatory to final cessation of his duties and has been refused; or

- (2) ascertained in writing from the sanctioning authority that such leave would not be granted if applied for in either case, the ground of refusal being the requirements of public service.

The leave taken during the period of extension should be debited first against the credit of leave earned during that period, until it is exhausted; and then against any credit of leave refused under clause (a) and carried forward under clause (b).

Explanation 1.— *For the purposes of this rule an officer may be deemed to have been denied leave only if, in sufficient time before the date of which he must compulsorily retire or the date on which his duties finally cease, he has either formally applied for leave as leave preparatory to retirement and has been refused it on the ground of exigencies of public service or has ascertained in writing from the sanctioning authority that such leave if applied for would not be granted on the aforesaid ground.*

Explanation 2.— *Where a spell of extension of service is followed by a further period of extension, the entire period commencing from the date of compulsory retirement and ending on the date of final cessation of duties shall be treated as constituting the period of extension for the purpose of clause (b) of this rule and accordingly only the leave applied for during the last spell of extension as preparatory to final cessation of duties, and formally refused in the interests of public service should be treated as refused leave under clause (b) (ii) of this rule.*

Note 1.— *Regarding the date of compulsory retirement, see rule 2.5.*

Note 2.— *When a Government employee who is already on an extension of service applies for leave during the period of his extended service the conditions for the grant of such leave should be the same as for the grant of leave in an ordinary case after the age of compulsory retirement.*

Note 3.— *A Government employee retained in service after the age of compulsory retirement is entitled to earn leave under clause (b) of this rule and a debit balance, if any, on the date he attained that age should be considered as wiped off.*

Note 4.— *The period of 180 days mentioned in this rule includes any period of vacation with which leave is combined.*

Note 5.— *See also note 4 under clause (d) of rule 3.26.*

Note 6.— *A deduction under rule 8.117 on account of vacation enjoyed should also be made in the case of Government employees whose leave is regulated under clause (b) of this rule.*

Note 7.— (1) *Two classes of cases are provided for in this rule:-*

- (a) *Government employees who are not required to be on active duty by the Government after the date of compulsory retirement .*
- (b) *Government employees who are required to be on active duty after the date of compulsory retirement.*

In the case of the former the conditions in clause (a) and in the latter, the condition in both clauses (a) and (b) of this rule must be fulfilled before leave can be granted after the date of compulsory retirement . When acting under clause (a) (2) and (b) (ii) (2) the amount of leave which would have been refused should invariably be indicated. The leave refused cannot of course be such as would extend beyond the date of compulsory retirement.

- (2) *The refusal of leave does not automatically establish a Government employees claim to what is a very rare privilege i.e., grant of leave after retirement and a recommendation for the grant of leave under this rule should only be made when the refusal to grant leave has been on very strong grounds of 'interest of the public service'.*
- (3) *A Government employee applying for leave must do so in sufficient time to enable a competent authority to decide whether leave should be granted from the date it is asked for, and where necessary to arrange for a special substitute. Such authority has full discretion to grant or refuse leave .but should not hesitate to refuse where it considers that (1) leave is necessary or (2) where the grant may cause some administrative inconvenience leave could have been asked for an granted earlier, or (3) leave has been asked for only in an endeavour to establish a claim under this rule. When leave has been refused on any of the above conditions it should be clearly indicated to the applicant that leave under this rule will not be granted.*

Note 8.— *The leave earned by the period of duty intervening between the refusal leave pending retirement and the date of compulsory retirement is merged in the common pool in the leave account and forms an indistinguishable part of the total leave at credit the whole of which with the exception only of the net amount of leave refused lapses under clause (a) of this rule on the date of compulsory retirement . The grant of any leave between the date from which the refusal of leave took effect and the date of superannuation should therefore be held to be a grant of leave against the amount originally refused. The amount of leave admissible under clause (a) after superannuation in such a case is, therefore, the amount of leave originally refused minus the amount of the post refusal, leave enjoyed, and this difference is subject to a maximum of 180 days. This principle applies equally to leave available under clause (b), including that earned in respect of duty during a period of refused leave.*

Note 9.— *While the amount of leave refused under clause (a) or (b) of this rule is fixed the quality of the leave (i.e. on full pay or half pay) whether it is taken before or after the date of compulsory retirement or as the case may be the date of final cessation of duties, may be varied to the advantage of the Government employee concerned within the normal leave rules by the leave earned and standing to his credit on the date he proceeds on leave, and no second application for leave in sufficient time and it refusal are necessary merely to ensure this variation.*

Note 10.— *Compulsory recall from leave preparatory to retirement should be deemed to be a constructive refusal of the balance of leave un-enjoyed for the purpose of this rule.*

Note 11.— *The Government employee who is granted refused leave under rule 8.21 extending beyond the date of compulsory retirement or the expiry of extension of service shall be deemed, for purposes of pensionary benefit, to have retired from service on the date of his compulsory retirement or on the expiry of the extension of service, as the case may be and shall become eligible for all pensionary benefits from such date. The leave salary admissible in such cases during the period of refused leave will be the same as admissible in the normal course but reduced by the amount of pension and pension equivalent of other retirement benefits. The calculation of pension equivalent of death – cum-retirement gratuity, by which the leave salary is required to be reduced should be bases on the full admissible amount of such gratuity and not on the amount of gratuity reduced as a result of the provision contained in paragraph 5 of the Family Pension Scheme. 1964 as reproduced in Appendix I of Volume II of these rules.*

Note 12.— *A Government employee who was due to retire on superannuation pension on 16th September, applied for earned leave for 120 days from 10th February which was*

refused by Government in the exigencies of public service. He again applied for ninety eight days earned leave from 10th June, which was again refused by Government in the exigencies of public service except 15 days. The employee again applied for leave from 16th September. The employee can be granted after the age of superannuation only the leave preparatory to retirement to retirement that was refused, viz., 98 days less 15 days availed of by him. 120 days earned leave applied for by him was not preparatory to retirement and hence its refusal by Government in the interest of public service does not entitled him to the protection of rule 8.21 after the date of superannuation.

8.22 *Cancelled.*

(4) AUTHORITIES COMPETENT TO GRANT LEAVE.

8.23 Appendix 12 in Part-II of this Volume specifies the authorities by whom leave admissible under these rules, other than leave on medical certificate under rule 8.18, leave after the date of compulsory retirement under rule 8.21, special disability leave under rules 8.124 and 8.125, study leave under rule 8.126 and extra-ordinary leave exceeding six months under rule 8.137 of these rules may be granted: Provided that when the grant of leave involves—

- (a) the creation of an additional post requiring the sanction of a higher authority; or
- (b) reference to higher authority for a substitute; the sanction of the higher authority competent to create the additional post or sanction a substitute will be necessary. Special disability leave and study leave and leave after the date of compulsory retirement can be sanctioned only with the consent of the Finance Department.

Before leave preparatory to retirement is refused in any case, prior concurrence of the Finance Department must be obtained.

8.24 *Cancelled.*

III - COMMENCEMENT AND EXPIRY OF LEAVE AND COMBINATION OF HOLIDAYS WITH LEAVE.

(1) Commencement and expiry of leave.

8.25 Leave ordinarily begins on the day on which transfer of charge is effected and ends on the day preceding that on which charge is resumed. When joining time is allowed to a Government employee returning from leave out of India, the last day of his leave is the day before the arrival of the vessel in which he returns at her moorings or anchorage in the port of debarkation, or if he returns by air, the day on which the aircraft in which he returns arrives at its first regular port in India.

(2) Combination of holidays with leave

8.26 An authority competent to grant leave may permit Sundays, other recognized holidays or vacation to be prefixed to leave or affixed to leave, or to be both prefixed and affixed to leave in the circumstances and on the conditions laid down in rules 8.27 to 8.32.

Note.— See also rules 3.23 and 3.24.

8.27 When the day (or days) immediately preceding the day on which the leave of a Government employee begins is a holiday (or series of holidays), and a competent authority has permitted under rule 3.23, the said Government employee to make over

charge (and the Government employee relieving him to receive charge) on the afternoon of the day immediately preceding the holiday or series of holidays, the leave of the Government employee making over charge and any consequent re-arrangement of pay and allowances shall unless the competent authority in any case otherwise directs, take effect from the first day after the holidays.

- 8.28** When the day (or days) immediately following the day on which the leave of a Government employee ends is a holiday (or series of holidays), and a competent authority has permitted the said Government employee to receive charge (and the Government employee relieved to make over charge) on the forenoon if the day immediately following the holidays or series of holidays, the leave if the Government employee receiving charge, is unless the competent authority in any case otherwise directs, treated as having terminated on, and any consequent re-arrangement of pay and allowances takes effect from the day on which the leave would have ended if holidays had not been affixed.

Note 1.— *When a competent authority directs otherwise as in this rule, it should convey the orders in the following form.” It is directed under rule 8.28 that leave be treated as having terminated on _____ and the consequent re-arrangement of pay and allowances takes effect from the same date.*

Note 2.— *The fundamental principle is that two Government employees cannot be on duty in the same post. Under rule 8.27/8.28, a competent authority cannot accordingly direct that both the relieving and the relieved Government employees shall be considered as on duty in the same post during the period of holidays. A competent authority can under the rule direct the leave of the Government employee proceeding on/ returning from leave and the consequent arrangement of pay and allowances shall take effect from the first day after/before the holidays or from same day during the holidays. If a holiday comes at the beginning/end of leave the Government employee going on/ returning from leave can be allowed under rule 8.27/ 8.28 during that holiday where ordinarily no work is required of him to go/remain off and count the holiday as duty, as it would have counted had he not gone on leave/returned to duty before holiday. The Government employee going/ returning from leave does not then make over till the holiday is over/then takes over before the holiday commences. If a competent authority decides that in the circumstances of the case someone must be on the spot in charge than either (1) the Government employee going on/returning from leave must remain / return during the holiday or (2) the relieving Government employee/the Government employee to be relieved must be appointed to / retain the charge during the whole or part of the holidays according to the orders and he must do the work without drawing the pay of the post, the outgoing / incoming man being allowed to be away from the station though being treated as on duty during the whole or part of the holidays.*

- 8.29** In the case of Government employees serving in vacation departments, vacations may be prefixed or affixed to leave, or both prefixed and affixed or allowed to intervene between two periods of leave subject to the conditions mentioned in rules 3.23, 3.24 8.27, 8, 28 and 8.117 (c). The previous approval of the Finance Department should be obtained in cases where combination of vacation with leave involves extra expense to Government

Note.— *Recognized holidays intervening between leave and vacation or vice versa should be treated as part of the vacation and such holidays should be taken into account for the*

purpose of calculating the maximum amount of earned leave admissible to a Government employee at any one time.

- 8.30** When a Government employee is permitted to prefix vacation to leave; he will report before leaving headquarters, or if for urgent reasons, the leave is granted during vacation as soon as it is granted, that he makes over charge with effect from the end of the vacation, and the relieving Government employee will then take over charge, and the leave and any consequent re-arrangement of pay will have effect from the end of the vacation.
- 8.31** When a Government employee is permitted to affix vacation to leave the Government employee to be relieved will make over charge before the vacation, and any consequent re-arrangement of pay will have effect from the beginning of the vacation.
- 8.32** In the case of District and Sessions Judges, vacations will be treated as recognized holidays, and may be prefixed or affixed to leave or both prefixed and affixed or allowed to intervene between two periods of leave subject to the conditions mentioned in Rules 8.23, 8.27 and 8.28 above, and provided further that—
- (i) no additional expense is incurred by the State for the period of the vacation;
 - (ii) vacation shall be reckoned as leave in calculating the maximum amount of earned leave which may be included in the particular period of leave.

Exception.— *As it is not possible to say at the time of sanctioning leave that condition (i) will necessarily be satisfied, any permission to combine leave with vacation is subject to withdrawal in the event of a Government employee being required to carry out the duties of the post during vacation. In such cases either the Government employee will be recalled or, if this is impracticable owing to his absence from India or for any other reason, a substitute will be appointed. In the latter case, the portion of the Government employees vacation during which the substitute discharges the duties of the post will be treated as leave.*

- 8.33** Where the application of the above rules as to prefixing and affixing holidays to leave is doubtful, or inequitable, a competent authority will decide which Government employee shall be held to have been incharge, and to which the pay of the post for the holiday or holidays shall be paid.

IV - DEPARTURE ON LEAVE

- 8.34** Every Government employee proceeding on leave out of India should procure from the Accountant-General and take with him a copy of the "memorandum of information issued for the guidance of Government employees proceeding on leave out of India". (From Punjab C.S.R. No, 3). If the leave has been granted on a medical certificate he must take a copy of the medical statement of his case also.
- 8.35** A Government employee taking leave out of India must report his embarkation, through the Accountant-General, to the authority which granted his leave in form Punjab C.S.R. No. 4.

- 8.36** Every Government employee proceeding on leave must record on his application for leave, the address at which letters will find him during leave. Subsequently changes in address during leave, if any should likewise be intimated to the head of the office or the head of the department as the case may be.
- 8.37** If, in a case not covered by rule 8.19, an authority competent to remove a Government employee from service decides, before such Government employee departs from India on leave, that he will not be permitted to return to duty in India, it must inform him to that effect before he leaves India.
- 8.38** If, when a Government employee is about to depart from India, on leave, it is necessary to consider the propriety of removing him incapacity whether mental or physical, which is of such a nature that it is impossible to decide, before he leaves India, whether it will be permanent or temporary; or if for any reason it is considered inexpedient that a Government employee on leave should return to India, a full report of the circumstances must be made by the department of the Government concerned to the High Commissioner for India to enable him to take any necessary measures before the Government employee, would, in the ordinary course, be permitted to return to duty. The report should in any case reach the India Office at least three months before the end of the Government employees leave.
- 8.39** When leave on medical certificate has been granted to a Government employee, or in the case of a military officer in civil employee, when the grant of such leave has appeared in orders, and the Government employee or military officer proposes to spend his leave in Europe, North Africa, America or the West Indies, the department of the Government must without delay, forward a copy of the medical statement of the case to the High Commissioner for India.
- 8.40** When a Government employee, who has been granted leave for reasons of health, proceeds to any of the localities named in Rule 8.39, the authority which granted the leave shall inform the High Commissioner for India whether a certificate of fitness is required under Rule 8.44.

V - ACCEPTANCE OF EMPLOYMENT DURING LEAVE.

- 8.41** A Government employee on leave may not take any service or accept any employment (including the setting up of a private professional practice as accountant consultant, or legal or medical practitioner), without obtaining the previous sanction of—
- (a) the competent authority, if the proposed service of employment lies elsewhere than in India.
 - (b) the Government or any lower authority empowered to appoint him, if the proposed service or employment lies in India.

Note 1.— *This rule does not apply to casual literary work or to service as an examiner or similar employment, nor does it apply to acceptance of foreign service which is governed by rule 10.2. The provisions of this note cannot be used as a means of evading the rules governing foreign service and Government employees should in no case be permitted*

to take up foreign service except on term duly approved by the authority competent to sanction the transfer.

Note 2.— *This rule should not be construed as permitting a Government employee who avails himself of leave on medical certificate to undertake regular employment during such leave.*

Note 3.— *The employment of Government employees who are on leave preparatory to retirement in trading concerns in India prima facie open to grave objection and should be permitted only in very exceptional cases. Accordingly, all applications to take up such employment while on leave preparatory to retirement or who are contemplating premature retirement should be carefully examined and forwarded to Government with full explanation.*

Note 4.— *The leave salary of a Government employee who has been permitted to take up employment during terminal leave under this or any other State Government or under a private employer or employment payable from a Local Fund should be restricted to the amount of leave salary admissible in respect of half pay leave.*

Note 5.— *A Government employee who volunteers for premature retrenchment in order to take up private employment, should be treated as having resigned his post of his own volition and granted terminal leave not exceeding half the amount of earned leave at his credit and his leave salary restricted to the amount of leave salary admissible in respect of half pay leave.*

Note 6.— *Re-employed pensioners and specialists/ contract officers can be permitted to take up employment/service during the currency of terminal leave, but in that case their leave salary should be restricted to the amount of leave salary admissible in respect of half pay leave.*

Note 7.— *This rule does not apply where a Government employee has been allowed to take up a limited amount of private and receives fees thereof as part of his conditions of services e.g. where a right of private practice has been granted to a medical officer .*

8.41-A. The following are the terms granted to officers on appointment in Civil Departments during leave preparatory to retirement—

- (1) When a Government employee who has proceeded on leave preparatory to retirement before the date of compulsory retirement is required for employment during such leave in any post under the Haryana Government, and he is agreeable to return to duty, he will be recalled to duty and the un-expired portion of his leave from the date of rejoining duty will be cancelled, The leave so cancelled will be treated as leave refused and subject to the provisions of rule 8.21; it may be granted from the date of compulsory retirement of the Government employee. Such recall will be treated as optional for the purposes of rule 8.42.
- (2) When a Government employee is employed in any post under the Haryana Government; while he is on leave under Rule 8.21, he may continue to enjoy his leave concurrently with such employment, but his leave salary which may be drawn in addition to pay of the post in which he is employed, will be restricted as follows:-
 - (i) in the case of a Government employee eligible for pension, to the amount of pension; inclusive of pension equivalent of any retirement gratuity admissible under the new pension rules, which it is anticipated, will be admissible to him on retirement, (no subsequent readjustment will be made

on the basis of the actual amount of the pension inclusive of gratuity finally sanctioned), and

- (ii) in the case of a Government employee not eligible for pension, to the leave salary admissible in respect of leave on half pay.

In respect of the fresh employment during leave, the pay of the Government employee will be regulated according to the latest scale of pay attached to the new post in which he is re-employed as if he were in temporary employee. No leave will be earned in respect of such period of employment during leave.

During such employment he may also be granted dearness and compensatory allowances, if any, admissible on the basis of pay. These allowances will neither be admissible on leave salary, nor will the leave salary be taken into account in calculating the allowances.

- (3) The leave salary of a Government employee who is permitted during leave preparatory to retirement before attaining the age of superannuation, or during leave granted after the date of compulsory retirement, under rule 8.21 to take up employment under the Government of India, or a State Government or under a private employer or employment payable from a Local Fund, will also be restricted during such employment as in (2) above.

Note 1.— *The intention underlying clause (2) is not to fetter the discretion of the competent authority to recall a Government employee from leave preparatory to retirement granted under rule 8.21, and the granted to him, if necessary, of further extension of service. When a Government employee, who has proceeded on leave preparatory to retirement under rule 8.21 is recalled to duty during the period of such leave and is granted further extension of service the unexpired portion of his leave will be cancelled and the leave already availed of treated as leave taken during the period of extension under rule 8.21 (b)*

Note 2.— *In partial modification of clause (2) and (3) above, the leave salary shall in future be restricted to the amount of leave salary admissible in respect of leave on half pay in all such cases (including the case of a Government employee eligible for pension).*

Note 3.— *The benefit of refused leave preparatory to retirement may be given to a re-employed Government employee on the termination of the period of re-employment on the same leave salary as would have been admissible to him in the normal course but for his re-employment.*

VI - RECALL FROM LEAVE

8.42 All orders recalling a Government employee to duty before the expiry of his leave should invariably state whether the return to duty is optional or compulsory. If the return is optional the Government employee is entitled to no concession. If it is compulsory, he is entitled—

- (a) If the leave from which he is recalled is out of India—
- (i) to receive a free passage to India; and provided that he has not completed half the period of his leave by the date of leaving, for India on recall, or three months; whichever period is shorter, to receive a refund of the cost of his passage from India;

- (ii) to count the time spent on the voyage to India as duty for purposes of calculating leave; and
 - (iii) to receive leave during the voyage to India and for the period from the date of landing in India to the date of joining his post at the same rate at which he would have drawn it, had he not been recalled but returned in the ordinary course on the termination of his leave and for the latter period travelling allowance under the Punjab Travelling Allowance Rules.
- (b) If the leave from which he is recalled is in India to be treated as on duty from the date on which he starts for the station to which he is, ordered, and to draw travelling allowance under Punjab Travelling Allowance Rules for the journey but to draw until he joins his post leave-salary only.

Note 1.— Orders recalling a Government employee on leave out of India should be in all cases be communicated to him through the High Commissioner for India and they should state whether the return to duty is optional or compulsory.

Note 2.— The concession referred to in the second sentence of this rule is a concession of the category permitted by the rule . The concessions under this rule are clearly not intended to effect the privileges of Government employees which are admissible under other rules, the concession may be availed of when they happen to prove additional to or better than the ordinary privileges.

Note 3.— The expression “on the termination of his leave”, in clause (a) (iii) of this rule means “on the termination of the period of leave as determined by his recall as opposed to the whole of the leave he was originally granted”. The effect of this interpretation will be to make the same leave- salary admissible for the period of transit in India as would be admissible had the return to duty been voluntary and the period of voyage been leave proper and the period of transit in India been leave proper or joining time under rule 9.1 as the case may be.

Note 4.— Vacation should be treated as leave for the purpose of clause (a) (i) of this rule only up to the extent to which it operates to reduce the amount of earned leave and / or commuted leave by virtue of the provisions of Rule 8.117.

VII - RETURN FROM LEAVE

(1) Before expiry of leave.

- 8.43** (1) A Government employee on leave may not return to duty before the expiry of the period of leave granted to him, unless he is permitted to do so by the authority which granted him leave.
- (2) Notwithstanding anything contained in sub-rule (1), a Government employee on leave preparatory to retirement shall be precluded from withdrawing his request for permission to retire and from returning to duty, save with the consent of the authority empowered to appoint him.

(2) Return from leave on Medical Certificate.

- 8.44** (i) A Government employee who has taken leave in Asia on Medical certificate may not return to duty until he has produced a medical certificate in the following form:-

Signature of the applicant _____

"We the members of a Medical Committee/Board Chief Medical Officer or Deputy Chief Medical Officer (Medical), I _____ (Registered Medical Practitioner of) _____ do hereby certify that We/I have examined A.B.C. of the _____ Department whose signature is given above and find that he has recovered from his illness and is now fit to resume duties in Government services. We/I have examined the original medical certificate (s) and statement(s) of the case (or certify copies thereof) on which leave was granted or extended and have taken these into consideration in arriving at our /my decision".

The original medical certificate (s) and statement (s) of the case on which the leave was originally granted or extended shall be produced before the authority asked to issue the above certificate . For this purpose, the original certificate (s) and statement (s) should be prepared in duplicate, one copy being retained by the Government employee concerned.

- (ii) If the Government employee on leave is a gazetted officer, such certificate should be obtained from the Medical Board or Committee except in the following cases:-

- (a) Cases in which the leave is for not more than three months;
- (b) Cases in which leave is for more than three months or leave for three months or less is extended beyond three months and the Medical Committee or Board granting the original certificate or the Certificate for extension, state at the time of granting such certificate that the Government employee need not appear before another Medical Board or Committee for obtaining the certificate of fitness.

In the exceptional cases, the certificate may be obtained from a Commissioned Medical Officer or a Medical Officer in-charge of a Civil Station.

If the Government employee on leave is not a gazetted officer the authority under which the Government employee will be employed on return from leave, may, at his discretion accept a certificate signed by any registered medical practitioner.

Note.— *A certificate signed by one or two medical officer under Rule 8.12 is equivalent for all practical purposes to a certificate from a Board of Committee and such cases should not be excluded from the operation of this clause.*

- 8.44-A.** (a) A certificate in the following form should be produced on return from leave by a Government employee on leave on medical Certificate out of Asia elsewhere than in Europe, North Africa, America or the West Indies:-

"We certify that we have carefully examined _____ of the _____ Department and find, that he is in good health and fit to return to his duty in India".

Date _____

Place _____

The certificate should be signed by two medical practitioners. If signed by foreigners, it should be attested by Consuler or other authority as bearing the signature of qualified Medical practitioner.

- (b) The form to be used by a Government employee on leave out of Asia in Europe, North Africa, America or West Indies will be supplied to him by the High Commissioner on application.

Note.— *The procedure to be observed, when the leave is in Europe, North Africa, America or West Indies he laid down in paragraph 18 of Appendix 13— See also Rules 8.39 and 8.40.*

(3) Report of return from leave

- 8.45** A gazetted Government employee on return from leave, must report his return to Government.
- 8.46** A Government employee returning from leave is not entitled, in the absence of specific orders to that effect, to resume, as matter of course, the post which he held before going on leave. He must report his return to duty and await orders.

VIII - OVERSTAYAL OF LEAVE

- 8.47** A Government employee who remains absent after the end of his leave is entitled to no leave-salary for the period of such absence and that period will be debited against his leave account as though it were leave on half pay unless his leave is extended by the competent authority.

Wilful absence from duty after the expiry of leave may be treated as misbehaviour for the purpose of Rule 3.17.

IX - LEAVE-SALARY

(1) General

- 8.48** (a) Subject to any instructions given by the competent authority in connection with the control of the issue of money from treasuries or by the Comptroller and Auditor-General of the India in order to secure efficiency and uniformity of audit the rules hereinafter appearing shall be observed in India in respect of the payment of leave-salary and the maintenance of record of service.

Note.— *The instructions issued by the Comptroller and Auditor-General of India are given in Appendix 11 in Part II of this Volume.*

- (b) The procedure to be followed elsewhere than in India in respect of payment of leave-salary, extension of leave and return from leave is detailed in Appendix 13.

(2) Payment of Leave-salary

- 8.49** Unless the competent authority by general or special order otherwise directs, leave-salary shall be drawn in rupees in India.

X - LEAVE ACCOUNTS

- 8.50** The leave account of Government employees shall be maintained in form A.T.C.2-A (see Appendix 11 to these rules) upto 30th June, 1959 and inform C.S.R. No.16 with effect from 1st July, 1959.

Note 1.— *A separate leave account should be kept of the leave by a Government employee serving under a Government and then transferred to another Government and all leave taken after the date of transfer should be debited to this account so long as the balance under it is not exhausted and the allowance drawn during all leave which is so debited should be charged to that Government.*

Note 2.— *The leave account of Government employees under the Special Leave Rules and Ordinary Leave Rules shall be maintained in form A.T.C.I and A.T.C.II, respectively for the period upto 30th June, 1959 and thereafter in form Punjab C.S.R. No 14 and 15 respectively.*

- 8.51.** The leave account of Government employee shall be maintained by the Head of the Office in which he is employed, or if he himself is Head of the Office by his immediate superior.

XI - EXTENT AND APPLICATION**(1) Different Sets of Leave Rules and Categories of Government employees subject thereto**

- 8.52** Subject to the provisions of rules 8.56 and 8.57, the Government employees, whose domicile is Asiatic and who enter or have entered on or are or have been re-employed in Government Service, whether in a permanent capacity or otherwise, on or after 1st January, 1931, shall be governed by the Punjab Revised Leave Rules, 1936.

Explanation.— *The expression "Government service" shall include prior service under any other State Government of India or local Funds Administered by Government*

Note.— *The staff employed on Central Agency work, will be governed by the leave rules of the Union Government or these rules in accordance with the provisions set forth in Annexure II of Section I of this Chapter.*

- 8.53** *Omitted.*

- 8.54** *Omitted.*

- 8.55** The rules contained in this sections shall not be applicable to Government employees paid from Defence Estimates who are temporarily transferred to service paid from Civil Estimates (including service in a tenure post). Such Government employees remain subject to the rules which applied to them before their transfer.

8.56 The leave of the Advocate-General is regulated by the rules given in Appendix 15 in Part II of this volume.

8.57 Leave admissible to Government employees engaged on contract will be determined by the terms of their contracts: Provided that no leave will be admissible in excess of the leave which would be admissible to a Government employee holding a permanent post.

Note.— *Model Leave Terms for Government employees engaged on contract are given in Appendix 16.*

8.58 Leave on medical certificate to Government employees subject to rules 8.131 and 8.132 shall not be granted for a period extending beyond the term of the Government employee's contract unless or until it has been decided to retain him in permanent employment.

Note.— *The provisions of Rules 8.21 apply mutatis mutandis to Government employees engaged on contract.*

(2) Period of Off Duty which are not treated as regular leave

(a) Vacation

8.59 Unless the contrary appears from the context vacation counts as duty and not as leave.

A competent authority may specify the departments or parts of departments which would be treated as vacation departments and the conditions in which a Government employee should be considered to have availed himself of a vacation.

Note.— *The orders issued under this rule are given in the Annexure I to this section.*

(b) Casual and Quarantine leave

8.60 A Government employee on casual leave or on quarantine leave is not treated, as absent from duty and his pay and allowances are not intermitted, as such leave is not recognized regular leave and is not subject to the rules in this Chapter.

8.61 Rules regulating the grant of casual leave and quarantine leave are given in Appendix 17 in part II of this Volume.

ANNEXURE - I

(See Rule 8.59)

1. A vacation department is a department, or part of a department, to which regular vacations are allowed during which Government employees serving in the department are permitted to be absent from duty.
- 2.(i) The following classes of Government employees serve in vacation department when the conditions of paragraph I above are fulfilled:-
 - (a) Educational Officers, other than the Director of Public Instruction and inspecting officers, and their establishment.
 - (b) Judicial Officers of rank not higher than that of subordinate judge and their establishments.

- (c) Any other class of Government employee which a competent authority may declared to be so serving.
- (ii) In case of doubt, a competent authority may decide whether or not a particular Government employee is serving in a vacation department.

Note 1.— *District and Sessions Judges may, with the express permission of the Hon'ble Judges of the High Court, avail themselves without prejudice to their regular leave, of so much of the vacation during the month of September as is not needed for the disposal of Criminal business : provided that suitable arrangements, with the approval of the High Court, can be made for the disposal of work and that the State is not put to any additional expenditure in the way of telegraph, postal or other similar charges. At places where there are two or more Judges in a Sessions Court, they may subject to the condition that at least one of them remains on duty, avail themselves of the vacation on dates falling between the 24th of August and 8th October. Vacation in their case shall be treated as recognized holidays.*

Note 2.— *A complete list of Government employees serving in vacation departments is given in Appendix 18 in part II of this volume.*

3. A Government employee serving in a vacation department shall be considered to have availed himself of a vacation, or a portion of a vacation, unless he has been required, by general or special order of a higher authority, to forego such vacation, or portion of a vacation; Provided that if he has been prevented by such an order from enjoying more than 15 days of the vacation, he shall be considered to have availed himself of no portion of the vacation.

Note 1.— *A Government employee, who has routine duties to discharge during a vacation which do not require his presence at his place of duty and which can be performed either by himself at some other place or by some other Government employee shall be considered to have availed himself of a vacation or a part of it. A Government employee who absents himself from his place of duty during any part of vacation is expected to arrange for and is responsible for the performance, without any cost to Government of such routine duty. Should a Government employee who is absent from the place of duty during any portion of a vacation be recalled thereto, he will not be entitled to travelling allowance unless the vacation is combined with leave.*

Note 2.— *The words "higher authority" occurring in this paragraph mean, in the case of the head of an office or institution the Head of Department and in other cases the head of the office or institution.*

ANNEXURE - II

(Referred to in Note below Rule 8.52)

1. The staff employed on Union Agency work will be governed by the leave rules of the Union Government of the rules of the Haryana Government in accordance with the following principles.
2. Such staff may be divided into the following categories:-
 - (a) Personnel recruited for and employed in agency departments whose pay, leave salary, allowances and pensions are charged direct to the Union Government, i.e., personnel who are paid direct by the Union Government but who are technically under the administrative control of Haryana Government
 - (b) Personnel recruited for and employed in connection with the affairs of the of the Haryana, whose pay, leave salary, allowances and pensions are charged to State revenues but whom the Haryana Government employees temporarily on agency

work. For their services the Union Government pays the Haryana Government an agreed sum and the entire leave charges are borne by the latter.

- (c) Personnel as in category (b) above whose services are employed by the Haryana Government part-time or casually, on performing Union agency duties . For their services Union Government usually pays an agreed sum to the Haryana Government which includes leave charges.
 - (d) Personnel failing in either of the three categories given above who have from 1st April, 1937 come under the direct control of the Union Government on resumption by them of the administrative control over certain agency functions.
- 3(i) The Government employees belonging to category (a) who enter the service of the Punjab Government before 1st April, 1937 would continue to be governed by the Punjab Government rules and the Union Government, would meet their share of leave charges as calculated under those rules. Those recruited on or after 1st April, 1937 would be governed by the leave rules of the Union Government however, such officers who were on 6th January, 1944, governed by the leave rules of the Punjab Government will have an option of remaining under those rules or of coming under the Union Government's leave rules on the principles and conditions laid down in rule 8.63 of these rules.
- (ii) The Government employees falling under categories (b) and (c) (irrespective of the dates of recruitment) would remain under the leave rules of the Punjab Government and the Union Government would meet their share of leave charges as calculated under these rules.
- (iii) The Government employees belonging to category (d) have the option of remaining under the leave rules of the Punjab Government or of coming under Union Government leave rules on the principles and conditions laid down in rule 8.63 of these rules.

SECTION II - OLD LEAVE RULES

8.62 to 8.112 *Omitted.*

SECTION - III

REVISED LEAVE RULES APPLICABLE TO GOVERNMENT EMPLOYEES MENTIONED IN RULE 8.52.

DEFINITIONS

8.113 In the rules in the section—

- (i) "leave" includes earned leave, half pay leave, commuted leave, leave not due and extra-ordinary leave;
- (ii) "earned leave" means leave earned in respect of periods spent on duty;
- (iii) "half pay leave" means leave earned in respect of completed years of service;
- (iv) "earned leave due" means the amount of earned leave, to the credit of Government employee on the 31st August, 1949 under the rules in force on that date plus the amount of earned leave calculated as prescribed in rules 8.116, 8.117 and 8.133 as the case may be, diminished by the 31st August, 1949.

- (v) "half pay leave due" means the amount of half pay leave calculated as prescribed in Rule 8.119 for the entire service diminished by the amount of leave on private affairs and leave on medical certificates taken before 1st September, 1949, and half pay leave taken on or after that date;
- (vi) "commuted leave" means leave taken under clause (c) of Rule 8.119.
- (vii) "Government employee in a permanent employ" means a Government employee who holds substantively a permanent post or holds a lien on a permanent post or who would hold a lien on a permanent post had his lien not been suspended. It also includes a provisionally permanent Government employee;
- (viii) "completed years of service" and "one year's continuous service" means continuous service of the specified duration under the Haryana Government and includes periods spent on duty as well as on leave including extra-ordinary leave.
- (ix) "Military Officer" means an officer of the Armed Forces who is—
 - (i) A Commissioned officer of the Army, Navy or the Air Force; or
 - (ii) (a) a junior commissioned officer (including an honorary commissioned officer) or an "other rank" of the Army; or
 - (b) a branch list officer or a rating of the Navy; or
 - (c) an airman including a Master Warrant officer on the Air Force.

GENERAL RULES AND CONDITIONS

- 8.114** Any kind of leave under these rules may be granted in combination with or in continuation of any other kind of leave.
- 8.115** The authority which granted leave to a Government employee can commute it retrospectively into leave of a different kind which may be admissible but the Government employee concerned cannot claim it as a matter of right.
- 8.115-A.** A Government employee who entered Government service on or after the 1st January, 1931 and transferred to a service or post to which the rules in Part-A of this section apply, from a service or post to which they do not apply, remains under the leave rules to which he was subject prior to his transfer:

Provided that it shall be open to him at the time of the transfer or any time thereafter to exercise the option of coming under the rules in Part-A of this section, subject to the condition that all leave at his credit on the date on which he comes under these rules shall lapse. The intention of exercising this option must be specifically declared to the Government, and the date of such declaration shall be the date of coming under these rules. The option once exercised is final.

Note.— *This rule provides for lapsing of only the leave at the credit of a Government employee on the date of option, and any debit balance in his leave account, as a result of his having been granted leave not due under the rules obtaining before the option was exercised, should not be wiped out.*

PART A. - LEAVE TO GOVERNMENT EMPLOYEES IN PERMANENT EMPLOY**GENERAL PROVISIONS****(i) Earned Leave**

8.116 (i) The earned leave admissible to a Government employee in permanent employ is—

- (a) 1/24th of the period spent on duty, during the first 10 years of his service;
- (b) 1/18th of the period spent on duty during the next 10 years of his service; and
- (c) 1/12th of the period spent on duty, thereafter.

Note.— *For the purpose of assessing “length of service” under this sub-rule break in service caused as a result of retrenchment shall not entail forfeiture of previous service. Further in the case of woman Government employees, break in service due to resignation as a result of family circumstances of the Government employee concerned shall also be condoned by the re-appointing authority, provided the duration of break does not exceed 10 years.*

- (ii) Accumulation of earned leave shall be permissible to any extent but the maximum earned leave that may be granted at a time to a Government employee shall be (a) 120 days if spent in India (b) 240 days if the entire leave so granted or any portion thereof is spent outside India, Burma, Ceylon, Daman, Diu, Nepal and Pakistan; provided that where earned leave exceeding 120 days is granted under this sub-rule the period of such leave spent in India shall not in the aggregate exceed 120 days.

Provided further that, except as provided in the Study Leave Rules contained in Appendix 20 to the Punjab Civil Service Rules, Volume I, Part II; if a Government Employee goes on a course of study or research or work which in the Government's view increases his competence, knowledge of efficiency or adds to the technical knowledge, he may be granted earned leave to the extent it is due to him and not limited to 120 or 240 days.

Note 1.— *The consent of Finance Department is not presumed to the grant of such study leave.*

Note 2.— *The balance of additional leave earned during the last war in terms of paragraphs 1 to 8 of the Punjab Government letter no. 4552-FR-45/dated the 5th December, 1945, will be allowed to be carried forward subject to the following maximum limits and added to the earned leave accumulated under this rule:-*

- (i) *in the case of an officer of non-Asiatic domicile in permanent employee recruited in India who has been in continuous service from a date prior to 1st February, 1949, and who is entitled to passage concessions ..30 days.*
- (ii) *in the case of any other officer (whether permanent or temporary) in class I, II or III Service 36 days.*
- (iii) *in the case of an Officer, permanent Class IV.: 10 days*

The total earned leave thus accumulated can be taken at any one time.

- (iii) Leave preparatory to retirement (hereinafter called the L.P.R.) may be granted upto one hundred and eighty days on full pay, provided the leave on full pay is due and admissible . If the leave on full pay to this extent is not due, the balance of L.P.R. falling short of one hundred and eighty days may be granted on half pay, if due, subject to the

condition that the total leave thus granted does not exceed one hundred and eighty days. In case no leave on full pay is due, the L.P.R. may be granted upto one hundred and eighty days on half pay, provided the leave on half is due and admissible”.

Note.— *A Government employee who is required to retire or may himself choose to retire on or after attaining the age of 50 or 55 years as the case may be by giving notice of not less than three months period under the provisions of clause (d) and (e) of rule 3.26 of the Punjab C.S.R. Volume I, Part I and rule 5.32 or 5.32 A of the Punjab C.S.R. Vol. II may be allowed due and admissible earned leave and half pay leave not extending beyond 180 days subject to the condition that the leave so granted does not extend beyond 120 days from the date of expiry of the notice period subject further to the condition that the leave so granted does not extend beyond the date of compulsory retirement .Leave salary admissible in respect of leave extending beyond the notice period shall be reduced by the amount of pension and pension equivalent of other retirement benefits.*

8.117(a) Earned leave is not admissible to a Government employee serving in a vacation department in respect of duty performed in any year in which he avails himself of the full vacation.

(b) The earned leave admissible to such Government employee in respect of any year in which he is prevented from availing himself of the full vacation is such proportion of the following periods as the number of days of vacation not taken bear to the full vacation:-

- (i) to a Government employee with 10 years' service or less : 15 days
- (ii) to a Government employee with more than ten years service but not exceeding 20 years service : 20 days
- (iii) to a Government employee with over 20 years service: 30 days

If in any year he does not avail himself of the vacation, earned leave will be admissible in respect of that year in accordance with the provisions of Rule 8.116.

(c) Vacation may be taken in combination with or in continuation of any kind of leave under the rules in this section : provided that total duration of vacation and earned leave taken in conjunction, whether the earned leave is taken in combination with or in continuation of other leave or not, shall not exceed the amount of earned leave due and admissible to the Government employee at a time under rule 8.116:

Note 1.— *See paragraph 3 of Annexure I referred to in rule 8.59 of these rules.*

8.118 Omitted.

(ii) Half pay leave, commuted leave and “Leave not due”.

8.119 (a) The half pay leave admissible to an officer in permanent employee in respect of each 'completed year of service' is 20 days.

Note.— *As the basis of half pay leave has been changed. It will be necessary to make retrospective calculations in respect of such leave for the entire continuous service of an officer. The half pay leave to be carried forward under these orders will therefore, be the total half pay leave earned in respect of completed years of services on the 1st September, 1949 reduced by the amount of leave on private affairs and leave on*

medical certificate availed on prior to that date. If this calculation results in a minus balance it should be adjusted against the half pay leave that will be earned subsequently, such minus balance being treated as, leave not due, for purpose of 360 days' limit indicated in clause (d) below.

These orders do not authorize the retrospective calculation of leave salary in respect of the leave availed of before 1st September, 1949

Note 2.— *The half pay leave to be carried forwarded on the 1st September, 1949 will be the amount of leave which accrued on that date in respect of complete years of previous service less the leave taken on medical certificate and private affairs. Such leave in respect of any fraction of a year's service left over on the 1st September, 1949 will accrue on completion of another year of service which will include the fraction left over on the 1st September, 1949. To illustrate, in the case of a person (of clause I, II or III service) who entered service on 1st February, 1948 and has taken no leave on medical certificate or private affairs the credit to the half pay leave account on the 1st September, 1949 will be 20 days and the person will get a further credit of 20 days on the 1st February, 1950.*

Note 3.— *As for half pay leave in respect of a completed year of service during which service was rendered partly in a class III post and partly in a class IV post, this leave will be calculated on a pro rata basis separately in respect of class III service or class IV service and then added up. The fraction, if any, present in the total half pay leave for the particular year will be ignored if it is less than half or reckoned as one day if it is half or more.*

Note 4.— *The half pay leave earned by Government employee in respect of a completed year of service, can be availed of by him during the course of a spell of leave or during an extension thereof within which the date of anniversary of service falls.*

- (b) The half pay leave due may be granted to a Government employee on medical certificate or on private affairs.
- (c) Commuted leave not exceeding half the amount of half pay leave due may be granted to a Government employee on medical certificate or for prosecuting an approved course of study i.e. a course which is certified to be in the public interest by the leave sanctioning authority, subject to the following conditions:-
 - (i) half pay leave upto a maximum of 180 days shall be allowed to be commuted during the entire service where such leave is utilized for an approved course of study.
 - (ii) when commuted leave is granted, twice the amount of such leave shall be debited against the half pay leave due:
 - (iii) *Omitted.*

Provided that no commuted leave may be granted under this rule unless the authority competent to sanction leave has reason to believe that the Government employee will return to duty on its expiry.

Note 1.— *Omitted.*

Note 2.— *The option once exercised will be final and debar a Government employee from claiming re-conversion as a matter of right through the authority which granted leave can (if so disposed) allow it .*

Note 3.— *When commuted leave is granted to a Government employee under this rule and he intends to retire subsequently, the commuted leave should be converted into half pay leave and the difference between the leave salary in respect of commuted leave and half pay leave should be recovered . An undertaking of this effect should, therefore, be taken from the Government employee, who avails himself of commuted leave, but the question whether the Government employee concerned should be called upon to refund the amount drawn in excess as leave salary should be decided on merits of each case i.e. if the retirement is voluntary, refund should be enforced, but if the retirement is compulsory thrust upon him by reason of ill-health incapacitating him for further service no refund should be taken.*

- (d) Save in the case of leave preparatory to retirement 'leave not due' may be granted to a Government employee in permanent employ for a period not exceeding 360 days during his entire service, out of which not more than 90 days at a time and 180 days in all, may be otherwise than on medical certificate. Such leave will be debited against the half pay leave the Government employee may earn subsequently .

Note 1.— *Leave not due should be granted only if the authority empowered to sanction leave is satisfied that there is reasonable prospect of the Government employee returning to duty on the expiry of the leave and should be limited to the half pay leave he is likely to earn thereafter.*

Note 2.— *Where a Government employee who has been granted 'leave not due' under this clause applies for permission to retire voluntarily, the leave not due shall if the permission is granted be cancelled and his retirement shall have effect from the date on which such leave commenced . An undertaking to this effect should, therefore, be taken from Government employee, who avail of 'leave not due'. But the question whether a Government employee should be called upon to refund the amount of leave salary should be decided on the merits of each case e.g. if the retirement is voluntarily refund should be enforced; if it is unavoidable by reason of ill health incapacitating him for further service no refund should be insisted upon.*

Note 3.— *When 'leave not due' is granted to a Government employee under this clause and he applied for permission to retire voluntarily or resigns of his own volition at any time after returning to duty; the question of refund to leave salary in respect of the 'leave not due' already availed of before return to duty shall to the extent it has been subsequently wiped off, be treated in the same way as laid down in Note 2 above.*

8.120 Cancelled.

(iii) Extraordinary Leave.

8.121 (1) Extraordinary leave may be granted to any Government in special circumstances:-

- (a) When no other leave is by rule admissible or
 - (b) When other leave is admissible, but the Government employee concerned applies if writing for the grant of extraordinary leave.
- (2) The authority empowered to grant leave may commute retrospectively:-
- (a) periods of absence without leave into extraordinary leave.
 - (b) Extraordinary leave granted into leave of a different kind if the latter type of leave was admissible at the time extra ordinary leave was granted

Note 1.— *The power of commuting retrospectively periods of absence without leave into extraordinary leave under sub-clause (a) of sub-rule (2) is absolute and not subject to*

the conditions mentioned in sub-rule (1); in other words such communication is permissible even when other leave was admissible to the Government employee concerned at the time his absence without leave commenced. This concession cannot, however, be claimed by the Government employee as a matter of right.

Note 2.— *Extraordinary leave granted to a Government employee on medical certificate may be commuted retrospectively into “leave not due” at the discretion of the authority competent to sanction leave. Such a commutation is also permissible in a case where extraordinary leave was granted to a Government employee on medical certificate during temporary service after the 21st August, 1949, and he is subsequently confirmed or declared quasi permanent with effect from a date earlier than the commencement of the extraordinary leave.*

Note 3.— *Extraordinary leave taken by a Government employee otherwise than on medical certificate after the 11th September, 1955, may also be commuted into ‘leave not due’ at the discretion of the authority competent to sanction leave.*

LEAVE SALARY

8.122 (1) A Government employee on earned leave shall be entitled to leave salary equal to the pay drawn by him immediately before proceeding on leave.

(2) An officer on half pay leave or leave not due is entitled to leave salary equal to half the amount specified in sub rule (1) :

Provided that this limit shall not apply if the leave is on medical certificate or for pursuing an approved course of study otherwise than on study leave terms.

(3) An officer on commuted leave is entitled to leave salary equal to the amount admissible under sub-rule (1).

(4) An officer on extraordinary leave is not entitled to any leave salary.

(5) In case a Government employee dies while in service the cash equivalent of the Leave Salary that the deceased employee would have got had he gone on earned leave that would have been due and admissible to him, but for the death, on the date immediately following the date of the death and in any case, not exceeding leave salary for 180 days shall be paid to his family, The cash equivalent of leave salary admissible under this rule shall also carry the appropriate amount of dearness allowances; and

(6) In the case of Government employees governed by Contributory Provident Fund Rules, the Government contribution payable under Contributory Provident Fund Rules is different from death-cum-retirement gratuity payable under pension rules and as such no deduction need be made out of cash equivalent of leave salary payable to the family of a deceased employee on account of Government contribution to Contributory Provident Fund.

(7) In the case of military pensioner re-employed in Civil services who dies during the period of re-employment the cash equivalent of leave salary payable to the family of such employee should also be paid as prescribed in sub-rule (5) above.

Note 1.— *The leave salary of the Government employee who is reinstated after a period passed under suspension and who proceeds on leave immediately on reinstatement should be determined on the basis of the pay actually drawn by or allow to him for the day*

immediately preceding the day of commencement of leave . The leave salary of a Government employee who is allowed to draw pay under rule 4.3 or 4.16 of these rules, should also be determined similarly i.e. on the basis of the pay actually drawn by him immediately before proceeding on leave.

Note 2.— *In respect of any period spent on foreign service out of India, the pay which the Government employee would have drawn if on duty in India but for foreign service out of India shall be substituted for the pay actually drawn for the purpose of determining the leave salary.*

Note 3.— *In the case of person to whom the employee State Insurance Act, 1948, applies, leave salary admissible during leave other than earned leave, shall be reduced by the amount of benefit admissible under the said Act corresponding period.*

Note 4.— (i) *The Army/Navy/Air-force reservists employed in the State Government Department on recall to the colours on mobilisation will be allowed if they so desire, the pecuniary benefit of earned leave to their credit up to maximum of 120 days admissible under these rule as under in addition to Army/Navy/Air-force pay and allowance:-*

(a)	for first month	Full leave salary
(b)	there after	Half pay salary.

The charges on account of this benefit will be payable by the Civil Department concerned direct.

(ii) *The pecuniary benefit of the leave will be calculated in terms full or half monthly pay worked out on the basis of the Civil emoluments which were actually drawn or which would have been drawn but for the reservists being called to the colours on mobilization immediately before the commencement of leave.*

8.123 Canceled.

ADDITIONAL KIND OF LEAVE IN SPECIAL CIRCUMSTANCES

(i) Special Disability Leave

8.124(1) Subject to the conditions hereinafter specified a competent authority may grant special disability leave to a Government employee who is disabled by injury intentionally inflicted or cause in, or in consequence of the due performance of his official duties or in consequence of his official position.

(2) Such leave shall not be granted unless the disability manifested itself within three months of the occurrence to which it is attributed, and the person disabled acted with due promptitude in bringing it to the notice of the competent authority .If the competent authority is satisfied as to the cause of disability, it may permit leave to be granted in cases where the disability manifested itself more than three months after the occurrence of its cause.

(3) The period of leave granted shall be such as is certified by the Authorised Medical Attendant of the Government employee concerned to be necessary. It shall not be extended, except on the certificate of that authority, and shall in no case exceed 730 days.

(4) Such leave may be combined with leave of any other kind.

- (5) Such leave may be granted more than once if the disability is aggravated or reproduced in similar circumstances at a later date, but not more than 730 days of such leave shall be granted in consequence of any one disability.
- (6) Such leave shall be counted as duty in calculating service for pension, but half the amount of such leave taken under sub-clause (b) of clause (7) below shall be debited against the leave account.
- (7) Leave salary during such leave including a period of such leave granted under clause (5) shall.—
 - (a) be equal to full pay for the first 120 days;
 - (b) for the remaining period of such leave, be equal to leave salary admissible on half pay leave; or at the Government employee's option for a period not exceeding the period of earned leave otherwise admissible to him under rule 8.116 or 8.117, be equal to leave salary admissible on earned leave.
- (8) (i) In the case of a person to whom Workmen's Compensation Act, 1923. applies, the amount of leave salary payable under this rule shall be reduced by the amount of compensation payable under section 4 (1) (d) of the said Act.
- (ii) In the case of a person to whom the Employee's State Insurance Act, 1948 (34 of 1948), applies, the amount of leave salary payable under this rule shall be reduced by the amount of benefit admissible under the said Act for corresponding period.
- (9)(a) The provision of this rule apply to.—
 - (i) a civil Government employee disabled in consequence of service with a military force, if he is discharged as unfit for further military service, but is not completely and permanently incapacitated for further civil service; and
 - (ii) a civil employee not so discharged who suffers a disability which is certified by a medical board to be directly attributable to his service with a military force.
- (b) in either case, any period of leave granted, to such a person under military rules in respect of that disability shall be reckoned as leave granted under this rule for the purpose of calculating the period admissible.

Note.— *The intention of this clause is not that special disability leave should be given to cover any portion of a Government employee's military service, but that it should be admissible only after the Government employee's discharge as unfit for further military service.*

8.125 The competent authority may extend the application of the provisions of rule 8.124 to a Government employee who is disabled by injury accidentally incurred in or in consequence of the due performance of his official duties or in consequence of his official position or by illness incurred in the performance of any particular duty which has the effect of increasing his liability to illness or injury beyond the ordinary risk attaching to the civil post which he holds. The grant of this concession is subject to the further conditions—

- (i) That the disability, if due to disease, must be certified by the Authorised Medical Attendant of the Government employee concerned to be directly due to performance of the particular duty;
- (ii) that if the Government employee has contracted such disability during service otherwise than with a military force, it must be, in the opinion of the competent authority exceptional in character; and
- (iii) that the period of absence recommended by the Authorised Medical Attendant of the Government employee concerned may be covered in part by leave under this rule and in part by other kind of leave and that amount of special disability leave granted on leave salary equal to that admissible on earned leave shall not exceed 120 days.

(ii) Study Leave

8.126 Leave may be granted to Government employee on such terms as may be prescribed by general or special orders of the competent authority to enable them to study scientific, technical or similar problems or to undergo special courses of instruction . Such leave is not debited against the leave account.

Note.— For general orders issued under this rule see Appendix 20 in part II of this volume.

(iii) Maternity Leave and Hospital Leave.

8.127(1) The competent authority under rule 8.23 may grant maternity leave to a female Government employee for a period not exceeding three months from the date of its commencement or to the end of six weeks from the date of confinement whichever is earlier. Leave salary equal to the pay drawn immediately before proceeding on leave shall be paid during maternity leave and it shall not be debited against the leave account.

Note 1.— The term “pay” includes officiating pay provided the authority sanctioning the leave certifies that the Government employee would have continued to officiate had she not proceeded on leave.

Note 2.— Maternity leave may also be granted in case of miscarriages including abortion subject to the condition that the leave does not exceed six week and the application for leave is supported by a certificate from a Registered Medical Practitioner. The Certificate of a Chief Medical Officer or Deputy Chief Medical Officer (Medical) or Gazetted Medical Officer may, however, be called for in case of doubt.

Note 3.— In the case of a person to whom the provisions of employee’s State Insurance Act, 1948, apply, leave salary payable shall be reduced by the amount of benefit admissible under the said Act for the corresponding period.

Note 4.— Maternity leave shall not be admissible to a female Government employee having more than two living children. In such cases leave of the kind due or extraordinary leave will be allowed.

- (2) Any other kind of leave may be permitted to be prefixed to maternity leave without insisting on a medical certificate. But any leave applied for in continuation of the maternity leave may be granted only if the request is supported by a Medical Certificate.

Note 1.— *Earned leave to the extent admissible under rule 8.116 (ii) may be granted in continuation of maternity leave, if the request for the grant of leave is supported by a medical certificate .*

Note 2.— *The female gazetted employee applying for grant of maternity leave should, like all gazetted Government employees applying for leave on medical certificate produced the required certificate from a medical committee or board in accordance with rule s 8.9 and 8.10, unless this requirement is relaxed under rule 8.12 by the authority competent to grant leave.*

Note 3.— *Regular leave in continuation of maternity leave may also be granted in case of illness of a newly born baby, subject to the female Government employee producing during a medical certificate from the authorized Medical Attendant to the effect that the condition of the ailing baby warrants mother's personal attention and her presence by the baby's side is absolutely necessary.*

[8.127-A] (1) The competent authority may grant child adoption leave for a period of six months to a female Government employee who adopts a child not exceeding one year of age on the lines of maternity leave admissible to natural mothers.

- (2) Child adoption leave may be combined with leave of any other kind.
- (3) During the period of child adoption leave, she shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.
- (4) This facility shall not be admissible to an adoptive mother already having two surviving children at the time of adoption except in the case of adoption of a girl child.
- (5) In continuation of child adoption leave, the adoptive mother may also be granted, if applied for, leave of the kind due and admissible (including leave not due and commuted leave not exceeding 60 (sixty) days without production of medical certificate) for a period not exceeding one year reduced by the age of the adopted child on the date of legal adoption without taking into account the period of child adoption leave subject to the following conditions, namely:-
 - (i) This facility shall not be admissible to an adoptive mother already having two surviving children at the time of adoption except in the case of adoption of a girl child.
 - (ii) The maximum period of one year leave of the kind due and admissible (including leave not due and commuted leave not exceeding 60 (sixty) days without production of medical certificate) shall be reduced by the age of a child on the date of adoption without taking into account child adoption leave as in following illustrations, namely :
 - (a) if the age of the adopted child is less than one month on the date of adoption, leave not exceeding one year may be allowed;
 - (b) if the age of the child is six months and above but less than seven months, leave not exceeding six months may be allowed;
 - (c) if the age of the child is nine months and above but less than ten months, leave not exceeding three months may be allowed.
- (6) Child adoption leave shall not be debited against the leave account.

- (7) In case it is found at any stage that the adoption was not genuine, or the adopted child is given back, then the salary paid for the period shall be recovered with prevailing rate of interest from the employee's salary, or the leave availed shall be deducted from the currently due earned leave.]⁸

8.128 (1) The competent authority under rule 8.23 of these rules may grant hospital leave to—

- (a) Class IV Government employees; and
- (b) such Class III Government employees whose duties involve handling of dangerous machinery, explosive materials, poisonous drugs, etc., or the performance of hazardous tasks while under medical treatment for illness or injury if such illness or injury is directly due to risk incurred in the course of their official duties.

Note 1.— *In the case of persons to whom the workmen's Compensation Act, 1923 applies the amount of leave salary shall be reduced by the amount of compensation payable under section 4 (i) (d) of the said Act.*

Note 2.— *Industrial and work charged staff will also be entitled to hospital leave in the same manner as other State Government employees.*

Note 3.— *Hospital leave should be granted on the production by the Government employee concerned of a medical certificate from a superior officer not below the rank of Gazetted Officer to the effect that the illness or injury was directly due to risks incurred in the course of official duties and also that the leave recommended is necessary to effect a cure. The period of the leave shall be such as may be certified by the authorized Medical Attendant to be necessary shall not exceed the maximum laid down in sub-rule (3) below.*

- (2) Hospital leave may be granted on leave salary equal to full pay or half pay as the authority granting it may consider necessary.
- (3) Hospital leave shall in no case exceed one hundred and twenty days on full pay in any period of three years whether such leave is taken at one time or by instalments. Half the amount of hospital leave on half pay count for the purpose of this limit as leave on full pay.

Note 1.— *The words "full pay" in this rule mean the pay on the last day of duty prior to commencement of leave.*

Note 2.— *In the case of person to whom the provisions of Employees 'State Insurance Act, 1948 apply, leave salary payable under these rules shall be reduced by the amount of benefit admissible under the said Act for the corresponding period.*

- (4) Hospital leave shall not be debited against the leave account and may be combined with any other kind of leave which may be admissible : provided the total period of leave after such combination, shall not exceed twenty eight months.

LEAVE TO MILITARY OFFICERS

8.129 A competent authority may grant leave of the following kinds to a military officer in civil employ who remains subject to the military rules and to a non-commissioned officer in civil employ:-

⁸ Inserted vide Notification No. 11/68/06-1FR, dt. 18.04.2007

- (a) (i) Earned leave for 120 days or 180 days in the case of leave preparatory to retirement at a time, not exceeding in all the privilege leave which it would be permissible to grant to him under the rules applicable to his case on the date on which he became subject to the Punjab Revised Leave Rules, 1936, or to this rule plus one-eleventh of the duty performed by him from the beginning of the calendar year following that in which he became subject to those rules or to this rule upto 30th June, 1959 and 1/12th of the Period spent of duty thereafter.:

Provided that—

- (1) if privilege leave under the military rules is not admissible in respect of the calendar year of transfer because the Government employee has not actually performed duty in the military department, during that year duty counting for earned leave shall commence on the date; on which he became subject to the Punjab Revised Leave Rules, 1936 or to this rule;
 - (2) in the case of a Government employee serving in a vacation department, the provisions of rule 8.117 shall apply mutates mutandis to the calculation and grant of leave under this sub-clause; and
 - (3) a Government employee holding substantively a tenure post who is temporarily reverted to military duty, shall be treated as if he had remained subject to this rule throughout the period of his absence from his civil post, any privilege leave taken under military leave rules during that period being treated as earned leave taken under this rule.
- (ii) Any leave, other privilege leave, admissible under military rules, either alone or in combination with earned leave.
- (b) The total period of leave should be regulated by the limits in force under the military rules to which the Government employee is subject .
- (c) Leave may be retrospectively commuted by the authority which granted in into any other kind of leave which was admissible to the Government employee concerned at the time when it was granted:

Provided, that except in the case of a Government employee holding substantively a tenure post, no leave under sub-clause (ii) of clause (a) of this rule may be granted to a Government employee unless the Government is prepared to re-employ him immediately upon the termination of the leave.

Provided also that in the case of a Government employee holding substantively a tenure post, leave under sub-clause (i) of clause (a) may be granted so as to extend beyond the expiry of such term if the leave has been applied for in sufficient time before the expiry of the fixed term and refused owing to the exigencies of the public Service.

Note 1.— *Earned leave extending beyond the term of civil appointment is not admissible to military officers holding civil posts of limited tenure even though the military authorities may agree to the grant of leave.*

Note 2.— *In the case of a Military officer to whom privilege leave was granted under the military rules in respect of a particular official year instead of a calendar year, service for leave under the civil rule should reckon on the first day of the next official year.*

8.129-A. Notwithstanding anything contained in rules 8.119. 8.133 and 8.137, where a military officer not in permanent civil employ has elected to draw civil rates of pay, his leave shall be regulated as follows:-

- (a) (i) Instead of annual leave, he may be granted earned leave as calculated under rule 8.116 from the beginning of the calendar year following that in which he becomes subject to this rule, his leave account being initially credited with the earned leave equal to the number of days of annual leave which, on the date of which he becomes subject to this rule, it would be permissible to grant him under the leave rules of the Armed Forces:

Provided that, if annual leave under the leave rules of the Armed Forces is not admissible in respect of the calendar year of transfer, duty counting for earned leave shall commence on the date on which he becomes subject to this rule :

Provided further that in the case of a military officer serving in a vacation department the provisions of rule 8.117 shall apply, mutatis mutandis to the calculation and grant of leave.

Provided also that a military officer holding substantively a tenure post, who is temporarily reverted to military duty, shall be treated as if he had remained subject to this rule throughout the period of his absence from his civil post, any Annual leave taken under the leave rules of the Armed Forces during the period being treated as earned leave taken under this rule.

- (ii) If a military officer was in civil employ on the date this rule came into force, his leave account shall be initially credited with earned leave equal to the number of days of leave on average pay or earned leave due under rule 8.129 on the date on which he becomes subject to this rule and if on that date he had already begun to earn leave on average pay or earned leave under rule 8.129, the calculation of earned leave under clause (i) shall commence from that date.
- (iii) He may also be granted any leave, other than annual leave, admissible under the leave rules of the Armed Forces either alone or in combination with earned leave.
- (b) The total period of leave shall be regulated by the limit in force under the leave rules of the Armed forces to which the military officer is subject.
- (c) Leave may be retrospectively commuted by the authority which granted it into any other kind of leave which was admissible to the military officer concerned at the time it was granted :

Provided that except in case of a military officer holding substantively a tenure post, no leave under clause (iii) of sub-rule (a) may be granted to such military officer unless the civil authority which grants the leave is prepared to re-employ him immediately upon the termination of the leave :

Provided further that in the case of a military officer holding substantively a tenure post, leave under clause (i) of sub-rule (a) may be granted so as to extend beyond the expiry of such term if the leave has been applied for in sufficient time before the expiry of the fixed term and refused owing to the exigencies of public service.

8.129-B. A military officer in civil employee shall cease to be governed by rule 8.129-A with effect from the date from which he is released or discharged from the Armed Forces and shall with effect from the date of such release or discharge become subject to these rules, the earned leave due to him on that date being carried forward.

8.129-C. Where a military officer is appointed substantively to a permanent civil post (other than a tenure post) there shall be credited initially in his leave account.

- (a) (i) earned leave equal to the number of days of the annual leave which, on the date he is so appointed, it would be permissible to grant him under the leave rules of the Armed Forces, or
- (ii) earned leave, if any, which, on the date on which he is so appointed it would be permissible to grant him under rule 8.129-A:

Provided that where such appointment is made in the calendar year in which the military officer was transferred to civil employ, the credit under clause (i) shall be reduced by 1/12th of the duty intervening between the date of that appointment and the termination of the calendar year of transfer but no reduction shall be made if annual leave is not admissible in respect of the calendar year of transfer;

- (b) half pay leave equal to the number of days of furlough which on the date he is so appointed, it would be permissible to grant him under the leave rules of the Armed Forces.

LEAVE TO GOVERNMENT EMPLOYEES ON DEPUTATION OUT OF INDIA

8.130 Unless the competent authority in any case otherwise directs, the following provisions apply to Government employees placed on deputation out of India, under conditions declared to be quasi-European, if the period of the deputation exceeds one year:-

- (a) The period of deputation shall not count as duty for the purpose of this chapter.
- (b) The amount of leave which can be earned during the period of deputation shall be determined by the competent authority. Such leave can only be taken during the period of deputation and will not be credited or debited in the Government employee's leave account. Leave salary during such leave shall be equal to the rate of deputation pay;

Provided that where a deputation originally sanctioned for one year or less is subsequently extended so that the total period exceed one year, these provisions shall apply only in respect of the period in excess of one year.

PART B

LEAVE TO PROBATIONERS AND APPRENTICES

LEAVE TO PROBATIONERS

8.131 During the period of probation, probationer is entitled to leave as follows:-

- (1) if appointed under contract, to such leave as is prescribed in his contract or;
- (2) if there be no such prescription in the contract; or if appointed otherwise, to such leave as would be admissible to him under the leave rules which would be applicable to him if he held his post substantively otherwise than on probation. If for any reason it is proposed to terminate the services of a probationer, any leave which may be granted to him should not extend beyond the date on which the probationary period as already sanctioned or extended expires, or any earlier date on which his services are terminated by the order of an authority competent to appoint him.

Note.— See also rule 8.58.

LEAVE TO APPRENTICES

8.132 During the period of apprenticeship, an apprentice is entitled to leave as follows:-

- (1) if appointed under contract, to such leave as is prescribed in his contract; or

- (2) (i) if there be no such prescription in the contract; or
 (ii) if appointed otherwise;
 (a) to leave on medical certificate on leave salary equivalent to half of the pay on the last day of duty prior to commencement of leave for a period not exceeding one month in any year of apprenticeship; and
 (b) to extraordinary leave under rule 8.121.

Note 1 .— See also rule 8.58.

Note 2.— This rule has reference to leave earned or taken during the apprentice period only and not afterwards. See also rule 2.16 (a) (i).

Note 3.— Paid candidates will be treated as apprentices for the purpose of this rule.

Note 4.— The leave at the credit of a Government employee on the date of his appointment as an apprentice under Haryana Government should not lapse but may be allowed to be carried forward on his appointment to a post under Haryana Government on the expiry of the period of apprenticeship.

PART C

LEAVE EARNED BY TEMPORARY AND OFFICIATING SERVICE, SERVICE WHICH IS NOT CONTINUOUS AND PART TIME SERVICE OR SERVICE REMUNERATED WHOLLY OR PARTIALLY BY THE PAYMENT OF HONOURARIA OR DAILY WAGES.

LEAVE TO GOVERNMENT EMPLOYEES NOT IN PERMANENT EMPLOY

(i) Earned leave, half pay leave, commuted leave and 'leave not due'

8.133 The provisions of rules 8.116 to 8.119 apply also to a Government employee not in permanent employ, provided that—

- (a) no half pay leave shall be granted unless the authority competent to sanction leave has reason to believe that the officer will return to duty on its expiry) and
 (b) no leave not due shall be granted

8.134 Deleted.

8.135 Cancelled.

8.136 No leave is admissible to temporary establishment paid from the Budget-head wages on contingent bills. Such establishment may, however, be allowed extraordinary leave under rule 8.137.

(ii) Extraordinary Leave

8.137 Subject to the provision of rule 8.121 extraordinary leave not exceeding the following limits may be granted on any one occasion:-

- (i) Six months;
 (ii) twelve months in cases where the Government employee has completed three years, continuous service on the date of expiry of leave of the kind due and admissible under the rules (including six month's extraordinary leave under (i) above and his request for such leave is supported by a medical certificate as required under the rules;
 (iii) eighteen months, where the officer is undergoing treatment for--

- (1) Pulmonary tuberculosis or pleurisy of tuberculosis origin in a recognized sanatorium, or
 - (2) tuberculosis of any other part of the body by a qualified tuberculosis specialist or a Civil Surgeon, or
 - (3) leprosy in a recognized leprosy institution or by a civil surgeon or a specialist in leprosy recognized as such by the State Administrative Medical Officer concerned.
- (iii-a) twelve months where the Government employee is undergoing treatment for cancer, or for mental illness in an institution recognized for the treatment of such disease or by a civil surgeon or a specialist in such disease;
- Provided that this concession will be admissible only to those Government employees who have been in continuous service for a period exceeding one year.
- (iv) twenty-four months where the leave is required for the purpose of prosecuting studies, certified to be in the public interests provided the Government employee concerned has completed three years continuous service on the date of expiry of leave of the kind due and admissible under the rules (including six months' extraordinary leave under (i) above)

Note 1.— *The concession of extraordinary leave up to eighteen months will be admissible also to a Government employee suffering from pulmonary tuberculosis or pleurisy of tuberculosis origin who receives treatment at his residence under a tuberculosis specialist recognized as such by the State Administrative Medical Officer concerned and produces a certificate signed by that specialist to the effect that he is under his treatment and that he has reasonable chances of recovery on the expiry of the leave recommended.*

Note 2.— *The concession of extraordinary leave upto eighteen months under clause (iii) will be admissible only to those Government employees who have been in continuous Government employ for a period exceeding one year.*

Note 3.— *The maximum limit of six months prescribed in this rule does not apply in the case of teachers in the Education Department who are not in permanent employ and who take leave for the purpose of undergoing a course of training . In their case the limit of extraordinary leave is subject to 24 months which the D.P.I. can grant him self*

Note 4.— *Unless the competent authority in view of the exceptional circumstances of the case otherwise determines, no Government employee who is not in permanent employ or quasi-permanent employ shall be granted extra ordinary leave in excess of the limits prescribed under this rule.*

Note 5.— *Where Government employee avails of the above leave concession for undergoing treatment for T.B. or leprosy, he should be required to produce a fitness certificate, before he is permitted to resume duty on the expiry of the leave, from the following authorities:-*

- (i) *A temporary Gazetted Government employee suffering from pulmonary tuberculosis or tuberculosis of any other part of the body, should produce a fitness certificate from a Medical Committee/Board as laid down in rule 8.44, irrespective of the fact whether the treatment is had at sanatorium or at the residence of the Government employee. A T.B. Specialist should also be co-opted as a member of the Medical Committee /Board .*

- (ii) *A temporary non-Gazetted employee, suffering from pulmonary tuberculosis, should produce a certificate of fitness either from the Medical Officer in-charge of a recognized sanatorium or from a T.B. Specialist recognized by a State Government while such a Government employee suffering from tuberculosis of any other part of the body should produce a certificate from a qualified T.B. Specialist or a Civil Surgeon.*

Note 6.— *Government employees belonging to the Scheduled Castes or Scheduled Tribes may, for the purpose of attending the pre-examination training course at the centers notified by the Government, from time to time, be granted extra-ordinary leave by Head of Department.”*

(iii) Maternity Leave.

8.137-A. The competent authority under rule 8.23 may grant to a female Government employee maternity leave for a period not exceeding three months from the date of its commencement or to the end of six weeks from the date of its confinement whichever is earlier. Leave salary equal to the pay drawn immediately before proceeding on leave shall be paid during the maternity leave and it shall not be debited against the leave account.

Note 1.— *The term “pay” in this rule includes officiating pay provided the authority sanctioning the leave certifies- that the Government employee would have continued to officiate had she not proceeded on leave.*

Note 2.— *Maternity leave under this rule may also be granted in cases of miscarriage including abortion, subject to the conditions that—*

- (i) *the leave does not exceed six weeks;*
- (ii) *The application for the leave is supported by a certificate from a registered medical practitioner. The Certificate of a Civil Surgeon or a Gazetted Medical Officer may, however, be called for in cases of doubt.*

Note 3.— *Maternity leave shall not be admissible to a female Government employee having more than two living children, In such cases leave of the kind due or extra-ordinary leave will be allowed.*

Note 4.— *In the case of a person to whom the provisions of Employee’s State Insurance Act, 1948 apply, leave salary payable shall be reduced by the amount of benefit admissible under the said Act for the corresponding period.*

8.137-B. Any other kind of leave may be permitted to be prefixed to maternity leave without insisting on a medical certificate. But any leave applied for in continuation of the maternity leave may be granted only if the request is supported by a medical certificate.

Note.— *Also see note 3 below rule 8.127 (2).*

(iv) Special Disability Leave.

8.137-C. The provisions of rules 8.124 and 8.125 apply mutatis mutandis to temporary and officiating Government employees whose leave is regulated by the rules in this part.

(v) Hospital Leave.

8.138 The provisions of rule 8.128 are applicable to head constables and constables of the Haryana Armed Police Force and Regular Police Force, Overseers and Sub-Overseers

In the Haryana Mental Hospital and the establishment of the Government Press, Haryana whose leave is regulated by the rules in this part.

(vi) Terminal Leave

8.138-A.(1) Earned leave to the extent due and admissible at a time can be granted to temporary employees (other than those employed on a contract basis) at the discretion of the sanctioning authority on the termination of service on account of retrenchment or on the abolition of posts before attaining the age of superannuation, even when it has not been applied for and refused in the public interest. In all cases, however, where any notice of termination of the service is required to be given under the term of the employment of the temporary employee concerned, and that employee is relieved before the expiry of the notice, such notice or the un-expired portion thereof should run concurrently with the leave granted.

(2) Such terminal leave may also be granted to—

- (a) re-employed pensioners who are treated as “new entrants” in the matter of leave, subject to the condition that such pensioner will not be entitled to draw their pension during the terminal leave if the pension was held in abeyance during the period of re-employment;
- (b) persons employed for a period exceeding one year on a contract basis in terms of Appendix 16 to the Punjab Civil Service Rules, Volume I Part II;
- (c) unqualified persons who may have to vacate their temporary posts to make room for qualified candidates;
- (d) persons whose services may have to be dispensed with as a matter of administrative convenience as an alternative to the initiation of disciplinary proceedings against them.

Note 1.— *This rule shall not apply to apprentices and persons in non-continuous employment of Government who will continue to be governed by the normal rules applicable to them.*

Note 2.— *Terminal leave under this rule will not be admissible in the following circumstances:-*

- (i) *Where the employee concerned has been dismissed or removed from service, or where service is terminated in the interest of national security; or*
- (ii) *where the employee concerned resigns his post of his own volition unless the resignation is for reasons of ill-health or for other reasons beyond his control. Leave not exceeding half the amount of earned leave which the Government employee concerned can avail of at a time may, however, at the discretion of the sanctioning authority, be allowed in this case;*
- (iii) *where the services of a temporary Government employee are lent by commercial concerns or semi –Government organizations on terms which include the payment of leave salary contribution, the grant of leave on termination of the employment under Government will in such cases, be at the cost and within the discretion of the parent employer.*

Note 3.— *It will not be necessary to extend the temporary post to cover the period of the leave granted to a Government employee at the end of his temporary employment .*

Note 4.— *Retrenched Government employees, who are re-employed either in their own or another department on or before the expiry of their terminal leave with no break in*

service are to be deemed to be in continuous Government service and allowed the benefit of their previous service for calculating causal and earned leave due to them on their re-employment .

Note 5.— *Terminal leave is admissible to re-employed pensioners and specialists/contract officers at the discretion of the sanctioning authority on the termination of their services on the due completion of the term of re-employment, and employment, respectively irrespective of retrenchment or retention of the post.*

Note 6.— *A temporary Government employee continuous in service during that period of terminal leave only which runs concurrently with the notice period and ceases to be in Government service on the expiry of the notice period, the leave to the extent it goes beyond the notice period being treated as a terminal benefit only.*

(vii) Leave beyond the date of compulsory retirement.

8.139 The provisions of rule 8.21 apply mutatis mutandis to temporary and officiating Government employees whose leave is regulated by the rules in this Part.

(viii) Leave Salary.

8.140 The provisions of rule 8.122 shall apply mutatis mutandis in the case of Government employees governed by the rules in this part.

Note.— *During re-employment after retirement from pensionable service, an officer's pension is either held in abeyance or is allowed to be drawn separately, a suitable reduction being made in the re-employed pay wherever necessary. An officer whose pension is drawn separately during re-employment and who proceeds on earned leave or half pay leave or commuted leave will be entitled to leave salary based on the net re-employed pay (i.e. exclusive of the pension and/or pension equivalent of gratuity) and will continue to draw the pension separately in addition. All officer whose pension has been held in abeyance will draw the leave salary based on the net re-employed pay (i.e., pay minus the amount of the un-commuted pension and/or pension equivalent of gratuity) and in addition an amount equivalent to the pension which was held in abeyance. In either case the leave salary (exclusive of the pension or the amount equivalent to pension which was held in abeyance and/or pension equivalent or gratuity) will be admissible during half pay leave or commuted leave.*

During the period of extraordinary leave, an officer whose pension has been held in

Abeyance will be allowed to draw only an amount equivalent to the pension which was held in abeyance. Where the pension is drawn separately it will continue to be so drawn during the period of extra ordinary leave also .

The leave salary in respect of earned leave, half pay leave and commuted leave of officers, who were governed by the Contributory Provident system prior to retirement, will be based on their net re-employed pay. They will not draw any leave salary during the period of extra ordinary leave.

LEAVE ADMISSIBLE TO PART-TIME GOVERNMENT EMPLOYEES AND GOVERNMENT EMPLOYEES WHOSE SERVICE IS NOT CONTINUOUS

Law Officers

8.141 *Omitted.*

Public Prosecutors and Government Pleaders

- 8.142(a)(1)** Public Prosecutors will ordinarily be permitted to absent themselves from their duties during the period for which the court of the Sessions Judge is closed for the summer vacation, upto a maximum of one month if the state of work permits; but such permission may be withdrawn by the Legal Remembrancer when the work so requires. In these cases, it should not be necessary to appoint any other person to perform the duties of the Public Prosecutor, who will be permitted to draw his consolidated monthly fees for the period of his absence.
- (2) When a Public Prosecutor is refused permission to absent himself from duty during the period of the Sessions Court's, vacation, he may, with the sanction of Government, be permitted to absent himself from duty at some other time of the year for a period not exceeding one month during which time he will continue to draw his consolidated monthly fees.
- (3) Apart from the concession in clause (2) a Public Prosecutor may be permitted by the Legal Remembrancer to absent himself from his duties at any time of the year up to a period of three months, or for a longer period with the sanction of the Government, during which time he will not be entitled to any remuneration other than that provided in clause (6) below.
- (4) During the absence from duty of a Public Prosecutor under the provisions of any of the above clauses arrangements may be made by the Legal Remembrancer for the discharge of his duties by another legal Practitioner. The Legal Remembrancer may engaged a Private practitioner either on fees for individual cases at the rates fixed by Government for the employment of Private Practitioners for criminal case work or on consolidated fees not exceeding Rs.400 per month, which ever alternative is in the opinion of the Legal Remembrancer most economical and conducive to efficiency.
- Such appointment will be made by the Legal Remembrancer in consultation with the local authorities.
- (5) If no suitable legal practitioner is willing to do the work on Rs. 400 per mensem or if the appointment of a private practitioner on fees does not appear appropriate or economical the Deputy Commissioner should refer the matter with his recommendations to the Legal Remembrancer for the orders of Government.
- (6) If the period of absence (other than any period during which the Public Prosecutor is entitled to draw full fees) does not exceed one month the Public Prosecutor may be allowed to draw the difference, if any, between the rate fixed for his fees and the sum paid to his substitute or substitutes.
- (7) When the same Public Prosecutor is attached to more districts than one, the Deputy Commissioner each district concerned must be consulted.
- (b)(i) Government Pleaders must arrange that their services are available at all times, other than the period of the vacation fixed for subordinate civil courts, unless permission of absence has been given.

- (ii) Government Pleaders who are not Public Prosecutors may be given permission of absence at any time of the year; provided that they can be spared . Such permission must be obtained from the Legal Remembrancer through the Deputy Commissioner .

Editor and Reporters of the Indian Law reports

- 8.143** The Editor and Reporters engaged in the Production of the Indian Law Reports (Punjab Series) who are part-time Government employees earn leave up to 1/12th of the period spent on duty. They can be granted leave up to the maximum of 120 days at any one time and will be allowed leave salary equal to the pay on the day before the leave commences : provided no extra expense is thereby caused to Government .

- 8.144** *Omitted.*

LEAVE ADMISSIBLE TO GOVERNMENT EMPLOYEES REMUNERATED WHOLLY OR PARTIALLY BY THE PAYMENT OF HONORARIA OR DAILY WAGES

- 8.145** A Government employee remunerated by honoraria may be granted leave on the terms laid down in rule 8.141; provided that he makes satisfactory arrangements for the performance of his duties that no extra expense is caused to Government and that during leave of the kind contemplated by clause (b) of rule 8.141, the whole of the honoraria are paid to the person who officiates in his post.

- 8.146** Leave to—

- (1) A section-writer or a temporary press employee paid under the piecework system, or a daily labourer employed in the Public Works Department, if granted leave, is not entitled to any leave salary whatever during his absence.
- (2) Labourers employed on a daily wages in Government workshops, power-houses, quarries; electric substations and other similar institutions; or on demolition of buildings, or on blasting operations on roads, or on a power line, a telephone line; or a haulageway in the Electricity Branch of the Public Works Department, who are injured while on duty, may be granted leave while under medical treatment for the injury; provided that the injury is directly due to risks incurred in the course of their official duties. The total amount of such leave in any one term of 3 years shall not exceed six months, full wages being allowed for the first three months and half wages thereafter inclusive of compensation under the Workmen's Compensation Act, where such compensation is payable.

- 8.147** *Omitted.*

LEAVE RULES APPLICABLE TO PERMANENT SALARIED INDUSTRIAL EMPLOYEES IN THE HARYANA GOVERNMENT CLASS III AND CLASS IV

- 8.148** (1) (a) Leave on full pay will be earned at the rate of:-

- (i) 1/24th of the period spent on duty, during the first 10 Year of his service;
 - (ii) 1/18th of the period spent on duty during the next 10 year of his service and
 - (iii) 1/12th of the period spent on duty, thereafter.
- (b) *Omitted.*
- (c) When the total period of leave on full pay standing to the credit of an employee under clause (a) is more than 120 days, the maximum amount of leave on full

pay that may be granted to him at any one time shall not exceed 120 days . In the case of any employee whose the account of leave on full pay commences with a debit, no leave on full pay shall be granted until the expiry of a fresh period spent on duty sufficient to earn such credit as will permit of the leave to be granted after canceling the debit.

- (2) The half pay leave admissible to an employee in respect of each completed year of service is 20 days and will be accumulative . The half pay leave due may be granted to an employee on medical certificate or on private affairs .
- (3) Leave without pay may be grant when no other leave admissible.
- (4) The provisions of rule 8.119 (c) and (d) apply to Government employees whose leave is regulated by the rules in this part except that leave not due will be granted only on medical certificate.
- (5) Injury leave at half pay rates may be granted to a permanent salaries industrial employee, below the grade of Overseer or General Foreman who is injured of circumstances which would have given rise to a claim for compensation under the Workmen's Compensation Act, 1923 (VIII of 1923) if he had been a workman as defined therein, whether or not proviso (a) sub-section (1) of section 3 of that Act is applicable. In the case or workers who are declared to be suffering from lead poisoning by certifying Surgeon, injury leave will be admissible on full pay. Such leave shall not be deemed to be leave on medical certificate for the purpose of clause (2). It shall be granted from the commencement of disablement for so long as is necessary subject to a limit of two years for any one disability and a limit of five years during an employee's total service including service, if any, on the piece establishment. The salary payable in respect of a period of leave granted under this rule shall in the case of an employee to whom the provisions of the Workmen's Compensation Act, 1923 (VII of 1923), apply be reduced by the amount of compensation paid under clause (d) of sub-section (1) of section 4 of that Act.

Note.— The expression “pay” in this rule means the pay on the day before the leave commences.

LEAVE RULES APPLICABLE TO OFFICIATING/ TEMPORARY INDUSTRIAL EMPLOYEES OF HARYANA GOVERNMENT PRESS, CLASS III AND CLASS IV

- 8.149** (a) The leave on full pay admissible to a temporary /officiating employee is at the rate given in rule 8.148 (1) (a).

The maximum leave on full pay that may be granted at time an employee shall be 120 days .

- (b) The leave on half pay admissible to an employee in respect of each completed year of service is 20 days. This leave may be granted to an employee on medical certificate or private affairs.
- (c) Extraordinary leave without pay may be granted to an employee not exceeding 3 months at a time at his request or if no other leave is admissible. Absence without permission may be commuted retrospectively into extra-ordinary leave .

- (d) The provisions of Rules 8.119 (c) and 8.128 apply mutatis mutandis to the temporary/officiating industrial employees .

ANNEXURE

{Referred to in the foot notes of rules 8.116, 8.117, 8.119 (a) and 8.133}

Introductory.— *Except where otherwise indicated, provisions of Part I, II, III and IV below were applicable during the period from 1st April, 1941 to 31st August, 1949, 1st September, 1949 to 11th September, 1955, 12th September, 1955 to 31st March, 1958 and 1st April, 1958 to 30th June, 1959, respectively.*

PART - I

1. The earned leave admissible to a Government employee in permanent employ is—
 - (a) to a Government employee in superior service-
 - (i) if of non-Asiatic domicile recruited in India entitled to leave passage concessions- one ninth of the period spent of duty;
 - (ii) if not included in sub-clause (i) one eleventh of the period spent on duty; and
 - (b) to a Government employee in inferior service- one twenty second of the period spent on duty: provided that when the earned leave due amounts to—
 - (i) 150 days in the case of Government employee included in sub-clause (i) of clause (a);
 - (ii) 120 days in the case of a Government employee included in sub-clause (ii) of clause (a), who belongs to a State Service or who holds a special post;
 - (iii) 30 days in the case of other Government employees included in sub-clause (a) (ii) above, belonging to a Subordinate service; and
 - (iv) 30 days in the case of Government employees in inferior service, the Government employee ceases to earn such leave.

Note 1.— *A Government employee in superior service in temporary employ serving in the Public Works Department whose post is likely to continue on a quasi-permanent basis will, after a continuous service of two years, be treated as Government employee in permanent employ for purpose of earned leave.*

This note does not apply to a Government employee holding such a temporary post in an officiating capacity only. The leave of such a Government employee would be governed by paragraph 2 below.

(This sub-paragraph was added, -vide Correction Slip No. 15, dated the 15th May, 1941).

The temporary posts of artificers on the regular temporary establishment in the Public Works Department, Irrigation Branch, are treated as on a quasi-permanent cases are the purpose of this note.

(This sub-paragraph was added, - vide Correction Slip No.—114, dated the 18th June, 1943).

Note 2.— *A temporary Government Employee in superior service employed on colonization works, whose post is likely to continue on a quasi-permanent basis for a period of at least twelve years, will after a continuous service of two years, be treated as a*

Government employee in permanent employee for the purpose of earned leave. The leave of a Government employee holding such a temporary post in an officiating capacity will be governed by paragraph 4 below.

(This note was inserted, - vide Correction Slip No. 199, dated the 18th August 1944).

- 2.(a) Earned leave is not admissible to a Government employee in permanent employ serving in a vacation department in respect of duty performed in any year in which he avails himself of the full vacation.
- (b) The earned leave admissible to such a Government employee in respect of any year in which he is prevented from availing himself of the full vacation is such proportion of 36 days earned leave if he is included in sub-clause (i) of clause (a) of paragraph 1 above, or of 30 days earned leave if he is included in sub-clause (ii) of clause (a) of paragraph 1 above, or of 15 days earned leave if he is in inferior service, as the numbers of days of vacation note taken bears to the full vacation.

If in any year he does not avail himself of the vacation, earned leave is admissible to him in respect that year in accordance with the provisions of paragraph 1 above.

- (c) Vacation may be taken in combination with or in continuous of any kind of leave under the rules provided that the total duration of vacation and earned leave taken in conjunction whether the earned is taken in combination with or in continuation of other leave or not shall not exceed—
 - (i) 150 days in the case of a Government employee included in sub-clause (i) of clause (a) of paragraph 1 above.;
 - (ii) 120 days in the case of a Government employee included in sub-clause (ii) of clause (a) of paragraph 1 above who belongs to a State Service or who holds a special post;
 - (iii) 90 days in the case of a Government Employee belonging to a Subordinate Service; and
 - (iv) 30 days in the case of a Government employee in inferior service.

Note.— *The term 'year' occurring in this paragraph should be interpreted to mean not a calendar year in which duty is performed, but twelve months of actual duty in the vacation department.*

3. Subject to the provisions of rules 8.15 and 8.22, a Government employee may at any time be granted the whole or any part of the earned leave due to him .

Note.— *In calculating 'earned leave' the actual number of days of duty performed should first be counted and then multiplied by 1/9th, 1/11th or 1/22nd, as the case may be, the product expressed in days (and fraction of a day) and total credit limited to 150, 120, 90 or 30 days, as the case may be, In the case of leave enjoyed under the Punjab Revised Leave Rules, 1936, prior to 30th November, 1936, no re-adjustment of leave salary paid prior to that date should be made, but the correct balance of earned leave as it would have been if the correct method of calculation given above had been applied from the date on which the Government employee became subject to those rules, should be recalculated as and when each person concerned proceeds on leave after the 30th November, 1936.*

- 4.(a) The earned leave admissible to a Government employee not in permanent employee is when he is in superior service, 120 second of the period spent on duty – provided that when the earned leave due amounts to 30 days he ceases to earn such leave.

- (b) No earned leave is admissible to such a Government employee in inferior service.
- (c) Earned leave is not admissible to such a Government employee serving in a vacation department.

Exception.— *For Government employees in superior service in temporary employ serving in the Public Works Department, see note 1 under paragraph 1.*

- 5. A Government employee note in permanent employ appointed without interruption of duty substantively to a permanent post will be credited with the earned leave which would have been admissible if his previous duty had been duty as a Government employee in permanent employ diminished by any earned leave already taken. Leave is not an interruption of duty for the purpose of this paragraph.

Note.— *The authority which granted leave to a Government employee can commute it retrospectively into leave of a different kind which may be admissible but the Government employee concerned cannot claim it as a matter of right. Commutation of extra-ordinary leave taken during temporary service, when no other leave was due, into earned leave on confirmation without interruption of service by giving retrospective effect to the benefit of this rule would, however, be irregular.*

The real intention of this rule is to provide only for a retrospective recalculation of the leave at credit on the date of confirmation with a reduction on account of the earned leave already taken. Except for the carry forward of the recalculated credit on confirmation . Leave earned and leave taken should be a closed chapter at that point and no re-adjustment of any leave taken is automatically permissible as a consequence of such recalculation . The closed chapter may however, be properly re-opened for instance to correct miscalculation of leave earned or taken or to re-adjust leave earned and taken when confirmation is ordered with retrospective effect, or at the discretion of the sanctioning authority, to convert leave of any one kind already taken into leave due of any other kind admissible at the time the leave was originally taken.

(This note was inserted, - vide correction Slip No, 157, dated the 18th February, 1944).

- 6. For half pay leave see paragraph 3 and 4 of part II and notes 1, 2, 3, 4, and 5 below rule 8.119 (a) .

PART-II

- 1. The earned leave admissible to a Government employee in permanent employ is:-
 - (a) to a Government employee in class I, II or III services one-eleventh of the period spent on duty;
 - (b) to a Government employee in class IV service—
 - (1) One-twenty-second of the period spent on duty during the first ten years of service; and
 - (2) One sixteenth of the period spent on duty during the next ten years of service; and
 - (3) One-eleventh of the period spent on duty thereafter:

Provided that a Government employee ceases to earn such leave when the earned leave due amounts to—

- (i) 120 days in the case of a Government employee in class I, I or III service; and
- (ii) in the case of a Government employee in class IV service—

- (1) 60 days during the first ten years of service;
- (2) 90 days during the next ten years of service; and
- (3) 120 days thereafter :

Provided that when the earned leave due amounts to 120 days, a Government employee in Class I or Class II Service employed in India will be permitted to earn such leave for a further period not exceeding 60 days subject to the condition that the earned leave for such further period will be availed of when having exhausted his normal credit, he spends such leave elsewhere than in India (including foreign possessions in India), Pakistan, Ceylon, Nepal, Burma or Aden.

Exception.— *The earned leave admissible to a Government employee of non-Asiatic domicile recruited in India who has been in continuous service from a date prior to 1st September, 1949 and is entitled to leave passages, is one —ninth of the period spent on duty and the limit of accumulation for such leave is 150 days.*

Note 1.— *In calculating earned leave, the actual number of days of duty performed should first be counted and then multiplied 1/9th or 1/11th or 1/16 or 1/22nd, as the case may be, the product expressed in days (and fraction of a day) and total credit limited to 180 or 150 or 120 or 90 or 60 days, respectively.*

Note 2.— *Also see Paragraph 3 of Part 1.*

- 2.(a) Earned leave is not admissible to a Government employee in permanent employ in a vacation department in respect of duty performed in any year in which he avails himself of the full vacation.
- (b) The earned leave admissible to such a Government employee in respect of any year in which he is prevented from availing himself of the full vacation is such proportion of the following periods as the number of days of vacation not taken bears to the full vacation:-
 - (i) to a Government employee in Class I, II, or III service-30 days;
 - (ii) to a Government employee in Class IV service-
 - (1) 15 days during the first ten years of service;
 - (2) 20 days during the next ten years of service; and
 - (3) 30 days thereafter; and
 - (iii) to a Government employee mentioned in exception to first paragraph- 36 days.

If in any year he does not avail himself of the vacation, earned leave will be admissible to him in respect of that year in accordance with the provision of paragraph 1 above.

- (c) vacation may be taken in combination with or in continuation of any kind of leave under the rules : provided that the total duration of vacation and earned leave taken in conjunction, whether the earned leave is taken in combination with or in continuation of other leave or not, shall not exceed the limit laid down in the first proviso to paragraph 1 or under the exception thereto, as the case may be:

Provided further that the total duration of vacation, earned leave and commuted leave taken in conjunction shall not exceed 180 days.

- 3. The half-pay leave, admissible to a Government employee in permanent employ in respect of each completed year of service is—
 - (i) in the case of a Government employee in class I, II, or III service- 20 days.

(ii) in the case of a Government employee in class IV service-

(1) 15 days during the first twenty years of service, and

(2) 20 days thereafter. [Also see note below rule 8.119 (a)].

4. The provisions of paragraph 1, 2 and 3 apply also to a Government employee not in permanent employ except that in respect of the first year of service the earned leave admissible is—

(i) to a Government employee in class I, II or III service — one twenty second of the period spend on duty; and

(ii) to a Government employee in class IV service — 1/30th of the period spent on duty:

Provided that no earned leave shall be admissible to such a Government employee in a Vacation Department in respect of the first year of his service, provided further that—

(a) no half pay leave shall be granted unless the authority competent to sanction leave has reason to believe that the officer will return to duty on its expiry; and

(b) no 'leave not due' shall be granted .

Explanation.— On completion of one year's continuous service, a Government employee, who is not in permanent employ, will be eligible for the leave terms applicable to employee in permanent employ except that he will not be eligible for any 'leave not due'. The provisions relating to earned leave will not have any retrospectively effect in such cases, i.e., he will begin earning earned leave at the rate mentioned in paragraph 1 or 2 as the case may be, only from the date on which the second year of service commences. He will, however, be eligible for half pay leave in respect of the first year of service at the rate mentioned in paragraph 3.

5. A Government employee not in permanent employ appointed without interruption of duty substantively to a permanent post will be credited with the earned leave which would have been admissible if his, previous duty had been duty as a Government employee in permanent employ diminished by any earned leave already taken. Leave is not an interruption of duty for the purpose of this paragraph.

Note 1.— *The above provision is designed to provide only for retrospective recalculation leave at credit on the date of an individual's confirmation diminished by any earned leave already taken. Except for the carrying forward of recalculated credit on confirmation no readjustment of any leave earned and taken is permissible consequent on such recalculation except for instance:*

(a) to correct a miscalculation of leave earned or taken,

(b) to readjust leave earned and taken when confirmation is ordered with retrospective effect, or

(c) to convert at the discretion of the sanctioning authority, leave of any one kind already taken *into leave due of any other kind admissible any at the time the leave was originally taken.*

Note 2.— *The communication of extraordinary leave taken during the temporary service when no other leave was due into earned leave on confirmation without interruption of service by giving retrospective effect to the benefit of this paragraph is not permissible.*

PART- III

1. The earned leave admissible to a Government employee in permanent employ is:-

- (a) to a Government employee in Class I, II or III service – one-eleventh of the period spent on duty,
- (b) to a Government employee in Class IV service-
 - (1) One-twenty second of the period spent on duty during the first ten years of service;
 - (2) One sixteenth of the period spent on duty during the next ten years of service; and
 - (3) One-eleventh of the period spent on duty thereafter:

Provided that a Government employee will cease to earn such leave when the earned leave due amounts to—

- (i) 180 days in the case of a Government employee in class I, II or III service; and
- (ii) in the case of a Government employee in class IV service—
 - (1) 60 days during the first ten years of service;
 - (2) 90 days during the next ten years of service; and
 - (3) 180 days thereafter.

Exception.— *The earned leave admissible to the Government employee of non-Asiatic domicile recruited in India who is in continuous service from a date prior to the 1st September, 1949, and is entitled to leave passage, is one-ninth of the period spent on duty and he ceases to such leave when the earned leave due amounts to 180 days.*

2. Subject to the provisions of rules 8.15, 8.21 and sub-paragraphs (1) and (3) of this paragraph the maximum earned leave that may be granted at a time to a Government employee employed in India shall be 120 days (or 150 days in the case of Government employees mentioned in the exception to sub-paragraph(1) of this paragraph.
3. Earned leave may be granted to a Government employee in class I or Class II service or to a Government employee mentioned in the exception to sub-paragraph (1) of this paragraph exceeding a period of 120 days or 150 days, as the case may be, but not exceeding 180 days if the entire leave so granted or any portion thereof is spent outside India, Burma, Ceylon, Daman Dieu, Goa, Nepal and Pakistan.

Provided that where earned leave exceeding a period of 120 days or 150 days, as the case may be, is granted under this sub-paragraph, the period of such leave spent in India, shall not in the aggregate exceed the aforesaid limits.

Note 1.— *In calculating “Earned leave” the actual number of days of duty performed should first be counted and then multiplied by 1/9th or 1/11th or 1/16th or 1/22nd, as the case may be, the product expressed in days (and fraction of day) and total credit limited to 180 or 150 or 120 or 90 or 60 days, respectively.*

Note 2.— *The extra credit up to a maximum of 60 days earned leave ex-India due to an office in Class I or Class II service, under the second proviso to paragraph 1 of Part II, is to be carried forward provided that whenever the leave earned under the Revised Leave Rules as liberalized plus the extra credit of leave ex-India or the balance of such extra credit, as the case may be, exceeds 180 days such excess shall be deducted from the extra credit of leave ex-India or the balance of such credit; the net balance of the extra credit after such deduction may be availed of by an officer only when having exhausted his normal credit of leave he spends such leave elsewhere than in India, Burma, etc.*

(This note was inserted, - vide Government Notification No. 1017-FR-57/1466, dated the 12th March, 1957).

Note 3.— *The method of calculation of leave admissible to an official on promotion from inferior to superior service under this rule should be as follows:-*

The earned leave due to the official should be calculated in accordance with the provision of paragraph 1 in inferior service and at 1/11th of the period spent on duty in superior service, subject to the condition that the maximum is applied in both the cases separately. In other words the earned leave due to the official inferior service should first be calculated in accordance with the provisions of paragraph 1 and the limits of 60, 90 and 180 days, as the case may be, applied. The balance of earned leave should then be carried over and added to the amount of earned leave admissible from the date of promotion to the superior service, the total amount of earned leave being restricted to the maximum admissible to an officer in superior service in permanent employ.

(This note was inserted, - vide Notification No. 2368-FR-II-58/5605, dated the 1st April, 1958).

- (a) Earned leave is not admissible to a Government employee in permanent employ serving in a vacation department in respect of duty performed in any year in which he avails himself of the full vacation.
 - (b) The earned leave admissible to such a Government employee in respect of any year in which he is prevented from availing himself of the full vacation in such proportion of the following periods as the number of days of vacation not taken bears to the full vacation:-
 - (i) to a Government employee in Class I, II or III service – 30 days;
 - (ii) to a Government employee in Class IV service—
 - (1) 15 days during the first ten years of service;
 - (2) 20 days during the next ten years of service;
 - (3) 30 days thereafter; and
 - (iii) to a Government employee mentioned in exception to first paragraph – 36 days
If in any year he does not avail himself of the vacation, earned leave will be admissible to him in respect of that year in accordance with the provisions of first paragraph.
 - (c) Vacation may be taken in combination with or in continuation of any kind of leave under the rule in Section III of Chapter VIII : provided that the total duration of vacation and earned leave taken in conjunction, whether the earned leave is taken in combination with or in continuation of other leave or not, shall not exceed the amount of earned leave due and admissible to the Government employee at a time under first paragraph.
Provided further that the total duration of vacation earned leave and commuted leave taken in conjunction shall not exceed 240 days.
3. The half pay leave admissible to a Government employee in permanent employ in respect of each completed year of service is—
- (i) in the case of a Government employee in Class I, II or III service – 20 days; and
 - (ii) in the case of a Government employee in class IV service—
 - (1) 15 days during the first twenty years of service, and

(2) 20 days thereafter.

Note .— See note 3 below rules 8.119 (a).

4. The provisions of first, second and third paragraphs apply also to a Government employee not in permanent employ except than in respect of the first year of service the earned leave admissible is—

- (i) to a Government employee in class I, II or III service – one-twenty second of the period spent on duty; and
- (ii) to a Government employee in class IV service – 1/30th of the period spent on duty;

Provided that no earned leave shall be admissible to such a Government employee in a Vacation Department in respect of the first year of his service, provided further that—

- (a) no half pay leave shall be granted unless the authority competent to sanction leave has reason to believe that the officer will return to duty on its expiry (*Except in the case of an officer who has been declared completely and permanently in-capacitated for further service by a medical authority); and
- (b) no 'leave not due' shall be granted.

**The words within brackets were inserted, - vide Notification No. 11388-FR-56/6371, dated the 28th September, 1956.*

Explanation.— On completion of one year's continuous service a Government employee, who is not in permanent employ will be eligible for the leave terms applicable to the Government employees in permanent employ except that he will not be eligible for any 'leave not due'. The provisions relating to earned leave will not have any retrospective effect in such cases i.e. he will begin earning earned leave at the rate mentioned in first paragraph or second paragraphs, as the case may be, only from the date on which the second year of service commences. He will, however, be eligible for half pay leave in respect of the first year of service at the rate mentioned in third paragraph.

5. See paragraph 5 of part II of the annexure.

PART IV

1. (1) The earned leave admissible to a Government employee in permanent employ is one-eleventh of the period spent on duty:

Provided that he will cease to earn such Leave when the earned leave due amounts to 180 days.

Exception.— The earned leave admissible to a Government employee of non-Asiatic domicile recruited in India who is in continuous service from a date prior to the 1st September, 1949, and is entitled to leave passage, is one-ninth of the period spent on duty and he ceases to earn such leave when the earned leave due amounts to 180 days.

(2) Subject to the provisions of Rules 8.15 and 8.21 and sub-paragraphs (1) and (3) of this paragraph the maximum earned leave that may be granted at a time to a Government employee employed in India shall be 120 days (or 150 days in the case of a Government employee mentioned in the exception to sub-paragraph (1) of this paragraph.

(3) Earned leave may be granted to a Government employee in Class I or II service or to a Government employee mentioned in the exception to sub-paragraph (1) of this paragraph exceeding a period of 120 days or 150 days, as the case may be, but not

exceeding 180 days if the entire leave so granted or any portion thereof is spent outside India, Burma, Ceylon, Daman, Goad Nepal and Pakistan:

Provided that where earned leave exceeding a period of 120 days or 150 days, as the case may be is granted under this sub-paragraph, the period of such leave spent in India, shall not in the aggregate exceed the aforesaid limits.

Note 1.— *In calculating 'earned leave' the actual number of days of duty performed should first be counted and then multiplied by 1/9th or 1/11th, as the case may be, the product expressed in days (and fraction of a day) and total credit limited to 180 days.*

Note 2.— *The extra credit upto a maximum of 60 days 'earned leave' ex-India due to an officer in Class I or Class II service under the second proviso to paragraph 1 of Part II, is to be carried forward provided that whenever the leave earned under the Revised Leave Rules as liberalized plus the extra credit of leave ex-India or the balance of such extra credit, as the case may be, exceeds 180 days such excess shall be deducted from the extra credit of leave ex-India or the balance of such credit; the next balance of the extra credit after such deduction may be availed of by an officer only when having exhausted his normal credit of leave he spends such leave elsewhere than in India, Burma etc.*

- 2 (a) Earned leave is not admissible to a Government employee in permanent employ serving in a Vacation Department in respect of duty performed in any year in which he avails himself of the full vacation.
- (b) The earned leave admissible to such a Government employee in respect of any year in which he is prevented from availing himself of the full vacation in such proportion of 30 days (or 36 days in the case of an Officer mentioned in the exception to sub-paragraph (1) of first paragraph) as the number of days vacation not taken bears to the full vacation.

If in any year the Government employee does not avail himself of the vacation, earned leave will be admissible to him in respect of that year in accordance with the provisions of first paragraph.

- (c) Vacation may be taken in combination with or in continuation of any kind of leave under the rules in section III of Chapter VIII provided that the total duration of vacation and earned leave taken in conjunction, whether the earned leave is taken in combination with or in continuation of other leave or not shall not exceed the amount of earned leave due and admissible to the Government employee at a time under first paragraph.

Provided further that the total duration of vacation earned leave and commuted leave taken in conjunction shall not exceed 240 days.

3. The half pay leave admissible to a Government employee in permanent employ in respect of each completed year of service is 20 days.
4. The provisions of preceding three paragraphs apply also to a Government employee not in permanent employ except that in respect of the first year of service the earned leave admissible is one twenty second of the period spent on duty.

Provided that no earned leave shall be admissible to such a Government employee in a vacation department in respect of the first year of his service, provided further that—

- (a) No half pay leave shall be granted unless the authority competent to sanction leave has reason to believe that the Government employee will return to duty on its expiry except in the case of an officer who has been declared completely and permanently incapacitated for further service by a medical authority; and
- (b) no 'leave not due' shall be granted.

Explanation.— *On completion of one year's continuous service, a Government employee, who is not in permanent employ, will be eligible for the leave terms applicable to a Government employee in permanent employ except that he will not be eligible for any 'leave not due'. The provisions relating to earned leave will not have any retrospective effect in such cases, i.e. he will begin earning earned leave at the rate mentioned in 1st paragraph or second paragraph, as the case may be, only from the date on which the second year of service commences. He will, however, be eligible for half pay leave in respect of the 1st year of service at the rate mentioned in third paragraph.*

5. See paragraph 5 of section II of the Annexure.

CHAPTER - IX**JOINING TIME****CONDITIONS UNDER WHICH ADMISSIBLE**

9.1 Joining time may be granted to Government employee to enable him—

- (a) to join a new post either at the same or a new station, without availing himself of any leave on relinquishing charge of his old post;
- (b) to join a new post in a new station on return from—
 - (i) earned leave not exceeding 180 days;
 - (ii) leave other than that specified in sub-clause (i) when he has not had sufficient notice of his appointment to new post;
- (c) Omitted.

Note 1.— *The authority which granted the leave will decide whether the notice referred to in clause (b) (ii) was insufficient.*

Note 2.— *The joining time and travelling allowance of military officers in civil employ are governed by the civil rules in virtue of the provisions of paragraph 593 of the Regulations for the Army in India (Rules) and paragraph 2 (iii) and 14 of the Defence Services Regulations India Passage Regulations, respectively, read with Fundamental Rule 3. These rules admit of the grant of joining time and travelling allowance to Military Officers in civil employ not only on the occasions of their transfer to the civil employ and retransfer to military employ but also when they are actually serving in the civil employ. For the purpose of these rules, privilege leave under the military leave rules, should be treated as earned leave not exceeding one hundred eighty days' duration.*

Note 3.— *The time reasonably required for journeys between the place of training and the stations to which a Government employee is posted immediately before and after the period of training should be treated as part of the training period. This does not apply to probationers holding 'training posts' which they may be considered as taking with them on transfer. Such probationers are entitled to joining time when transferred.*

Note 4.— *When a Government employee holding a temporary post is offered through his official superior another such post at some other stations at any time before the abolition of his post, he is entitled to joining time.*

Note 5.— *No joining time, joining time pay or travelling allowance shall be granted to a State Government employee who is appointed to a post under the Union Government but joins his new post after termination of his employment under the State Government by resignation or otherwise, unless the employment of a particular Government employee is in the wider public interest. The same applies to a employee of the Union Government or of another State Government who, in similar circumstances, is appointed to a post under the Haryana Government. Further, when a Government employee of one department is appointed to a post in another department, both departments being under the Haryana Government, but joins his new post after termination of his employment under the old department, no joining time, joining time pay or travelling allowance shall be allowed unless it is in the public interest to do so. If joining time is allowed in any case it should be the minimum necessary and should in no case exceed the transit period.*

Note 6.— *Joining time, joining time pay and travelling allowance of Government employees appointed to posts under the Haryana Government on the results of a Competitive Examination, which is open to both Government employees and others, is regulated as under:-*

- (a) *travelling allowance, joining time and Joining time pay should ordinarily be allowed to all Government employees serving under the Union or State Government who hold permanent post in a substantive capacity and that,*
- (b) *no travelling allowance, joining time pay should be granted in the case of those who are employed in a temporary capacity without the sanction of Government*
- (c) *for the purpose of clause (a) above provisionally permanent and quasi-permanent Government employees shall be treated as on par with the permanent Government employees.*

9.2 No joining time is allowed in cases when a Government employee is transferred from one post to another in the same office establishment.

9.3 (a) A Government employee on transfer during a vacation may be permitted to take joining time at the end of the vacation.

(b) If vacation is combined with leave, joining time shall be regulated under rule 9.1 (b)(i), if the total period of earned leave and vacation combined is of not more than 180 days duration.

9.4 If a Government employee takes leave while in transit from one post to another, the period which has elapsed since he handed over charge of his old post, must be included in his leave. On the expiry of the leave the Government employee may be allowed normal joining time.

CALCULATION OF JOINING TIME

9.5 The joining time of a Government employee, in cases involving a transfer from one station to another, is subject to a maximum of 30 days. Six days are allowed for preparation and in addition, a period to cover the actual journey calculated as follows:-

(a) A Government employee is allowed--

(i)	for the portion of the journeys which he travels by aircraft	Actual time occupied in the journey
(ii)	for the portion of the journeys which he travels or might travel—	One day for each or any longer time actually occupied in the journey.
	by Railway - 500 Kilometers	
	by ocean steamer - 350 Kilometers	
	by river steamer - 150 Kilometers	
	by motor vehicle or horse-drawn conveyance - 150 Kilometers	One day for each
	in any other way - 25 Kilometers	

(b) (i) For purpose of journey by air under clause (a)(i) a part of day should be treated as one day.

- (ii) a day is also allowed for any fractional portion of any distance prescribed in clause (a)(ii).
- (c) when part of the journey is by steamer, the limit of six days for preparation may be extended to cover any period unavoidably spent in awaiting the departure of the steamer.

Note.— *If a steamer is not due to start immediately after the expiry of six days from the day when the Government employee gives over charge, the Government employee may add to his joining time the number of days intervening between the expiry of the six days and the departure of the next steamer, whether he actually starts during the first six days or by the next boat after their expiry.*

- (d) travel by road not exceeding 8 kilometers to or from a railway station, or steamer ghat at the beginning or end of a journey does not count for joining time. (e) a Sunday does not count as a day for the purpose of the calculations in this rule but Sundays are included in the maximum period of 30 days.

Exception.— *The authority sanctioning the transfer may in special circumstances reduce the period of joining time admissible under this rule.*

- 9.6** Not more than one day is allowed to a Government employee in order to join a new post when the appointment to such post does not necessarily, involve a change of residence from one station to another. A holiday counts as a day for the purpose of this rule.
- 9.6-A.** When holiday (s) follow (s) joining time, the normal joining time may be deemed to have been extended to cover such holiday (s).
- 9.7** Except in the case of a journey performed by air which will be governed by the provisions in clause (a) (i) of rule 9.5 by whatever route a Government employee actually travels his joining time shall, unless a competent authority for special reasons otherwise orders, be calculated by the route which travellers ordinary use.
- 9.8(a)** The joining time of a Government employee under clause (b) (i) and (ii) of rule 9.1 will be counted from his old station or from the place at which he receives the order of appointment whichever calculation will entitle him to less joining. If the leave is being spent out of India and the order of appointment to the new post reaches him before he arrives at the port of debarkation, the port of debarkation is the place in which he received the order for the purpose of this rule.(If however, such a Government employee actually performs the journey to his old headquarters for winding up his personnel affairs, etc. his joining time will be calculated from the old headquarters to the new headquarters, irrespective of the place where he spends leave or receives posting orders. A certificate to the effect that the Government employee had actually performed the journey from the station where he was spending leave to the old headquarters for winding up personnel affairs should be furnished by the officer concerned with his charge report for assumption of the post at the new headquarters. The responsibility for obtaining the certificate from a gazetted officer would rest with the Audit Officer concerned and for non-gazetted staff, with the head of office)
- (b) A Government employee taking joining time under clause (b) (i) of rule 9.1 who receives, while on leave (whether spent in or out of India); order of transfer to a station

other than that from which he took leave will be granted full joining time admissible under clause (a) above, without reference to the authority which granted the leave and irrespective of the date on where the orders of transfer are received by him. Should he join his new appointment before the expiry of such leave plus the joining time admissible the period short taken should be considered as leave not enjoyed, and a corresponding portion of the leave sanctioned should be cancelled without any reference to the authority which granted the leave. If in any case, the Government employee desires not to avail himself of the full period of joining time admissible the period of leave and joining time should be adjusted with reference to such option.

9.9 *Deleted.*

9.10 If a Government employee is authorized to make over charge of a post elsewhere than at his headquarters, his joining time shall be calculated from the place at which he actually makes over charge.

9.11 If a Government employee is appointed to a new post while in transit from one post to another, his joining time begins on the day following that on which he receives the order of appointment.

Note.— *A second period of six days for preparation should not be included in calculating the joining time of a Government employee whose appointment is changed while he is in transit.*

9.12 When a Government employee under the administrative control of the Haryana Government is transferred to the control of the another Government, his joining time for the journey to join his post under that Government and for the return will be governed by the rules of that Government.

9.13 and 9.14 *Cancelled.*

PAY DURING JOINING TIME

9.15 A Government employee on joining time shall be regarded as on duty, and shall be entitled to be paid as follows:-

- (a) Where joining time is granted under clause (a) of rule 9.1 the pay which he would have drawn if he had continued in the old post; or the pay which he will draw on taking charge of the new post, whichever is less;
- (b) Where the joining time is granted under clause (b) of rule 9.1—
 - (i) if it is in continuation of leave which included a period of earned leave-pay equal to the leave salary which he last drew during such earned leave at the rate prescribed for payment of leave salary in-India; and
 - (ii) if it is in continuation of leave which did not include a period of earned leave-pay equal to the leave salary which the Government employee would have drawn under the leave rules would have drawn under the leave rules applicable to him as if he had been on earned leave in India for the period of joining time.

Provided that—

- (i) a Government employee on transfer shall not be entitled to any pay for the period of joining time unless his transfer is in the interest of public service:
- (ii) no joining time pay shall be granted to a Government employee who does not held a permanent post under Government (including the Central and State Governments) in a substantive capacity or a post under the Haryana Government in a quasi-permanent capacity, when he is appointed to a new post on the results of a competitive examination or interview which is open to both Government employees and others.

Note 1.— A Government employee on transfer is not entitled to be paid while on joining time unless his transfer is made in the public interest.

In such cases the Government employee may be granted regular leave by the competent authority under the leave rules admissible to him even if the transfer is at his own request to cover, the period after handing over charge at the old station and before taking over at another, if the Government employee applies for it and the Competent authority is willing to sanction it. In case, however, where the Government employee does not apply for leave to cover the period spent in transit, this period should be treated as "dies non" for purposes of leave, increment and pension.

Note 2.— A military officer subject to the Military Leave Rules who retains a lien on his civil post entitled on joining time, under sub-clause (ii) of clause (b) above, to draw the same amount of leave-salary which he would have drawn had he taken leave under Civil Leave Rules : provided that such leave-salary shall not be less than that which he actually drew during the last portion of his leave.

9.16 In the Public Works Department no extra pay (where the transfer involves the grant of extra pay) can be drawn in any case by a relieving Government employee, until the transfer is complete, but as far as ordinary pay and allowances are concerned an exception may be made to the general rule in all cases in which the charge to be transferred (whether a division, a sub-division, or other charge) consists of several scattered works which the relieving and the relieved Government employees are required by the orders of a superior officer, to inspect together before the transfer can be completed. The relieving Government employee will be considered as on duty if the period taken in carrying out these inspections is not considered by the Superintending Engineer to be excessive. While so taking over charge, the relieving Government employee will draw:-

- (i) if he is transferred from a post which he holds substantively his presumptive pay in that post;
- (ii) if he is transferred from a post which he has held in an officiating capacity, the officiating pay admissible in that post: provided it is not more than the pay he would draw after the transfer is complete; otherwise his presumptive pay in the permanent post on which he had a lien prior to transfer;
- (iii) if he returns from leave, his pay during the period of taking over charge be regulated as follows:-
 - (a) if he went on leave while working in the post held by him substantively, the presumptive pay of that post; and

- (b) if he went on leave while working in a post in an officiating capacity, the officiating pay of that post or the pay which will be admissible to him in the new post, after taking over charge, whichever is less.

Note 1.— The concession of house-rent allowance or free quarter ordinarily admissible to a Government employee should be treated as “ordinary pay and allowance” within the meaning of this rule and is admissible to both the relieved and the relieving Government employees during the period occupied by them in handing over and taking over charge.

Note 2.— In each case where it has been decided to treat the period of taking over charge of a relieving officer as ‘duty’ under the provisions of this rule, a declaration in the following proforma should be issued:-

DECLARATION

I, _____ (Name) _____
 (Designation) declare that Shri _____
 (Name and designation of the officer to be relieved) and Shri _____
 (Name and designation of the relieving officer) were engaged in joint inspection of several scattered works and/or stores during the period from _____ to _____ in connection with handing over and taking over charge and I do not consider the above period as excessive during which Shri _____ Shri _____ shall be treated as on duty.

(Name of the relieving Officer)

Station _____

Name _____

Date _____

Designation _____

9.17 The application of rule 9.16, which forms an exception to the general rule and which concerns the Public Works Department only, has also been extended to the transfer of charge specified in Column 2 of the table below in the case of the following departments. The authority noted in column 3 against each is to determine whether the period spent in completing the transfer of charge is not excessive:-

Name of Department	Charge to be transferred	Authority competent to determine whether the period spent in completing the transfer of charge is not excessive
1	2	3
1. Jail Department	Deputy Superintendents and Storekeepers	Inspector General of Prisons, Haryana
2. (a) Industries Department	Teachers and Clerks holding charge of Stores in the Government Institutions Store-Keepers and Clerks in Government Training Institute, Marketing Section, Laboratory Assistants and all Demonstrators of	Director of Industries. Director of Industries.

	Demonstration Parties and Clerks, Store Keeper, Assistants, Technical Assistants of Quality Marking Centres and other Centres.	
(b) Industrial Training Department	Instructors, Store-keeper, Assistant Store-keepers and Clerks holding charge of Store in the:- (1) Industrial Training Institute (2) Government Industrial Schools for Girls. (3) Industrial Training Centres . (4) Rural artisan's Training Centres. (5) Government Institute of Surgical Instruments Technology, Sonipat. (6) Government Technical Institute for Women, Ambala. (7) Government Schools of Arts, Rohtak	Director of Industrial Training Haryana.
3. Agriculture Department	Storekeeper, Well Supervisors and Well Borers in Workshops and Well Boring Section and Agriculture Assistants and Clerks attached to Farms	Director of Agriculture
4. Animal Husbandry Department	Veterinary Assistant Surgeon, Incharge Farm Hospital, Government Livestock Farms, Hisar	Chief Superintendent, Government Livestock Farm, Hisar
	Veterinary Assistant Surgeon, Incharge, Civil Veterinary Hospital	Sub-Divisional Officers
5. Judicial	Ahlmads and Record-keepers in the Courts of District and Sessions Judges including Additional District and Sessions Judges	District and Sessions Judges concerned upto 10 days
	Ahlmads, Execution Moharrirs, Guardian Moharrirs in the Court of Senior and other Subordinate Judges Administrative Subordinate Judges and Readers to Administrative Subordinate Judges, Ahlmads, Naib-Shariff incharge of Execution work and Insolvency Clerk in Small Cause Courts	Presiding Officers of the Court upto 7 days and District and District sessions Judge upto 10 days.
6. Food & Supplies Department	Inspectors, Food Supplies/Sub-Inspectors, Food and Supplies	Head of the Department: Provided the total period spent in the transfer of charge does not exceed four days Head of Department
7. Treasuries and Accounts Branch (Finance Department)	Assistant treasury Officer, district treasuries and Assistant Sub treasuries	

OVERSTAYAL AND EXTENSION OF JOINING TIME

- 9.18** A Government employee who does not join his post within his joining time is entitled to no pay or leave salary after the end of the joining time. Willful absence from duty after the expiry of joining time may be treated as misbehavior for the purpose of rule 3.17.
- 9.19** (a) A competent authority may, in any case extend the joining time admissible under these rules : provided that the general spirit of the rules is observed.
- (b) within the prescribed maximum of thirty days, Heads of Departments may, in the case of Government employees under their control (other than those belonging to all- India Services), extend the joining time admissible under the rules to the extent necessary in the following circumstances:-
- (i) When the Government employee has been unable to use the ordinary mode of travelling or, notwithstanding due diligence on his part, has spent more time on the journey than is allowed by the rules; or
 - (ii) when such extension is considered necessary for the public convenience or for the saving or such public expenditure as is caused by unnecessary or purely formal transfer;
 - (iii) when the rules have, in any particular case, operated harshly, as for example, when a Government employee has through no fault on his part missed a steamer or fallen sick on the journey.

JOINING TIME TO PERSONS NOT IN GOVERNMENT SERVICE ON JOINING THE GOVERNMENT SERVICE AND ON REVERSION FROM IT

- 9.20** A person in employment other than Government service or on leave granted from such employment, if, in the interest of Government, he is appointed to a post under Government, may, at the discretion of the competent authority, be treated as on joining time while he prepares for and makes the journey to join the post under Government and while he prepares for and makes the journey on reversion from the post under Government to return to his original employment. During such joining time he shall receive pay, equal to the pay, or, in the case of joining time immediately following leave granted from the private employment to the leave salary, paid to him, by his private employer prior to his appointment to Government service, or pay equal to the pay of the post in Government Service, whichever is less.

CHAPTER - X**Foreign Service****EXTENT OF APPLICATION**

- 10.1** The rules in this chapter apply to those Government employees only who are transferred to foreign service after these rules came into force. Government employees transferred previously will remain subject to the rules in force at the time of transfer.

Notes: 1 to 5 Omitted.

GENERAL CONDITIONS

- 10.2.** (a) No Government employee may be transferred to foreign service against his will,
 Provided that this sub-rule shall not apply to the transfer of a Government employee to the service of a body, incorporated or not, which is wholly or substantially owned or controlled by the Government
- (b) A transfer to foreign service outside India and in India may be sanctioned by a competent authority subject to the conditions laid down in these rules and any restrictions which it may deem fit to impose by general or special orders.

Note 1.— *For the purpose of the rules in this Chapter, Nepal is treated as outside India.*

Note 2.— *If a Government employee on foreign service in India is sent by his employer out of India on duty he should continue to be treated as on foreign service in India, but both in this case and in the converse case of a Government employee on foreign service out of India deputed by his employer to India on duty who similarly continues to be on foreign service out of India, the fact of the Government employee being so deputed should be brought to the notice of the lending authority as it might be necessary to reconsider the question of his emoluments.*

Note 3.— *The Governments which will be entitled to recover pension contribution on behalf of a Government employee lent to foreign service, should be regarded as the Government competent to sanction the transfer.*

Instruction.— *A copy of the orders sanctioning a Government employee's transfer to foreign service must always be communicated to the Accountant-General, Haryana, by the authority by whom the transfer is sanctioned. The Government employee himself should without delay, communicate a copy to that officer and take this instructions as to the payment distributions, report to that officer the time and date of all transfers of charge to which he is a party when proceeding on, while in, and on return, from foreign service, and furnish from time to time, particulars regarding his pay in foreign service, leave taken by him, his postal address and any other information which that officer may require.*

Note 4.— *No Government employee shall be transferred to foreign service unless the foreign employer undertakes to afford him, so far as, may be, privileges not inferior to those which he would have enjoyed under the Punjab Services (Medical Attendance) Rules, 1940, if he had been employed in the service of the Government of Haryana.*

- 10.3** A transfer to foreign service is not admissible unless—

- (a) the duties to be performed after the transfer are such as should, for public reasons, be rendered by a Government employee; and

- (b) the Government employee transferred holds; at the time of transfer, a post paid from Government revenues, or holds a lien on a permanent post, or would hold a lien on such a post had his lien not been suspended.

Note 1.— *Under this rule the transfer of a temporary Government employee to foreign service is permissible.*

Note 2.— *If in any case a proposal is made that a Government employee should be lent to a private undertaking, it is necessary that the principles of clause (a) of this rule should be applied most rigorously, and in general the loan of a Government employee to a private undertaking should be regarded as a very exceptional case requiring special justification.*

- 10.4** If a Government employee is transferred to foreign service while on leave he ceases, from the date of such transfer, to be on leave and to draw leave salary.

Note 1.— *Foreign service during leave preparatory to retirement should be treated as “private employment”, i.e., Government employee who has reached or is approaching the age of superannuation notwithstanding his employment under a foreign employer, should be allowed to take any leave which would be admissible to him had he not accepted such employment, and pension contribution should not be required. The concession of drawing leave salary in addition to pay from the foreign employer should not be granted to Government employees who are already in foreign service at the time they apply for leave preparatory to retirement and propose to continue on duty in the service of the same employer during such leave. This concession shall not be granted to Government employees who retire before reaching the age of superannuation, if they take such leave after being offered, or having made arrangements for employment in foreign service. In such cases they should be required to retire or go on foreign service terms. It is, however, always open to the competent authority in exceptional cases, which in its opinion justify such a course, to require that the Government employee should remain in Government service and be placed on usual foreign service terms, i.e., he would not be on leave and his service should be treated as foreign service counting for pension, contribution being taken from the foreign employer.*

Note 2.— *In the case of a Government employee who is under rule 3.26 (c) (3), compelled to retire from active service after five years tenure of his post (unless reappointed), even though he has not reached the age of superannuation, there is no objection to his drawing leave salary in addition to pay from the foreign employer during leave preparatory to retirement if he takes such leave after having been offered or having made arrangements for employment under a foreign employer : Provided the leave is the last leave taken before the date of such compulsory retirement.*

- 10.5 (i)** A Government employee transferred to foreign service shall remain in the cadre or cadres in which he was included in a substantive or officiating capacity immediately before his transfer, and may be given, subject to the conditions prescribed under the second proviso to rule 4.13 (1), such substantive or officiate promotion in those cadres as the authority competent to order promotion may decide. In giving promotion, such authority shall also take into account the nature of the work performed in foreign service.

- (ii) In any individual case, the competent authority may grant a Government employee, outside his cadre but in his own line, such promotion as it considers he would have got had he not been transferred to foreign service.

Note 1.— *The words “in his own line” used in the above rule refer to posts to which a Government employee may normally look for promotion in his own department or office.*

Note 2.— *This rule should not be interpreted in such a manner as to allow adventitious increments to a Government employee in foreign service merely because he might, had he remained in Government service, have been fortunate enough to secure promotion to a post outside the cadre of the service to which he belongs.*

10.6 A Government employee in foreign service, if appointed to officiate in a post in Government service will draw pay calculated on the pay of the post in Government service on which he holds a lien or would hold a lien had his lien not been suspended and that of the post in which he officiates. His pay in foreign service will not be taken into account in fixing his pay.

10.7 A Government employee transferred to foreign service may not, without the sanction of the competent authority, accept a pension or gratuity from his foreign employer in respect of such service.

PAY AND JOINING TIME

10.8 A Government employee in foreign service will draw pay from the foreign employer from the date on which he relinquishes charge of his post in Government service. Subject to any restrictions which the competent authority may by general orders impose, the amount of his pay, the amount of joining time admissible to him and his pay during such joining time will be fixed by the authority sanctioning the transfer in consultation with the foreign employer.

Note 1.— *The restrictions given in Annexure A to this Chapter have been imposed for regulating the amount of remuneration to be paid to Government employees on foreign service in India.*

Note 2.— *Omitted.*

Instruction.— *When any Government employee lent on foreign service conditions retires from Government service without, at the same time, retiring from the service of his foreign employer, the Accountant-General shall communicate to the foreign employer through the usual authorities a statement showing the date of retirement and the amount of pension drawn from the Government so as to give the foreign employer the opportunity, if he be so inclined, of revising the existing terms of employment.*

CONTRIBUTION FOR LEAVE SALARY, PENSION, ETC.

10.9 (a) While a Government employee is in foreign service, contribution towards the cost of his pension must be paid to Government revenues on his behalf.

(b) If the foreign service is in India, contributions must be paid on account of the cost of leave salary also.

(c) Contribution due under clauses (a) and (b) above shall be paid by the Government employee himself, unless the foreign employer consents to pay them. They shall not be payable during leave taken while in foreign service.

- (d) By special arrangement made under rule 10.17 (b) contributions on account of leave salary may be required in the case of foreign service out of India also, the contributions being paid by the foreign employer.

Note 1.— *Pensions, throughout this Chapter, include Government contributions, if any, payable to a Government employee's credit in a provident fund.*

Note 2.— *A Government employee who is a subscriber to a contributory Provident Fund and who is transferred to foreign service shall pay monthly subscriptions calculated on the rate of pay drawn in foreign service. The foreign employer or the Government employee himself, according to the arrangement made under clause (c) of rule 10.9 shall pay in addition, for the period of active foreign service, as such time as Government may prescribed in each case, a contribution determined by the formula $X+XY$, where X equals the amount which would have been credited monthly to the subscribers account in the Provident Fund had he not proceeded on foreign service, the rate of pay drawn by him, in foreign service being regarded as his "emoluments" for this purpose and Y equals the fraction which the amount recoverable as leave salary contribution bears to pay drawn in foreign service.*

Note 3.— *In the case of a Government employee in foreign service in India, a contribution on account of leave salary is recoverable from the foreign employer and in return for this contribution Government accepts the charge for leave salary. As the rate prescribed for such contribution have been calculated on the basis of the leave on full or half pay normally taken by a Government employee during the total period of his service and do not take into account any compensatory allowance which may form part of leave salary as defined in rule 2.34, it has been decided that the whole expenditure in respect of any compensatory allowance for period of leave in or at the end of foreign service shall be borne by the foreign employer. In order to avoid any misunderstanding it is desirable that a condition to this effect should be inserted in the terms of transfer to foreign service.*

Instruction.— *When a Government employee is transferred to foreign service or when the period of foreign service of a Government employee is extended, it should be stipulated that contributions for pension and leave salary or for pension alone, as the case may be will be recoverable at the rates in force from time to time. Similarly, if the Government employee is on a non-pensionable footing and subscribing to a contributory provident fund and if he is allowed to retain this privilege while in foreign service, the order should specify the arrangement made with reference to note 2 above and state that these will be subject to amendment consequent upon any revision of the orders contained in that note. The necessity for making a stipulation to this effect is impressed upon authorities competent to sanction transfers to foreign service of Government employees.*

Note 4.— *Leave salary for maternity leave availed of by a female Government employee while on foreign service shall be borne and paid for by the foreign employer.*

10.10 (a) The rates of contributions payable on account of pension and leave salary shall be such as the competent authority may by general order prescribe.

- (b) The rates of pension contribution are designed to secure to the Government employee the pension that he would have earned by service under Government if he had not been transferred to foreign service.

- (c) The rates of contribution for leave salary are designed to secure to the Government employee leave salary on the scale under the conditions applicable to him. In calculating the rate of leave salary admissible, the pay drawn in foreign service, less in case of Government employees paying their own contributions such part of pay as may be paid as contributions, shall count for the purpose of rule 8.122 as pay on the last day of duty.

Note 1.— *The rates of contributions prescribed under this rule and the method of their calculation are given in Annexure B and C to this Chapter.*

Note 2.— *For determining the monthly pension contribution payable during foreign service the amount of non-practicing allowance appropriate to the maximum of the scale of pay of the post shall be taken into account.*

- 10.11** A competent authority may remit the contributions due in any specified case or class of cases.

Note.— *Assistant Medical Officers on foreign service in local fund charitable Hospitals and dispensaries are exempted from payment of leave, and pension or Provident Fund contributions under this rule.*

- 10.12** Contribution for leave salary or pension, due in respect of a Government employee on foreign service, may be paid annually within fifteen days from the end of each financial year or at the end of the foreign service, if deputation on foreign service expires before the end of a financial year, and if the payment is not made within the said period, interest unless it is specially remitted by the competent authority must be paid to Government on the unpaid contribution by the Government employee or the foreign employer as the case may be, at the rate of two paise per day per Rs. 100/- from the date of expiry of the period aforesaid upto the date, on which the contribution is finally paid, Where contributions are paid not in cash but by book adjustments in the accounts maintained by the Accountant-General, any interest levied on overdue contributions should be charged upto the date on which the adjustment is finally made in the accounts.

The leave salary and pension contributions should be paid separately as they are creditable to different heads of accounts and no dues recoverable from Government on any account should be set off against these contributions.

- 10.13** Interest on overdue contributions will only be remitted in exceptional circumstances when, for instance, the payment of the contribution has been delayed though no fault of the Government employee or the foreign employer concerned. Interest will not be remitted in consequence of delay on the part of the Accountant-General to make a claim, if the facts on which the claim is based were within the knowledge of the Government employee or the foreign employer concerned.

- 10.14** A Government employee in foreign service may not elect to withhold contributions and to forfeit the right to count as duty in Government service the time spent in foreign employ. The contribution paid on his behalf maintains his claim to pension or to pension and leave salary, as the case may be, in accordance with the rules of the

service of which he is a member. Neither he nor the foreign employer has any right of property in a contribution paid, and no claim for refund can be entertained .

LEAVES

10.15 A Government Employee transferred to foreign service must, before taking up his duties in foreign service, make himself acquainted with the rules or arrangement which will regulate his leave during such service.

10.16 A Government employee in foreign service in India may not be granted leave otherwise than in accordance with the rules applicable to the service of which he is a member, and may not take leave or receive leave-salary from Government unless he actually quits duty and goes on leave.

Note 1.— *A Government employee on foreign service in India is himself personally responsible, for the observance of this rule, by accepting leave to which he is not entitled under the rules he renders himself liable to refund leave-salary irregularly drawn, and in the event of his refusing to refund, to forfeit his previous service under Government, and to cease to have any claim on Government in respect of either pension or leave-salary.*

Note 2.— *For the restrictions in respect of the grant of leave preparatory to retirement, see note below rule 10.18*

10.17 (a) A Government employee in foreign service out of India may be granted leave by his employer on such conditions as the employer may determine. In any individual case the authority sanctioning the transfer determine before hand in consultation with the employer the conditions on which leave will be granted by the employer. The leave salary in respect of leave granted by the employer will be paid by the employer and the leave will not be debited against the Government employees' leave account.

Note.— *Leave granted under this clause should be treated as leave and not as duty for the purposes of pension.*

(b) In special circumstances, the authority sanctioning transfer to foreign service out of India may make an arrangement with the foreign employer under which leave may be granted to the Government employee in accordance with the rules applicable to him as a Government employee, if the foreign employer pays leave-contribution at the rate prescribed under rule 10.10 (a).

Note.— *For the restrictions in respect of the grant of leave preparatory to retirement see note below 10.18.*

REVERSION FROM FOREIGN SERVICE

10.18 A Government employee reverts from foreign service to Government service on the date on which he takes charge of his post in Government service : Provided that, if he takes leave on the conclusion of foreign service before rejoining his post, his reversion shall take effect from such date as the competent authority may declare.

Note.— *The grant of leave preparatory to retirement to a Government employee coupled with permission to remain in the service of the foreign of the foreign employer shall be regulated in the following manner:-*

- (1) Cases where a Government employee who is already on foreign service in or out of India under a body corporate, owned or controlled by Government applies for leave preparatory to retirement .

The leave applied for can be granted only if the body corporate, owned or controlled by Government is prepared to release him from their employment to enable him to enjoy the leave. If he is not so released, the leave should be refused in the interest of public service and it may then be availed of by the Government employee to the extent admissible under rule 8.21 from the date of his quitting the service;

- (2) Cases where a Government employee who is on foreign service in or out of India other than under a body corporate, owned or controlled by Government applies for leave preparatory to retirement.

In such cases leave will be admissible only where the Government employee quits duty under the foreign employer . In other words he will not be permitted to continue in employment under the foreign employer while on leave preparatory to retirement, Non-eligibility for leave preparatory to retirement as a result of continuance in service under the foreign employer will not be treated as refusal of leave for the purpose of rule 8.21. If he is allowed to continued in employ of the foreign organization after the date of superannuation he will be treated purely as on private employment .

- 10.19** When a Government employee reverts from foreign service to Government service, his pay will cease to be paid by the foreign employer, and his contributions will be discontinued, with effect from the date of reversion.

ADDITIONS TO REGULAR ESTABLISHMENT.

- 10.20** When an addition is made to a regular establishment on the condition that its cost, or a definite portion of its cost, shall be recovered from the persons for whose benefit the additional establishment is created, recoveries shall be made under the following rules:-

- (a) The amount to be recovered shall be the gross sanctioned cost of the service, or of the portion of the service, as the case may be, and shall not vary with the actual expenditure of any month.
- (b) The cost of the service shall include contribution as such rates as may be laid down under rule 10.10(a) and the contributions shall be calculated on the sanctioned rates of pay of the members of the establishment.
- (c) A Competent authority may reduce the amount or recoveries, or may entirely forgo them.

Note 1.— With reference to clause (c) all leave and pension contributions recoverable on account of establishments employed on Killabandi operations in all estates in the state have been remitted .

Note 2.— The following procedure shall be adopted in applying the rates of contributions prescribed under rule 10.10 (a) to cases falling under this rule:-

- (i) *Pension contribution- In the case of a Government employee belonging to one of the States Services, Class 1, or holding a special post of corresponding rank, the amount to be recovered as contribution should be the average of the rates prescribed in columns 2 and 3 of the table in Annexure "C" to this Chapter.*

In the case of a Government employee of a State Service Class-II, or holding a special post of corresponding rank/State Service Class III/State Service Class IV, a fraction of the total maximum monthly pay of all the sanctioned posts equal to the average of the percentages laid down in columns 4, 5, or 6, as the case may be, of the table in Annexure 'C' to this Chapter.

- (ii) *Contribution for leave-salary.— The rate to be applied in calculating the amount to be levied as contribution in respect of a member of one of the State Services, Class I, or holding a special post of a corresponding rank, should be 15-5/6% where as the actual percentage prescribed for other Government employees should be levied on the total sanctioned cost or in the case of time-scales of pay on the average cost of all the posts concerned in all other cases.*

Note 3.— Omitted.

Note 4.— *The procedure laid down in note 2 above is also applicable to all Government Commercial concerns in which leave and pensionary charges are adjusted on contribution bases in their regular commercial accounts or in which pensionary charges are taken into account, in calculating the issue price of goods manufactured or fees for services rendered or to any other department in which pensionary charges are adjusted in the regular accounts on the basis of foreign service contribution rates.*

ANNEXURE A

(Referred to in note 1 to 10.8 Rule)

The amount of remuneration to be granted to a Government employee transferred to foreign service in India should be regulated by the following principles:-

- (1) When the transfer of a Government employee to foreign service in India is sanctioned the pay which he shall receive in such service must be precisely specified in the order sanctioning the transfer. If it is intended that he shall receive any remuneration or enjoy any concession of pecuniary value in addition to his pay proper, the exact notice of such remuneration or concession must be similarly specified. No Government employee will be permitted to receive any remuneration or enjoy any concession which is not so specified, and, if the order is silent as to any particular remuneration or concession, it must be assumed that the intention is that it shall not be enjoyed.
- (2) The following two general principles must be observed in sanctioning the conditions of transfer:-
 - (a) The terms granted to the Government employee must not be such as to impose an unnecessarily heavy burden on the foreign employer.
 - (b) The terms granted must not be so greatly in excess or the remuneration which the Government employee would receive in Government service as to render foreign service appreciably more attractive than Government service.

Note.— *The intention of this principle is to prevent undue increase in the emoluments of the individual Government employee transferred to foreign service. His pay in foreign service should, therefore be fixed rather with reference to the post which he would have held under Government had he not been transferred than with reference to the post in India corresponding to that held by him in foreign service.*

- (3) Provided that the two principles laid down in paragraph (2) above are observed, a competent authority may sanction the grant of the following concessions by the foreign employer. Such concession must not be sanctioned as a matter of course but in those cases only in which their grant is in accordance with local custom and the wishes of the foreign employer, and is, in the opinion of the competent authority justified by the circumstances. The value of the concessions must be taken into account in determining an appropriate rate of pay for the Government employee in foreign service:-
- (a) The payment of contributions towards leave salary and pension under the ordinary rules regulating such contributions.
 - (b) The grant of travelling allowance under the ordinary travelling allowance rules of the Haryana Government or under the local rules of the foreign employer and of permanent traveling allowance, conveyance allowance and horse allowance.
 - (c) The use of tents, boats, and transport on tour : Provided that this is accompanied by a corresponding reduction in the amount of travelling allowance admissible.
 - (d) The grant of free residential accommodation which may be furnished, in cases in which the competent authority considers this to be desirable, on such scale as may seem proper to that authority.
 - (e) The use of motors, carriages and animals.
 - (f) Payment by the foreign employer of such compensatory allowance as would be paid by Government at the station at which he is employed in foreign service were the Government employee in the service of Government.
- (4) The grant of any concession not specified in paragraph (3) above requires the sanction of the Finance Department.
- (5) Specific terms in regard to travelling allowance to be allowed to Government employees for journeys on transfer to foreign service, and no reversion there from, should invariably be prescribed by sanctioning authorities in consultation and agreement with the foreign employer i.e., it should be made clear in the orders sanctioning the transfer whether the travelling allowance for such journeys, which is payable by the foreign employer is to be regulated by the Punjab Travelling Allowance Rules or by the rules framed by the foreign employer.
- (6) The foreign employer should in the case of Government employees transferred to foreign service accept liability for leave salary in respect of disability leave granted on account of disability incurred in and through foreign service, even though such disability manifests, itself after the termination of foreign service. The leave salary charges for such leave should be recovered direct from foreign employers. The foreign employer is liable to pay leave salary charges, if it is medically certified that the disability has been incurred in or through foreign

service, irrespective of the period that has elapsed between the date of reversion and the date of manifestation of the disability.

Note.— See also the instructions contained in Haryana Government letter No. 2528-5FR-(1)-76/14020 dated, the 11th May, 1977, regarding the grant of deputation allowance of Haryana Government employees who are transferred on deputation/foreign service to other State Government including Central Government or bodies (incorporated or not) wholly or substantially owned or controlled by the Government : provided that the transfer is outside the regular line and is in public interest.

ANNEXURE B

(Referred to in note 1 under Rule 10.10)

The following rates of contributions have been prescribed by Government under rule 10.10 (a):-

- (1) Omitted.
- (2) The rate of monthly contribution for leave salary payable during active foreign service in respect of Government employee will be 11% of pay drawn in foreign service.

Note 1.— In the case of contract officers governed by the leave terms in Part I of Appendix 16 to the Punjab Civil Services Rules, Volume I, Part II, and who are transferred to foreign service, the leave salary contribution should be recovered at the above rates.

Note 2.— Omitted.

Note 3.— Recovery of leave contribution in respect of joining time taken under rule 9.1 (b) while proceeding to foreign service should be based on the pay that the Government employee would draw on the assumption of office in foreign service.

- (3) The following instructions should be observed in the calculation of the amounts of contributions:-
 - (i) The term “active foreign service “ in paragraph 2 above is intended to include the period of joining time which may be allowed to a Government employee both on the occasion of his proceeding to and reverting from foreign service, and accordingly contributions are leviable in respect of such periods.
 - (ii) “Length of service” means the entire service running from the date from which service for pension commences or is likely to commence.
 - (iii) The leave salary contribution for the period of joining time taken by a Government employee in continuation of leave under clause (b) of Rule 9.1 before reversion from foreign service should be calculated on the pay he was getting immediately before the proceeded on leave.
 - (iv) When a temporary Government employee is transferred to foreign service pension contributions should be recovered as in the case of permanent Government employees .

In such cases the recovery of contributions for leave salary does not present any difficulty, the amounts being calculated on the pay actually drawn in foreign service.

- (v) In the case of Government employees mentioned in rule 4.2 and 4.2A of Volume II of these rules the period which they are entitled to add under that rule to their service qualifying for superannuation pension should be taken into account in reckoning "length of service" for determining the rates of foreign service contribution on account of pension prescribed .
- (vi) For purpose of recovery of pension contribution, a Government employee on foreign service should be deemed to be member of the service to which he belongs substantively.

ANNEXURE - C

(Referred to note (i) under Rule 10.10)

The following rates of contributions have been prescribed by Government under rule 10.10 (a):-

Rates of monthly contribution for pension payable during active foreign service in respect of:-

		Members of Class I Service								
Length of Service		Group I those who are ordinarily expected to qualify for the maximum pension of Rs. 8, 100 per annum members of All India Services and other grade I officers who in scale of pay whose maximum is Rs. 1, 800 or above	Group II other grade I Officers of State Class-I Services other than those in Group I		Member of the Class II State Services		Member of the Class III State Services		Class-IV State Government employees	
1		2	3		4		5		6	
0-1	year	48	4 %	Maximum monthly pay including Dearness pay	4 %	Maximum monthly pay including Dearness pay	5 %	Maximum monthly pay including Dearness pay	7 %	Maximum monthly pay including Dearness pay
1-2	years	56	4%	-do-	5%	-do-	5%	-do-	7%	-do-
2-3	years	64	5%	-do-	5%	-do-	6%	-do-	8%	-do-
3-4	years	73	5%	-do-	5%	-do-	6%	-do-	8%	-do-
4-5	years	81	5%	-do-	6%	-do-	6%	-do-	8%	-do-
5-6	years	89	6%	-do-	6%	-do-	7%	-do-	8%	-do-
6-7	years	97	6%	-do-	6%	-do-	7%	-do-	8%	-do-
7-8	years	105	7%	-do-	7%	-do-	7%	-do-	8%	-do-
8-9	years	113	7%	-do-	7%	-do-	8%	-do-	8%	-do-
9-10	years	121	7%	-do-	7%	-do-	8%	-do-	8%	-do-
10-11	years	129	8%	-do-	8%	-do-	8%	-do-	8%	-do-
11-12	years	137	8%	-do-	8%	-do-	8%	-do-	9%	-do-
12-13	years	145	9%	-do-	8%	-do-	9%	-do-	9%	-do-
13-14	years	153	9%	-do-	8%	-do-	9%	-do-	9%	-do-
14-15	years	161	9%	-do-	9%	-do-	9%	-do-	9%	-do-
15-16	years	169	10%	-do-	9%	-do-	10%	-do-	9%	-do-
16-17	years	177	10%	-do-	9%	-do-	10%	-do-	9%	-do-
17-18	years	185	11%	-do-	10%	-do-	10%	-do-	9%	-do-
18-19	years	193	11%	-do-	10%	-do-	10%	-do-	9%	-do-
19-20	years	201	11%	-do-	10%	-do-	11%	-do-	9%	-do-
20-21	years	209	12%	-do-	11%	-do-	11%	-do-	9%	-do-
21-22	years	218	12%	-do-	11%	-do-	11%	-do-	10%	-do-
22-23	years	226	13%	-do-	11%	-do-	12%	-do-	10%	-do-

1		2	3		4		5		6	
23-24	years	226	13%	-do-	11%	-do-	12%	-do-	10%	-do-
24-25	years	226	13%	-do-	11%	-do-	12%	-do-	10%	-do-
25-26	years	226	13%	-do-	11%	-do-	12%	-do-	10%	-do-
26-27	years	226	13%	-do-	11%	-do-	12%	-do-	10%	-do-
27-28	years	226	13%	-do-	11%	-do-	12%	-do-	10%	-do-
28-29	years	226	13%	-do-	11%	-do-	12%	-do-	10%	-do-
Over 29 years		226	13%	-do-	11%	-do-	12%	-do-	10%	-do-

Note 1.— The term “maximum monthly pay” referred to in Columns 3 - 6 denotes the maximum pay as defined in Rule 2.44 of these rules, held by Government employee at the time of his proceeding on foreign service or to which he may receive proforma promotion while in foreign service.

Note 2.— The above rates of pension contributions include an element for the grant of extra ordinary pension also.

Chapter - XI

11.1 Government employees paid from local funds which are administered by Government are subject to the provisions of Chapter I to IX and XII to XIV of these rules.

Note 1.— *Employees of local funds administered by Government who are not paid from consolidated fund by the State and are, therefore, not Government employees are subject to the provisions of Chapters I to IX of the rules.*

Note 2.— *The expression “Local Funds which are administered by Government” means funds administered by bodies which by law or rule having the force of law come under the control of Government in regard to proceedings generally and not merely in regard to specific matters, such as the sanctioning of the budget or sanction to the creation or filling up of particular posts or the enactment of leave, of pensions or similar rules, in other words means funds over whose expenditure Government retains complete and direct control.*

11.2 The Transfer of Government employees to service under local funds which are not administered by Government will be regulated by the rules in Chapter X.

11.3 Persons transferred to Government service from a local fund which is not administered by Government will be treated as joining a first post under Government, and their previous service will not count as duty performed. A competent authority may, however, allow previous service in such cases to count as duty performed on such term as it thinks fit.

Note 1.— *Omitted.*

Note 2 .— *Previous service rendered by dispensers under a local body on their joining posts under Government shall count for purpose of fixing their pay under this rule.*

CHAPTER - XII**Record of Service****GAZETTED GOVERNMENT EMPLOYEES.**

- 12.1** A record of service of a Gazetted Government employee shall be maintained in the form ATC-3A by the head of department /office in which he is employed.

NON - GAZETTED GOVERNMENT EMPLOYEES**Service Books**

- 12.2** A service book in the form prescribed by the Comptroller and Auditor-General in Article 188 of Audit Code (reproduced in Part II of Appendix II) must be maintained for every non-gazetted Government employee holding a substantive post on a permanent, establishment, or officiating in post or holding a temporary post with the following exceptions:-

- (a) Government employees the particulars of whose service are recorded in a history of services or a service register maintained by the audit officer;
- (b) Government employees officiating in post or holding temporary posts, who are recruited for permanent, temporary or officiating vacancies not likely to last for more than one year and are not eligible for permanent appointments;
- (c) Police Officer of rank not higher than that of head constable.

- 12.3** In all cases in which a service book is necessary under rule 12.2 such a book must be supplied for the Government employee by the Government at its own cost on his first appointment to Government service. It must be kept in the custody of the head of the office in which he is serving and transferred with him from office to office but should not be made over to him nor should it be given to him when proceeding on leave. When a non-gazetted Government employee officiates in a gazetted post the service book should be kept by the head of the office to which he permanently belongs, but when he is confirmed in such a post the service book should be forwarded to the Accountant-General for record. It should not be returned to the Government employee on retirement, resignation or discharge from service even in cases where he might have paid for it already.

Note.— *A certified copy of a service book may be supplied to the Government employees who asks for it on quitting Government service by retirement, discharge of registration, on payment of a copying fee of Rs. 5.*

- 12.4** Every step in a Government employees official life must be recorded in his service book, and each entry must be attested by the head of his office or, if he himself is the head of an office, by his immediate superior. The head of the office must see that all entries are duly made and attested, and that the book contains no erasure or over writing, all corrections being neatly made and properly attested.

Note 1.— *The head of an office may authorize any gazetted Government employee serving under him to attest entries in the service book of a non-gazetted Government employee. This will not, however, relieve the head of the office of his responsibility for the accuracy of the entries so attested.*

Note 2.— *The Executive Engineers of Public Works Department, Irrigation Branch may authorize, a non-gazetted, Sub-Divisional Officer as well, if serving under him at the head quarters of the Divisions, to attest entries in the Service Book on his behalf, provided the non-gazetted sub-Divisional Officer so authorized has rendered 5 years Service as Sub-Divisional Officer alone i.e. exclusive of service rendered as Junior Engineer.*

12.5 Omitted.

12.6 Every period of suspension from employment and every other interruption in service should be noted with full details of its duration, by an entry written across the page and attested by the Head of Office or other Attesting Officer. The Attesting Officer should take efficient measures to see that those entries are made with regularity. The duty should not be left to the non-gazetted officer concerned.

12.7 Personal certificates of character must not unless the head of the department so directs, be entered in a service book, but if a Government employee is reduced to a lower substantive post, the cause of the reduction should always be briefly stated thus "Reduction for inefficiency", "Reduction owing to revision of establishment". etc.

12.8 It is the duty of every Government employee to see that his service book is properly maintained as prescribed in rule 12.4 in order that there may be no difficulty in verifying his service for pension. The head of the office should therefore, permit a Government employee to examine his service book should he at any time, desire to do so.

12.9 If the Government employee is transferred to foreign service, the head of office or department must send his service, book to the Accountant –General who will return it after noting therein, over the signature of a Gazetted Officer, the orders sanctioning the transfer, the effect of the transfer in regard to leave admissible during foreign service and any other particulars which the Accountant-General may consider to be necessary in connection with the transfer. On the Government employee's retransfer to Government service his service book should again be sent to the Accountant-General, who will have noted in it, over the signature of a Gazetted Officer, all necessary particulars concerned with the foreign service including the fact of recovery of leave and pension contributions. No entry relating to time spent in foreign service may be attested by any authority other than the Officer of the Audit Department.

Service Rolls

12.10 In the case of a Police Officer of rank not higher than Head Constable, these should be maintained for each district by the Superintendent of Police, a Service Roll in English in which should be recorded the date of enrolment of each man in the constabulary, his caste, tribe, village, age, height and marks of identification; his rank, promotion, reduction or other punishment; his absence from duty on leave or without leave, the interruption in his service; and every other incidence in his service which may involve forfeiture of a portion of his service, or affect the amount of his pension.

The rolls should be checked up by the roll maintained in a language other than the English and Order Book and the punishment register and every entry in it should be signed by the Superintendent of Police.

CHAPTER - XIII**Passages****I - GENERAL****13.1** A competent authority may sanction—

- (a) for any Government employee appointed in Europe to the Public Service in India, a free passage of India and return passage on the termination of his appointment;
- (b) free passage; including, travelling expenses by rail to the port of embarkation, in urgent cases where, in its opinion it is very desirable that a Government employee or his dependent, should leave India and where the pecuniary circumstances of the individual concerned are such that they are unable to leave without such assistance;
- (c) a free passage for any Government employee entitled to return passage on the termination of his agreement, whose services are retained in the public interest beyond the original period of his engagement. The competent authority may also sanctioned an extension of an original concession in regard to free passages home for an officer's family.

Note.— *The officers engaged on contract abroad for the purpose of grant of passages will be governed by conditions laid down in Medical Agreement Form No. Punjab C.S.R. No. I.*

13.2 A departmental officer /commissary class, or a department warrant officer, in civil employ shall be entitled to the same passage concessions as he would receive if, he was in military employ.

13.3 (i) A competent authority may sanction the following terms for any Government employee deputed out of India—

- (a) if the period of deputation is not expected to exceed one year
 - (1) for the journey from his headquarters to the port of embarkation, travelling allowance at the rate which would be admissible to him were the journey one on tour;
 - (2) free passage (with diet) to the port of debarkation;
 - (3) travelling allowance at the rates admissible under the rules in Appendix 10 from the port of debarkation to destination in cases of deputations to Europe or America, and actual travelling expenses in the case of deputations to other countries;
 - (4) actual expenses incurred on account of dock dues and passport fees subject to production of receipts;
 - (5) Similar terms for the return journeys.
- (b) if the period of deputation is expected to exceed one year —
 - (1) for the journey from his headquarters to the port of embarkation, travelling allowance at the rates which would had been admissible to him were the journey one on transfer;
 - (2) free passage (with diet) to the port of debarkation; for himself and each member of his family entitled to Travelling Allowance under sub-clause (1);

- (3) actual cost of transport of excess luggage from the port of embarkation to the port of debarkation up to a maxima prescribed under rule 2.59 (iii) of the Punjab Civil Services Rules Volume III. (Travelling Allowance Rules), the maximum admissible to an officer who does not take his family with him being determined with reference to the maximum prescribed for Government employee not possessing families;
- (4) for himself and family as prescribed in sub clause (2) travelling allowance at the rates admissible under the rules in Appendix 10 from the port of debarkation to destination in the case of deputation to Europe or America and actual travelling expenses in the case of deputations to other countries;
- (5) actual cost of transporting luggage from the approved port of debarkation to destination within the limit laid down in sub-clause (3);
- (6) actual expenses incurred on account of dock dues and passport fees subject to production of receipts; and
- (7) similar terms for the return journey.

Note.— *Return tickets for steamer journey should be purchased in cases where the period of deputation is not expected to exceed the period for which such tickets are available .*

- (ii) A competent authority may, in exceptional circumstances sanction a passage by air from or to India, to a Government employee deputed out of India, and grant to him the terms detailed in clause (i), other than those relating to his own passage and travelling allowance for himself in India, in lieu of which the Government employee may be granted—

- (1)(a) in cases covered by clause (i) (a), travelling allowance for the journey from his headquarters to the air-port from which the passage has been sanctioned at the rate which would be applicable were the journeys be on tour;
- (b) In cases covered by clause (i) (b), a single mileage by road and/or railway from his headquarters to the air-port from which the passage has been sanctioned in addition to the railway fares of the appropriate class of accommodation from his headquarters to the air-port at which he would have embarked had he traveled by sea;
- (2) Free air passage to the air-port of debarkation;
- (3) in cases covered by clause (i) (a), the actual cost of transporting luggage--
 - (a) from his headquarters to the sea-port at which he would have embarked had he traveled by sea, subject to a limit of one-fourth of the rail fare between those two places of the class to which he is entitled; and
 - (b) from the sea-port above –mentioned to the port at which he would have disembarked had he travelled by sea subject to a maximum of the charges payable for conveyance by sea of the amount of luggage which he would have carried free had a sea passage been sanctioned for him; and
- (4) similar terms for the return journey, .

Note.— *A free passage granted for Government purposes ought not to be used mainly or largely to enable a man to charge private expenses to Government. The grant of a return passage to India on conclusion of a deputation is conditional on Government employee's return to India forthwith on the conclusion of the deputation unless an*

arrangement to the contrary effect should be specially permitted at the time the deputation closes, or is about to close, and any leave is begun.

- 13.4** The grant of free passages to Government employees engaged on contract is regulated by the rules in Appendix 21.

CHAPTER - XIV**Classification of Services (Including method of recruitment and appointment thereto and number and character of posts), Conduct and Discipline and punishments and Appeals.****SECTION I - CLASSIFICATION OF SERVICES****(a) GENERAL**

- 14.1** Besides the all-India Services which are under the rule-making control of the President of India, the public services under the administrative control of the Haryana Government shall be classified as follows:-
- (i) the State Services, Class 1;
 - (ii) the State Services, Class-II;
 - (iii) the Specialist Services;
 - (iv) the State Services, Class III;
 - (v) the State Services, Class IV.
- 14.2** In the case of a person to whom these rules apply and who is not already included in any of the services given in rule 14.1 the competent authority shall decide the service to which he shall belong.
- 14.3** Save where his former appointment has been terminated by his removal under rule 4 of the Punjab Civil Services (Punishment and Appeal) Rules (see Appendix 24 in Part II this volume) no appointment of a person who is included in a service to any other service or post shall operate to deprive him, without his consent of any right or privilege to which he may have been entitled as a member of his former service.
- 14.4** A competent authority may make rules regulating (1) the method of recruitment to the different services, (2) the strength (including both the number and character of posts) of such services, and (3) the making of first appointment to the different services.
- Note 1.**— *Rules relating to the subjects mentioned in this rule for the different services have been issued separately by the departments concerned.*
- Note 2.**— *This rule in so far as it provides for the number and character of posts and their rates of pay to be determined by rule cannot suitably be applied in respect of all ministerial and petty officers and class IV employees. Accordingly these Government employees have been excluded from the operation of this rule to that extent.*
- Note 3.**— *The extent up to which the various departments and heads of departments or their subordinate authorities exercise powers in respect of the creation or abolition of both permanent and temporary posts and the varying of emoluments of posts are given in Chapter XV.*
- Note 4.**— *Although a competent authority has full power to create posts and to fix the pay thereof under the rule, the sanction of the Government of India is necessary to the holding in abeyance of a post borne on the cadre of the All-India Services, and the creation in its place of a temporary post of different status.*

Note 5.— (a) *Short term vacancies, the duration of which exceeds two months by an appreciable margin may be filled up in the normal manner by the authorities competent to make appointments against the posts.*

(b) *Officiating promotion in vacancies of two months duration or less/continuous chain of vacancies in the same grade each of a duration of two months or less, but which taken together extend beyond two months should not as a rule, be made save in very exceptional circumstances with prior approval of the Administrative Secretary concerned in case of gazetted appointment and of Heads of Departments in case of Non-gazetted appointments:*

Provided that in the case of Haryana Vidhan Sabha such appointment except that of Secretary shall be made by the Speaker.

(b) STATE SERVICES, CLASS I AND II, AND SPECIALIST SERVICES

14.5 The State Services, Class I and II, consist of such services as the competent authority may from time to time declare by notification in the Official Gazette to be included in Class I or II Services.

Note.— *For the list of services declared as State Services, Class I and II, see Schedule at the end of this Chapter.*

14.6 The Specialist Services shall consist of such services (other than All-India and State Services, Class I and II) as the Government may from time to time by notification in the Official Gazette declare to be Specialist Services.

(c) OTHER SERVICES

14.7 State Services Class III and IV, include persons to whom these rules apply and who are not already included in any of the services comprised in class (i), (ii) and (iii) of rule 14.1.

SECTION II - CONDUCT AND DISCIPLINE

14.8 A competent authority, may make rules to regulate the conduct of members of the State Services, and holders of special posts.

Note.— *Rules issued under this rule are contained in Appendix 23 to these rules.*

SECTION III - PUNISHMENT AND APPEALS

14.9 A competent authority may issue rules specifying the penalties which may be imposed on members of the services and the procedure for preferring appeals against the imposition of such penalties.

Note.— *The Punjab Civil Services (Punishment and Appeal) Rules are contained in Appendix 24 in Part II of this Volume.*

CONDUCT AND DISCIPLINE AND PUNISHMENTS AND APPEALS.

SCHEDULE*(See note below Rule 14.5)***LIST OF STATE SERVICES**

(1)	Haryana Civil Service.
(2)	Haryana Secretariat Service.
(3)	Haryana Educational Service (Men's Branch) (Class I)
(4)	Haryana Educational Service (Men's Branch) (Class II)
(5)	Haryana Educational Service (Women's Branch) (Class I)
(6)	Haryana Educational Service (Women's Branch) (Class II).
(7)	Haryana Civil Medical Service (Class I).
(8)	Haryana Civil Medical Service (Class II).
(9)	Haryana Police Service.
(10)	Haryana Agricultural Service (Class I).
(11)	Haryana Agricultural Service (Class II).
(12)	Haryana Service of Engineers (Buildings and Roads Branch)(Class I).
(13)	Haryana Service of Engineers (Buildings and Roads Branch) (Class II).
(14)	Haryana Service of Engineers (Irrigation Branch) (Class I).
(15)	Haryana Service of Engineers (Irrigation Branch) (Class II)
(16)	Haryana Forest Service (Class I).
(17)	Haryana Forest Service (Class II).
(18)	Haryana Veterinary Service (Class I).
(19)	Haryana Veterinary Service (Class II).
(20)	Haryana Public Health Service .
(21)	Haryana Co-operative Service.
(22)	Haryana Irrigation – Deputy Collectors (Revenue Branch) Service.
(23)	Haryana Finance and Accounts Service.
(24)	Haryana Excise and Taxation Department (State Service Class I).
(25)	Haryana Industrial Service (Class I).
(26)	Haryana Employment Services (Class I and II).
(27)	Haryana Local Audit Service (Class II).

CHAPTER – XV**Authorities which exercise the powers of a competent authority under the various rules.**

15.1 With reference to rule 2.14 the following authorities shall exercise the powers of a competent authority under the various rules.

Note 1.— *The following provisions apply in the matter of the creation of posts:-*

- (i) *The power to create a permanent post may, unless there exists a specific power in respect of similar temporary post, be held to cover a temporary post within the same limits.*
- (ii) *The term “pay” does not include “special pay”.*
- (iii) *The power to create posts do not refer to Class IV establishment, the pay of which is debitable to “Contingencies”. These are governed by the rules given in the Punjab Financial Rules, Volume I.*
- (iv) *The powers in regard to the creation of posts are intended to be exercised in individual cases only. Proposals involving a general addition to the establishment of a number of offices should be referred to Finance Department.*
- (v) *In respect of delegations for creation of posts, fees or commission which are the authorized emoluments of the post, should be considered as pay or part of pay of the post for the purposes of determining the authority competent to create the post.*

Note 2.— *The Administrative Departments and the Heads of the Departments concerned may re-delegate the powers, delegated to them in the table below this rule, to any officer under them at their headquarter offices on their own overall responsibility and subject to such conditions and restrictions as they may like to impose. Copies of such orders should invariably be endorsed to the Finance Department and the Accountant-General, Haryana. They may also re-delegate their powers in respect of the following items in the manner indicated below:-*

Serial No. of the table below this rule	Authority to whom power may be re-delegated
2, 4, 5, 11, 34, 38, 44, 45, 49 and 57	<i>To any officer subordinate to them. The powers in respect of item No. 44 and 45 may, however, be re-delegated only in respect of non-gazetted employees.</i>
9, 10, 21, 23, 40, 43, 47 and 54	<i>To authorities competent to make appointments.</i>

Sr. No.	Number of Rule	Nature of Power	Authority to which the power is delegated	Extent of power delegated
1.	2.26	To appoint an authority to exercise the powers of a Head of Office	Department of Government	Full powers. A copy of the orders should be simultaneously endorsed to the Finance Department

Sr. No.	Number of Rule	Nature of Power	Authority to which the power is delegated	Extent of power delegated
2.	2.27 (b)	Power to declare a Government employee's headquarters	Department of Government	Full powers
			Head of Department	Full powers in case of all Government employees of Class II, Class III and Class IV and also Class I officer upto district level.
			Conservator of Forests	Full powers in respect of posts under their control except those of Divisional Forest Officers and equivalent posts.
			Divisional Forest Officers	Full powers in case of those Government employees whom they can appoint.
			Chief Engineer, Irrigation works	Full Power in respect of the posts under their control except those of Superintending Engineer or equivalent posts
			Superintending Engineer in the Building and Road and Irrigation Branches	Full powers in case of non-gazetted Government employees under their control.
			Deputy Registrar, Co-operative Societies	Full powers in case of Government employees whom they or any authority subordinate to them can appoint.
			Deputy Commissioner	Full Powers in case of non-gazetted Government employees whom they can appoint and in the case of Assistant Commissioner /Extra Assistant Commissioner under training in the district during emergency only.
3.	2.42	Powers to appoint a Government employee to officiate in a vacant post	Department of Government	Full powers.
			Authority competent to make a substantive appointment to the post	Full powers.
			Elections Commissioner, Haryana	Full powers in respect of temporary post which he is competent to create.
			Chief Conservator of Forests	Full powers for all posts except in respect of H.F.S., Class I.
			Chief Engineer Irrigation works	Full powers except in respect of posts of the rank of Sub-Divisional Officers and above.
			Head of Department	Full powers to appoint a Government employee to officiate in a vacant post upto 4 month in respect of appointment of all non-gazetted Government employees and Class-II Officers
4.	2.53	Power to define the limits of a Government employees' sphere to duty	Department of Government	Full powers.
			Head of Departments	Full powers in respect of all Government employees.
			Conservations of Forest	Full powers in respect of the posts under their control except those of Divisional Forests Officers and equivalent posts.

Sr. No.	Number of Rule	Nature of Power	Authority to which the power is delegated	Extent of power delegated
			Divisional Forest Officers	Full powers in case of those Government employee whom they can appoint
			Superintending Engineers in the Public Works Departments	Full powers in case of those Government employee whom they can appoint
			Deputy Registrar, Co-operative Societies.	Full powers in case of Government employees whom they or any authority subordinate to them can appoint.
5.	Schedule to Chapter II, paragraph 1 (vii)	Power to permit a Government employee to appear in an optional examination	Department of Government	Full powers.
			Head of Departments	Full powers in respect of non-gazetted Government employees and Class II gazetted officers.
6.	Schedule to Chapter II, paragraph II (5)	Power to sanction the absence of a Government employee on duty beyond his sphere of duty.	Department of Government	Full powers for absence within India.
			[Commissioners of Division	Full powers in respect of Deputy Commissioner with the State and Union Territory Chandigarh] ⁹
			Heads of Departments	Full powers in individual cases:- Provided the absence does not exceed 60 days
			Game Warden and Superintending Engineers in the P.W.D.	Full powers in individual cases: provided the absence is for reason of a public nature, which should be stated, and does not exceed 14 days in each case
			Heads of Offices in Agriculture Department	Full powers in individual cases: provided the absence is for reason of a public nature, which should be stated and does not exceed 14 days in respect of non-gazetted Government employees under their control
			Conservators of Forests	Full powers in respect of all Officers under their control: provided the absence does not exceed 14days is each case
			Divisional Officers in the Public Works Department	Full powers in individual cases: provided the absence is for reason of a public nature, which should be stated, and does not exceed 14 days in each case in respect of non-gazetted Government employee under their control: provided the absence is restricted to the sphere of duty of the Division concerned in the case of Public works Department Divisional Officers.
			Deputy Inspector-General of Police in charges of ranges	Full powers in individual cases: provided the absence is for reasons of a public nature which should be stated and does not exceed 14 days in each case in respect of Gazetted Government Employees attached to district.
			Superintendent of	Full powers in individual cases: provided the absence is for reasons of a public nature

⁹ Inserted vide Notification No. 11/8/87-1FR-II (2227/89) dated 28.11.1989.

Sr. No.	Number of Rule	Nature of Power	Authority to which the power is delegated	Extent of power delegated
			Police	which should be stated and does not exceed 14 days in each case in respect of Prosecuting Reserve, City, Cantonment C.I.D, and other Inspector Sergeant, Prosecuting C.I.D. and other Sub-Inspector, Head Constables and Constables.
			Assistant Inspector General, Railway Police	Full powers in individual cases: provided the absence is for reasons of a public nature which should be stated and does not exceed 14 days in each case in respect of members of the Railway Police of and below the rank of Inspector and Sergeant
			Superintendents of police of the District in which group head-quarters are fixed	Full powers in individual cases: provided the absence is for reasons of a public nature which should be stated and does not exceed 14 days in each case in respect of Sergeant, Head Constables and Clerks of Motor Vehicle Inspection staff.
			Principal, Government Polytechnic	Full powers in individual cases: provided the absence is for reasons of a public nature which should be stated and does not exceed 14 days in each case in respect of Government Employees under their control.
			Director, State Institute of Education/ Science	Full powers in individual cases for journeys for participation in the programmes of the National Council of Educational Research and Training and Programmes of State Institute of Education/ Science: Provided the absence is for reasons of a public nature which should be stated and does not exceed 14 days in each case in respect of the non-gazetted Government employees under their control.
			Districts Education Officer	Full powers in individual cases for journeys within the district: provided the absence is for reasons of a public nature which should be recorded and does not exceed 14 days in each case in respect of the non-gazetted Government employees under their control.
			Deputy Commissioners	Full power in respect of Tehsildars, Naib Tehsildars, Superintendents and Assistant Superintendent/ Relief and Rehabilitation working in the District: provided the absence does not exceed 14 days in each case.
			Head of Officers other than those stated above	Full powers in individual cases: provided the absence is for reasons of a public nature which should be stated and does not exceed 14 days in each case in respect of the non-gazetted Government employees whom they can be appoint

Sr. No.	Number of Rule	Nature of Power	Authority to which the power is delegated	Extent of power delegated
			<p>[All Civil Surgeons in the Haryana State</p> <p>Principal Medical Officer, B.K. Hospital, Faridabad.</p> <p>General Hospital, Bhiwani, Hisar, Ambala and Karnal</p> <p>Principal, State Health and Family Welfare Training Centre, Rohtak</p> <p>State Bacteriologist Haryana Government</p> <p>Public Health Laboratory, Karnal</p> <p>Chemical Examiner to Government Haryana, Karnal</p> <p>Director, Health Services (Malaria), Haryana, Chandigarh</p> <p>Government Analyst, Haryana, Chandigarh</p> <p>Public Analyst, Haryana, Chandigarh.</p> <p>Zonal Malaria Officer Ambala and Hisar</p>	Full powers in individual cases: provided that the journey is performed within the state and the absence is for reasons of a public nature which should be recorded and does not exceed 10 days in each case in respect of the non-gazetted Government employees under their control.] ¹⁰
6-A	--	Power to sanction journey beyond jurisdiction of I.A.S. and H.C.S Officers	Deputy Commissioners	Full powers
7.	Schedule to Chapter II paragraph II (5)	Powers to sanction absence of block personnel (except Village Level Workers) and Staff of Gram Sewaks Training Centers and allied wings beyond their sphere of duty for training in India.	Secretary to Government Haryana, Development and Panchayat Department	Full powers provided the absence does not exceed three month
8.	3.2	Power to dispense with the production of a medical certificate of fitness.	Department of Government	Full powers in individual cases.
			Heads of Department	Full powers in respect of non-gazetted Government employees.
9.	3.14	Power to suspend a lien.	Department of Government	Full powers
			Hon'ble Judges of the	Full powers in the case of members of the Haryana Civil Services (Judicial Branch) on

¹⁰ Substituted vide Notification No.5/42/92-1FR-II dated 17.7.1996

Sr. No.	Number of Rule	Nature of Power	Authority to which the power is delegated	Extent of power delegated
			High Court	posts in the Selection Grade: provided the Government employee whose lien is suspended is holding a superior posts on which no other Government employee holds a lien and there is no reasonable expectation of his reversion within three years.
			Heads of Departments and Head of Offices	As regard Government employees whom they can appoint.
			Heads of Departments	Full powers in respect of non-Gazetted Government employees
10.	3.16	Power to transfer a lien	Department of Government	Full powers
			Head of Departments	Full powers in respect of non-Gazetted Government employees whom they can appoint
11.	3.23	Powers to relax the provisions of rule 3.22	Department of Government	Full powers: provided that the place of making over charge is within the Haryana
			Heads of Departments except Chief Conservator of Forests, or other authorities competent to grant leave	In respect of government employees to whom they are competent to grant leave
			Chief conservator of Forests	Full powers: provided the place of making over and taking over charge is within the Haryana
12.	3.24	Power to declare the proviso (a) to rule 3.23 is not applicable to any particular case	Department of Government	Full powers
			Head of Departments except Chief Conservator of Forests, or other authorities competent to grant leave	In respect of Government employees to whom they are competent to grant leave.
			Chief Conservator of Forests	Full powers: provided the place of making over and taking over charge is within the Haryana
13.	3.26 (a)	Powers to retain in exceptional circumstances a non-gazetted Government employee in service after the age of 58	Department of Government	Full powers subject to a maximum of two years.
			Head of Departments	Government employees whom they are competent to appoint except in the case of Head Vernacular Clerks of the offices of the Commissioner and Superintendent and Head Vernacular Clerks of the offices of the Deputy Commissioner subject to a maximum of two years.
			Financial Commissioners	Full powers subject to a maximum of two years in the case of Head Vernacular Clerks of the offices of the Commissioners of Divisions and Superintendents and Head Vernacular Clerks of the office of the Deputy Commissioner.

Sr. No.	Number of Rule	Nature of Power	Authority to which the power is delegated	Extent of power delegated
14.	4.3	Power to reduce the pay and allowances of a Government employee treated as on duty under rule 2.16 (b)	Department of Government	Full powers
			Head of Departments and Superintending Engineers in the Irrigation Branch	In individual cases of non-Gazetted Government employees only whom they can appoint without reference to the higher authority
15.	4.3	Power of sanction the grant of pay while on training to a candidate for the post of:- Tehsildars Naib-Tehsildars who is not in Government Service	Commissioner of Divisions.	Full powers to grant minimum of the time scale.
		Kanungo while under settlement or colony training.	Colonization Officers, Settlement Officers, Deputy Commissioners and Extra Assistant Commissioners incharge of settlement operations.	Full powers subject to the condition that in the case of candidate who is not a Government employee the rate of stipend does not exceed Rs. 20 per mensem and in the case of a person already in Government service the rate of pay shall be equal to the presumptive pay of the post, which he holds substantively: provide it does not exceed the minimum pay of the post of Kanungo, provided further that a Kanungo candidate recruited from the Patwari Class shall while working as settlement Patwari for the purpose of training receive the pay of his substantive post as patwari.
		Kanungo while under training in a district not under settlement training	Deputy Commissioner	In the case of person who is already in Government service: provided the pay shall be the minimum pay of a Patwari.
16.	<i>Deleted</i>			
17	Note 6 below rule 4.4	Power to issue a declaration as to the relative degree of responsibility attaching to two posts in case of doubt	Department of Government and Heads of Departments	The certificate will be issued by the Administrative Department concerned in respect of the new post, in cases where the two posts are in different departments and by the Heads of Department concerned where the two posts are in the same Departments
18	4.7	Powers to withhold increments	(i) Authorities specified in the service rules.	To the extent specified in the Service Rules
			(ii) Authorities competent to make substantive appointment to the post which the Government employee holds where no service rules have been issued.	Full Powers.
			(iii) Deputy Inspector General of Police, Assistant Inspector General, Railway Police, Superintendents of	As provided in the Police Rules, in the case of the Subordinate ranks of the Police Force. In case of Class IV Government employees up to a maximum period of three years.

Sr. No.	Number of Rule	Nature of Power	Authority to which the power is delegated	Extent of power delegated
			Police, Assistant Superintendent of Railway policy and Deputy Superintendents incharge of Railway Police Sub-Divisions.	
			(iv) Head of Offices	In the case of Class IV Government employees upto a maximum period of three years.
18-A	4.8	Power to sanction the crossing of efficiency bar	Heads of Departments	Full powers in respect of non-gazetted Government employees and Class-II officers.
19.	4.10	Power to grant premature increments to a Government employee in a time-scale of pay in order to fix initial pay in excess of the amount permissible under rules 4.4 to 4.14.	Department's Government of	<p>Full powers in the following cases and subject to the following conditions:-</p> <p>(a) In cases where the individual concerned does not apply for benefit under rule 4.10 for fixation of his pay within two months of the date on which the occasion for refixation of his pay arises, no arrears shall be allowed in respect of the periods prior to the date of application or, if there is no such application, the date of first reference by the Head of Office.</p> <p>(b) In cases other than cases of re-employment after resignation, removal or dismissal from the public service where a Government employee has previously rendered service in a post in the higher time scale in an officiating or temporary capacity, his service in a higher post may be allowed to count for purposes of increments in the lower post but in the case of such service rendered against work charged post benefit may be allowed of only half of such service for increments in the lower post.</p> <p>(c) Where the Public Service/ Subordinate Services Selection Board recommends a higher start in fixing the initial pay by allowing not more than five advance increments the Administrative Department may sanction the pay so recommended for a period up to six months with a stipulation to the effect that the pay would be finally fixed by the Department of Finance and if pay finally fixed is less, no recovery would be effected in respect of the initial period up to six months. In cases where more than five advance increments are recommended, prior approval of Department of Finance should be sought.</p>
20.	Proviso to rule 4.13	Power to decide whether officiating pay should or should not be	Head of offices	<p>Subject to the principles laid down in rule 4.13.</p> <p><i>Note.— Officiating appointments in the offices</i></p>

Sr. No.	Number of Rule	Nature of Power	Authority to which the power is delegated	Extent of power delegated
		given in case of Clerical and subordinate posts not borne on state scales		<i>of the Deputy Commissioners are regulated by the special orders relating thereto.</i>
21.	4.16	Power to reduce the pay of officiating Government employees	Heads of Departments	Full powers
			Controller of Printing and Stationery	In respect of officiating Government employees employed on technical establishment in the Haryana Government Presses.
22.	4.1, 4.20 and 4.21	Power to fix pay	Head of Departments Superintending Engineers, Public Works Department, Irrigation Branch, Conservators of Forests and Election Commissioner.	In respect of temporary posts which they are specifically authorised to create.
23.	4.22	Power to appoint to Government employee to hold temporarily or to officiate in more than one post	Department of Government Speaker, Haryana Legislative Assembly.	Full powers
			Heads of Departments	Full powers in respect of non-gazetted Government employees and Class II, Officers.
			Deputy Commissioners.	Up to 4 months in respect of all Class-III & IV Government employees working under him.
24.	4.22	Power to fix the initial pay of a Government employee appointed to hold temporarily or to officiate in more than one post	Department of Government	Full powers subject to the limits and principal laid down in rule 4.22 provided that a claim for additional pay should be entertained only if the period involved exceeds 39 days but does not exceed three months and there is a formal order of appointment of the Government employee concerned to hold charge of the additional post (s) in addition to his own.
			Heads of Departments	Full powers up to Class II Officers subject to the provisions laid down in respect of Department of Government
			Deputy Commissioner	Full powers in respect of all Class III and IV employees subject to the provisions laid down above.
25.	<i>Deleted</i>			
26.	<i>Deleted</i>			
27.	<i>Omitted.</i>			
28.	<i>Omitted.</i>			
29.	5.1	To grant Compensatory allowance to married Superintendents of boarding houses attached to Government Middle, High and Normal Schools and Degree	Director of Public Instruction, Haryana	Provided the allowances does not exceed 10 percent of their pay

Sr. No.	Number of Rule	Nature of Power	Authority to which the power is delegated	Extent of power delegated
		Colleges where suitable free quarters are not available.		
30.	5.1	To grant house rent allowance to Mukadamas who are entitled to free quarters but for whom such quarters are not available	Director of Agriculture Haryana	Up. to Rs. 5 per mensem in each cases.
		To grant house rent allowance to Agriculture sub-Inspectors who are entitled to free quarters are not available.	Head of offices in Agriculture Department	Up to Rs. 5 per mensem in each case subject of the Director Agriculture, Haryana
31.	<i>Omitted.</i>			
32.	5.5	Power to accept an officiating Government employee's reason for refusing to occupy the houses the houses placed at his disposal by the permanent incumbent while on leave or transfer.	Department of Government	Full powers
			Heads of Departments.	Full powers in respect of- non-gazetted Government employees: Class II gazetted officers; and Class I gazette officers upto district level
33.	5.35(b) and 5.35 (c)	Powers to waive or reduce the amount of rent to be recovered from any Government employee or class of Governments employees Or to waive or reduce the amount of municipal and other taxes not being house or property tax to be recovered from any Government employee	Department of Government	Full powers in types of cases enumerated in Note 1 below rule 5.35.
34.	5.38	Power to sanction remission of rent when a building is uninhabitable.	Ditto	Ditto
35.	5.47	Power to direct that a Government employee on leave shall be in occupation of a residence.	Ditto	Ditto
			Head of Departments	Full powers in respect of— (a) non-gazetted Government employees: (b) Class II gazetted officers; and (c) Class I gazette officers upto district level

Sr. No.	Number of Rule	Nature of Power	Authority to which the power is delegated	Extent of power delegated
			Chief Engineers, Public Works Departments, Building and Roads and Superintending Engineers in the Irrigation Branch	Full powers in respect of residence under their control occupied by non-gazetted Government employees
36.	5.51	Power to permit furniture to be stored free of rent.	Superintending Engineers, Public Works Department and Conservators of Forests.	In respect of residences under their control.
37.	5.54	Power to grant compensation to Government employees for the accidental loss of their property	Departments of Government, Chief Engineers, Public works Departments, Financial Commissioner, Inspector-General of Police and Hon'ble Judge of the High Court.	Up to a limit of Rs. 1, 000 or a month's pay of the Government employee, whichever is less.
			Heads of Departments (except those mentioned above) and Commissioners of Division	Up to a limit of Rs. 500 or a month's pay of the Government employee whichever is less.
38.	5.55	Power to grant or permit a Government employee to receive honorarium.	Departments of Government	(i) Upto a maximum of Rs. 50 if the service rendered falls within the course of the ordinary duties of the Government employee concerned & in other cases upto Rs. 500 in each individual case during a financial year. (ii) For acting as prosecuting officer on behalf of the Punjab and Haryana High Court in Department enquiries against the officers of HCS (Judicial Branch) at the rate Rs. 25/- per hearing subject to a maximum of Rs. 100/-per month.
			Conservators of Forests, Election Commissioner, Direct-General Public Relations	Up to a maximum of Rs. 50 in each individual case during a financial year: provided the service rendered does not fall within the course of ordinary duties of the Government employees.
			Head of Departments	Up to a maximum of Rs. 100 in each individual case during a financial year: provided the service rendered does not fall within the course of ordinary duties of the Government employees.
			Deputy Commissioners	Full powers to permit a Government employee to receive honorarium granted by the competent authorities

Sr. No.	Number of Rule	Nature of Power	Authority to which the power is delegated	Extent of power delegated
			Director of Public Instruction, Haryana	Up to a maximum of Rs. 200 in each individual case during a financial year: provided the service rendered does not fall within the course of ordinary duties of the Government employees.
39.	5.55	Power of sanction the payment of honorarium	Chairman of the Public Service Commission	Up to Rs. 1, 000 in each individual case during a financial year in the case of Government employee appointed as Examiners, Supervisors or invigilators in connection with the examination held by the Haryana Public Service Commission
40.	5.57	Power to sanction the talking of work for which a fee is offered	Department of Government	Full powers
			Heads of Department	Where the fee involved does not exceed Rs. 500 during a financial year and service rendered does not fall within the course of the duties of the Government
			Conservators of Forests	Ditto
			Commissioners of Divisions.	Where the fee involved does not exceed Rs. 500 during a financial year and the service rendered does not fall within the course of the duties of the Government employee in the case of Tehsildars
			Deputy Commissioners	Where the fee involved does not exceed Rs. 500 during a financial year and the service rendered does not fall within the course of the duties of the Government employee in the case of revenue officials below the rank of Tehsildars
			Director, Public Relations	Upto a maximum of Rs. 15 in each individual case during a financial year
41.	5.57	Power to sanction the acceptance of fees	Department of Government	For sum of [Rs. 25, 000] ¹¹ during a financial year: provided the service rendered does not fall within the course of ordinary duties of the Government employees in the case of Head of Department who undertake the work
			Head of Department	For sum of [Rs. 25, 000] ¹² during a financial year: provided the service rendered does not fall within the course of ordinary duties of the Government employees
			Conservator of Forests	Ditto
			Commissioners of Divisions	For sum of Rs. 500 during a financial year: provided the service rendered does not fall within the course of ordinary duties of the Government employees in the case of Tehsildars

¹¹ Substituted Vide Notification No. 13/2(20)2007-5FR, Dt. 31.12.2008.

¹² Substituted Vide Notification No. 13/2(20)2007-5FR, Dt. 31.12.2008.

Sr. No.	Number of Rule	Nature of Power	Authority to which the power is delegated	Extent of power delegated
			Deputy Commissioner	For sum of Rs. 500 during a financial year: provided the service rendered does not fall within the course of ordinary duties of the Government employees in the case of revenue officials below the rank of Tehsildars .
			Inspectors of School, Principal of Government Colleges and Circle Inspectresses of Schools	For sum not exceeding Rs. 200 per annum during a financial year for private tuition work
			Inspector-General of Police	Full powers in regard to police constable who are placed incharge of cattle pounds attached to Police station
			Commissioners of Divisions	Upto a limit of Rs. 10 per mensem in the case of Veterinary Assistants who undertake the work of inspection of meat for or scale of animals or brought for slaughter into the municipalities town or notified areas from the local funds concerned
42.	8.2 (b)	Power to declare that the former service of a reinstated Government employee shall not count for leave in whole or in part.	Department Government of	Full powers
			Head of Department	Full powers in respect of non-gazetted Government employees and Class II Officers
43.	8.18	Power to grant leave to a Government employee in respect of whom a medical committee has reported that there is no reasonable prospect that he will ever be fit to return to duty	Departments Government of	Full power in respect of gazette officers
			Head of Department	Full powers in respect of non-gazetted Government employees and Class II Officers
44.	8.23	Power to grant leave	Department Government of	Full powers
45.	8.27 and 8.28	Power to direct in any case otherwise than as laid down in rules 8.27 and 8.28	Department Government of	Full powers
			Head of Departments Conservators of Forest	In respect of Government employee to whom they are competent grant leave
46.	8.29	To grant permission to prefix of affix vacation to leave in cases where the combination of vacation with leave involves extra expense to Government	Department Government of	Full powers
			Head of Departments.	Full powers in respect of non-gazetted Government employees and Class II officers
47.	8.33	Power to decided in doubtful or inequitable cases which	Department Government of	Full powers

Sr. No.	Number of Rule	Nature of Power	Authority to which the power is delegated	Extent of power delegated
		Government employee shall be held to have been in charge and to whom the pay of the post for Sunday or holidays shall be paid.	Head of Department	Full powers in respect of non-gazetted Government employees and Class II gazetted officers.
48.	8.41 (b)	Powers to grant permission to a Government employee on leave to accept employment or to take up service	Department of Government speaker, Haryana Legislative Assembly	Full powers
			Head of Department	Full powers in respect of non-gazetted Government employees and Class II gazetted officers.
49.	8.47	Power to extend leave overstayed	Department of Government	Full powers
			The authority granting the leave	Upto 14 days out of India and 7 days in India.
			Chief Engineers Buildings and Roads and Public Health	Full powers in the case of Officers of the rank of S.D.O.s. Assistant Executive Engineers, other officers upto the rank of Executive Engineers up to the limit of powers delegated under serial No.21 appendix 12 of Punjab Civil Services Rules, Volume I, Part II.
			Head of Department	Upto 14 days in India in respect of Government employees upto the level of Class II officers.
50.	Paragraph 2 (ii) annexure, to section I, Chapter VIII	Power to decided in case of doubt whether a particular Government employee is serving in a vacation Department	Department of Government	Full powers
51.	Omitted.			
52.	8.137	Power to grant extraordinary leave	Department of Government	Up to 6 mounts
53.	9.7	Power to permit the calculation of joining time by a route other than that which travelers habitually use	Head of Departments	Full powers
54.	9.19 (a)	Power to grant extension of joining time	Department of Government	Full powers
			Head of Department	Full powers upto the level of Class-II officers
			Deputy Commissioner	Up to 30 days in respect of class-II and IV employees working under them.
55.	10.2 (b)	Power to transfer a Government employee to foreign service in India	Department of Government	Full powers subject to the conditions in Serial No. 56.
			Head of Departments Director of Health	Full power to transfer Men and Women Assistant Surgeon. Class II (non-gazetted) to foreign service under local bodies.

Sr. No.	Number of Rule	Nature of Power	Authority to which the power is delegated	Extent of power delegated
			Services.	
56.	10.8	Power to fix pay in foreign service	(a) Department of Government	<p>Full powers subject to the conditions in Annexure A to Chapter X and provided that:-</p> <p>(a) the pay fixed—</p> <p>(i) does not exceed Rs. 1, 000 per mensem</p> <p>(ii) does not exceed the pay other than special pay, personal pay and emoluments classed as per under rule 2.44 (a).</p> <p>(iii) Which the Government employee would draw from time to time; if he were in Government employee service by more than [25 percent of that pay exclusive of overseas pay.</p> <p>(b) No concessions are sanctioned in addition to pay except-</p> <p>(i) Travelling allowance under the State Government traveling allowance rules.</p> <p>(ii) Payment by the foreign employer of leave and pension contributions and in the case of Government employees eligible to contribute towards the Punjab Contributory Provident fund the payment by foreign employer of Government share of contribution towards the fund.</p> <p>(iii) Payment by the foreign employer of such compensatory allowance as would be paid by Government at the station at which he is employed if foreign service were the Government employee in the service of Government</p>
			(b) Heads of Department	Full powers in the case of those Government employees whom they can appoint and subject to the condition mentioned above.
			(c) Director of Health Services.	<p>Full powers in the case of Women Assistant Surgeons, Class-II (non-gazetted) transferred to foreign service under local bodies provided the pay fixed is not in excess and that drawn in Government service; and provided further that no concessions are sanctioned in addition to pay except:-</p> <p>(1) Payment by the foreign employer of Government share of the contribution towards contributory Provided Fund,</p> <p>(2) Grant of Traveling Allowance under the State Traveling Allowance Rules,</p> <p>(3) Grant of free quarters or an allowance of</p>

Sr. No.	Number of Rule	Nature of Power	Authority to which the power is delegated	Extent of power delegated
				Rs. 15 per mensem in lieu there of
57.	Rule 10.18	Power to decide the date of reversion of a Government employee returning after leave from foreign service	Heads of Departments	Full powers
58.	Note 2 Under rule 14.4	Creation of abolition of permanent posts on the following scales:- (i)(a) Clerks Rs.110-4-130/5/160/5-225 (with two advance increments to graduates) (b) Mechanics Rs. 120-4-140/5-160. (c) Orderlies, Rs. 70-2-80/3-95 (d) Other posts provided the maximum pay of the post does not exceed Rs. 225 and provided also that the pay of the posts is the same as that sanctioned for similar posts already in existence.	All Department except P.W.D.	Full powers except in regard to posts in the Secretariat, Office of the Department concern in respect of which assent is given only in regard to the creation of posts of class IV Government employees other than Jamadar and Ushers and Orderlies attached to Gazette Government employees.
		(ii) (a) (b) and (c) As in entry No. (i) (d) Other posts provided that the maximum pay of the post of does not exceed Rs. 400 and provided also that the pay of the posts is the same as that sanctioned for the similar posts already in existence.	Public works Department	Ditto

Sr. No.	Number of Rule	Nature of Power	Authority to which the power is delegated	Extent of power delegated
		Creation or abolition of permanent posts on the following scales:- (iii) (a) (b) and (c) As in entry No. (i) (d) other posts: provided that the maximum pay of the posts does not exceed Rs. 400 and provided also that the pay of the posts is the same as that sanctioned for similar posts already in existence.	Chief Engineer Irrigation works	Creation of posts. Full powers in respect of the posts in the subordinate offices of the Irrigation Branch Abolition of posts
59.	Note 2 under rule 14.4	(a) Creation of temporary posts other than those to the creation of which Finance Department's consent may be presumed under note 1(i) to rule 15.1 read with Serial No. 58 above.	(i) All Departments except Public works Department	Full Powers Provided the pay of the post does not exceed that sanctioned for similar permanent posts or Rs. 350 per mensem whichever is less and that the appointment does not extend for more than 6 months in one and the same financial year.
			(ii) Public works Departments	Provided— (i) the pay of the post does not exceed that sanctioned for similar posts. (ii) the pay of the posts does not exceed Rs. 350 per mensem in the Buildings and Roads Branch and Rs. 750 per mensem in the case of Irrigation Branch: (iii) the pay of the incumbent of the post is fixed in accordance with provisions of the rules. (iv) the appointment except in the case of work charged establishment does not extend for more than six month within one and the same financial year.
			(iii) Chief Engineer, Irrigation works	Full powers Provided— (i) the scale of pay of the posts is the same as sanctioned for similar posts; (ii) the maximum of the scale does not exceed Rs. 1100 per mensem; and (iii) the appointment does not extend beyond the current financial year.
			(iv) Chief Engineer P.W.D., B & R and Chief Engineer, P.W.D., Public Health	Full powers Provided— (i) the scale of pay of the posts is the same as sanctioned for similar posts; (ii) the maximum of the scale does not exceed Rs. 550 per mensem; and (iii) the appointment does not extend beyond

Sr. No.	Number of Rule	Nature of Power	Authority to which the power is delegated	Extent of power delegated
				6 month in the current financial year.
			Director of Industries, Haryana	Full powers subject to the condition that the posts are not created for a period of more than 6 months.
		(b) Creation of temporary posts of Inspectors of Police and Officers below that rank in connection with the imposition of additional police posts under sections 13, 14 and 15 of Police Act, 1861	Home Department	Provided that the pay and allowance of the post created is according to the sanctioned scales as laid down in Chapter X of Police Rules, Volume - I.
		(c) Creation of training posts of temporary Engineers and Junior Engineers	Chief Engineer Irrigation Works, Haryana	Full powers subject to the rate of pay that is fixed by the Government by general or special orders and the duration of the posts does not exceed six months.
		Note. — The Chief Engineer, Irrigation Works, Haryana shall not create training posts of temporary Engineers and Junior Engineers under Serial No. 59 (a) of rule 15.1 of the Punjab Civil Services Rules Volume-I, Part-I.		
		(d) Creation of training posts of temporary Assistant Engineers.	(i) Chief Engineer, Public works Department, Buildings and Roads (ii) Chief engineer P.W.D. Public Health Branch	Full powers subject to the rate of pay that is fixed by the Government by general or special orders and the duration of the posts does not exceed six months.
		Note. — The Chief Engineer, Public works Department, Building and Roads Branch and Chief Engineer, P.W.D. Public Health Branch shall not create training posts of Temporary Assistant Engineers under serial No. 59 (a) of rule 15.1 of the Public Civil Services Rules Volume I, Part I.		
60.	Note 2 under Rule 14.4	Creation of posts in connection with Plan Schemes, as provided in the State Five-Year Plans.	All Departments	<p>Full powers for creating posts up to district level Officers or equivalent posts at the Headquarters, provided that—</p> <p>(i) these are on the same scale of pay as for similar existing posts;</p> <p>(ii) the concurrence of the planning Department is obtained before creating such posts(in the event of difference of opinion between the Administrative Department and the Planning Department, the matter shall be referred to Finance Department).</p> <p>(iii) the creation of post is in accordance with the norms regarding workload, if already prescribed.</p> <p>Note.— Copy of the sanction order creating the post should be simultaneously endorsed to the Finance Department.</p>

Sr. No.	Number of Rule	Nature of Power	Authority to which the power is delegated	Extent of power delegated
			Heads of Departments	Full powers for creating posts upto District level officers or equivalent posts at Headquarters for a period not exceeding 6 months without reference to the Planning Department but subject to other conations specified.
			Director of Public Instructions.	<p>Powers to crate posts of Masters/ Mistresses/ Teachers (non gazetted) for six months under the following plan Schemes:-</p> <p>(1) Expansion of Educational facilities for the age group 11-14 (corresponding to Middle School for Boys and Girls).</p> <p>(2) Expansion of Educational facilities for age group 14-17 (corresponding to High/ Higher Secondary School for Boys and Girls); Provided that:-</p> <p>(a) these are on the same scale of pay as are attached to similar existing posts;</p> <p>(b) the posts are created in accordance with accepted norm approved by the Administrative and Departments of Finance regarding allocation of work load;</p> <p>(c) the total expenditure during the year should not exceed the relevant plan norm;</p> <p>(d) to extend their life beyond six months recourse shall be taken to normal channel to obtain orders of the competent authority.</p>
61.	Note 2 under rule 14.4	Increase or reduction in the pay of permanent or temporary posts.	All Departments	Provided that the maximum pay of the post is in conformity with the scales prescribed in Serial Nos. 58 and 59 after the creation or before the reduction as the case may be.
LAND REVUEUE				
62.	Note 2 under rule 14.4	(a) To sanction payment to establishment sent to a new settlement at the expiry of an old one before the commencement of the new settlement is sanctioned.	Financial Commissioner	Full powers: provided that the budget provision is not exceeded and no fresh posts are created.
		(b) To create temporary posts of Patwaris	Ditto	Full powers
		(c) To create temporary posts for settlement and Colonization operations	Commissioners of Divisions	<p>(i) Pay of the posts shall not exceed that sanctioned in similar permanent posts with a maximum of Rs. 225 per mensem.</p> <p>(ii) Within a financial year.</p>

Sr. No.	Number of Rule	Nature of Power	Authority to which the power is delegated	Extent of power delegated
		(d) To create temporary posts of Field Kanungo	Ditto	(i) Pay to be in accordance with the sanctioned rates of pay for similar permanent posts; (ii) For 6 months within the financial years
		(e) To create temporary posts of Patwaris doing work other than that given in item (g) below.	Ditto	Ditto
		(f) To create temporary posts of Patwari for recopying revenue records	Director Land Records	Up to 6 months in each case for work already sanctioned by the Financial Commissioner or Government.
			Deputy Commissioners	Upto 6 months in each case for work already sanctioned by the Financial Commissioners or Govt. Embargo laid by Composite Pb. letter No. 8683-EPC-63/10954 dated 19 th Oct., 1963 will not be applicable.
		(g) To create temporary posts of Field Kanungo and Patwari to carry on the duties of field Kanungo and Patwari appointed as Teachers and Assistant Teacher in a Patwari school	Director Land Records	For 5-1/2 months only subject to the condition that the pay of Field Kanungos and Patwaris should not exceed Rs. 140 and Rs. 110 per mensem respectively.
		(h) To create temporary posts for Settlement and Colonization operators except Settlement and Colony Patwari	Settlement Officers. Extra Assistant Commissioners Incharge of Settlement and Colonization Officers	(i) Pay of the posts shall not exceed the sanctioned for similar permanent posts with a maximum of Rs. 70 per mensem (ii) Within the financial year.
		(i) To Create temporary posts for the destruction and rearrangement of records in Sadar Kanungos Offices	Deputy Commissioner	(i) To be used only when there is abnormal pressure of work. (ii) pay to be in accordance with the sanctioned scale for similar permanent post of Clerk (iii) For six months within the financial year.
		(j) To create temporary posts of one Reader and one peon for each Assistant Commissioner and Extra Assistant Commissioner under-settlement training	Settlement Officers	(i) Pay to be in accordance with that sanctioned scale for similar permanent posts. (ii) The period of the appointment shall be for so long as the Assistant Commissioner or extra Assistant Commissioner remains under settlement training.
EXCISE AND TAXATION DEPARTMENT				
63	Note 2 under rule 14.4	(a) To create temporary posts in the Excise department.	Excise and Taxation Commissioner	(i) At rates not exceeding permanent scales with a maximum of Rs.225 per mensem.

Sr. No.	Number of Rule	Nature of Power	Authority to which the power is delegated	Extent of power delegated
		(b) and (c) <i>Omitted.</i>		(ii) Within the financial year. (iii) Subject to report to Government.
FOREST DEPARTMENT				
64.	Note 2 under rule 14.4	To create temporary posts specified below on pay not exceeding that shown against each:-	Chief Conservator of Forests and Conservator of Forest	Within a financial year subject to availability of budget provision and further subject to the following condition:- (i) On first appointment the starting pay will not exceed the minimum of the scale approved for similar posts further annual increase, if any in case of non-scale posts will not be in excess of the increments due to corresponding posts on the permanent establishment (ii) Chief Conservator of Forests will be the competent authority to declare the corresponding post on the permanent establishment.
		1. Overseers 2. Draftsman 3. Store-Keeper 4. Mechanics 5. Carpenters 6. Foresters 7. Forest Guards 8. Watches 9. Clerks	Scale of pay as that of similar permanent posts	
		10. Enumerators for working plan	Scale of Forest	
		11. Godown Assistant 12. Surveyors 13. Demarcation Daroghas 14. Demarcation Supervisor 15. Motor Drivers 16. Motor and Tractor Cleaner 17. Bull-dozer Tractor Cleaner 18. Fitter 19. Vaid 20. Partwari 21. Tractor Driver 22. Steno-Typist/Typist 23. Computer 24. Tracer 25. Khalasis 26. Sweepers	Scale of pay as that of similar permanent posts	
REGISTRATION DEPARTMENT				
65.	Note 2 Under rule 14.4	To create Temporary posts of clerks and peons	Commissioner of Divisions	(a) Pay to be in accordance with the sanctioned scale for similar permanent posts for clerks and peons (b) within the financial year
			Deputy Commissioner	Up to 3 month when there is abnormal pressure of work of registration subject to the condition that the pay sanctioned is in accordance with scale for similar permanent posts for clerks & peons
GENERAL ADMINISTRATION AND REVENUE DEPARTMENT				
66.	Note 2	(a) To create temporary	Financial	(i) Only when there is an abnormal pressure of

Sr. No.	Number of Rule	Nature of Power	Authority to which the power is delegated	Extent of power delegated
	Under rule 14.4	posts of clerks	Commissioner	work.
		(b) To create temporary posts of Naib-Tehsildars, their muharris in the scale of Rs. 110-4-150/5-160/5-225 and their peons;	Commissioner of Divisions	(ii) Pay not to exceed Rs.225 (iii) Within the financial year for three months. For six months in urgent cases provided the approval of the Financial Commissioner is obtained in advance
		(c) To create Temporary posts— (i) required for Commissioner's offices (ii) Required for special Land Acquisition Officers; (iii) Required in Deputy Commissioners offices to deal with the work arising out of land acquisition proceedings; (iv) Required in Deputy Commissioners offices to help in work connected with taccavi distribution (v) required for camps of Exercise and Military manoeuvres	Commissioners of Divisions	(i) Pay to be in accordance with the sanctioned rates for similar permanent posts and subject to maximum of Rs. 225 per mensem. (ii) Within the financial year
		(d) To create temporary posts:- (i) Required in Deputy Commissioners offices to deal with the work arising out of land acquisition proceedings.	Deputy Commissioner	Up to 3 month when there is abnormal pressure of work in a financial year subject to the condition that the pay allowed is in accordance with scale for similar permanent posts for clerks
		(ii) Required in Deputy Commissioners offices to help in work connected with taccavi distribution;	Deputy Commissioner	Up to 3 month when there is abnormal pressure of work in Sadar Tehsil office in a financial year subject to the condition that pay granted is in accordance with the sanctioned scales for similar temporary permanent posts of Assistant Wasil Baqi Niwis.
		(iii) Required in Deputy Commissioner's office for the destruction of records in district record room	Deputy Commissioner	Upto 6 months in a financial year subject to the condition that the pay allowed is in accordance with the sanctioned scale for similar permanent posts of clerks when there is an abnormal pressure of work

Sr. No.	Number of Rule	Nature of Power	Authority to which the power is delegated	Extent of power delegated
		(e) To create temporary posts:- (i) for Deputy Commissioners offices (ii) for the destruction of records in district record room (iii) additional chaprasis either on service of processes or on ordinary district work.	Deputy Commissioner	(i) Only when there is abnormal pressure of work (ii) Pay to be in accordance with sanctioned scale for similar permanent posts and subject to maximum of Rs. 110 (iii) For 6 month within the financial year.
		(f) To create temporary post on the sale given below for each Assistant and Extra Assistant Commissioner who is appointed in excess of the recognized strength of the district One Reader One Ahlmad One Peon	Deputy Commissioner	(i) Pay to be in accordance with the sanctioned scale for similar permanent posts (ii) The period of the posts shall be for so long as the posts of additional Assistant and Extra Assistant Commissioner are created and shall in no case extend 10 days beyond the date on which the officer relinquish their charge.
		(g) Omitted.		
		(h) Omitted.		
		(i) To create Temporary posts	Speaker, Haryana Legislative Assembly	(a) For three month (b) The pay and allowance shall not exceed Rs. 1500 per mensem or that sanctioned for similar permanent post whichever is less. (c) The pay and allowances of any temporary post so sanctioned shall not exceed Rs. 1500 per mensem or that sanctioned for similar permanent post whichever is less.
		(j) To sanction temporary posts of warders.	Inspector-General of Prisons	For 6 month within the financial year provided that the pay and allowance of the temporary appointment shall not exceed that sanctioned for similar permanent posts.
		(k) To create temporary posts up to and including the rank of clerk.	Chairman, Haryana Public Service Commission	(i) Upto 3 months in a financial year (ii) In approved scale of pay.
		(l) To create temporary posts in the scale given below for the office of the Additional Deputy	Deputy Commissioners	(i) Pay to be in accordance with sanctioned scale of similar permanent posts (ii) the period of appointment shall be for so long as the post of Additional Deputy

Sr. No.	Number of Rule	Nature of Power	Authority to which the power is delegated	Extent of power delegated									
		Commissioner:- One stenographer One reader One Ahlmad Two peons		Commissioner is created subject to the limit that sanction shall not be given to extend it beyond the last day of the financial year.									
		(m)To create a temporary post of Steno-typist for each 1st Class Magistrate appointed in excess of the recognized of a Strength of a district	Deputy Commissioners	(i) Pay not to exceed Rs. 110-4-130/5-225 (with two advance increments to gradates plus Rs. 25 special pay (ii) The period of appointment shall be for so long as the post of 1st Class Magistrate is created subject to limit that sanction shall not be given to extend it beyond the last day of the financial year.									
		(n) To create a temporary post of Assistant in Deputy Commissioners offices when there is abnormal pressure of work	Commissioners of Division.	Upto 6 months in a financial year subject to the condition that the pay allowed is in accordance with the sanctioned scale of similar permanent posts of Assistant.									
		(o) To create a temporary post of Clerk in Deputy Commissioners offices when there is abnormal pressure of work	Deputy Commissioners	Upto 6 months in a financial year the pay to be in accordance with the sanctioned scale for similar permanent posts of clerks (report to be sent to the Commissioner)									
ADMINISTRATION OF JUSTICE													
67.	Note 2 under rule 14.4	(a) To create new permanent ministerial posts required for the High court and courts subordinate thereto	The Hon'ble judges of the High Court	The pay of the post shall not exceed— (i) For the High Court, Rs. 110-4-130/5-160/5-225. (ii) For Subordinate Courts, Rs. 110-4-130/5-160/5-225.									
		(b) To create new permanent posts in the Process Serving Establishment required for the High Court and Courts Subordinate thereto	Ditto	The pay of the posts shall not exceed the following limits:- <table><tr><td>(i)</td><td>Civil Nazirs</td><td rowspan="4">Pay to be in accordance with the scale sanctioned for similar permanent posts;</td></tr><tr><td>(ii)</td><td>Naib-Nazirs/ Madad Naib Nazirs</td></tr><tr><td>(iii)</td><td>Bailiffs</td></tr><tr><td>(iv)</td><td>Process-Servers</td></tr></table>	(i)	Civil Nazirs	Pay to be in accordance with the scale sanctioned for similar permanent posts;	(ii)	Naib-Nazirs/ Madad Naib Nazirs	(iii)	Bailiffs	(iv)	Process-Servers
(i)	Civil Nazirs	Pay to be in accordance with the scale sanctioned for similar permanent posts;											
(ii)	Naib-Nazirs/ Madad Naib Nazirs												
(iii)	Bailiffs												
(iv)	Process-Servers												
		(c) To create new permanent posts in the Class-IV Establishment required for the High Court and Courts Subordinate thereto	Ditto	Pay to be in accordance with the scale sanctioned for similar permanent posts of chaprasis and peons.									

Sr. No.	Number of Rule	Nature of Power	Authority to which the power is delegated	Extent of power delegated
		(d) To create temporary ministerial and Class-IV posts required for the High Court and courts subordinate thereof	The Hon'ble judges of the High Court	(i) The pay attached to such posts shall be in accordance with the sanctioned scales for the permanent posts. (ii) Within the financial year unless the pay is according to the scale laid down in terms (a), (b) and (c) above.
		(e) To create the post of a messenger for each District court when the amount of station dak to be dealt with appears to render this necessary	Ditto	Pay to be on the usual scale.
		(f) To create new temporary posts of public prosecutors in emergent cases.	Director of prosecution	(i) The pay scales attached to such posts shall not exceed the usual scale of Assistant District Attorney plus allowances as may be prevalent at the time of creation of such posts; (ii) The period of appointment not to exceed three months.
		(g) To create temporary posts on the scale given below for the Courts of Temporary Additional District and Sessions Judges: One Reader One Judgment Writer (Sr. Grade) One Stenographer One Translator One Ahlmad One Copy Clerk One Usher Two peons	District and Sessions Judges	(i) Pay to be in accordance with the scales sanctioned for similar permanent posts. (ii) The period of appointment shall be for so long as the posts of temporary Additional District and Sessions Judges are created, subject to the limit that sanction shall not be given to extend beyond the last day of the financial year.
		(h) To Create temporary posts required for Courts of Additional Sub Judges on the following scale:- One Reader One Judgment Writer (Jr. Grade) One Ahlmad One Naib-Nazir One Peon One Addl. Peon	District and Sessions Judges	(i) Pay to be in accordance with the scales sanctioned for similar permanent posts. (ii) The period of appointment shall be for so long as the post of Additional Sub-Judge is created subject to the limit that sanction shall not be given to extend beyond the last day of the financial year. (iii) Provided a Naib Nazir is entertained only if held to be necessary by the District and Sessions Judge.] ¹³
		(i) Omitted.		

¹³ Substituted Vide Notification No. 2/4/2003-4FR, dated 20th December, 2012.

Sr. No.	Number of Rule	Nature of Power	Authority to which the power is delegated	Extent of power delegated
		(j) To create temporary posts of Bailiffs for execution work in connection with applications made to courts on behalf of Co-operative Societies	District and Sessions Judges	Provided— (i) the pay attached to such posts is in accordance with the sanctioned scales. (ii) the pay plus leave and pension contributions in accordance with the rate fixed for the Haryana Government are recovered from the societies concerned.
		(k) To Create the following temporary posts required for Courts of Chief Judicial Magistrates and Judicial Magistrate:- Reader Judgment Writer (Jr. Grade) Ahlmad Steno-typist Peon Addl. Peon	District and Sessions Judges	(i) Pay to be in accordance with the scales sanctioned for similar permanent posts. (ii) The period of appointment shall be for so long as the posts of temporary Judicial Magistrates are created and subject to the limit that sanction shall not be given to extend it beyond the last day of the financial year.] ¹⁴
JAIL DEPARTMENT				
68	Note 2 under rule 14.4	To create posts of turnkeys on a permanent footing in judicial Lock-ups in the State	Inspector-General of prisons	Full powers provided the initial pay does not exceed the minimum of the time scale sanctioned for this class of posts. (i) Provided that the establishment is kept within the sanctioned strength for the class to which the Jail is raised; and (ii) for six months.
		(b) To create temporary posts of Jail warders and other Class-IV employees chargeable to both pay of Establishment and Contingencies required on the occasion of the alteration in the Status of District Jails from a lower to a higher class	Ditto	(i) Provided that the establishment is kept within the sanctioned strength for the class to which the jail is raised; and (ii) for six month
		(c) To create temporary posts in other cases of urgent necessity	Ditto	(i) Provided that the pay does not exceed Rs. 110 or the pay drawn in similar posts in the Jail Department whichever is less; and (ii) for six month

¹⁴ Substituted Vide Notification No. 2/4/2003-4FR, dated 20th December, 2012.

Sr. No.	Number of Rule	Nature of Power	Authority to which the power is delegated	Extent of power delegated
		(d) To create temporary posts of warder to guard condemned prisoners and Civil prisoners in Civil Wards Outside main wards	Superintendent of Jail	Provided— (i) that the pay does not exceed that sanctioned for similar permanent posts; and (ii) the appointment in the case of temporary wards to guard condemned prisoners is made in accordance with paragraphs 852 and 853 of the Punjab Jail Manual
		(e) To fix the Classification of District jails for the purpose of determining the allowance admissible to Medical Officers for their Administration Charge	Inspector-General of Prison	Provided the scale of prisoners as noted below is not exceeded:- 1 st Class Jails.. 500 or more 2nd class Jails.. 300 and not more than 499 3rd Class Jails... 150 and not more than 299 4th Class Jails... More than 50 and less than 150 The figure should be the average for the preceding year but discretion may be used when owing to abnormal causes, the average number is greater or less than it may reasonably be expected to be the year under consideration.
		(f) To create temporary posts of female warders in a jail when the female warder already attached to the jail is granted causal leave	Superintendent of Jails	(i) The power shall be exercised in those jails and only in which there is only one female warder (ii) The period of the temporary post shall be limited on each occasion to the period of causal leave taken and shall not exceed 20 days in a year for each female warder granted causal leave. (iii) The pay shall not exceed the pay drawn in similar permanent posts
69.	Omitted.			
INDUSTRIES DEPARTMENT				
70.	Note 2 under rule 14.4	(a) To create temporary posts in the Fishers Department	Financial Commissioner	(i) On pay not exceeding Rs. 225 per mensem in each case or the sanctioned for similar permanent post whichever is less. (ii) For 6 months within the financial year.
		(b) To create temporary posts for packing purpose in the Arts and Crafts Depots	Controller, Arts and Crafts Depot	(i) To be used for when there is abnormal pressure of work (ii) Pay of each post to be in accordance with sanctioned rates for similar post. (iii) Total expenditure on account of pay of temporary establishment sanctioned should not exceed Rs. 300 in any financial year.

Sr. No.	Number of Rule	Nature of Power	Authority to which the power is delegated	Extent of power delegated
PRINTING AND STATIONARY DEPARTMENT				
71.	Note.2 under rule 14.4	To create temporary posts under the system of progressive rates of pay and to appoint trained workmen against such posts and to fix the pay in accordance with their individual qualifications after the usual test.	Controller of Printing and Stationery	Provided the scales of pay do not exceed those sanctioned for similar posts on the permanent establishment and subject to the sanctioned grant for the purpose not being exceeded.
PUBLIC WORKS DEPARTMENT				
72.	Note below rule 14.4	(a) To create temporary posts on the non-gazetted establishment	Superintending Engineers in the Public Works Department, Irrigation Branch	Provided— (i) The pay of the posts does not exceed that sanctioned for similar permanent posts. (ii) the pay of the post does not exceed Rs. 300. (iii) the appointment does not extend more than 3 months within one and the same financial year.
		(b) To create temporary posts of Seasonal Signallers in their Circles	Superintending Engineers in the Public Works Department, Irrigation Branch	Provided— (i) The pay of the post does not exceed the pay of the lowest grade of Signallers (ii) the appointment does not extend for more than 7 months within one and the same financial year.
		(c) To create temporary posts of seasonal Telephone Attendants in their Circles.	Ditto	Provided— (i) Pay to be in accordance with the scale sanctioned for similar permanent posts. (ii) The appointment does not extend for more than 7 months within one and the same financial year.
		(d) To create temporary post of Apprentice Signallers	Superintending Engineers in the Public Works Department, Irrigation Branch	Subject to the limit of 12 percent of the scale of permanent Signallers fixed for each Circle but ordinarily a limit of 10 per cent should not be exceeded
		(e) To create temporary post of Seasonal Gauge Reader in their Circles	Ditto	Provided— (i) The pay of the posts does not exceed that sanctioned for similar permanent posts. (ii) the appointment does not extend more than 7 months within one and the same financial year.

Sr. No.	Number of Rule	Nature of Power	Authority to which the power is delegated	Extent of power delegated
		(f) To create temporary posts of Sub-Divisional Clerk (g) To create temporary posts to assist in the construction of minor Irrigation Works, the cost being met from the grant for such works	Superintendent Engineers Buildings and Roads Branch Commissioners of Divisions	Subject to 6 months and provided the prescribed rates are not exceeded (i) Pay not exceed that sanctioned for corresponding permanent posts (ii) For six month.
73.	Note 3 under rule 14.4	(a) To create temporary graded posts of various categories subject to the condition that the pay of the post does not exceed the one sanctioned for similar permanent post or Rs. 150 whichever is less. (b) Temporary establishment under daily wages with the maximum of Rs. 6 per day	State Transport Controller, Haryana	The period of appointment shall be three months
