GOVERNMENT OF HARYANA

FINANCE DEPARTMENT

THE PUNJAB CIVIL SERVICES RULES VOLUME II

(As applicable to Haryana State)

Rules relating to Pension and Provident Funds

2nd Edition

(Amended upto 29.2.1992)

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This is an up-to-date compilation of Punjab Civil Services Rules Volume II as applicable to Haryana. The last edition of this Volume was published long back in 1969. The present edition incorporates amendments made in various rules relating to this Volume upto 29th February, 1992.

It is for the first time that this Volume has been printed with the help of computer. In this Volume, any rule or part thereof has been amended for the first time after 1969, the same has been bracketed as [ ] giving a superscript number on the bracket, and where the rule or any part thereof has been amended more than once, bracket like [ ] has also been used superscribing the respective number. For each superscript number, a list of F.D. Notifications vide which amendments have been made from time to time has been given after the Prefaces to this Volume.

In this Volume all the notes below any rule have been given in italics.

Any error or omission found in this Volume may be brought to the notice of the Finance Department so that the same can be corrected in the subsequent volumes.

Take this opportunity to appreciate the efforts made by Shri Raj Pal, Section Officer (FD), Shri Vneet Kukreja, State Informatics Officer and other staff of National Informatics Centre, Haryana Unit in bringing out this Volume.

J.D. GUPTA
Financial Commissioner & Secretary to Government of Haryana, Finance Department.
PREFACE

The last edition of this book was published in the year 1960 in the composite Punjab. Since then, a number of important changes have taken place, such as, introduction of New Family Pension Scheme, 1964, abolition of distinction between "superior" and "inferior" service in the matter of calculation of qualifying service, counting towards pension entire temporary service followed by confirmation, counting of full emoluments towards pension in respect of temporary service etc. Hence, the need for a new edition.

Finance Department are grateful for the assistance they have received from the office of Accountant General and the Legislative Department in the scrutiny of various amendments. While every attempt has been made to incorporate in this edition all correction slips and amendments issued upto 31st July, 1968, Finance Department would welcome if any errors or omissions noticed are intimated to them.

M.L.BATRA
Commissioner for Planning & Finance and Secretary to Government, Haryana Planning and Finance Department.
This Volume has been divided into two parts:—

(1) Part I contains rules relating to pensions, and

(2) Part II contains rules relating to Provident Funds

2. These rules will apply in respect of Government employees belonging to the categories mentioned in Rule 1.2 of Volume I, Part I of the Punjab Civil Services Rules.

3. In so far as Government employees belonging to the Services previously known as the Secretary of States Services are concerned, they will be governed by the rules contained in the Civil Service Regulations and other Pension and Provident Fund Rules issued by the late Secretary of State as modified from time to time by the President of India. Officers of the I.A.S./I.P.S. will be governed by the rules issued by the President of India.

4. The rules in this Volume are based mainly on the existing rules and orders contained in "Civil Services Rules (Punjab), Volume II, First Edition, 1948", modified in the background of the changes resulting from the partition of the Punjab and constitutional requirements. To avoid overlapping, Sections I and II of Chapter XII of the edition referred to above, containing the "Assent" and "Delegation" orders issued under the various rules, have been brought together in Chapter XII. A similar plan has been followed in the rules relating to Provident Funds.

A memorandum explanatory of Government Provident Funds Rules vis-a-vis the law on the subject, has been included as Appendix VI.

5. Correction slips and amendments issued to the various rules upto the 15th September, 1953, have been included. Amendments notified subsequently may be taken as modifying the corresponding rules in this Volume. They will be re-issued in due course, as correction slips to this Volume.

6. The forms which have been adopted in the rules in this Volume, have been given two separate series, namely, "Pen" and "P.F." (abbreviations for Pensions and Provident Funds). Form "Pen. 10" has been revised on the basis of the corresponding form adopted by the Union Government.
All Government employees who notice any errors or omissions in these rules, are requested to bring them to the notice of their Heads of Departments, who will please submit proposals to the Finance Department, through the administrative Department concerned.

E.N. MANGATRAI,
Secretary to Government, Punjab,
Finance Department.
LIST OF SUPERSCRIPT NUMBERS GIVEN IN THIS VOLUME
(List of Numbers of Notifications vide which amendments were issued by the Finance Department, Haryana between 1.1.1969 and 29.2.1992)

2. Substituted vide No.1/2(27)-79-2 FRII, Dt. 29.3.1983.
7. Substituted vide No.435-2 FR-II-77/19366, Dt. 1.7.1977
21. Deleted vide No.216/Vol.II/87-Sr.AO(FD), Dt.15.5.1987
23. Substd. vide No.1/2/1/CSR Vol.II/91-Sr.AO(FD),Dt.31.1.92
30. Substd. vide No.1/1/(84)/90-3FR-I, Dt. 29.3.1990.
31. Added vide No.2389-2FR-II-77/26665, Dt. 4.4.1978.
32. Substituted vide No.1272-FR-70/14054, Dt. 27.5.1970 w.e.f. 25.7.1969.
44. Substd. vide No.1/1(4)-78-2FR-II, Dt. 17.11.1983.
47. Substd. vide No.4574-2FR-71/20338, Dt. 28.7.1971.
49. Added vide No.3294-1FR-75/20239, Dt. 27.6.1975.
52. Added vide No.4/3(2)/85-2FR-I, Dt. 16.4.1986.
55. Added vide No.4/3(1)/79-2FR-I, Dt.7.11.1979.
63. Deleted vide No.4/3(3)/81-2FR-I, Dt.16.1.1981.
64. Deleted vide No.1/2/Vol.II/SAO(FD)/86, Dt.27.11.1986.
65. Added vide No.3294-1FR-75/20239, Dt.27.6.1975.
68. Added vide No.5492-7FR-75/30183, Dt.11.11.1975.
69. Substd. vide No.5/1/82-2FR-I, Dt.22.11.1983.
70. Added vide No.4/3(8)/81-2FR-I, Dt.17.8.1982.
71. Deleted vide No.1/2/Vol.II/SAO(FD)-86, Dt.27.11.1986.
74. Substd. vide No.1/2(27)-79-2FR-II, Dt.29.3.1983.
75. Substd. vide No.1/2/1/CSR Vol.II/91-1SAO(FD), Dt.31.1.1992 w.e.f.10.5.1988.
76. Added vide No.1/2(27)-79-2FR-II, Dt.29.3.1983.
Deleted vide No.1/2/1/CSR Vol.II/91-SAO(FD), Dt.31.1.1992
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Added vide No.1/1(4)-78-2FR-II, Dt.17.11.1983.
Added vide No.1/2(27)-79-2FR-II, Dt.29.3.1983.
Added vide No.2/2/Vol.II/9/87-SAO(FD), Dt.23.4.1987.
Added vide No.4/3(8)-81-2FR-I, Dt.17.8.1982.
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PART I - PENSIONS

A - PRELIMINARY

CHAPTER I - EXTENT OF APPLICATION AND DEFINITIONS

SECTION I - EXTENT OF APPLICATION

1.1(a) Except as provided otherwise in any rule or rules, the rules in this part regulate the grant of pensions to the Government employees to whom the rules in Volume I of these Rules apply (vide Chapter I of that Volume).

(b) Subject to the provisions of clause (a) above, a Government employee transferred to a service or post to which the rules in this part apply, from a service or post to which they do not apply, becomes subject to these rules: provided that it shall be open to him, within six months of the date of transfer, or, if he is on leave on that date, within six months of his return from leave, to elect to be governed by the pension rules to which he was subject immediately before the date of transfer. The intention of exercising this option must be specifically declared to the Government. The option once exercised shall be final.

Note: The Administrative authority concerned should clearly bring to the notice of the officer concerned the provision of this clause while issuing the order of confirmation of such a Government employee under the Haryana Government.

(c) [Deleted.]

(d) (i) Unless the contrary appears from the context, the provisions of rules 1.5 to 1.8 of Volume I of these rules apply mutatis mutandis to the rules in this part also.

(ii) In any case in which pension or gratuity is not admissible under any of the specific provision of these rules, a competent authority may grant a pension which shall not, save in the most exceptional circumstances, exceed Rs.25 a month, or a gratuity not exceeding the equivalent value of such pension calculated in accordance with the table prescribed under rule 11.5, provided that the general spirit of the rules is observed.
(iii) When special circumstances appear to justify a departure from the rules laid down regarding "ordinary pensions" it is generally desirable that the allowance granted should be an arbitrarily fixed sum rather than any exact proportion of the amount to which it might be supposed that the rules afford a claim.

Note-1: A departure from the rules is not justifiable, save in cases of very exceptional and distinguished service. Mere length of service, however, faithfully performed, is not in itself a sufficient ground for exceptional rewards. Recommendations for relaxation of any rule in the favour of individuals should, therefore, be extremely rare and should be restricted to cases of most exceptional merit, in which the service has been of a nature not ordinarily falling within the duty that may be expected from a Government employee, who has been promoted to the highest position in his department, i.e., only to cases in which a Government employee, besides having shown very distinguished merit, has discharged successfully duties which while falling to him in the course of his official work were so exceptional and exacting that they could not ordinarily and reasonably be regarded as forming part of the normal duties of his post.

Note-2: Until the orders of the competent authority are received, a recommendation for any special indulgence should never be communicated, directly or indirectly, to the Government employee concerned.

Note-3: See also notes 1 and 2 below rule 8.1.

1.1-A In these rules unless context otherwise requires, the expression "the Haryana Government" or any reference to that Government by whatever form of words,-

(a) as respects any period before the 1st November, 1966, shall, as the case may be, mean the Government of the State of Punjab as it existed before that date or be construed as a reference to that Government; and

(b) as respects any period on or after the 1st November, 1966, shall, as the case may be, mean the Government of the State of Haryana or be construed as a reference to that Government.

1.2 to 1.2.6 - [Deleted.]
SECTION II - DEFINITIONS

1.3 The terms defined in Chapter II of Volume I of these rules have, unless there is anything repugnant in the subject or context, the same meaning and implications when used in this part.

Note: Unless the contrary appears from the context or subject the term "pay" (defined in Rule 2.44 of Volume I of these rules) does not include "special pay" when used in this part.

ANNEXURE - [Deleted.]
CHAPTER II-General Provisions relating to grant of pensions.

SECTION I - GENERAL

2.1 Every pension shall be held to have been granted subject to the conditions contained in Chapter VII of these rules.

2.2 (a) Future good conduct is an implied condition of every grant of a pension. The appointing authority reserve to itself the right of withholding or withdrawing a pension or any part of it if the pensioner be convicted of serious crime or be guilty of grave misconduct.

The decision of the appointing authority on any question of withholding or withdrawing the whole or any part of pension under this rule shall be final and conclusive.

Note-1: A claim against the Government employee may become known and the question of making recovery may arise -

(a) when the calculation of pension is being made and before the pension is actually sanctioned; or

(b) after the pension has been sanctioned.

The claim and the recovery may be one or other of the following categories:

(1) Recovery as a punitive measure in order to make good loss caused to Government as a result of negligence or fraud the part of the person concerned while he was in service.

(2) Recovery of other Government dues such as over-issues of pay, allowances or leave salary, or admitted and obvious dues such as house rent, postal life insurance premia, outstanding motor car, house building, travelling allowance or other advances.

(3) Recovery of non-Government dues.

1. In cases falling under (a) above, none of the recoveries mentioned in (1) to (3) above may be effected by a reduction of the pension about to be sanctioned except in the following circumstances:

(i) When an officer's service can be held to have been not thoroughly satisfactory, a reduction in the amount of pension may be made under rule 6.4, (b) of
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(ii) When the pensioner by request made or consent given has agreed that the recovery may be made. If such request is not made or consent is not given by the pensioner, even sums admittedly due to Government such as house rent, outstanding advances, etc., may not be recovered from pension. In such cases, however, the executive authorities concerned would have to consider whether they should not try to effect the recovery otherwise than from pension, for example, by going to a court of law, if necessary.

II. In cases falling under (b) above, none of the recoveries described in clauses (1) to (3) may be effected by the deduction from a pension already sanctioned except at the request or with the express consent of the pensioner. Under rule 2.2 (a) of this volume, future good conduct is an implied condition of every grant of a pension and a pension can be withheld or withdrawn in whole or in part if the pensioner is convicted of serious crime or is guilty of grave misconduct. This, however, refers only to crime or misconduct occurring after the pensioner has retired from service, and the rule would not, therefore, cover a reduction of pension made for the purpose of retrieving loss caused to Government as a result of negligence or fraud on the part of the pensioner occurring before he had retired from service.

In cases where the pensioner does not agree to recovery being made even of sums admittedly due to Government, the concluding remarks under I (ii) above will also be applicable.

Heads of offices should see that the last pay or leave salary prior to retirement shall not be paid until it is clear that a retiring Government employee has no outstanding dues to Government. Sometimes, it may not be practicable to ascertain in time all the outstanding dues, while sometimes dues may exceed the amount of last pay or leave salary. In such cases, it is the duty of the Heads of Offices (in consultation with Treasury Officers and Accountant General, Haryana in the case of Gazetted Officers) to bring promptly to the notice of the Accountant General, Haryana, 'all the outstanding amounts by a separate communication, stating in detail the nature of recovery and why it has not been possible to effect it from last pay or leave salary. The outstanding amounts should also be clearly and
Note-2: Although compassionate allowance is of the nature of an ex-gratia payment it is really a form of pension. Therefore, recoveries from it, once it is sanctioned, should be governed by the above orders.

Direct recovery of Government dues from compassionate allowance is not permissible under these orders, but recovery may be made indirectly (before the allowance is sanctioned) by reducing the allowance either permanently or as a temporary measure.

Note-3: Strictly speaking under the orders no recovery of amount is permissible from pension but if final recovery has been made it need not be refunded to the pensioner concerned.

(b) The Government further reserve to themselves the right of withholding or withdrawing a pension or any part of it, whether permanently or for a specified period and the right of ordering the recovery from a pension of the whole or part of any pecuniary loss caused to Government, if the pensioner is found in departmental or judicial proceedings, to have been guilty of grave misconduct or to have caused pecuniary loss to Government by misconduct or negligence, during his service including service rendered on re-employment after retirement.

Provided that-

(1) such departmental proceedings, if instituted while the officer was in service whether before his retirement or during his re-employment shall after the final retirement of the officer, be deemed to be a proceeding under this rule and shall be continued and concluded by the authority by which it was commenced in the same manner and as if the officer had continued in service.

(2) such departmental proceedings, if not instituted while the officer was on duty either before retirement or during re-employment-

(i) shall not be instituted save with the sanction of the Government;
(ii) shall be in respect of an event which took place not more than four years before the institution of such proceedings; and

(iii) shall be conducted by such authority and at such place or places as the Government may direct and in accordance with the procedure applicable to departmental proceedings in which an order of dismissal from service could be made;

(3) Such judicial proceedings, if not instituted while the officer was on duty either before his retirement or during his re-employment, shall be instituted in respect of an event as is mentioned in clause (ii) of proviso (2); and

(4) The Public Service Commission shall be consulted before final orders are passed.

Explanation:— For the purpose of this rule—

(1) departmental proceedings shall be deemed to have been instituted when the charges framed against the pensioner are issued to him or, if the officer has been placed under suspension from an earlier date, on such date; and

(2) judicial proceedings shall be deemed to have been instituted.

(i) in the case of criminal proceeding, on the date on which the complaint is made or a challan is submitted to a criminal court; and

(ii) in the case of civil proceeding, on the date on which the plaint is presented or, as the case may be, an application is made to civil court.

Note-1: As soon as proceedings of the nature referred to in the above rule are instituted, the authority which institutes such proceedings should without delay intimate the fact to the Accountant General.

Note-2: In a case in which a pension as such is not withheld or withdrawn, but the amount of such pecuniary loss caused to Government is ordered to be recovered from the pension, the recovery should not ordinarily be made at a rate exceeding one-third of the gross pension originally sanctioned including any amount which may have been commuted.)
SECTION II - CASES IN WHICH CLAIMS ARE INADMISSIBLE

2.3 A competent authority may rule that the service of any class of Government employee does not qualify for pension.

Note 1: Service in Dak, Bengal, Madras, D. & G., Himalayas, Does not qualify.

Note 2: Posts of Patwars have been declared pensionable with effect from 1st August, 1942.

In the following cases no claim to pension is admitted:

(a) When a Government employee is appointed for a limited time only, or for a specified duty, on the completion of which he is to be discharged.

(b) When a person is employed temporarily on monthly wages without specified limit of time or duty, but a month's notice of discharge should be given to such a person and his wages must be paid for any period of which such notice falls short of a month.

(c) When a person's whole time is not retained for the public service, but he is merely paid for work done, such as Government Pleaders and Law Officers not debarred from private practice.

(d) When a person, being a public servant, holds another pensionable office, he earns no pension in respect of an office of the kind mentioned in clause (c) or in respect of duties paid for by a compensatory allowance.

(e) When a Government employee secures under a contract the benefit of which continues no stipulation or registration.

Note: The agreement should be so worded as to preserve the indivisible and indefeasible right of the Government to do what was done at time for their benefit.
SECTION III - MISCONDUCT, INSOLVENCY OR INEFFECTIVENESS

2.5 No pension may be granted to a Government employee dismissed or removed for misconduct, insolvency or inefficiency; but to Government employees so dismissed or removed, compassionate allowances may be granted, when they are deserving of special consideration, to such extent as the Government may determine, if the pension granted to such Government employee shall not exceed two-thirds of the pension which would have been admissible to him if he had retired on a medical certificate.

Note-1: This rule vests Government with an absolute discretion to grant or not to grant any compassionate allowance, the only restriction being that if granted, it shall not exceed the maximum of two-thirds of the pension that would be admissible to the officer concerned on retirement on medical certificate. It is practically impossible, in view of the wide variations that naturally exist in the circumstances attending each case, to lay down categorically precise principles that can uniformly be applied to individual cases. Each case, therefore, has to be considered on its merits and a conclusion has to be reached on the question whether there were any such extenuating features in the case as would make the punishment awarded, though it may have been necessary in the interests of Government, unduly hard on the individual. In considering this question, it has been the practice to take into account not only the actual misconduct or course of misconduct which occasioned the dismissal or removal of the officer, but also the kind of service he has rendered. Where the course of misconduct carries with it the legitimate inference that the officer's service has been disloyal there can seldom be any good case for a compassionate allowance. Poverty is not an essential condition precedent to the grant of a compassionate allowance, but special regard is also paid to the fact that the officer has a wife and children dependent upon him, though this factor by itself, is not, except perhaps in the most exceptional circumstances, sufficient for the grant of a compassionate allowance.

See also note below Rule 9.12 and note 1 below Rule 11.11

Note-2: The report of the Accountant General is required in all cases of grant of compassionate allowance.

Note-3: No Government employee, even if belonging to a class entitled to commence ordinary pension, is entitled to commute a compassionate allowance; a commutation to
such an allowance may be sanctioned by a competent authority only on proof that the proceeds of the commutation will be invested for the permanent benefit of the commutor's family.

Note-4: In cases where it is proposed to grant a Government employee dismissed or removed from service, a compassionate allowance, the sanctioning authority should not condone deficiencies in service, for the purpose of determining the amount of pension that would have been admissible to him if he had retired on medical certificate on the basis of which the compassionate allowance is calculated.

SECTION IV - CLAIMS OF WIDOWS OR HEIRS.

2.6 If a Government employee dies before actually retiring or being discharged, his heirs have no claim to anything in respect of his pension except as provided in rules 6.16-A to 6.16-C.

2.7 (a) It being the duty of every Government employee himself to provide for his family, the Government recognises no claim by a widow on account of the services of her husband except as provided in rule 6.16-A to 6.16-C and is almost invariably under the painful necessity of rejecting recommendations made in contravention of this rule.

(b) The submission of such recommendations, may under very extraordinary circumstances, be disapproved, as they are calculated only to give rise to hopes which cannot be fulfilled.

Note-1: Except in special cases justifying extraordinary indulgence and which are of very rare occurrence, the grant of pension to the family or any member of the family of a deceased Government employee is restricted to cases where the Government employee is killed in the exercise of his public duty, or as a consequence of wounds or accidents sustained therein (see rules in Chapter VIII).

Note-2: In cases deserving of special considerations, relief may be given to the families of Government employees left in indigent circumstances out of Compassionate Fund under the rules regulating the grant of gratuities out of that Fund reproduced in the Appendix to this Chapter.
SECTION V - LIMITATIONS

2.8  (a) A Government employee cannot earn two pensions in the same post at the same time, or by the same continuous service.

(b) Save as provided in rule 3.17, two Government employees may not simultaneously count service in respect of the same post.
ANNEXURE

(Referred to in note 2 to Rule 2.7)

RULES REGULATING THE GRANT OF GRATUITIES OUT OF COMPASSIONATE FUND

1. The compassionate Fund is intended for relief of families of Government employees paid monthly from the State revenues, whether their rates of pay are fixed on a daily or a monthly basis, if they are left in indigent circumstances on account of the premature death of the person upon whom they depended for support: Provided no application will be considered from dependents of Government employees who were subscribers to a Contributory Provident Fund. Provision is made for this purpose in the estimates of the Government under the minor head "103 Compassionate Allowance" of major head "2071- Pensions and other Retirement Benefits."

2. The conditions which regulate a grant from the fund are:-

(1) Grants from the Fund are restricted to cases of an exceptional character.

(2) The deceased Government employee must have been a meritorious public employee. Unusually meritorious service gives special claim for consideration.

(3) Death due to special devotion to duty establishes a strong claim for consideration.

(4) In more ordinary cases, preference will be given to persons who have rendered longer period of service but have failed to earn any gratuity and/or pension.

(5) Other things being equal, preference will be given to those who have been on low rates of pay.

(6) As a general rule, a grant will not be given if the pay of the deceased Government employee exceeds Rs.75/- a month.

(7) Care will be taken that too many grants are not made to families of Government employees who have been serving at the Headquarters of the Government.

3. The rules for sanctioning grants are:-

(1) No pension is granted from the fund, but in some cases yearly grants are made for a limited period to defray the expenses of the education of children.
The maximum gratuity payable in any individual case is Rs. 1,500. The precise amount in all cases is fixed according to the number of members in the family and the pecuniary circumstances of the case, the equivalent of a year's pay of the deceased being considered a suitable maximum in cases in which the circumstances are such as to require liberal treatment.

The fund is administered by a committee appointed by the Government which meets once in three months.

Application should be submitted to the Finance Department in the following form through the Administrative Department concerned:

FORM

Summary of Facts...

1. Name of the deceased and last appointment held, pay at the time of death and the date of death.

2. Nature of service (whether pensionable or non-pensionable).

3. (a) Dependents (with their respective ages)
   (b) Pecuniary circumstances.

4. (c) Names of immediate relatives with their occupations, status and income.

5. Whether relatives are...

6. Remarks of superior officers on demands for work.

7. Whether death due to, or accelerated by, devotion to duty.

8. Recommendation of Department, etc., regarding amount of grant.
(7) (a) Name of the treasury at which payment is desired.

(b) Full address of the payee.

(8) General.

Descriptive Roll

(9) A descriptive Roll in duplicate (on a separate sheet) of the applicant for the award containing the following information:

(a) Height.

(b) Age.

(c) Colour.

(d) Personal marks, if any, on the hand, face, etc.

(e) Signature or left hand thumb and finger impressions:

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Report

(10) An independent report on the financial condition of the applicant from the Collector or District Magistrate of the place where the applicant resides.

Note-1: The descriptive roll and thumb and finger impressions accompanying applications for relief from the compassionate Fund should invariably be in duplicate and attested by two or more persons of respectability in the town, village or Pargana in which the applicant resides.

Note-2: The amounts which become available to the dependents from General Provident Fund, Insurance, Bank balances, etc., should also be indicated separately against serial No.10 above.
Note-3: It should be clearly indicated in the report against item (18) that the Government employee is "not eligible for gratuity under New Pension Rules."

5. Finance Department will submit a summary of the cases without comment to the Committee. The Committee's decision will be communicated by the Finance Department direct to the Administrative Department submitting the application, and, in those cases where a gratuity or yearly grant is sanctioned, to the Accountant General, Haryana, also. If payment is to be made to a person resident in England, the Finance Department will also address the High Commissioner for India, London, for the payment to be made.

In the case of death of the original grantee of a gratuity sanctioned out of the Compassionate Fund, payment may be made to his or her heirs like ordinary service gratuities.

6. There is a fear that the existence of the Fund is likely to lead to misconception of the intentions of Government in this matter. The Fund is not intended to supplement the existing provisions relating to pensions and gratuities contained in the rules in this Volume. Grants from the Fund are restricted to cases of an exceptional character only, and before submitting a recommendation for the grant of a gratuity from the Fund every Government employee should carefully scrutinize the application and satisfy himself that it is a really deserving case. Otherwise, the submissions of a recommendation only raises a hope in the mind of the applicant which very often leads to disappointment. Applications should, therefore, be carefully weighed and considered before submission to Government.

N.B. The Compassionate Fund maintained by Government was instituted at a time when the pension rules did not provide for any family benefit, when a Government employee died in harness, in order to alleviate to some extent the difficulties experienced by the most indigent families immediately after the death of the bread winner. The drawback in the pension system has been removed by the introduction of the New Pension Scheme. No award from the Compassionate Fund will be made in future to families of Government employees who are eligible for a gratuity under the New Pension Rules. In making recommendations for award from the Compassionate Fund, therefore, administrative authorities are requested to bear this in mind, and to indicate in every case that a gratuity under the New Pension Scheme is not admissible.
CHAPTER III - SERVICE QUALIFYING FOR PENSION

SECTION I - GENERAL

3.1 to 3.7 Omitted.

A - BEGINNING OF SERVICE

3.8 Unless it be otherwise provided by special rule or contract, the service of every Government employee begins to qualify for pension when he takes charge of the post to which he is first appointed.

Note: In every contract with a Government employee appointed abroad, a clause should be inserted to the effect that service begins from the date on which the Government employee joins his post in India.

3.9 Except for compensation gratuity, an officer's service does not qualify till he has completed eighteen years of age, provided that nothing contained in this rule will apply in the case of persons who were in service on the 1st June, 1961 and in whose case a lower age limit had been prescribed.

Note: For a Government employee in class IV service, who held a lien or a suspended lien on a permanent pensionable post under the Punjab Government on the 10th June, 1951, qualifying service should not begin until such Government employee had attained the age of 16 years.

3.10 Deleted.

3.11 Deleted.

SECTION II - CONDITIONS OF QUALIFICATION

A - GENERAL

3.12 The service of a Government employee does not qualify for pension unless it conforms to the following three conditions:

First - The service must be under Government.

Second - The employment must be substantive and permanent.

Third - The service must be paid by Government.

These three conditions are fully explained in the following rules.
Note: The question whether service in a particular office or department qualifies for pension or not is determined by rules which were in force at the time such service was rendered; orders subsequently issued declaring the service to be non-qualifying, are not applicable with retrospective effect.

3.13 The competent authority may, however, in the case of service paid from Government revenues, even though either or both of the first two conditions in the Rule 3.12 are not fulfilled,-

(1) declare that any specified kind of service rendered in a non-gazetted capacity shall qualify for pension;

(2) in individual cases, and subject to such conditions as it may think fit to impose in each case, direct that services rendered by a Government employee shall count for pension.

Note: All services rendered in additional police if followed without a break by permanent service, shall qualify for pension.

3.14 A competent authority may, when both the first and the second conditions mentioned in Rule 3.12 are fulfilled, declare that service paid from funds administered by Government shall in the event of the provincialisation of such funds, count for pension.

3.15 The following special provisions apply to the Police Department:

(a) If the Police of a town are wholly supported by, and under the control of, a Municipality, the Government has no concern with their pensions.

(b) But if the Government, being interested in the efficiency of a Police Force, paid wholly or partly by a Municipality or from Cantonment Funds, or from Government revenues subsidised by a contribution from a Municipality or from Cantonment Funds, undertakes the organisation and control of the Force, as connected with and auxiliary to the Civil Constabulary, service in such a Force qualifies. The contributions of Municipalities or of Cantonment Fund towards the cost of the pensions of such Forces are determined in accordance with the orders of Government.

(c) The service of members of the Railway Police, appointed and controlled by Government, qualifies,
though they may be either wholly or partly paid by
the Railway Companies.

(d) Service in superior grades in any other
Department rendered before enlistment in the Police
Department qualifies.

B - FIRST CONDITION - SERVICE UNDER GOVERNMENT

3.16 (a) The service of a Government employee does not
qualify unless he is appointed and his duties and pay
are regulated by the Government, or under conditions
determined by the Government.

(b) Past service rendered in a Part B State
(excluding Surashtra but including an Indian State
which subsequently became a Part B State) shall be
rewarded as equivalent to Government service for the
purpose of pension and shall count for pension on
permanent absorption in the Punjab Government service
in the same manner as such service rendered in a
former Part "A" State counts.

Note-1: The following are examples of Government employees
excluded from pension by this rule:

(1) Employees of a municipality.

(2) Employees of grant-in-aid schools and
institutions.

(3) Subordinates appointed by Treasurers on their own
responsibility.

(4) Service on an establishment paid from a Contract
Establishment allowance, with the detailed
distribution of which the Government does not
interfere, whether such contract allowance is a fixed
amount or consists of fees.

(5) Service on an establishment paid from the
household allowance of the Governor.

Note-2: If a Government employee has served partly in
capacity which would have given him claim to pension
if the service had been paid from the Government
revenues on the household establishment of the
Governor, and partly on establishments paid from the
Government revenues, he is entitled from Government
revenues to a share of any pension to which he would
have been entitled if his whole service had been paid
from the Government revenues, proportionate to the
length of the service which has been so paid.
3.17 In the case of an officer retiring on or after 5th January, 1961, if he was holding substantively a permanent post on the date of his retirement, his temporary or officiating service under the State Government, followed without interruption by confirmation in the same or another post, shall count in full as qualifying service except in respect of:

(i) Period of temporary or officiating service in non-pensionable establishment;

(ii) [Deleted] *

(iii) period of service paid from contingencies.

Note-1: In the case of a Central Government employee who is permanently transferred to Haryana Government and becomes subject to these rules under rule 1.1 (b) of these rules, the terms "continuous temporary service or continuous officiating service", shall include such service rendered under Central Government.

Note-2: In case of a purely temporary Central Government employee who is permanently transferred to Haryana Government and becomes subject to these rules, the term "continuous temporary service" includes the temporary service under the Central Government. The pensionary liability in respect of such cases shall be allocated on the length of service.

[Note-3: (a) In respect of temporary employees of the following categories who render service under the Central/State Governments prior to securing posts under the Central/State Governments on their own volition in response to advertisements or circulars, including those by Union/State Public Service Commission and who are eventually confirmed in their new posts, the proportionate pensionary liability in respect of temporary service rendered under the Central/State Governments to the extent such service would have qualified for grant of pension under the rules of the respective Government, will be shared by the concerned Governments on a service share basis:

(1) Those who having been retrenched from the service of Central/State Governments secured on their own employment under State/Central Government either with or without interruption between the date of retrenchments and date of new appointment.
Punjab Civil Services Rules Volume II

(2) Those who while holding temporary posts under Central/State Governments apply for posts under State/Central Government through proper channel/with proper permission of the administrative authority concerned.

Explanation: - Where an employee in category (2) is required for administrative reasons for satisfying technical requirement, to tender resignation from the temporary post held by him before joining the new appointment, a certificate to the effect that such resignation had been tendered for administrative reasons and/or to satisfy a technical requirement, to join, with proper permission, the new posts, may be issued by the authority accepting the resignation. A record of this certificate may also be made in his service book under proper attestation to enable him to get this benefit at the time of retirement.

The gratuity, if any, received by the Government employee for temporary service under the Central/State Governments will, however, have to be refunded by him to the Government concerned.

(b) Those employees who while holding temporary posts under Central/State Governments apply for post under Central/State Governments direct without permission and resign their previous post to join the new appointment under the Central/State Governments will not be entitled to count their previous service for pension.

3.17-A. (a) All service interrupted or continuous followed by confirmation shall be treated as qualifying service; the period of break shall be omitted while working out aggregate service.

(b) Extraordinary leave counted towards increments under rule 4.9 (b) (ii) of Punjab Civil Services Rules, Volume-I, Part-I, will be accounted towards service qualifying for pension.

(c) Periods of suspension, dismissal, removal, compulsory retirement followed by re-instatement will count for pension to the extent permissible under rule 4.17 of Punjab Civil Services Rules Volume-II read with rule 7.3 of the Punjab Civil Services Rules, Volume-I, Part-I.

(d) Resignation from the public service or dismissal or removal from it for misconduct, insolvency, inefficiency, not due to age, or failure to pass a prescribed examination will entail forfeiture of past
service in terms of rule 4.19 (a) of Punjab Civil Service Rules Volume-II.

(e) An interruption in the service of a Government employee caused by wilful absence from duty and unauthorised absence without leave will as hitherto entail forfeiture of past service.

(f) Employees retiring from Government service without confirmation (as temporary employees) in any post on or after 5th February, 1969 will be entitled to invalid/retiring/superannuation pension and death-cum-retirement-gratuity on the same basis as admissible to permanent employees. In case of death of temporary employees in service his family will also be entitled to similar benefits as are admissible to the families of permanent employees. This concession will, however, not apply to:

(i) Persons paid from contingencies; provided that half of the period of service of such persons paid from contingencies rendered from 1st January, 1973 onwards for which authentic records of service is available will count as qualifying service subject to the following conditions:

(a) Service paid from contingencies should have been in a job involving whole time employment and not part time for a portion of day,

(b) Service paid from contingencies should be in a type of work or job for which regular post should have been sanctioned e.g. malis, chowkidars, Khalasis etc.,

(c) The service should have been such for which the payment is made either on monthly or daily rates computed and paid on a monthly basis and which though not analogous to the regular scale of pay should bear some relations in the matter of pay to those being paid for similar jobs being performed by staff in regular establishments; and

(d) The service paid from contingencies should have been continuous and followed by absorption in regular employment without a break.

Note: While bringing contingent paid employees to the regular establishment an entry for verification of contingent service should be made at the appropriate place in his service book, preferably before making any entry regarding his regular service in the following manner:
"Service from _______ to _________ paid out of contingencies verified from acquittance rolls and office copies of contingent bills". This entry should be signed by the Head of Office with date.

[(ii) Deleted.]*

(iii) Casual Labour;

(iv) Contract Officers; and

(v) Persons born on Contributory Provident Fund Establishment.**

[(g) The entire service rendered by an employee as work charged shall be reckoned towards retirement benefits provided -

(i) such service is followed by regular employment;

(ii) there is no interruption in the two or more spells of service or the interruptions fall within condonable limits; and

(iii) such service is a whole time employment and not part-time or portion of day.]*

3.18 An establishment, the duties of which are not continuous, but are limited to certain fixed periods in each year, is not a temporary establishment. Service in such an establishment including the period during which the establishment is not employed qualifies but the concession of counting as service the period during which the establishment is not employed does not apply to a Government employee who was not on actual duty when the establishment was discharged after completion of its work, or to a Government employee who was not on actual duty on the first day on which the establishment was reemployed.

3.19 to 3.22 Omitted.

(ii) Apprentices

3.23 Service as an apprentice does not qualify, except in the following cases:—

Engineer or Examiner Apprentices.

Qualified students of the ) In the public
Thomason College under ) Works Department
practical training who )
passed out prior to 1924 )
Note: This will take effect from the date the Punjab Civil Services Rules, Volume II (First Edition), 1953 was published.

3.24 to 3.26 Cancelled.

(iii) Deputation on special duty on abolition of a permanent post

3.27 If the permanent post held by a Government employee substantively is abolished within the meaning of Rule 5.2, but the Government employee is, at the time, on special duty, or is, on abolition of his post, deputed on special duty, his service on special duty qualifies, but the duty must be special; mere employment, in continuance of permanent employment, in a temporary post, which happens at the time to be vacant, does not qualify.

(iv) Press employees paid for Piece Work

3.28 A press employee, who is paid for piece work is treated as having held a permanent post, if-

(i) he is employed, not casually, but as a member of a fixed establishment; and

(ii) during the last seventy-two months of his actual employment he has been attached to one post uninterruptedly for twenty-four months, or it has not been through his own choice or misconduct that he has not been so attached.

(v) Service in the Settlement Department on a quasi-permanent footing

3.29 (a) The service of a Government employee not merely temporarily engaged in the Settlement Department which is (or was) on a quasi permanent footing qualifies.

(b) Except in the regular Department and to the extent above specified, service in the Settlement Department does not count unless it is followed, without interruption, by qualifying service in the Department or elsewhere. Settlement service followed without interruption, by pensionable service paid from a Patwaries Fund, also qualifies.

Note-1: The term "Service in Settlement Department" used in clause (b) includes all settlement service even if paid from a contingent grant.
Note-2: Extra Assistant Commissioners and similar gazetted Government employees when not specially employed for temporary work, are not affected by this rule, as they count service independently of the particular department to which they happen for the time to be attached.

Note-3: Service of a Kanungo in a colony shall be treated as "service in the Settlement Department".

D - THIRD CONDITION - SERVICE PAID BY GOVERNMENT

(i) Sources of Remuneration.

3.30 Service which satisfies the conditions prescribed in sub-sections B and C of this section qualifies, or does not qualify according to the source from which it is paid. With reference to this rule, service is classified as follows:

(a) Paid from the Government revenues.

(b) Paid from Funds in respect to which the Government holds the position of Trustee.

(c) Paid by fees levied by law, or under the authority of the Government, or by Commission.

(d) Paid by the grant, in accordance with law or custom, of a tenure in land, or of any source of income, or right to collect money.

(e) Paid from Local Funds.

(ii) Service paid from Government revenues

3.31 Service paid from the Government revenues qualifies. The fact that arrangements are made for the recovery, on the part of the Government, of the whole, or part of the cost of an establishment of Government employee, does not affect the operation of this principle; Provided that the establishment or Government employee is appointed, controlled and paid by the Government. e.g., Police Establishment entertain at the cost of individuals and corporate bodies.

Note: In making arrangements for the recovery of the post of establishments, it should not be forgotten that Government has to bear not only the immediate cost, but also that of leave, allowances and pensions.
(iii) Service paid from Trust Funds

3.32 Service paid from Funds which Government hold only as a Trustee, such as under a Court of Wards or in an Attached Estate, does not qualify.

(iv) Service paid by Fees or Commission

3.33 Except when fees or commission are drawn in addition to pay from the Government revenues, service in a post paid only by fees, whether levied by law or under the authority of Government, or by Commission, does not qualify.

Service as official assignee does not qualify.

Note: Service paid from Fees and Commissions in addition to pay from the Government revenues, qualifies under this rule, but fees and commissions should not be included in pay to determine with reference to Rule 3.2, whether the service is "superior" or "inferior"

(v) Service paid by Grant of a tenure in Land, etc.

3.34 Service paid by the grant, in accordance with law or custom of a tenure in land, or of any other source of income, or right to collect money, does not qualify.

(vi) Service paid from Local Funds

3.35 Apart from any special provisions made under the following rules service paid from a Local Fund does not qualify for pension.

3.36 to 3.41 Cancelled.

3.42 Teachers and other members of the pensionable establishments of Government schools, who are transferred with the schools to which they belong to service under Local Boards, continue to render service qualifying for pension from the Government revenues, and are entitled to the concession even though they may be moved from the School with which they are transferred to another school which was formerly under Government management.

Teachers appointed to schools transferred to the management of Local Boards are entitled to pension from the Government revenues, if the Government makes a part of its contribution to the school in the form of the free pensions.

1.43 Cancelled.
3.44 When a pension is payable partly by Government and partly by a Local Fund, the Local Fund concerned may pay the capitalized value (calculated on the basis of the Table of Commutation values for pensions applicable to the pensioners, increased by 10 per cent) of its share of the pension to Government which will thereupon accept liability for the payment of the entire pension.

3.45 The Government does not guarantee the solvency of Funds formed by the subscriptions of Local Fund Employees and established to provide pensions for the subscribers thereto.
CHAPTER IV - RECKONING OF SERVICE FOR PENSION

SECTION I. - INTRODUCTORY

4.1 The conditions and limitations under which service in a post qualifies for pension are laid down in Chapter III.

The rule governing special additions to service qualifying for superannuation pension, and those relating to the counting of Military Service, periods of leave, suspensions, resignations, etc., for pension, and condonation of breaks and deficiencies in service are contained in the succeeding sections of this Chapter.

SECTION II. - SPECIAL ADDITIONS TO SERVICE QUALIFYING FOR SUPERANNUATION PENSION

4.2 (Deleted.)

4.2-A. An Officer appointed to a service or post may add to his service qualifying for superannuation pension (but not for any other class of pension) the actual period, not exceeding one-fourth of the length of his service or the actual period by which his age at the time of recruitment exceeds twenty-five years or a period of five years, whichever is least, if the service or post is one,

(a) for which post-graduate research or specialist qualification, or experience in scientific, technological or professional fields is essential, and

(b) to which candidates of more than twenty-five years of age are normally recruited:

Provided that this concession shall not be admissible to any such Officer unless his actual qualifying service at the time he quits Government service is not less than ten years.

Provided further that any such officer who is recruited at the age of thirty-five years or more may, within a period of three months, from the date of his appointment, elect to forego his rights to pensions whereupon he shall be eligible to subscribe to a Contributory Provident Fund.

Note-1: The option once exercised shall be final.
Note-2: The decision to grant the concession under this rule shall be taken by the Administrative Department at the time of recruitment in consultation with the Finance Department and the Public Service Commission.

The consultation with the Public Service Commission will be restricted to those posts only which fall within their purview.

2. This rule shall apply in respect of persons who are recruited after the 26th October, 1960.

SECTION III - COUNTING OF MILITARY SERVICE TOWARDS CIVIL PENSION

4.3 (a) Service rendered by an employee belonging to one of the classes mentioned in the schedule below after attaining the age of 18 years, which is pensionable under Military Rules but which terminates before a pension has been earned in respect of it, may, at the discretion of Government, be allowed to count, when followed by service qualifying for pension under civil rules, as part of such service: Provided that any bonus or gratuity received in lieu of pension on, or since, discharge from Military service, shall be refunded in such number of monthly instalments, not normally exceeding 36 and beginning from such date, as in each case, the Government may decide. Service so allowed to count shall, however, be restricted to service, within or outside the employees unit or department, in India or elsewhere, which has been paid from Indian revenues or for which a pensionary contribution has been received by Indian revenues.

(b) Service pensionable under military rules which does not terminate before a pension has been earned in respect of it shall not be allowed to count for pension under civil rules without the sanction of the competent authority.

Note-1: An Officer, ex-soldier, ex-sailor or ex-airman will not be brought under the operation of this rule, as a matter of course. Each case will be decided on its merits, e.g., there may be cases in which it may be open to a claimant for pension to add military service during the Great War to former non-pensionable service in the Army in order to claim the benefit of a military pension. In such cases it may be to the advantage of the claimant that he should not be brought under the operation of this rule. The bearing of paragraph 574 of the Pay and Allowances Regulations of the Army in India. Part
Note-2: To be eligible for the concession in this rule, the individual concerned should take his discharge from the Army, Navy or Air Force within 12 months of the date of his confirmation in the post pensionable under civil rules. This limit will be relaxed by competent authority only in special cases.

Note-3: Employees in the Military Police have the option of counting service under any other rules in these Regulations which would give them a similar or more liberal concession.

Note-4: When an order is passed under this rule allowing previous military service to count as part of the service qualifying for civil pension, it should be taken as carrying with it condonation of breaks, if any, in the Military service, or the break, if any, between the military service and the civil service.

Note-5: It is permissible under this rule to allow military service inter-spersed between two periods of civil service to count for civil pension: Provided that the condition laid down in this rule are otherwise fulfilled. The share of pension proportionate to military service in such cases will be borne by the Defence Department. Before orders are passed, in any case, the military service of the individual concerned and the amount of gratuity paid to him should be verified by reference to the Defence Accounts Officers concerned.

Note-6: The sanction regarding the counting of military service should be accorded by the competent authority at the time of appointment of the persons concerned and not at the time of his retirement from civil service. Sanctions accorded in such cases are required specially to mention the amount of gratuity or bonus recoverable, the number of monthly instalments in which the bonus or gratuity is to be recovered and the date from which the recovery is to commence. If, in any case, the gratuity is not to be recovered, the fact will be specially stated in the sanction. The gratuity once refunded in order to secure the benefit of counting former military service for civil pension cannot be paid back in any circumstances.

Note-7: The question of the amount of military or War (Great War) service which a Government employee is entitled to count for civil pension should be considered as
soon as he joins a pensionable post. In the case of non-gazetted Government employees, the amount should be shown in a certificate to be recorded in the service Book or the service roll, as the case may be, by the Head of Department who should satisfy himself that the conditions of this rule and Rule 4.6-A or other relevant rules or instructions for counting military service for civil pension are fulfilled. The military service should in all cases be verified after reference to the Defence Accounts Officer concerned. References to the relevant rules should be quoted in the certificates and attested copies of the record relied upon in support of it should be attached. As regards gazetted Government employees, such certificates, together with the necessary documents, should be sent to the Accountant General, Haryana, through the Administrative Department concerned for incorporation in the History of Services. It is not necessary to re-verify military or War (Great War) service which had already been verified before 30th July, 1936, in accordance with the old procedure.

Note-8: See also notes under Rule 4.6-A.

Note-9: The expression "gratuity or bonus" occurring in clause (a) refer to service gratuity or bonus only, and not war gratuity or bonus, received as a reward for War service.

SCHEDULE

1. Commissioned Officers and Junior Commissioned Officers.

2. Warrant Officers, non-Commissioned Officers and other enrolled personnel of the Army, and the corresponding categories of the Navy and Air Force and personnel of the Frontier Constabulary and Militias.

3. Non-combatant departmental and regimental employees and followers of the supplemental services.

4. Warrant Officers and Departmental Officers of the Commissary and Assistant Surgeon classes.

4.4 to 4.5 Cancelled

4.6 Persons who retire on or after 5th January, 1961, and who have rendered "War Service" (World War II) as members of His Majesty's Forces and have been appointed or are deemed to have been appointed
permanently to War-reserved vacancies or to other vacancies which arose before the 1st January, 1948, shall, subject to the following general principle, be allowed to count the completed years of their satisfactory whole time service in His Majesty's Forces rendered between the 3rd September, 1939, or the date of their attaining the minimum age of entry into the service or post to which they are appointed on a permanent basis, whichever is later, and the 1st April, 1946, for the purposes of Civil Pension:

(1) In the case of services in which a minimum age is fixed for recruitment, no military service rendered below that age shall be allowed to count for pension.

(2) The addition of War Service shall not be allowed in addition to the concession in rule 4.2, but any Government employee who may be entitled to the concessions admissible under rule 4.2 and this rule will be allowed to select whichever is more favourable. In the case of those Government employees who retire between the period commencing from the 1st day of January, 1961 and ending with the 31st day of March, 1963 (both days inclusive) the addition of war service shall not be included in rule 4.8 for the purpose of counting leave as service for pension.

(3) British and Indian Military Service shall be allowed to count alike for pension and no contribution towards or share of pension earned as a result of this concession shall be claimed from Home Department.

(4) No refund of military bonus or gratuity shall be demanded from the Government employee.

Note-1: In the case of services in which no minimum age is fixed for recruitment, this rule shall be interpreted subject to the provisions of Rule 3.9.

Note-2: In the case of a Civil employee who has rendered satisfactory paid military service in the War in addition to Military service pensionable under the military rules before or after such service but who did not earn a pension by his War service in conjunction with his other military service, that portion of the military service which was rendered before or after the War Service should be dealt with in accordance with the provision of Rule 4.3, and the amount of gratuity which the Government employee will refund in respect of the latter portion should bear the same proportion to the total amount of gratuity, received in lieu of pension as the period dealt with
under rule 4.3 bears to the total period of military service including the period of War Service.

Explanation:— For the purpose of Note 2, it is immaterial whether or not, there was a break between the war service and the other military service.

Note-3: Member of the Police Battalions other than those who, at the time of enlistment were already in the Police Department, who on demobilization are appointed to the Police Service on a permanent establishment, shall count their temporary service in the Police Battalions towards pension in the police service.

Note-4: See also note 8 below rule 4.3.

4.6-A. Permanent appointments against "War Reserve vacancies" or other vacancies which arose on or after the 1st January, 1948. In the case of war service candidates appointed permanently to civil posts against vacancies arising after 31st December, 1947 the war service rendered during Great War II by itself or in conjunction with other military service may be allowed to count towards civil pension to the extent of one-half. If, however, the whole or any portion of such service satisfied the conditions of rule 4.3, that portion of service may be allowed to count in full towards civil pension subject to the following conditions namely:

(i) The officer concerned should not have earned a pension under the military rules in respect of the service in question.

(ii) In the case of services or posts in respect of which a minimum age fixed for recruitment no military or war service rendered below that age shall be allowed to count for pension.

(iii) "War Service" rendered in the Armed Forces of India and rendered in similar forces of a Commonwealth Country shall be allowed to count alike for pension and no contribution towards or share of, a pension earned as a result of this concession shall be claimed from the foreign government concerned.

(iv) No refund of bonus or gratuity paid in respect of this "War Service' shall be demanded from the officer concerned. If, however, the officer has been granted any retirement benefit, such gratuity shall be refundable. Also if any portion of service is
allowed to count towards Civil Pension under rule 4.3, the provisions of Note 2 below rule 4.6 in regard to refund of gratuity shall mutatis mutandis apply.

(v) Break between military or war service and the civil service shall be treated as automatically condoned, provided the period of the break does not exceed one year. Breaks exceeding one year, but not exceeding three years, may also be condoned, in exceptional cases, under special orders of Government.

Note: In a case where an officer is entitled in respect of the "War Service" rendered between the 3rd September, 1939, and the 1st April, 1946, to the concession under rule 4.6-A he may either avail himself of the concession under this rule in respect of the whole of his military service, including "War Service" or count the service rendered during the war period for Civil pension under rule 4.6-A and the remaining service rendered before or after the war period to the extent of one half of that service. If, however, in the latter case, the officer concerned has rendered any military service pensionable under the military rules and satisfying the conditions laid down in rule 4.3 before or after the war period, but did not earn pension by this "War Service" in conjunction with his military service, the provisions of Note 2 below rule 4.6-A shall mutatis mutandis apply.

SECTION IV - PERIODS OF LEAVE AND OTHER AUTHORISED ABSENCE FROM DUTY.

A - PERIOD OF LEAVE

4.7 In respect of Government employees who retire or die on or after the 1st April, 1963, the time passed on leave of all kinds except extraordinary leave shall count as service for pension. Period of overstay of leave does not count for pension.

4.8 to 4.11 Deleted.

B - PERIODS OF TRAINING

4.12 A competent authority will decide in the case of a Government employee (including a person in training for, but not actually appointed to, Government Service) or any specified class of Government employees who is selected to undergo a course of training, whether the time spent in training shall count as service qualifying for pension.
Note: General orders for counting the period of training as service under this rule have been issued in respect of the following:

1. Police subordinates and candidates for direct appointment to the Subordinate Police Service while attending a Police Training School.

2. Assistant Director of Agriculture and Assistant Professor and Laboratory Assistants while in training at the Pusa Agricultural College.

3. Forest Ranger holding permanent substantive posts while under training at the Dehra Dun School.

4. All Forest Subordinates while under training at Government Forest School.

5. Dispensers sent to the Medical College, Amritsar, to undergo a course of training with a view to qualifying as hospital assistants (They count a maximum period of one year as service towards pension rendered under the source from which they were paid before training).

6. Teachers and students, who are selected to undergo a course of training in a School, College or other institutions, subject to the sanction of the Director of Public Instructions.


4.12-A. In respect of Class III and Class IV employees, who are required to undergo departmental training relating to jobs before they are put on regular employment, training period may be treated as qualifying service for pension, if the training is followed immediately by regular appointment. This benefit will be admissible to all such employees even if they are not given the scales of pay of the post but only a nominal allowance during the training.]

C-DEPUTATION OUT OF INDIA

4.13 When a Government employee is deputed out of India on duty, the whole period of his absence from India counts, when a Government employee on leave out of India is employed, or is detained after the termination of his leave, on duty, the period of such employment or detention counts.

Note: The period of deputation converted into leave should count for pension as leave and not as deputation.
D - DEPUTATION TO THE DEFENCE DEPARTMENT

4.14 A Civil Government employee, who was granted civil volunteer terms while serving in the Indian Army Reserve of Officers, during the Great War and who, after having been invalided from military service, was able to return to his civil employment, will be allowed the option of -

(i) being treated, as regards military pension, as a temporary officer in which case his military service will count for civil pension under civil rules, or

(ii) being treated as regards military pension, as an officer of the regular army in which case his military service will not so count.

A Civil Government employee serving under the terms referred to above, who is invalided both from military service and from his civil appointment, on account of a disability incurred as a result of his military service will be allowed to draw the military pension admissible to a regular military officer and also to count the period of his military service for civil pension. This decision has effect from 3rd February, 1925, and any consequential adjustment should be made from that date only.

4.15 Government employees in the Police Department who joined the battalions of the Indian Army can count service rendered in that capacity as continuous service in the Police Department for purposes of pension.

E - PERIOD OF VOYAGE TO INDIA ON RECALL TO DUTY

4.16 Time spent on the voyage to India by a Government employee who is recalled to duty before the expiry of any recognised leave out of India counts: provided his return to duty is compulsory.

SECTION V - SUSPENSIONS, RESIGNATIONS, BREAKS, AND DEFICIENCIES IN SERVICE

A - PERIODS OF SUSPENSION

4.17 Time passed under suspension pending enquiry into conduct counts, if the suspension is immediately followed by reinstatement, but time passed under suspension adjudged as a specific penalty does not count.
4.18 If a Government employee, who has been suspended pending inquiry into his conduct, is reinstated, but with forfeiture of any part of his pay or allowances for the period of suspension, this period does not count save with the special sanction of the Head of the Department, unless the authority who reinstates the Government employee expressly declares at the time that it shall count.

B-RESIGNATIONS AND DISMISSALS

4.19 [(a) Resignation from public service, dismissal or removal from it, either under proviso (c) to Article 311 (2) of the Constitution for over anti-national activities such as sabotage, espionage etc. or for misconduct, insolvency, inefficiency not due to age or failure to pass a prescribed examination, entails forfeiture of past service and no pension shall be granted in the aforementioned circumstances.

Provided that in the case of those Government employees whose removal or dismissal results from participation in other objectionable activities affecting or endangering the security of the State, such proportionate pension may be granted as may be recommended by the Committee of the Advisors constituted under the Haryana Civil Services (Safe-guarding of National Security) Rules, 1971.]

(b) Resignation of an appointment to take up, with proper permission, another appointment, whether permanent or temporary, service in which counts in full or in part, is not a resignation of public service.

In cases where an interruption in service is inevitable due to the two appointments being at different stations, such interruptions, not exceeding the joining time permissible under the rules on transfer, shall be covered by grant of leave of any kind due to the Government employee on the date of relief or by formal condonation under Rule 4.23 to the extent to which the period is not covered by leave due to the Government employee.

Note: The previous service of a Government employee who is transferred to a temporary appointment is forfeited by his resigning the temporary appointment and taking up another temporary appointment of his own accord.

4.28. (a) A Government employee who is dismissed, removed or compulsorily retired from public service, but is
reinstated on, appeal or revision, is entitled to count his past service.

(b) The period of break in service between the date of dismissal, removal or compulsory retirement, as the case may be, and the date of reinstatement, and the period of suspension (if any) shall not count unless regularised as duty or leave by a specific order of the authority which passed the order of reinstatement.

C - INTERRUPTIONS

4.21. An interruption in the service of a Government employee entails forfeiture of his past service, except in the following cases:-

(a) Authorised leave of absence.

(b) Unauthorised absence in continuation of authorised leave of absence so long as the post of the absentee is not substantively filled; if his post is substantively filled, the past service of the absentee is forfeited.

(c) Suspension where it is immediately followed by reinstatement whether to the same or different office, or where the officer dies or is permitted to retire or is retired while under suspension.

(d) Abolition of post or loss of appointment owing to reduction of establishment.

(e) Transfer to non-qualifying service in an establishment under Government control. The transfer must be made by competent authority; a Government employee who voluntarily resigns qualifying service cannot claim the benefit of this exception. Transfer to a grant-in-aid school entails forfeiture.

(f) Time occupied in transit from one post to another; Provided that the Government employee is transferred under the order of competent authority, or, if he is a non-gazetted Government employee, with the consent of the head of his old office.

**Note-1:** If a Government employee is suspended and applies for pension without being reinstated, he is not-eligible for any pension, without the order of the competent authority.

**Note-2:** Previous service of a Government employee would be forfeited if the new post to which he is transferred was not created until he joined it, in that case.
condonation under Rule 4.23 of this Volume would be required.

Note-3: Joining time would not qualify if no allowances are admissible under Chapter IX of Volume I (Part I) of these rules.

Note-4: A Government employee who is discharged on the abolition of an appointment is entitled to the benefit of clause (d) of this rule even though the appointment abolished may not have been that which he held or even one of the particular establishment on which he was actually serving.

Note-5: In the case of Government employees governed entirely by the New Pension Rules, the word "post" or "appointment" used in clause (d) of this rule means "post" or "appointment" service in which qualifies for pension.

4.22 The authority which sanctions the pension may commute retrospectively periods of absence without leave into leave without allowances or extraordinary leave.

Note: The power under this rule of commuting retrospectively periods of absence without leave into leave without allowances is absolute, the purpose of the rule being merely to obviate, for purposes of pension, the forfeiture of past service.

D - CONDONATION OF INTERRUPTIONS AND DEFICIENCIES

4.23 Interruption in service (either between two spells of permanent or temporary service or between a spell of temporary service and permanent service or vice versa in the case of an officer retiring on or after the 5th January, 1961, may be condoned, subject to the following conditions, namely:-

(1) The interruption should have been caused by reasons beyond the control of Government employee concerned.

(2) Service preceding the interruption should not be less than five years' duration. In cases where there are two or more interruptions, the total service, pensionary benefits in respect of which shall be lost if the interruptions are not condoned should not be less than five years.

(3) The interruption should not be of more than one year's duration. In cases where there are two or more interruptions, the total period of all interruptions to be condoned should not exceed one year.
CHAPTER V - DIFFERENT KINDS OF PENSIONS AND CONDITIONS FOR THEIR GRANT

SECTION I - CLASSIFICATION OF PENSIONS

5.1 Pensions are divided into four classes, the rules for which are prescribed in the following Sections of this Chapter:-

(a) Compensation Pensions (See Section II).
(b) Invalid Pensions (See Section III).
(c) Superannuation Pensions (See Section IV).
(d) Retiring Pensions (See Section VI).

Note: Besides the classes of pensions mentioned in this rule, special additional pensions are also granted to certain classes of Government employees under special circumstances (vide Rule 4.14 and 6.15).

SECTION II - COMPENSATION PENSION

A - CONDITIONS OF GRANT

5.2 If a Government employee is selected for discharge owing to the abolition of a permanent post, he shall, unless he is appointed to another post the conditions of which are deemed by the authority competent to discharge him to be at least equal to those of his own, have the option -

(a) of taking any compensation pension or gratuity to which he may be entitled for the service he has already rendered, or

(b) of accepting another post or transfer to another establishment even on a lower pay, if offered, and continuing to count his previous service for pension.

Note-1: The discharge of one Government employee to make room for another better qualified is not the abolition of a post within the meaning of this rule, the abolition must produce a real saving of Government.

Note-2: See also note 2 below Rule 4 of the Punishment and Appeal Rules,- vide Appendix 24 of these rules, Volume I, Part II.

Note-3: A Government employee in foreign service should be held to have lost his lien from the date on which his post in Government service was abolished and no contribution could be received after that date. He should be regarded as having retired from Government.
service from that date and he should be permitted to draw the pension to which he is entitled in addition to the pay which he received at the time from his foreign employer.

5.3 When a Government employee is transferred from pensionsable Government service to a non-pensionsable establishment, he cannot be granted any pension or gratuity admissible to him for the qualifying portion of his service until he actually retires from the nonpensionsable establishment to which he is transferred.

5.4 If it is necessary to discharge a Government employee in consequence of a change in the nature of the duties of his post, the case for the grant of compensation pension or gratuity and notice of discharge should be referred to the competent authority.

5.5 Cancelled.

5.6 Compensation pension is not admissible in the following cases, viz:

(a) To a Government employee who belongs to the public service and in addition holds charge of a particular local post, on the abolition of that particular local post.

(b) For the loss of a post on discharge after the completion of a specified term of service.

(c) For the loss of a special pay or compensatory allowance.

(d) To a schoolmaster or other Government employee, who in addition to his duties, is employed in any capacity in the Postal Department, on being relieved of such duties.

B - PROCEDURE

(i) Selection for Discharge

5.7 The selection of Government employees to be discharged upon the reduction of an establishment should prima facie be so made that the least charge for compensation pension will be incurred.

5.8 Particulars of the saving effected should be fully set forth in every application for compensation pension. The saving should always exceed the cost of
the pension; otherwise it may perhaps be better to postpone the reduction of establishment or abolition of post.

Note-1: In any scheme for reorganising an establishment, the claim to pension that may arise in consequence of the reorganisation should always be considered before a change is made and except in cases of very urgent necessity, no revision of establishment should be carried out which would have the effect of giving rise to claims to compensation pension, the cost of which cannot be met out of savings effected by the revision.

Note-2: The saving referred to in this rule should be calculated with reference to the emoluments actually drawn at the time of the abolition of the post.

(ii) Notice of Discharge

5.9 (a) Reasonable notice should be given to a Government employee in permanent employment before his services are dispensed with, on the abolition of his post. If, in any case, notice of at least three months is not given, and the Government employee has not been provided with other employment on the date on which his services are dispensed with, then, with the sanction of the authority competent to dispense with his services, a gratuity not exceeding his emoluments for the period by which the notice actually given to him falls short of three months, may be paid to him, in addition to the pension to which he may be entitled under the rules in Chapter VI; but the pension shall not be payable for the period in respect of which he receives a gratuity in lieu of notice.

(b) When it is proposed to discharge a person holding a temporary post before the expiry of the term of his appointment or a person employed temporarily on monthly wages without specified limit of time or duty, a month's notice of discharge should be given to such a person and his pay or wages must be paid for any period by which such notice falls short of a month.

1. The gratuity prescribed in this rule is not granted as compensation for loss of employment but only in lieu of notice of discharge with a view, to mitigate the hardship caused to a Government employee by the sudden loss of employment. When, therefore, a Government employee, discharged without notice, is provided with some other employment on the date on which his services are dispensed with, whether that
employment be in qualifying or non-qualifying service, he is not entitled to any gratuity.

2. Unless it contains an express statement to the contrary, an order for the abolition of an office or post shall not be brought into operation till the expiry of three months after notice has been given to the Government employees whose services are to be dispensed with on such abolition. The immediate head of the office or the Department will be held responsible that there is no unnecessary delay in giving such notice. In the case of a Government employee on leave, the order shall not be brought into operation until the leave expires.

Note-1: This rule does not apply to cases where specific provision for notice of discharge already exists in the letters of appointment.

Note-2: "Emoluments" in this rule means the emoluments or leave salary (or partly the one, partly the other) which, the Government employee would be receiving during period in question, had the notice not been given to him.

Note-3: For refund of gratuity awarded under this rule on reemployment, see Rule 7.12.

Note-4: The gratuity paid in lieu of notice on abolition of a post should be charged to the particular department to which the pay of the post was debited before its abolition.

5.10 Whenever it is found necessary to determine the service of a Government employee serving under the contract within the period of his agreement, a specific intimation of the determination of the agreement and of the grounds on which it has been determined shall be furnished to the Government employee in writing.

SECTION III - INVALID PENSION

A - CONDITIONS OF GRANTS

5.11 An invalid pension is awarded on his retirement from the Public service, to a Government employee who by bodily or mental infirmity is permanently incapacitated for the public service, or for the particular branch of it to which he belongs.

5.12 In the case of partial incapacity (vide alternative certificate in Rule 5.26), a Government employee should, if possible, be employed even on lower pay so
that the expense of pensioning him may be avoided.
If there be no means of employing him even on lower
pay, then he may be admitted to pension, but it
should be considered whether, in view of his capacity
for partially earning a living, it is necessary to
grant to him the full pension admissible under rule.

5.13 Cancelled.

5.14 A Government employee discharged on grounds other
than those stated in Rules 5.11 and 5.12 has no claim
to pension under Rule 5.11, even though he can
produce medical evidence of incapacity for service.

5.15 If the incapacity is directly due to irregular or
intemperate habits, no pension can be granted. If it
has not been directly caused by such habits, but has
been accelerated or aggravated by them, it will be
for the authority by which the pension is grantable
to decide what reduction should be made on this
account.

Note-1: The mere fact that a Government employee has
suffered from syphilis taken by itself is not
sufficient to bring him under the operation of this
rule.

Note-2: Unsoundness of mind caused by drug habits is a
sufficient cause for invaliding a Government
employee.

Note-3: The expression "irregular or intemperate habits"
occurring in this rule refers to incapacity on
account of drug habit or on account of disease
resulting from immoral habits. Cases where
incapacity occurs due to other causes, i.e., working
at irregular hours during War and after due to
exigencies of service and not due to own volition do
not come under the purview of this rule.

5.16 Deleted.

5.17 In the Police Department, Superintendents of Police
should be on their guard against endeavours to retire
on an invalid pension by Government employees who are
able of serving longer. See also Rule 5.23.

B - PROCEDURE

5.18 A Government employee who has submitted a medical
certificate of incapacity for further service shall,
if he is on duty, be invalided from service, from the
date of relief of his duties which should be arranged
without delay on receipt of the medical certificate.
or, if he is granted leave under rule 8.18 of these rules, Volume I (Part I) on the expiry of such leave. If he is on leave at the time of submission of medical certificate, he shall be invalided from service on the expiry of that leave or extension of leave, if any, granted to him under the rule 8.19 of these Rules, Volume I (Part I).

Note-1: The report required by this rule may in the case of head constables and constables of Police be submitted to the Inspector General of Police instead of to the Government.

Note-2: When a Government employee is retained in service, after he has submitted a medical certificate of invalidment, and is, therefore, granted leave under rule 8.18(c) of Volume I, Part I of these rules, the maximum period up to which, he can be allowed under second subparagraph of this rule to count for pension, the service after the date of medical certificate shall not exceed six months.

C – RULES REGARDING MEDICAL CERTIFICATES

(i) General

5.19 An officer applying for an invalid pension shall submit a medical certificate of incapacity in the manner specified below:

(a) If the officer submitting the application is on leave elsewhere than in India, then the examination shall be arranged through the Indian Missions abroad by a Medical Board consisting of a Physician, a Surgeon and an Ophthalmologist, each of them having the status of a consultant. The services of doctors approved for the officers and staff of the Mission concerned, shall be utilised for this purpose, provided they fulfil the above conditions. A lady doctor shall be included as a member of the Medical Board whenever a woman candidate is to be examined.

(b) If the officer submitting the application is in India, then the examining medical authority shall be—

(1) a Medical Board, in the case of all Gazetted Government employees and those non-Gazetted Government employees whose pay as defined in rule 2.44 of these Rules, Volume I, Part I, exceeds Rs. 500 per mensem.

(2) a Chief Medical Officer or Principal Medical Officer of equivalent status in other cases.
Except in the case of the officer on leave elsewhere than in India, no medical certificate of incapacity for service may be granted unless the applicant produced a letter to show that the head of his office or department is aware of his intention to appear before the Medical Officer. The Medical Officer shall also be supplied by the head of the office or department in which the applicant is employed with a statement of what appears from official records to be the applicant's age. Where the applicant has a service book, the age there recorded should be reported.

5.20 Cancelled.

5.21 (a) A succinct statement of the Medical case, and of the treatment adopted should, if possible, be appended.

(b) If the examining Medical Officer, although unable to discover any specific disease in the Government employee, considers him incapacitated for further service by general debility while still under the age of fifty-five years, he should give detailed reasons for his opinion, and, if possible, a second medical opinion should always in such a case be obtained.

(c) In a case of this kind, special explanation will be expected from the Head of the Office or Department of the grounds on which it is proposed to invalid the Government employee.

Note: The requirements of this rule need not to be insisted upon in the case of Class IV Government employee invalided for general debility while his age is less than 55 years and the Medical Officer certifies him to be of over that age.

5.22 A simple certificate that inefficiency is due to old age or natural decay from advancing years, is not sufficient in the case of a Government employee whose recorded age is less than 55 years, but a Medical Officer is at liberty when certifying that the Government employee is incapacitated for further service by general debility, to state his reason for believing the age to be understated.

Note: Senile Contract, arterial changes consequent on senile decay, general nervous breakdown, and commencing cataract may be treated as specific disease as they may come before a man which is the 55th year of his age.
5.23 Medical Officers should confine themselves to recommending leave to such policemen as are not likely to benefit by a further stay in Hospital and should not certify that a policeman is incapacitated for further service unless they are officially requested to report upon his incapacity for further service.

The Medical Officer should be specially searching in their examination of the physical unfitness of every applicant for pension, and, whenever the number of applicants for pensions is large, the examination should, if possible, be conducted by two Medical officers.

5.24 Form of Medical Certificate elsewhere than in India:

The form of medical certificate given by the Medical Board arranged by the Indian Mission abroad respecting an officer applying for invalid pension while on leave elsewhere than in India, shall be as follows:

"We have carefully examined Mr. Taking into account all the facts of the case as well as his present condition, we consider that he is incapable of discharging the duties of his situation, and that such incapability is likely to be permanent. His incapacity does not appear to us to have been caused by irregular or intemperate habits."

Note: (If the incapacity is obviously the result of intemperance substitute for the last sentence "In our opinion his incapacity is the result of irregular or intemperate habits.")

If the incapacity does not appear to be complete and permanent, the certificate should be modified accordingly and the following addition should be made:

We are of opinion that A/B, is fit for further service of a less laborious character than that which he has been doing (or may, after resting for ______ months, be fit for further service of a less laborious character than that which he has been doing).

5.25 If any doubt arises regarding the validity of a certificate by the Medical Board arranged by the Indian Mission abroad the Accountant General must not of his own motion reject the certificate as invalid, but must submit the matter for the decision of the Government.
(iii) Form of Medical Certificate in India

5.26 The form of the certificate to be given respecting a Government employee applying for pension in India is as follows:

"Certified that I (we) have carefully examined A.B., son of C.D., a ______ in the ______, His age is by his own statement ______ years, and by appearance about ______ years. I (We) consider A.B., to be completely and permanently incapacitated for further service of any kind (or in the Department to which he belongs) in consequence of (here state disease or cause). His incapacity does not appear to me (us) to have been caused by irregular or intemperate habits.

Note: If the incapacity is obviously the result of intemperance, substitute for the last sentence: "In my (our) opinion, his incapacity is the result of irregular or intemperate habits".

(If the incapacity does not appear to be complete and permanent, the certificate should be modified accordingly and the following addition should be made), I am (We are) of opinion that A.B. is fit for further service of a less laborious character than that which he has been doing (or may, after resting for ______ months, be fit for further service of a laborious character than that which he has been doing).

1. See also Rule 5.12.

SECTION IV — SUPERANNUATION PENSION

A - CONDITIONS OF GRANT

5.27 A superannuation pension is granted to a Government employee entitled or required, by rule, to retire at a particular age. See Rule 3.26 of Volume I, Part I, of these Rules.

No claim to compensation from a Government employee who is required to retire at a particular age under rules will be entertained.

5.28 Cancelled.

5.29 Omitted.
5.30 Each Government employee's case should be taken up when he is approaching the age of superannuation and before the expiry of each extension of service.

5.31 Cancelled.

SECTION V - RETIRING PENSION
A - CONDITIONS OF GRANT

5.32 [Deleted.]

5.32-A. The rule for the grant of retiring pensions is as follows:-

(a) A Government employee is entitled, on his resignation being accepted, to a retiring pension after completing qualifying service of not less than 30 years, but a competent authority may permit the pension to be granted in special cases where the qualifying service is not less than 25 years.

(b) A retiring pension is also granted to a Government employee who is required by Government to retire after completing 25 years' qualifying service or more and who has not attained the age of 55 years.

Note-1: The Government retains an absolute right to retire any Government employee after he has completed twenty-five years of service qualifying for pension if he is holding a pensionable post or has completed service for a similar period if he is holding a nonpensionable post, but is entitled to the benefits of Contributory Provident Fund, without giving any reasons and no claim to special compensation on this account. This right will not be exercised except when it is in the public interest to dispense with the further services of a Government employee such as on account of inefficiency, dishonesty, corruption or infamous conduct. This clause (b) of this rule is intended for use -

(i) against a Government employee whose efficiency is impaired but against whom it is not desirable to make formal charges of inefficiency or who has ceased to be fully efficient (i.e. when a Government employee's value is clearly incommensurate with the pay which he draws) but not to such a degree as to warrant his retirement on a compassionate ground. It is not the intention to use the provisions of this note as a financial weapon, that is to say, the provision should be used only in the case of
Government employees who are considered unfit for retention on personal as opposed to financial grounds; and

(ii) in cases where reputation for corruption, dishonesty or infamous conduct is clearly established even though no specific instance is likely to be proved under the Punishment and Appeal Rules, Appendix 24 of Volume I, Part II of these rules or the Public Service (Inquiries) Act, 1856 (XXXVIII of 1856).

The word "Government" used in this note should be interpreted to mean the authority which has the power of removing the Government employee from service under the Civil Services (Punishment and Appeal) Rules.\textsuperscript{133}

Note-2: The Government employee should be given a reasonable opportunity to show cause against the proposed action under clause(b) of this rule. No Gazetted Government employee shall, however, be retired without the approval of Council of Ministers. In all cases of compulsory retirement of Gazetted Government employees belonging to the State Services, the Public Service Commission shall be consulted. In the case of non-Gazetted Government employees the Head of Departments should effect such retirement with the previous approval of the State Government.

e-3: A Government employee who has elected to retire under this rule and has given necessary intimation to that effect to the competent authority, shall be precluded from withdrawing his election subsequently except with the specific approval of the authority competent to fill the appointment; provided his request for withdrawal is made within the intended date of his retirement.\textsuperscript{134}

(c) [A retiring pension is also granted to a Government employee other than a class IV Government employee,–

(1) who is retired by the appointing authority by giving him a notice of not less than three months in writing,–

(i) If he is in class I or class II service or post and had entered Govt. 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;

(2) Who if from category (1) (i) above retires on or after attaining the age of fifty years, or if from category (1)(ii) above retires on/or after attaining the age of fifty five years, by giving a notice of not less than three months, in writing, of his intention to retire, to the appointing authority:

Provided that where the notice is given before attaining the age of fifty years or fifty five years, as the case may, it shall be given effect to from a date not earlier than the date on which the age of fifty years, or fifty five years, as the case may be is attained.

Note: Appointing authority retains an absolute right to retire any Govt. employee referred to above on or after he has attained the age of fifty years, or fifty five years, as the case may be, without assigning any reason. A corresponding right is also available to such a Govt. employee to retire on or after he has attained the age of fifty years or fifty five years, as the case may be.

15.32-B. (1) At any time a Government employee has completed twenty years’ qualifying service, he may, by giving notice of not less than three months in writing to the appointing authority, retire from service. However, a Government employee may make a request in writing to the appointing authority to accept notice of less than three months giving reason therefor. On receipt of a request, the appointing authority may consider such request for the curtailment of the period of notice will not cause any administrative inconvenience, the appointing authority may relax the requirement of notice of three months on the condition that the Government employee shall not apply for commutation of a part of his pension before the expiry of the period of notice of three months.

(2) The notice of voluntary retirement given under sub rule (1) shall require acceptance by the appointing authority subject to rule 2.2 of Pb.C.S.R. Vol.II:

Provided that where the appointing authority does not refuse to grant the permission for retirement before the
expiry of the period specified in sub-rule (1) supra, the retirement shall become effective from the date of expiry of the said period:

Provided further that before a Government employee gives notice of voluntary retirement with reference to sub-rule (1) he should satisfy himself by means of a reference to the appropriate authority that he has, in fact, completed twenty years service qualifying for pension.

(3) The qualifying service as on the date of intended retirement of the Govt. employee, seeking retirement under this rule or under clause (e) of rule 3.26 of Pb.C.S.R. Vol.I, Part I with or without permission shall be increased by the period not exceeding 5 years subject to the condition that the total qualifying service rendered by the Govt. employee does not in any case exceed 33 years and it does not take him beyond the date of superannuation. The weightage of five years shall not be admissible in cases of those Govt. employees who are prematurely retired by the Govt. in public interest under the relevant rules.

(4) A Government employee, who has elected to retire under this rule and has given the necessary notice to that effect to the appointing authority, shall be precluded from withdrawing his notice except with the specific approval of such authority.

Provided that the request for withdrawal shall be made before the intended date of his retirement.

(5) The pension and death-cum-retirement-gratuity of the Government employee retiring under this rule shall be based on the emoluments as defined under rule 6.24 of Punjab Civil Services Rules Volume II and the increase not exceeding five years in his qualifying service shall not entitle him to any notional fixation of pay for the purposes of calculating pension and gratuity.

(6) The amount of pension to be granted after giving the weightage will be subject to the provisions of rule 6.4 of Punjab Civil Services Rules Volume II.

(7) This rule shall not apply to a Government employee who retires from Government service for being absorbed permanently in an autonomous body or a Public Sector Undertaking to which he is on deputation at the time of seeking voluntary retirement.
Explanation:—For the purpose of this rule the expression "appointing authority" shall mean the authority which is competent to make appointments to the service or post from which the Government employee seeks voluntary retirement.\[19\]

5.33 In the case of Class IV Government employees retiring pension may be granted if such a Government employee is permitted or required to retire after 30 years qualifying service or more.

B - PROCEDURE

5.34 Authorities competent to retire Government employees should carefully examine the record of every Government employee who has completed 25 years qualifying service with particular reference to his integrity or otherwise: and if it is desirable in the public interest that he should be retired, action should be taken accordingly.

Note: In preparing periodical reports on their subordinates all officers should deal fully with such evidence as is available of inefficiency or corruption or other failing which impairs a Government employee's value.

5.34-A (1) On a Government employee completing twenty five years of service or on his being left with five years of service before the date of retirement, whichever is earlier, the head of office in consultation with the Accounts Officer shall, in accordance with the rules for the time being in force, verify the service rendered by such a Government employee, determine the qualifying service and communicate to him, in form PEN 15, the period of qualifying service so determined.

(2) Notwithstanding anything contained in sub-rule (1), where a Government employee is transferred to another department from a temporary department or on account of the closure of the department he had been previously serving or because the post he held had been declared surplus (or where a non-gazetted Government employee is promoted to gazetted rank) the verification of his service may be done whenever such event occurs.

(3) The verification done under sub-rules (1) and (2) shall be treated as final and shall not be reopened except when necessitated by a subsequent change in the rules and orders governing the conditions under which the service qualified for pension.\[17\] \[18\]
5.35 Heads of Departments should report to Government once a month the action taken by them or the competent authorities subordinate to them under Rules 5.32 to 5.34.

They should also inform Government of the orders of the appellate authority where there has been an appeal against the orders of the competent authority. The report to Government should state briefly the grounds on which a Government employee has been required to retire and should be addressed to the Chief Secretary.