THE PUNJAB CIVIL SERVICES RULES

VOLUME I

Rules relating to pay and Allowances, Leave, Passages and other General Conditions of Services

(As applicable to Haryana State)

PART I—MAIN RULES

(Reprint Edition)

Corrected up to 31st December, 1984

CHANDIGARH

PRINTED BY CONTROLLER OF PRINTING AND STATIONERY, HARYANA

1985
PREFACE

This is an up-to-date compilation of the Punjab Civil Services Rules, Volume I, Part I, as applicable in Haryana State. The last edition of this book was published in the year 1963. The present edition incorporates corrections and amendments made to various rules in the Composite Punjab upto 31st October, 1966 and amendments issued by the Haryana Government during the last thirteen years and upto 20th Amendment of the year 1979. Provisions which had become obsolete due to passage of time, such as old leave rules etc., have been omitted and changes where necessary, due to reorganisation of Punjab, and other Government instructions issued from time to time, have been effected.

2. An attempt has been made to indicate briefly in footnotes the date from which the changes in the rules were effected.

3. It is requested that any errors or omissions found in this Volume may kindly be brought to the notice of the Head of Departments who may please submit their proposals to the Finance Department through the Administrative Department concerned.

T. K. Banerji.
Secretary to Government, Haryana,
Finance Department.
PREFACE TO FIRST EDITION (REPRINT)

This edition brings the compilation up-to-date. It incorporates all the amendments issued up to 31.12.1984 to First Edition and is re-printed to meet further demand for copies of these Rules.

2. An attempt has been made to indicate briefly in footnotes the date of effect of changes in the rules.

3. It is requested that any errors or omissions found in this Volume may kindly be brought to the notice of Heads of Departments, who will please submit their proposals to the Finance Department through their Administrative Department concerned.

M. C. GUPTA

Commissioner & Secretary to Govt.,
Haryana, Finance Department.
PREFACE TO THE FIRST EDITION

The Punjab Civil Services Rules, issued in exercise of the powers conferred by the proviso to article 309 of the Constitution of India, are contained in three volumes:--

(1) Volume I contains rules relating to pay and allowances, leave, passages and other general conditions of service.

(2) Volume II contains rules relating to pensions and provident funds.

(3) Volume III contains rules relating to travelling allowances.

Volume I has been further divided into two parts—Part I, covering the main rules, and Part II, the appendices and forms.

2. These rules will apply in respect of Government servants belonging to the categories mentioned at rule 1.2, from the date of issue of this publication.

3. In so far as the Government servants, whose conditions of service are regulated by the rules issued by the late Secretary of State under sections 247 (1) and 250 (1) and (2) read with section 247 (1) of the Government of India Act, 1935, are concerned, the Fundamental Rules as amended by the President of India from time to time, will continue to apply. These rules are contained in the Punjab Government Compilation of the Fundamental Rules and the Subsidiary Rules. These rules also do not apply to members of the I.A.S. and I.P.S. serving under the Punjab Government. They will be governed by the rules issued by the President of India in this behalf.

The rules in this Volume are based mainly on the existing rules and orders contained in Civil Services Rules (Punjab), Volume I, Part I—Main Rules (First Edition)---1941, modified in the background of the changes resulting from the partition of the Punjab and Constitutional requirements. To avoid over-lapping, Chapters XV and XVI
of the edition referred above, containing the "Assent" and "Delegation Orders" issued under the various rules, have been brought together in Chapter XV. The Punishment and Appeal Rules, previously contained in Section III of Chapter XIV, are now in the form of an Appendix in Part II to this Volume.

5. Correction slips and amendments issued to the various rules up to 31st March, 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 opportunity has also been taken to include important orders relating to interpretation of rules, in the form of "Notes" or "Illustrations" below the relevant rule.

7. The forms which have been adopted in the rules in this volume, have been given a separate new "Pb. C.S.R." (abbreviation for Punjab Civil Services Rules) Series. These will be found in Part II of this Volume.

8. All Government servants who notice any errors or omissions in these rules, are to bring them to the notice of their Heads of Departments, who will please submit their proposal to the Finance Department, through the Administrative Department concerned.

E.N. MANGAT RAI,
Secretary to Government, Punjab,
Finance Department.
PREFACE TO FIRST EDITION (REPRINT)

This edition brings the compilation up-to-date. It incorporates all the corrections slips No. 1 to 144 issued to the First Edition and is printed to meet further demand for copies of these Rules.

2. An attempt has been made to indicate briefly in footnotes the date of effect of changes in the rules.

3. It is requested that any errors or omissions found in this Volume may kindly be brought to the notice of Heads of Departments, who will please submit their proposals to the Finance Department, through their Administrative Department concerned.

J. S. BASUR
Secretary to Government, Punjab, Finance Department.
Family Pension:

- From 1.1.26

Rate of Family Pension:

I. Pay not exceeding Rs. 1500/-

II. Exceeding Rs. 1500/- but not exceeding Rs. 3000/-

III. Exceeding Rs. 3000/-

30% of pay subject to minimum of Rs. 300/- (from 1.7.64 to)

20% of pay subject to the minimum 450/-

15% of pay subject to minimum Rs. 600/-

and maximum of Rs. 1250/-
PREFACE TO THE FIRST EDITION (SECOND, REPRINT)

Article 309 of the Constitution of India provides that subject to the provisions of the Constitution, Acts of appropriate Legislature may regulate the recruitment, and conditions of service of persons appointed to public services and posts in connection with the affairs of the State, and, until a provision in that behalf is made by or under an "Act" of the appropriate Legislature, such rules may be framed by the Governor of the State. The desirability of framing the "Act" was examined, in consultation with the Government of India. They stated that since the promulgation of the Constitution, various sets of rules have been or are being framed and revised under the proviso to Article 309 and brought into conformity with the Constitution and altered conditions; and as the said proviso empowers the President and the Governor to make rules in the case of services and posts in connection with the affairs of the Union and of the State respectively, it was not considered necessary to enact the Act, referred to above.

2. In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of the Punjab issued the rules as contained in the First Edition and reprint thereof. Since the issue of the First Edition (reprint), there have been several changes in the Leave Rules and Pay Fixation Rules, and enhanced powers have been delegated to the various authorities during 1962. The present edition incorporates correction slips No. 1 to 223, amendments Nos. 1 to 30 of 1962 and 1 to 26 of 1963 to the First Edition (reprint), and thus brings the compilation up-to-date.

3. From 1st November, 1956, the erstwhile States of Punjab and Pepsu have been integrated into the new State called Punjab. Under proviso to Section 115 (7) of the States Reorganisation Act 1956, no rule can be amended or made, which would adversely affect the conditions of service of the employees of the erstwhile States of Punjab and Pepsu, except with the specific approval of the Government of India. Accordingly, in regard to the rules regarding "Fixation of Pay" and "Leave", as contained in Punjab C. S. R. Volume I, the employees of erstwhile Pepsu were given the
option either to continue to be governed by the corresponding rules in the Pepsu Service Regulations Volume I, or to come on to the corresponding rules in Punjab Civil Services Rules, Volume I.—vide Punjab Government letters Nos. 4089-FRII-58/9205, dated 10th June, 1958 and 126-FRII-59/1106, dated 6th February, 1959. Those who opted for the "Pay Fixation" and "Leave" Rules contained in Pepsu Service Regulations Volume I continued to be governed by those rules, while those who did not exercise their option for those rules are governed by the corresponding rules in Punjab Civil Services Rules, Volume I. Other rules in the Punjab Civil Services Rules, Volume I, are applicable equally to all.

4. In respect of Government employees, whose conditions of service were regulated by the rules issued by the late Secretary of State under Section 247(1), 250(1) and (2) of the Government of India Act, 1935, the Fundamental Rules, as amended by the President of India from time to time, will continue to apply as already stated in para 3 of the Preface to the First Edition. These Rules are contained in the Punjab Government Compilation of the Fundamental Rules and the "Subsidiary Rules", as mentioned in paragraph 5 below. The members of the I.A.S. and I.P.S. serving under the Punjab Government are governed by the rules issued by the President of India under the All-India Services Act, 1951, and in respect of matters not covered thereby by the rules deemed to have been issued under the said Act, viz., Fundamental Rules, and the "Subsidiary Rules."

5. Prior to 1st April, 1941, the Punjab Government had published their "Subsidiary Rules" under the Fundamental Rules in a separate volume. From 1st April, 1941, however, the Punjab Government issued their own rules known as Civil Services Rules (Punjab) Volume I, under proviso to Section 241 (2) (b) of the Government of India Act, 1935, and incorporated therein the Subsidiary Rules also. Since then, the Subsidiary Rules are not being maintained separately. These Subsidiary Rules, so far as the Travelling Allowance Rules are concerned, are contained in Punjab Civil Services Rules, Volume III. Other Subsidiary Rules issued by the Punjab Government are contained in the following rules in Punjab Civil Services Rules, Volume I:

Schedule to Chapter II.

Rules 3.1 to 3.5.
Note below rule 4.17.
Rules 5.1 to 5.9, 5.13 to 5.52, 5.55 to 5.60.

Rules 7.5, 7.6.
Rules 8.4 to 8.12, 8.15 to 8.20, 8.34 to 8.40, 8.44 to 8.46, 8.50, 8.51, 8.86, 8.87, 8.94, 8.95 and Annexure I to Section I of Chapter VIII.


Rules 12.1.

Appendix 9.

6. Officers who notice any real errors or omission in this edition are requested to bring them to the notice of the Heads of their Departments, who will forward suitable proposals to the Finance Department through the Administrative Department concerned.

SAMPURAN SINGH,
Secretary to Government, Punjab,
Finance Department.
Formulas

Interest on G.P.F. = (Monthly Contribution) x Rate of Interest

Average Emoluments = Basic Pay + SDA Pay + HRA + NPA

Pension = Average Emoluments \times 0.5

\begin{align*}
\text{(Minimum \, = \, 3.75) } & \rightarrow 66 \\
\text{Commutation Portion} & = \frac{\text{Pension \, (on \, 1.186)}}{2}
\end{align*}

\text{(\therefore \, Monthly Pension = \,)}

\text{Commuted Value} = \text{Commutation Portion} \times 12 \times \text{Value}

1. D.C.R.G.; 9 \, \text{for 6 months} \, \text{in lieu of incremental} \, \text{in emoluments,} \, \text{from 1.1.86}.
2. Emoluments \, \text{increased \, by \,} 24 \, \text{for 2 years} \, \text{in \, the \, pay \, scales} \, \text{for 12 \, months \, \text{of last emoluments} \, \text{in lieu of D.C.R.G.}.
3. 24 \, \text{for 2 years} \, \text{in \, lieu \, of \, D.C.R.G.} \, \text{for 12 \, months} \, \text{of last emoluments} \, \text{in lieu of D.C.R.G.}.

\text{D.A.} \, \text{on 1.4.95 \%}

\begin{align*}
\text{Basic Pay} & = 3500 \, \text{Pay} \, \text{97\% of Pay} \\
\text{Basic Pay} & = 6000 \, \text{Pay} \, \text{73\% of Pay} \\
\text{Basic Pay} & = 6000 \, \text{Pay} \, \text{63\% of Pay}
\end{align*}

\text{Formula} = \text{4 of last emoluments} \times 0.5

\text{Rate of Interest} \, \text{on 1.1.86} \, \text{is 11.86} \, \text{on 1.4.95}.
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THE
PUNJAB CIVIL SERVICES RULES
Volume I

PART I

CHAPTER I—Extent of application

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

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

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

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

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

**Unless there is something repugnant in the subject or context the word Punjab wherever it occurs with reference to the Legislative Assembly, State Public Service Commission, any department, service or organisation, Government Governor, Accountant-General or any officer or officer of the State shall be substituted by the word “Haryana”; vide Haryana Govt. F.D. Notification No.61(4)/78/IFR-1 dated 22nd August, 1978.
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\*Note 2.—The Speaker of the Legislative Assembly has agreed under Article 187(3) of the Constitution that until a law is made by the Legislature of the State under Article 187(2) of the Constitution or rules are framed by the Governor in consultation with the Speaker of the Legislative Assembly under clause (3) of Article 187 of the Constitution of India, these rules and amendments thereto if any (after prior consent of the Speaker), shall apply to the Secretariat staff of the Haryana Legislative Assembly.

\*\*Note 3.—Omitted.

Note 4.—The Chairman, Haryana Public Service Commission, has agreed to the application of these rules as amended from time to time, in the case of officers and employees of the Haryana Public Service Commission.

1.3 When in the opinion of the competent authority, special provisions inconsistent with these rules are required with reference to any particular post or any conditions of service, that authority may, notwithstanding anything otherwise contained in these rules, and subject to the provisions of clause (2) of Article 310 of the Constitution of India (see Appendix 1), provide agreement with the person appointed to such post for any matters in respect of which in the opinion of that authority special provisions are required to be made. Provided that in every agreement so made it shall be provided that in respect of any matter for which no provision has been made in the agreement, provisions of these rules shall apply.

1.4 These rules shall not apply to—

(i) any Government employee between whom and the Government, a specific contract or agreement subsists in respect of any matter dealt with herein to the extent up to which specific provision is made in the contract or agreement (see rule 1.3 above);

(ii) any person for whose appointment and conditions of service special provision is made by or under any law for the time being in force; and

(iii) any Government employee or class of Government employees to whom the competent authority may, by general or special order, direct that they shall not apply in whole or in part. One of such

\*Substituted vide Haryana Government Notification No. 6/(14)/78/FR-I dated the 23rd August, 1978.

\*\*Omitted vide Ditto
classes of Government employees is that employed
only occasionally or which is subject to discharge
at one month's notice or less. A list of such
Government employees is given in Appendix 2.

Note.—Different types of Model forms of agreement for use in the case of Gover-
ment employees engaged on contract are given in Form P. C.S.R., No. 1.

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

1.6. Nothing in these rules shall operate to deprive any
person of any right or privilege to which he is entitled by
or under any law or by the terms of his agreement.

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

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

Note 1.—Communications regarding the interpretation and alteration of these rules
should be addressed to the Finance Department through the Administrative Department
concerned.

Note 2.—Where the Finance Department is satisfied that the operation of any of
these rules regulating the conditions of service of State Government employees or any class
of such Government employees, causes undue hardship in any particular case, it may by
order dispense with or relax the requirements of that rule to such extent and subject to such
conditions as it may consider necessary for dealing with the case in a just and equitable man-
ner.

The expression “State Government employees,” means all persons whose conditions
of service may be regulated by rules made by the Governor of Haryana under the proviso
to Article 309 of the Constitution.
CHAPTER II—Definitions

2.1. Unless otherwise specified in the subject or context, the terms defined in this chapter are used in these rules in the sense here explained.

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

*Note:* This definition covers also the term "Audit Office".

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

   (i) Leave of all kinds except extraordinary, leave not counting towards increment under rule 4.9;

   (b) (i) 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 provided his return to duty is compulsory.

   (iii) The period of absence from India of a Government employee deputed or detained out of India on duty.

*Note:* Omitted.

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

*Deemed to be substituted with effect from 22/4/1964 vide Haryana Government Notification No. 61/4/78/FR-I, dated the 22nd August, 1978.*
2.5 Age.—When a Government employee is required to retire, revert, or cease to be on leave on attaining a specified age, the day on which he attains that age is reckoned as a non-working day and the Government employee must retire, revert, or cease to be on leave (as the case may be) with effect from and including that day.

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

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

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

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

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

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

2.7 *Omitted

2.8 **Omitted

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

2.10 Camp equipage means the apparatus for moving a camp.


2.10—2.15] DEFINITIONS [Chap. II

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

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


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

Note—See the explanation and note * under rule 2.32.

2.14. Competent authority in relation to the exercise of any power means the Administrative Department concerned of Government acting in consultation with the Finance Department, or any other authority to which such power may be delegated by or under these rules. A list of authorities which exercise the powers of a competent authority under the various rules is given in Chapter XV.

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

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

*Omitted vide Haryana Govt. F.D. Notification No. 6/4/78/FR.1 dated the 22nd August 1978.
2.16. **Duty.**—(a) **Duty includes—**

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

(2) joining time.

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

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

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

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

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

*Note 3:*—Not more than one wife is included in the term family for the purpose of these rules.

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

*Note 5:*—A person in receipt of a gross pension (including temporary increase in pension and pension equivalent of death-cum-retirement gratuity) not exceeding Rs. 100 per month but otherwise dependent on and residing with the Government employee shall be considered a member of his/her family for the purposes of Rules 5.3 and 5.5 of these Rules.
2.18. Fee means a recurring or non-recurring payment to a Government employee from a source other than the Consolidated Fund of India or the Consolidated Fund of a State (including the Haryana State); whether made directly to the Government employee or indirectly through the intermediary of Government, but does not include:

(a) unearned income such as income from property, dividends, and interest on securities; and

(b) income from literary, cultural, artistic, scientific or technological efforts if such efforts are not aided by the knowledge acquired by Government employee in the course of his service.

2.19. Finance Department means the Finance Department of the Haryana Government.

2.20. First appointment includes the appointment of a person not at the time holding any appointment under Government, even though he may have previously held such an appointment.

2.21. Foreign service means service in which a Government employee receives his pay with the sanction of Government from any source other than the Consolidated Fund of India or the Consolidated Fund of State.

2.22. A Gazetted Government Employee is one who is a member of an All-India, Specialist or State Service, Classes I and II, or a person appointed in accordance with the terms of a contract or agreement and whose appointment is gazetted by Government and any other Government employee holding a post which may be declared to be a gazetted post by competent authority.

2.23. General revenues include the revenues of the Union Government or of State Government and exclude the revenues of a Local Fund.

2.25 Head of Department means the authority shown in column 3 of Appendix D to the Punjab Budget Manual in respect of the Government employees whose pay is charged to the corresponding head of account in column 1 of that Appendix, with the following exceptions:—

(1) Governor is Head of the Department with respect to himself and his personal staff;

(2) Commissioners of Divisions are Heads of Departments with respect to Government employees whose pay is charged to the minor heads ‘Commissioners’, ‘District Establishment’ and ‘Other Establishment’;

(3) The Conservators of Forests are Heads of Departments for all ministerial Government employees; Forest Rangers; Deputy Rangers, Foresters, Forest Guards and Class IV Government employees and other employees serving in their circles.

(4) Any other authority specially appointed by the competent authority to exercise the powers of a Head of Department.

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

2.27 The Headquarters of a Government employee are—

(a) if he is attached to the Secretariat offices of the Government, the headquarters for the time being of the Government; and

(b) in other cases, the station which has been declared to be his headquarters by competent authority or, in the absence of such declaration, the station where the records of his office are kept.

*Deemed to have been substituted with effect from 1-4-1974 vide Haryana Government Notification No. 6/1/(4)/78/FR-3, dated the 22nd August, 1978.

**Substituted vide Haryana Govt. Notification No. 6/1/(4)/78/FR-1 dated the 22nd August, 1978.
2.28. *Hill station* means any place which a competent authority may declare to be a hill station.

2.29. *Holiday* means —

(a) a holiday prescribed or notified by or under section 25 of the Negotiable Instruments Act, 1881; and

(b) in relation to any particular office, a day on which such office is ordered, by notification in the Gazette or otherwise to be closed for the transaction of Government business without reserve or qualification.

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

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

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

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

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

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

*2.31. [Omitted]*

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

**2.33. [Omitted]**

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**Omitted vide Haryana Government Notification No. 6/94/78/P.R.-I dated the 22nd August, 1978.*
2.34. Leave salary means the monthly amount paid by Government to a Government employee on leave.

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

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

2.36. Local Fund means:—

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

(b) the revenues of any body which may be specially notified by the competent authority as such.

2.37. [Omitted]

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

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

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

Note.—Those members of Class II service whose duties are predominantly clerical, shall be classed as Ministerial employee for the purpose of this rule.
2.41. **Month** means a calendar month. In calculating a period expressed in terms of months and days, complete calendar months, irrespective of the number of days in each, should first be calculated and the odd number of days calculated subsequently.

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

<table>
<thead>
<tr>
<th>Period</th>
<th>Y</th>
<th>M</th>
<th>D</th>
</tr>
</thead>
<tbody>
<tr>
<td>25th January to 31st January</td>
<td>0</td>
<td>0</td>
<td>7</td>
</tr>
<tr>
<td>February to April</td>
<td>0</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>1st May to 13th May</td>
<td>0</td>
<td>0</td>
<td>13</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>0</td>
<td>3</td>
<td>20</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Period</th>
<th>Y</th>
<th>M</th>
<th>D</th>
</tr>
</thead>
<tbody>
<tr>
<td>30th January to 31st January</td>
<td>0</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>February</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>1st March to 2nd March</td>
<td>0</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>0</td>
<td>1</td>
<td>4</td>
</tr>
</tbody>
</table>

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

*Note:* Omitted

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

2.44. (a) **Pay** means the amount drawn monthly by a Government employee as—

(i) the pay, other than special pay or pay granted in view of his personal qualifications, which has been sanctioned for a post held by him substantively or in an officiating capacity or to which he is entitled by reason of his position in a cadre; and


**Omitted w.e.f. 5-9-79 vide Haryana Govt. Notification No. 1/42/79 A.O.P.D. dated the 22nd August 1978.*
(ii) overseas pay, special pay and personal pay;
and

(iii) any other emoluments which may be specially classed as pay by the competent authority.

(b) In the case of a military officer in receipt of the rates of pay introduced on July 1, 1924, pay includes the amount which he receives monthly under the following designations:

(i) pay of appointment, lodging allowance and marriage allowance; and

(ii) pay of rank, command pay, additional pay, Indian Army Allowance, lodging allowance and marriage allowance.

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

Note 2.—If language allowances are lump sum allowances, they will be dealt with under rule 2.55. If they are recurring payments they will fall under the head “pay” under clause (a) (ii) of this rule.

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

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

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

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

(a) to save him from a loss of substantive pay in respect of a permanent post other than a tenure post due to a revision of pay or to any reduction of such substantive pay otherwise than as a disciplinary measure; or

(b) in exceptional circumstances, on other personal considerations.

Note.—No case will be entertained which is not of an entirely exceptional character; and in submitting cases for the grant of personal pay, this should be carefully borne in mind.
2.48. Presumptive pay of a post, when used with reference to any particular Government employee, means the pay to which he would be entitled if he held the post substantively and were performing its duties; but it does not include special pay unless the Government employee performs or discharges the work or responsibility in consideration of which the special pay was sanctioned.

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

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

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

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

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

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

2.51. Cancelled.

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

(a) the specially arduous nature of the duties; or

(b) the specific addition to the work or responsibility and includes non-practising allowance granted to doctors in lieu of private practice.

Explanation.—The circumstances which justify the grant to a Government employee of special pay are entirely different in character from those which justify the grant of a compensatory allowance, a difference emphasized in the definition of those terms embodied in rules 2.13 and 2.52. Those definitions should be strictly construed and an exact compliance required with the conditions stated in them as antecedent to the grant of either special pay or compensatory allowance. There is no necessary inter-dependence between special pay and compensatory allowance. It is not the intention of the rules either that where the cost of living would justify the grant to a Government employee of a compensatory allowance he should be rendered ineligible for such allowance, because he has already been granted special pay in recognition of the duties and responsibilities of his post, or that if the attachment of special pay to a post is justified under the terms of the rules it should be subject to reduction because for reasons essentially different, a compensatory allowance as defined in rule 2.13 is subsequently granted.

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

Note 2.—Omitted.

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

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

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

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

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

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

*256. Omitted

257. Omitted

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

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

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

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

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

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

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

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

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

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

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

**SCHEDULE**

*Referred to in Rule 2.16(b)*

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

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

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

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

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

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

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

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

(a) women teachers required to undergo a duly authorized course of training approved by competent authority;
(b) teachers in Intermediate Colleges required to undergo S.S.T.C. or B.T. training at a Training College;
(c) teachers and Block Education Officers required to attend a course in physical training;
(d) Physical Training Supervisors in Government Colleges required to attend the Elementary Library Routine Class conducted by any University in the State of Haryana; and
(e) Women teachers from the Government Industrial Schools for girls or from Government Travelling Demonstration Parties required to undergo industrial training at the Industrial Teachers Training Class for Women.

(ii) Period or periods spent by an employee of the Haryana Government, in A.R.P. training or A.R.P. duty during normal working hours with the permission of the head of his office shall be treated as duty for the purpose of rule 2.16

(iii) In the case of a Government employee who has been substantively appointed to a post or cadre in a Government service during any course of instruction or training which he may be required
or permitted to undergo in accordance with the terms of any general or special orders of the competent authority.

(iv) In the case of a student, stipendiary or otherwise, who is entitled to be appointed to the service of Government on passing through a course of training at a University College or School; during the interval between satisfactory completion of the course and his assumption of duties, unless in any case, it be otherwise provided in the terms of his appointment.

(v) On the first arrival in India of Government employees appointed outside India, who do not, before they report themselves at the seat of the Government of the Haryana, receive orders to take charge of a specified post during the interval between the date of such report and the date on which they take charge of their duties; Provided that the interval between the receipt of orders and their assumption of duties shall not exceed the amount of joining time which would be admissible to a Government employee entitled to joining time under the rules in Chapter IX.

(vi) The period of compulsory waiting by a Government employee returning from leave for orders of Government posting him to a particular post.

(vii) During the period occupied in attending obligatory examinations, including the time reasonably necessary for the journeys to and from the place of examination.

(viii) During the period occupied in attending optional examinations at which a Government employee is permitted to appear by competent authority and during the time reasonably necessary for the journey to and from the place of examination.
(ix) For the treatment of the periods of periodical military training of Reservists of the Indian Army in Civil Government employee as duty, see Explanation 2 under rule 4.3.

(x) The period spent by newly-appointed Engineer Officers from the day they report for duty to the day they complete taking over charge of posts involving verification and inspection of stores etc. It is not necessary to create new posts to accommodate the direct recruits since treating the period as duty is by itself a sufficient sanction in this regard.

(xi) In all cases of enforced halts occurring en route on tour journeys necessitated by break down of communications due to blockade of roads on account of floods, rains, heavy snowfall, landslides, etc.

II. A Government employee is not on duty during any time he may spend beyond his sphere of duty except in the following circumstances:

(1) Under the conditions laid down in clause I above.
(2) If a Police Officer, acting with his legal power.
(3) If an Excise and Taxation Officer, Assistant Excise and Taxation Officer, Excise Inspector, Taxation Inspector acting under the orders of (i) the Excise and Taxation Commissioner, or (ii) Deputy Excise and Taxation Commissioner, or (iii) the Collector.
(4) A Tahsildar, or Naib-Tahsildar serving in a mahal, a settlement or a colony post who proceeds under the orders of the Deputy Commissioner, Settlement Officer, or Colonization Officer, as the case may be, beyond his sphere of duty but inside the district, or who proceeds under the orders of the Commissioner beyond the districts to which he is posted.
(5) If authorised by competent authority, by general or special order.
(6) If a ministerial Government employee or a peon, accompanying a recessing officer to his recess station.
CHAPTER III—General conditions of service

CONDITIONS REGARDING HEALTH AND AGE

(i) Medical Certificate of Fitness for First Entry into Government Service

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

"Signature of applicant"

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

"Marks of identification ___________________”

Impression of left hand thumb and fingers.

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

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

Exception (2).—The Administrative Department may authorize the drawing of pay and allowances without production of fitness certificate in respect of Government employees, other than those covered by classes (a) and (b) of Note (2) (iv) below rule 3.4 who are promoted to hold gazetted posts and who are required to undergo medical examination by the appropriate Medical Authority, for a period not exceeding two months subject to the condition that if the person concerned is subsequently found medically unfit, he should be reverted to the lower post from which he had been promoted, after the expiry of one month from the date of communication to him of findings of the examining Medical Authority. If no appeal for second medical examination is made by him during this period or after the case for second medical examination is finally decided if such an appeal is made and accepted, this condition should clearly be stated in the relevant orders of promotion to the Gazetted post.

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

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

(i) In respect of Gazetted Officers, certificate furnished by the competent authority, to whom the medical certificate has been submitted, should be attached to the first pay bill.

(ii) In respect of non-gazetted officers, the drawing and disbursing officers should furnish certificate along with the first pay bill of the Government employee concerned.

(iii) Where the competent authority under ‘Exception’ to this rule authorizes the drawing of the pay and allowances of a newly appointed Government employee for a period not exceeding two months without a medical certificate of health, a certificate to this effect should be furnished in the first pay bill.

(iv) Where an officer is declared temporarily unfit by the competent Medical Authority and remains in service the period for which the officer has been declared temporarily unfit should be intimated to Audit.

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

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

(a) Rs. 16 in case of appointment to gazetted posts.

(b) Rs. 8 and Rs. 2 in case of appointment to Class III and Class IV posts, respectively:

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

Provided further that ex-Servicemen/families of deceased/retired soldiers shall be exempted from payment of fees for medical examinations for first entry into State Government Service and for communion of portion of pension.

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

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

The fee in case of a non-gazetted Government employee against the decision of a Chief Medical Officer or Deputy Chief Medical Officer (Medical) declaring him/her unfit whether in account of visual or otherwise should be Rs. 10.
2. The fee in case of appeal by a Gazetted Government employee against the decision of Standing Medical Board declaring him/her unfit, whether on account of visual acuity or otherwise should be Rs 40/-.

3. The fee for the second appeal in case of rejection on account of visual acuity which is permissible in doubtful cases will be the same as the fee in case of first appeal.

4. There should be no additional charge for the inclusion of a second ophthalmologist in the Special Medical Board in cases of appeals against rejection on account of visual acuity. It is the responsibility of the Government to constitute the Special Medical Board with two ophthalmologists and it is internal arrangement as to where the second ophthalmologist is called from.

5. The successful appellant may be refunded the fee of appeal and also be paid travelling allowance by his department for his attendance before the Board, on the analogy of the practice in case of appeal against invalidment. The travelling allowance should be granted equal to actual railway fare of class of accommodation to which they are entitled without any allowance for incidental expenses and daily allowance for journey to be undertaken to appear before the Medical Board, which is constituted to have another opinion about fitness.

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

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

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

1) A Government employee appointed by the High Commissioner for India.

(2) A qualified student of the Thomason College, Roorkee, permanently appointed to the Public Works Department within 18 months from the date of the health certificate granted to him on the completion of the College Course.

3) A Government employee appointed in a temporary vacancy for a period not exceeding six months.

4) A temporary Government employee who has already been medically examined in one office if transferred to another office without a break in his service. The person concerned should, however, obtain a certificate from the head of office from which he is transferred to the effect that he had already produced the requisite medical certificate of health.
Chap. III] THE PUNJAB CIVIL SERVICES RULES [3.3—3.4

(5) A retired Government employee re-employed immediately after retirement.

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

(i) a Government employee is promoted from a non-qualifying service paid from a local fund to a post in Superior Government service;

(ii) a person is re-employed after resignation or forfeiture of past service.

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

Note 2.—In the case of Government employees referred to in clause (i) of the rule, the appointing authorities should, in any case, satisfy themselves that the candidate is protected against smallpox.

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

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

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

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

(4) A candidate who is likely to be employed in a temporary capacity continuously for a period exceeding six months shall produce either before or within a week from the date of employment, the certificate from the competent medical authority as prescribed in this rule. When, however, a Government employee initially employed in an office in a temporary capacity for a period not exceeding six months is subsequently retained in that office or is transferred without a break to another office and the total period of continuous service under Government is expected to last for a period exceeding six months he shall produce such a certificate within a week from the date of orders sanctioning his retention in that office or joining the new office.

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

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

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

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

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

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

(a) a person who is already in permanent or temporary employ of the Government and has already undergone a medical examination by a standard and by a medical authority which are recognised by the appointing authority as equivalent to those prescribed for the new appointment for which he is recruited or selected; and
(b) a person who is already in permanent or temporary employ of the Government in the same line and being eligible for promotion to the new appointment against a promotion quota of vacancies, is actually so promoted and has already been medically examined and declared fit for Government service.

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

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

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

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

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

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

(ii) Age of entry into Government Service

3.6 (a) A person whose age exceeds 30 years shall not ordinarily be admitted into pensionable service under the Government.

(b) The age limit of 30 years shall be extended by five years in the case of scheduled castes/scheduled tribes and backward classes.

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

*Amended with effect from 7.12.79.
Note 2.—The age limit prescribed for appointment to any other service or post shall be relaxed in favour of ex-servicemen who has rendered military service to the extent of his military service added by three years, provided he had rendered continuous military service for a period of not less than six months before his release and he had not been retired by way of dismissal or discharge on account of misconduct or inefficiency.

3.7. The limit in rule 3.6 in the following cases shall be twenty-seven years in the case of a person appointed to be a Subordinate Judge: Provided that Barristers, vakils and pleaders who are actually practising in the High Court or courts subordinate thereto, will be allowed to subtract from their age one year for each year of practice up to maximum of 3 years:

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

(a) Thirty-five years in the case of Medical Officers, Assistant Directors of Health Service, Deputy Chief Medical Officers (Health) Epidemiologist, cum-Malarialogist, Public Analyst and Dean of Hygiene and Vaccine Institute.

(b) Thirty years in the case of legal practitioners who are appointed as Prosecuting Sub-Inspectors of Police.

(d) Thirty years in the case of ex-soldiers of the Indian Army who are enlisted in the Subordinate Police Service.

(e) Thirty-five years in the case of ex-soldiers and forty years in the case of pensioned soldiers for appointment to the post of forest guards.

(f) Thirty-five years in the case of officers appointed direct to the Haryana Agricultural Services, Classes I and II.

(g) Thirty-five years in the case of persons appointed to the Haryana State Legislative Service.

(h) Forty years in the case of District Attorneys and thirty five years in the case of Assistant District Attorneys.

(i) Fifty years in the case of Senior Town Planner.

(j) Forty-five years in the case of Regional Town Planners.

(k) Forty years in the case of Divisional Town Planner.
(1) Thirty-five years in the case of Assistant Town Planners.

(m) Thirty years in the case of Planning Assistant.

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

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

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

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

(iii) *Vaccination and re-vaccination*

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

**WHOLE-TIME OF A GOVERNMENT EMPLOYEE AT THE DISPOSAL OF GOVERNMENT**

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

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*Substituted vide Haryana Government Notification No. 7695-PFR-75/11286 dated 7th April, 1976.*

***Inserted vide Haryana Government Notification No. 6/1/161/78-FRI dated 3-7-80 effecting from 1-3-1980.*
3.11—3.14] GENERAL CONDITIONS OF SERVICE [Chap. III

SUBSTANTIVE APPOINTMENT AND LIEN

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

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

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

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

3.13. Unless his lien is suspended under rule 3.14 or transferred under rule 3.16, a Government employee holding substantively a permanent post retains a lien on that post—

(a) while performing the duties of that post;

(b) while on foreign service, or holding a temporary post, or officiating in another post;

(c) during joining time on transfer to another post; unless he is transferred substantively to a post on lower pay, in which case his lien is transferred to the new post from the date on which he is relieved of his duties in the old post;

(d) except as provided in Note below, while on leave other than refused leave granted after the date of compulsory retirement under rule 8.21; and

(e) while under suspension.

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

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

3.14. (a) A competent authority shall suspend the lien of a Government employee on a permanent post which he holds substantively; if he is appointed in a substantive capacity—

(1) to a tenure post, or
(2) to a permanent post outside the cadre on which he is borne, or

(3) provisionally, to a post on which another Government employee would hold a lien, had his lien not been suspended under this rule.

(b) A competent authority may, at its option, suspend the lien of a Government employee on a permanent post which he holds substantively, if he is deputed out of India or transferred to foreign service, or in circumstances not covered by clause (a) of this rule, is transferred, whether in a substantive or officiating capacity, to a post in another cadre, and if in any of these cases there is reason to believe that he will remain absent from the post on which he holds a lien, for a period of not less than three years.

(c) Notwithstanding anything contained in clause (a) or (b) of this rule, a Government employee’s lien on a tenure post may, in no circumstances, be suspended. If he is appointed substantively to another permanent post, his lien on the tenure post must be terminated.

(d) If a Government employee’s lien on a post is suspended under clause (a) or (b) of this rule, the post may be filled substantively, and the Government employee appointed to hold it substantively shall acquire a lien on it: Provided that the arrangements shall be reversed as soon as the suspended lien revives.

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

Note 2.—When a post is filled substantively under this clause, the appointment will be termed “a provisional appointment”; the Government employee appointed will hold a provisional lien on the post; and that lien will be liable to suspension under clause (a), but not under clause (b) of this rule.

(e) A Government employee’s lien which has been suspended under clause (a) or (b) of this rule, shall revive as he ceases to hold a lien on a post of the nature specified in sub-clause (1), (2) or (3) of that clause.

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

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

3.15. (a) Except as provided in clause (c) of this rule and in note under rule 3.13, a Government employee's lien on a post may, in no circumstances, be terminated, even with his consent, if the result will be to leave him without a lien or a suspended lien upon a permanent post.

(b) In a case covered by sub-clause (2) of clause (a) of rule 3.14, the suspended lien may not, except on the written request of the Government employee concerned, be terminated while the Government employee remains in Government Service.

(c) Notwithstanding the provisions of rule 3.14(a), the lien of a Government employee holding substantively a permanent post shall be terminated while on refused leave granted after the date of compulsory retirement under rule 8.21; or on his appointment substantively to the post of Chief Engineer of the Public Works Department.

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

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

3.17. (a) Government may transfer a Government employee from one post to another: Provided that except—

(1) on account of inefficiency or misbehaviour or...

(2) on his written request,

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

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

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

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

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

SUBSCRIPTION TO PROVIDENT FUNDS

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

DATE OF RECKONING PAY AND ALLOWANCES

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

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

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

3.20. Omitted.

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

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

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

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

(a) both Government employees must be present unless the transfer or assumption of charge does not involve the handing over of securities or of moneys other than a permanent advance;

(b) if the Government employee relieved departs before the arrival of his relief, his early departure shall not entail a correspondingly early transfer from another station of a Government employee to perform his duties; and

(c) if the Government employee relieving arrives or returns from leave after the departure of the Government employee relieved, the delay in his arrival or return shall not involve a corresponding delay in the transfer to another station of the Government employee who was performing his duties during his absence or in the discharge from Government service of a person temporarily appointed to it.

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

Note 1.—For rules regarding the prefixing and affixing of holidays and vacation to joining time and leave see rules 8.26 to 8.33.
3.24. On condition that the departing Government employee remains responsible for the moneys in his charge, a competent authority may declare that proviso (a) under rule 3.23 is not applicable to any particular case.

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

CONTINUOUS ABSENCE FROM DUTY

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

COMPULSORY RETIREMENT

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

Provided that the age of compulsory retirement for class IV Government employee shall be sixty years:

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

(b) **

(c) The following are special rules applicable to P.W.D. Officers:

(1) Except as otherwise provided in this sub-clause, Government employees in the Haryana Service of

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*Deemed to have been substituted for clause (a) and (b), with effect from 1st day of October, 1973 vide Haryana Government No. 6/(3)-78-(PR) dated 21st June, 1979.*
Engineers, Class I (B. & R., I.B. and Electricity) must retire on reaching the age of 58 years, and may be required by the competent authority to retire on reaching the age of 50 years if they have not attained the rank of Superintending Engineer.

(2) Subject to the requirements of this sub-clause as to re-appointment, the competent authority may, in special circumstances, which should be recorded in writing, grant an extension of service, not exceeding three months, to a Chief Engineer.

(3) No Chief Engineer shall, without re-appointment, hold the post for more than five years, but re-appointments to the posts may be made as often and in each case for such period not exceeding five years as the competent authority may decide: Provided that the term of re-appointment shall not extend more than three months beyond the date on which the Government employee attains the age of 58.

*(d) The appointing authority shall, if it is of the opinion that it is in the public interest so to do, have the absolute right to retire any Government employee, other than Class IV Government employee by giving him notice of not less than three months in writing or three months’ pay and allowances in lieu of such notice: 

(i) If he is in class I or class II Service or post and had entered Government service, before attaining the age of thirty-five years, after he has attained the age of fifty years; and

(ii) (a) If he is in class III Service or post, or
    (b) If he is class I or class II Service or post and entered Government service after attaining the age of thirty-five years;
    after he has attained the age of fifty-five years.

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

*Substituted vide Haryana Government F.D. Notification No. 6/1(1)/78-1-FR-1 dated the 12th September 1978.
* (c) A Government employee, other than a class IV Government employee, may by giving a notice of not less than three months in writing to the appointing authority, retire from service—

(i) if he is in class I or II service or post and had entered Government service before attaining the age of thirty-five years after he has attained the age of fifty years; and

(ii) (a) if he is in class III service or post; or

(b) if he is in class I or class II service or post and entered Governments service after attaining the age of thirty-five years;

after he has attained the age of fifty-five years:

Provided that it shall be open to the appointing authority to withhold permission to a Government employee under suspension who seeks to retire under this clause:

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

*Note 2.—Military Officers serving in Civil employ shall cease to be in such employ on reaching the age of 58 years.*

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

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

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

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

*Inserted vide Haryana Government F.D. Notification No. 4118-3FR-74/34377, dated the 12th July, 1974.*
*Note 7.—In computing the notice period of three months referred to in clauses (d) and (e) the date of service of the notice and the date of its expiry shall be excluded.

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

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

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

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

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

*Note 7 and 8 inserted vide Haryana Government Notification No. 6/(5)/78-(FR) dated the 21st June, 1979.
ANNEXURE
(Referred to in Rule 3.1)

CANDIDATE’S STATEMENT AND DECLARATION

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

1. State your name (in full in block letters)
2. State your age and place of birth
3. (a) Have you ever had small-pox, intermittent or any other fever, enlargement or suppuration of glands, spitting of blood, asthma, heart disease, lung disease, fainting attacks, rheumatism, appendicitis?
   OR
   (b) any other disease or accident requiring confinement to bed and medical or surgical treatment?
4. When were you last vaccinated?
5. Have you or any of your near relations been afflicted with consumption, scrofula, gout, asthma, fits, epilepsy, or insanity?
6. Have you suffered from any form of nervousness due to overwork or any other cause?
7. Have you been examined and declared unfit for Government service by a Medical Officer/Medical Board, within the last three years?
8. Furnish the following particulars concerning your family:

<table>
<thead>
<tr>
<th>Father’s age if living and state of health</th>
<th>Father’s age at death and cause of death</th>
<th>Number of brothers living, their ages and state of health</th>
<th>Number of brothers dead, their ages at death and cause of death</th>
</tr>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Mother’s age if living and state of health</th>
<th>Mother’s age at death and cause of death</th>
<th>Number of sisters living, their ages and state of health</th>
<th>Number of sisters dead, their ages at death and cause of death</th>
</tr>
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<tbody>
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</tr>
</tbody>
</table>

9. Please state whether you have deposited the Medical Examination Fee in the Government Treasury under head "080—Medical—other"
receipts Fees for Medical Examination according to the status of the post against which you have been appointed. If so, state the amount and the Treasury receipt No. and date

I declare all the above answers to be, to the best of my belief, true and correct.

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

Candidate's Signature

Signed in my presence

Signature of Medical Officer

Note.—The candidate will be held responsible for the accuracy of the above statement. By wilfully suppressing any information he will incur the risk of losing the appointment and if appointed, of forfetting all claims to Superannuation allowance or gratuity.
CHAPTER IV—Pay

GENERAL

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

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

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

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

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

Note 2.—Omitted.

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

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

(i) the Government employee's service has consistently been of exceptional merits;
(ii) the Government employee is fit for promotion but there is no possibility of giving him any advancement in the near future; and
(iii) the Government employee has been at least three years on the same pay or if his pay is progressive, on the maximum pay of his post.

(b) The mere fulfilment of the conditions mentioned above should not be regarded as securing a personal pay to a Government employee, as a matter of course, the purpose of the conditions being to enable obviously weak claims to be summarily rejected.

(c) Individual cases of Government employees who hold selected posts which form a cadre by themselves in a particular office will not be covered normally under this rule.
4.2. **Cancelled.**

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

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

(i) When proceeding to carry out their training from their duty posts, the pay and allowances they would have drawn in their civil appointments but for the training, for the whole period of absence on such training inclusive of the time spent in transit to and fro;

(ii) While on leave in India, Burma and Ceylon, the civil leave-salary and allowances which they would have drawn but for the training; and

(iii) When proceeding to carry out their training on the expiry of leave out of India taken from their civil posts but before rejoining their civil posts for duty—

(a) joining time civil pay from the date of demobilisation in India to the date preceding that on which their military training commences, and

(b) full civil pay during the period of training and the period spent in journeying to the places of their civil posts.

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

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

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

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

**Fixation of Initial Pay**

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

(a) If he holds a lien on a permanent post, other than a tenure post, or would hold a lien on such a post had his lien not been suspended—

(i) when appointment to the new post involves the assumption of duties of responsibilities of

*Substituted vide Haryana Government Notification No. 6(14)/78/FR-I, dated the 22nd August, 1978.*
greater importance (as interpreted for the purposes of rule 4.13) than those attaching to such permanent post, he will draw as initial pay the stage of the time-scale next above his substantive pay in respect of the old post;

(ii) when appointment to the new post does not involve such assumption, he will draw as initial pay the stage of the time-scale which is equal to his substantive pay in respect of the old post, or, if there is no such stage, the stage next below that pay plus personal pay equal to the difference; and in either case will continue to draw that pay until such time as he would have received an increment in the timescale of the old post or for the period after which an increment is earned in the timescale of the new post, whichever is less. But if the minimum of the time-scale of the new post is higher than his substantive pay in respect of the old post he will draw that minimum as initial pay;

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

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

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

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

(1) has previously held substantively or officiated in—

(i) the same post, or

(ii) a permanent or temporary post on the same time-scale, or

(iii) a permanent post other than a tenure post or a temporary post (including a post in a body, incorporated or not, which is wholly or substantially owned or controlled by the Government) on an identical time-scale, or

(2) is appointed substantively to a tenure post on a time-scale identical with that of another tenure post which he has previously held substantively or in which he has previously officiated,

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

(i) The Government employee should have been approved for appointment to the particular grade/post in which the previous service is to be counted;
(ii) all his seniors, except those regarded as unfit for such appointment, were serving in the posts carrying the scale of pay in which benefit is to be allowed or in higher posts, whether in the department itself or elsewhere, and at least one junior was holding a post in the Department carrying the scale of pay in which the benefit is to be allowed; and

(iii) the service will count from the date his junior is promoted and the benefit will be limited to the period the Government employee would have held the post in his parent cadre had he not been appointed to the ex-cadre post.

Note.—In respect of Government employee serving in an ex-cadre post on identical time scale of pay as the time scale of the parent cadre service rendered in the ex-cadre post upto 31st May, 1966 shall not count for purposes of fixation of pay and increment to the extent admissible under proviso 1 (ii) as it existed immediately before 1st June, 1966, if the same is more advantageous to him.

(c) (i) Notwithstanding anything contained in these rules, where a Government employee holding a post in a temporary or officiating capacity is promoted or appointed in a substantive, temporary or officiating capacity to another post carrying duties and responsibilities of greater importance than those attaching to the post held by him, his initial pay in the time scale of the higher post shall be fixed at the stage next above his pay drawn by him in the lower post provided it is certified by the Head of the Department or Head of the Office where he is appointing authority in respect of class III & IV Government employees in which the Government employee was holding the lower post that he would have continued to officiate in the lower post but for his promotion/appointment to the higher post.

(ii) The provisions of sub rule (2) of rule 4.14 shall also be applicable in any case where the initial pay is fixed under this clause. In such cases, where a Government employee is, immediately before his promotion or appointment to a higher post, drawing pay at the maximum of the time scale
of the lower post, his initial pay in the time scale of the higher post shall be fixed in the same manner as provided in sub-clause (i) above.

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

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

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

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

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

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

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

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

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

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

*Substituted vide Haryana Government Notification No. 4260-IFR-1-76/42943 dated 15th December, 1976 (Applicable w.e.f. 1-4-1974).
the interest of public service, the restriction in question may be relaxed by the authority competent to create the post.

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

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

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

For so long as the promotion is deferred under the orders in paragraph 1 above, the place in the superior grade will remain vacant, but promotions can be made in the place of the Government employee who would have been promoted from the date, the vacancy originally occurred as if the promotion had actually taken place on that date. All that would happen is an excess appointment in the lower grade against a vacancy left unfilled in the higher grade and this is permissible under Rule 713 of the Punjab Financial Rules, Volume I.

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

(i) the special pay in the lower post should have been granted in lieu of a separate higher time scale (e.g. special pay granted to steno-typist, clerks in-charge, etc.);

(ii) if the special pay has been drawn in the lower post continuously for a minimum period if three years on the date of promotion, the pay in the higher post will be fixed under the normal rules, treating the special pay as part of basic pay. In other cases, the pay in the time scale of the higher post will be fixed under the normal rules with reference to basic pay drawn in the lower post (excluding the special pay), where this results in drop in emoluments, the difference between the pay so fixed and the pay plus special pay drawn in the lower post will be allowed in the form of personal pay to be absorbed in future increases of pay;

(iii) in both the kinds of cases referred to in clause (ii) above, it should be certified that, but for the promotion the Government employee would have continued to draw the special pay in the lower post.

Exception.—(1) The condition of special pay having been drawn continuously for a minimum period of three years as well as the certificate of continued drawal of special pay but for promotion should not be insisted upon in the case of a person holding substantively the lower grade appointing special pay in lieu of a separate higher scale. This exemption will not be available to officers with substantive position in a cadre and holding, post carrying a special pay in lieu of a separate higher scale in the cadre, as confirmation of officers in the cadre is not made against individual posts. The condition of drawal of special pay in such posts continuously for not less than three years should be applied in these cases.

(ii) The certificate of continued drawal of special pay but for promotion in case where a special pay is in lieu of a separate time scale and has been drawn continuously for at least three years should be dispensed with. In other cases, such a certificate should be insisted upon.

(iii) It may happen that a senior person promoted to the higher post before completing three years in the special pay post draws less pay than his junior who is promoted after completing three years in the special pay post. Where such cases occur, the pay of the senior should be

*Note 9 added vide Haryana Government Notification No. 6380-3PA.72/3674 dated 20-2-73.
Chap. IV] PUNJAB CIVIL SERVICES RULES

4.4—4.5

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

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

(i) Special pay drawn in a tenure post;

(ii) Special pay granted for service in particular localities on account of remoteness,
    un-healthiness, severity of climate, etc.;

(iii) Deputation (Duty) Allowance or special pay drawn in lieu thereof.

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

4.5. The initial substantive pay of a Government employee who is appointed substantively to a post on a time-

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

(1) has previously held substantively or officiated in—

(i) The same post prior to reduction of its time-scale, or

(ii) a permanent or temporary post on the same time scale as the unreduced time-scale of the post, or

(iii) a permanent post other than a tenure post, or a
temporary post, on a time-scale of pay identical with the unreduced time-scale of the post, such
temporary post being on the same time-scale as a permanent post, or

(2) is appointed substantively to a tenure post, the
time-scale of which has been reduced without a diminution in the duties or responsibilities attached
to it, and has previously held substantively or officiated in another tenure post on a time-scale
identical with the unreduced time-scale of the tenure post,

*Deemed to have been inserted w.e.f. the 18th May, 1977, vide Haryana Government Notification No. 61/2/78-IFRI dated the 29th May, 1979.
then the initial pay shall not be less than the pay, other than special pay, personal pay or emoluments classed as pay by the competent authority under rule 2.44 (a) (iii), which he would have drawn under rule 4.4 on the last such occasion, if the reduced time-scale of pay had been in force from the beginning and he shall count for increments the period during which he would have drawn that pay on such last and any previous occasions: Provided that service rendered on pay at a stage in a time-scale which is less than the minimum of the revised scale shall not count for increment in that scale.

Note.—1 to 3 Omitted.

Note 4.—A Government employee held up at an efficiency bar in the old scale will not be entitled to initial pay in the reduced scale at a stage higher than the corresponding efficiency bar in the reduced scale. Where there is only one efficiency bar in the old scale and more than one in the new scale, he will be held up at the first bar unless he is declared fit to cross it by the competent authority.

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

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

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

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

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

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

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

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

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

Note 1.—Omitted

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

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

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

Note 5.—The orders in note 4 above do not refer to cases of transfer from one temporary post to another such post or from a temporary post to a permanent post. Nor do they deal with service in a temporary post, created as an addition to a cadre, and on the same time-scale, from counting towards increments in a permanent post in that cadre even after such a temporary post has been abolished.
4.7. An increment shall ordinarily be drawn as a matter of course, unless it is withheld. An increment may be withheld from a Government employee by a competent authority if his conduct has not been good or his work has not been satisfactory. In ordering the withholding of an increment, the withholding authority shall state the period for which it is withheld, and whether the postponement shall have the effect of postponing future increments.

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

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

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

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

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

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

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

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

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

4.9. The following provisions prescribe the conditions on which service counts for increments in a time-scale:

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

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

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

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

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

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

Note 3.—A period of absence of leave during a year counts towards increments in a time-scale unless under rule 8.121 (2) (ii) it is converted into annual leave and under the proviso to clause (a) below, the extraordinary leave is specially allowed to count for increments.

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

Note 5.—If a probationer is confirmed at the end of a period of probation exceeding twelve months, he is entitled to claim retrospectively the increments, which but for his probation he would have received in his ordinary career. This provision is applicable only to cases where the normal probationary period itself is more than twelve months and not to the type of cases where the normal probationary period of a probationer is extended on account of his failure to pass the departmental examination within the time limit prescribed for the purpose. In other words, in cases where the normal probationary period itself is more than twelve months, unless the opinion of the officer may be given the increments of which he would have drawn but for his probation and appears in this regard, they may also be allowed to the officer. On the other hand, in cases where the period of probation is extended on account of failure to pass the departmental examination, while there is no objection to the pay and increments being regulated on confirmation at the end of the extended probationary period on the basis of what the officer would have drawn but for his probation, it is not necessary that during the period prior to the date of confirmation, this would mean that the increment of the officer is withheld without cumulative effect for failure to pass the departmental examination and cannot be considered as a penalty within the meaning of Rule 4 of the Punjab Civil Services (Punishment and Appeal) Rules, 1952.

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

(ii) All leave except extraordinary leave taken otherwise
than on medical certificate and the period of deputation out
of India shall count for increment in the time-scale applicable
to a post in which a Government employee was officiating at
the time he proceeded on leave or deputation out of India
and would have continued to officiate but for his proceeding
on leave or deputation out of India;

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

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

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

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

Note 4.—In the case of officers who are given definite contracts without specifying
any particular posts and other contract officers, who, though appointed initially in specific
posts, are transferred in an officiating capacity to other posts, and who proceed on leave there-
after, the certificate under rule 4.9 (b) (i) will be necessary to count the period of such leave
for increments in the posts which they hold in an officiating capacity immediately prior to
proceedings on leave.

Note 5.—In the case of a Government employee proceeding on leave, where no officiating
arrangement is made in the leave vacancy and the Government employee is likely to return
to the same post after leave, the certificate that he would have actually continued to officiate in
the post but for his proceeding on leave shall be issued by the leave sanctioning authority
at the time of grant of leave.
Chap. IV] THE PUNJAB CIVIL SERVICES RULES [4-9

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

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

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

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

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

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

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

*Substituted vide Haryana Govt. Notification No. 61(4)/78/FR-J dated the 22nd August, 1978.
Note 1.—The intention of this rule is to allow the enjoyment, irrespective of whether the higher post is within or outside the department to which the Government employee belongs.

Note 2.—For the purpose of this clause, the officiating and temporary service in the higher post will also include the period of leave except extraordinary leave taken otherwise than on medical certificate provided it is certified by the appointing authority that the Government employee concerned would have actually officiated in the lower post but for proceeding on leave from the higher post.

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

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

(i) the post in Government service on which the Government employee concerned holds a lien as well as the post or posts, if any, on which he would hold a lien had his lien not been suspended, and

(ii) any post in the parent cadre on a lower scale of pay to which the Government employee is appointed on reversion from the ex-cadre post subject to the fulfilment of the conditions mentioned in proviso (1) (iii) to Rule 4.4. (b),

(iii) the post in Government service in which the Government employee was officiating immediately before his transfer to foreign service, for so long as he would have continued to officiate in that post or a post on the same time scale but for his going on foreign service.

(e) Joining time counts for increment—

(i) If it is under clause (a) of Rule 9.1, in the time scale applicable to the post on which a Government employee holds a lien or would hold a lien, had his lien not been suspended as well as in the time scale applicable to the post, the pay of which is received by a Government employee during the period; and

(ii) If it is under clause (b) of Rule 9.1, in the time scale applicable to the post/posts in which the last day of leave before the commencement of the joining time counts for increment.

[ ] Deemed to have been substituted w.e.f. 22nd April, 1984 vide Haryana Govt. Notification No. 6/1(4)/78/FR-I dated the 22nd August, 1978.
4.10 An authority may grant a premature increment to a Government employee on a time-scale of pay, if it has power to create a post in the same cadre on the same scale of pay.

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

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

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

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

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

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

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

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

(2) If a Government employee is reduced as a measure of penalty to a lower service, grade or post, or to a lower time-scale, the authority ordering the reduction may or may not specify the period for which the reduction shall be effective; but where the period is specified, that authority shall also state whether, on restoration, the period of reduction shall operate to postpone future increments, and if so, to what extent.
Note 1.—Having regard to the principle underlying rule 4.12, the question as to whether an increment falling due during the period of reduction should or should not be allowed is one necessarily to be decided with reference to the exact terms of the order of the punishing authority. If the Audit Officer feels any doubt about the intention underlying the orders of the punishing authority, he has simply to ascertain it and act accordingly.

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

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

(i) the date from which it will take effect and the period (in terms of years and months) for which the penalty shall be operative;

(ii) the stage in the time-scale (in terms of rupees) to which the Government employee is reduced; and

(iii) the extent (in terms of years and months), if any, to which the period referred to at (i) above should operate to postpone future increments.

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

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

(i) If the order of reduction lays down that the period or reduction shall not operate to postpone future increments, the Government employee should be allowed the pay which he would have drawn in the normal course but for the reduction. If, however, the pay drawn by him immediately before reduction was below the efficiency bar, he should not be allowed to cross the bar except in accordance with the provisions of Rule 4.8.

(ii) If the order specified that the period of reduction was to operate to postpone future increments for any specified period they pay of the Government employee shall be fixed in accordance with (i) above but after treating the period for which increments were to be postponed as not counting for increments.

(c) In order to ensure that every order passed by a competent authority imposing on a Government employee the penalty of reduction to a lower stage in a time-scale is definite and clear, such an order should be worded as in the form given below:

It is, therefore ordered that the pay of Shri______________ be reduced by—

<table>
<thead>
<tr>
<th>Stages from Rs.</th>
<th>to Rs.</th>
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<tbody>
<tr>
<td>____________</td>
<td>______</td>
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In the time-scale of pay for a period of—

_—_ year/months w.e.f._

If it is further directed that Shri______________ will/will not earn increments of pay during the period of reduction and that on the expiry of this period, the reduction will/will not have the effect of postponing his future increments of pay.

4.12-A. Where an order of penalty of withholding of increment of a Government employee or his reduction to a lower service, grade or post, or to a lower time-scale, or to a lower stage in a time-scale, is set aside or modified by a competent authority on appeal or review, the pay of the Government employee shall, notwithstanding anything
contained in these Rules, be regulated in the following manner:

(a) if the said order is set aside, he shall be given, for the period such order has been in force, the difference between the pay to which he would have been entitled 'had that order not been made and the pay he had actually drawn;

(b) if the said order is modified, the pay shall be regulated as if the order so modified had been made in the first instance.

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

Note.—In respect of cases falling under clause (a) of this rule, service rendered by the Government employee in the lower service, grade or post or lower time-scale or lower stage in the time-scale or at the stage to which the increment was withheld, from the date of imposition of such penalty by the disciplinary authority to the date on which the order of penalty is set aside by the competent appellate or reviewing authority shall count for increment or for other purposes in the post which he was holding immediately before the imposition of the penalty provided that he would have continued to hold that post but for the order of penalty. In respect of cases falling under clause (b) of this rule, such service from the date of imposition of the penalty by the disciplinary authority to the date on which the order is modified by the appellate or reviewing authority shall be counted for the purpose of increment or for other purposes in the post which he was holding immediately before the imposition of the penalty or any other post which he would have held but for the order of penalty, to the extent, the modified order permits of such counting. For example, if an officer of a Class I Service in the Senior Scale (Rs. 700—1250) is reduced to a Class II Service (Rs. 350—900) for a period of, say, two years, and if after six months, the order is modified by the appellate authority as reduction to the Class I Service in the Junior Scale (Rs. 400—1100) the period of six months will count for increment in the Junior Scale. If, on the other hand, the order of penalty is modified as reduction to a lower stage in the time-scale (Rs. 700—1,240) for a specified period or withholding of increment in that time-scale for a specified period, the period that has already elapsed since the date of imposition of the original penalty shall be taken into account only for the purpose of computing the specified period of penalty under the modified order.

"Administrative Institution.—A permanent post vacated by reduction of a Government employee to a lower service, grade or post or to a lower time-scale, should not be filled substantively until the expiry of a period of one year from the date of such reduction.

Where on the expiry of period of the one year, the permanent post is filled and the original incumbent of the post is reinstated thereafter, he should be accommodated against any post which may be substantively vacant in the grade to which his previous substantive post belonged.
If there is no such vacant post, he should be accommodated against a supernumerary post which should be created in this grade with proper sanction and with the stipulation that it would be terminated on the occurrence of the first substantive vacancy in that grade.

PAY OF OFFICIATING GOVERNMENT EMPLOYEES

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

Provided that the competent authority may exempt from the operation of this rule any service which is not organised on a time-scale basis and in which a system of acting promotions from grade no grade is in force at the time of the coming into force of these rules;

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

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