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The certificate should be signed by two medical practitioners. If signed by foreigners, it should be attested by Consular or other authority as bearing the signature of qualified Medical practitioner.

(b) The form to be used by a Government employee on leave out of Asia in Europe, North Africa, America or West Indies will be supplied to him by the High Commissioner on application.

Note—The procedure to be observed, when the leave is in Europe, North Africa, America or West Indies is laid down in paragraph 13 of Appendix 13—See also Rules 8.39 and 8.40.

(3) Report of return from leave

8.45. A gazetted Government employee on return from leave, must report his return to Government.

8.46. A Government employee returning from leave is not entitled, in the absence of specific orders to that effect, to resume, as a matter of course, the post which he held before going on leave. He must report his return to duty and await orders.

VIII. —OVERTAYAL OF LEAVE

8.47. A Government employee who remains absent after the end of his leave is entitled to no leave-salary for the period of such absence and that period, will be debited against his leave account as though it were leave on half pay unless his leave is extended by the competent authority.

Wilful absence from duty after the expiry of leave may be treated as misbehaviour for the purpose of Rule 3.17.

IX. —LEAVE-SALARY

(1) General

8.48. (a) Subject to any instructions given by the competent authority in connection with the control of the issue of money from treasuries or by the Comptroller and Auditor General of the India in order to secure efficiency and uniformity of audit, the rules hereinafter appearing shall be observed in India in respect of the payment of leave-salary and the maintenance of record of service.
(b) The procedure to be followed elsewhere than in India in respect of payment of leave-salary, extension of leave and return from leave is detailed in Appendix 13.

(2) Payment of Leave-salary

*8.49. Unless the competent authority by general or special order otherwise directs, leave-salary shall be drawn in rupees in India.

X—Leave Accounts

*8.50. The leave account of Government employees shall be maintained in form A.T.C. 2-A (see Appendix 11 to these rules) upto 30th June, 1959 and in form C.S.R. No. 16 with effect from 1st July, 1959.

Note 1—A separate leave account should be kept of the leave earned by a Government employee serving under a Government and then transferred to another Government and all leave taken after the date of transfer should be debited to this account so long as the balance under it is not exhausted and the allowance drawn during all leave which is so debited should be charged to that Government.

Note 2—The leave account of Government employees under the Special Leave Rules and Ordinary Leave Rules shall be maintained in form A.T.C. I and A.T.C.II, respectively for the period upto 30th June, 1959 and thereafter in form Punjab G.S.R. No. 14 and 15 respectively.

**8.51. The Leave Account of Government employees shall be maintained by the Head of the Office in which he is employed, or if he himself is Head of the Office by his immediate superior.

XI—Extent and Application

(1) Different Sets of Leave Rules and the Categories of Government employees subject thereto

***8.52. Subject to the provisions of rules 8.56 and 8.57, the Government employees, whose domicile is Asiatic and who enter or have entered on are or have been re-employed in Government Service, whether in a permanent capacity or otherwise, on or after 1st January, 1931, shall be governed by the Punjab Revised Leave Rules, 1936.

*Substituted vide Haryana Govt. Notification No. 6/1(4)/78/FRI dated the 22nd August, 1978.


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Explanation.—The expression "Government Service" shall include prior service under any other State Government of India or local Funds Administered by Government.

Note.—The Staff employed on Central Agency work, will be governed by the leave rules of the Union Government or these rules in accordance with the provisions set forth in Annexure II of Section I of this Chapter.

8.53. Omitted

8.54. Omitted

8.55. The rules contained in this section shall not be applicable to Government employees paid from Defence Estimates who are temporarily transferred to service paid from Civil Estimates (including service in a tenure post). Such Government employees remain subject to the rules which applied to them before their transfer.

8.56. The leave of the Advocate-General is regulated by the rules given in Appendix 15 in Part II of this volume.

8.57. Leave admissible to Government employees engaged on contract will be determined by the terms of their contracts: Provided that no leave will be admissible in excess of the leave which would be admissible to a Government employee holding a permanent post.

Note.—Model Leave Terms for Government employees engaged on contract are given in Appendix 16.

8.58. Leave on medical certificate to Government employees subject to Rules 8.131 and 8.132 shall not be granted for a period extending beyond the term of the Government employee's contract unless or until it has been decided to retain him in permanent employment.

Note.—The provisions of Rules 8.21 apply mutatis mutandis to Government employees engaged on contract.

(2) Periods of Off Duty which are not treated as regular leave
(a) Vacation

8.59. Unless the contrary appears from the context, vacation counts as duty and not as leave.
A competent authority may specify the departments or parts of departments which would be treated as vacation departments and the conditions in which a Government employee should be considered to have availed himself of a vacation.

Note—The orders issued under this rule are given in the Annexure I to this section.

(b) Casual and Quarantine leave

3.60. A Government employee on casual leave or on quarantine leave is not treated, as absent from duty and his pay and allowances are not intermitted, as such leave is not recognised regular leave and is not subject to the rules in this Chapter.

3.61. Rules regulating the grant of casual leave and quarantine leave are given in Appendix 17 in Part II of this Volume.

ANNEXURE I

(See Rule 3.59)

1. A vacation department is a department, or part of a department, to which regular vacations are allowed during which Government employees serving in the department are permitted to be absent from duty.

2. (i) The following classes of Government employees serve in vacation department when the conditions of paragraph 1 above are fulfilled:

(a) Educational Officers, other than the Director of Public Instruction and inspecting officers, and their establishment.

(b) Judicial officers of rank not higher than that of subordinate judge and their establishments.

(c) Any other class of Government employee which a competent authority may declare to be so serving.

(ii) In case of doubt, a competent authority may decide whether or not a particular Government employee is serving in a vacation department.

Note 1.—District and Sessions Judges may, with the express permission of the Hon’ble Judges of the High Court, avail themselves, without prejudice to their regular leave, of so much of the vacation during the month of September as is not needed for the disposal of Criminal business, provided that suitable arrangements, with the approval of the High Court, can be made for the disposal of work and that the State is not put to any additional expenditure in the way of telegraph, postal or other similar charges. At places where there are two or more Judges in a Sessions Court, they may subject to the condition that at least one of them remains on duty, avail themselves of the vacation on dates falling between the 24th of August and 8th October. Vacation in their case shall be treated as recognised holidays.
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3. A Government employee serving in a vacation department shall be considered to have availed himself of a vacation, or a portion of a vacation, unless he has been required, by general or special order of a higher authority, to forego such vacation, or portion of a vacation; Provided that if he has been prevented by such an order from enjoying more than 15 days of the vacation, he shall be considered to have availed himself of no portion of the vacation.

Note 1.—A Government employee who has routine duties to discharge during a vacation which do not require his presence at his place of duty and which can be performed either by himself at some other place or by some other Government employee shall be considered to have availed himself of a vacation, or a part of it. A Government employee who absents himself from his place of duty during any part of vacation is expected to arrange for and is responsible for the performance, without any cost to Government, of such routine duty. Should a Government employee who is absent from the place of duty during any portion of a vacation be recalled thereto, he will not be entitled to travelling allowance unless the vacation is combined with leave.

Note 2.—The words "higher authority", occurring in this paragraph mean, in the case of the head of an office or institution the Head of Department and in other cases the head of the office or institution.

ANNEXURE II
(Referred to in Note below Rule 8.52)

1. The staff employed on Union Agency work will be governed by the leave rules of the Union Government of the rules of the Haryana Government in accordance with the following principles.

2. Such staff may be divided into the following categories:

(a) Personnel recruited for and employed in agency departments whose pay, leave salary, allowances and pensions are charged direct to the Union Government, i.e., personnel who are paid direct by the Union Government but who are technically under the administrative control of the Haryana Government.

(b) Personnel recruited and employed in connection with the affairs of the Haryana, whose pay, leave salary, allowances and pensions are charged to State revenues but whom the Haryana Government employs temporarily on agency work. For their services the Union Government pays the Haryana Government an agreed sum and the entire leave charges are borne by the latter.

(c) Personnel as in category (b) above whose services are employed by the Haryana Government part-time or casually, on performing Union agency duties. For their services the Union Government usually pays an agreed sum to the Haryana Government which includes leave charges.
Personnel falling in either of the three categories given above who have from 1st April, 1937 come under the direct control of the Union Government on resumption by them of the administrative control over certain agency functions.

3. (i) The Government employees belonging to category (a) who entered the service of the Punjab Government before 1st April, 1937 would continue to be governed by the Punjab Government rules and the Union Government, would meet their share of leave charges as calculated under those rules. Those recruited on or after 1st April, 1937 would be governed by the leave rules of the Union Government. However, such officers who were on 6th January, 1944, governed by the leave rules of the Punjab Government will have an option of remaining under those rules or of coming under the Union Government's leave rules on the principles and conditions laid down in rule 8.63 of these rules.

(ii) The Government employees falling under categories (b) and (e) (irrespective of the dates of recruitment) would remain under the leave rules of the Punjab Governments and the Union Government would meet their share of leave charges as calculated under these rules.

(iii) The Government employees belonging to category (d) have the option of remaining under the leave rules of the Punjab Government or of coming under Union Government leave rules on the principles and conditions laid down in rule 8.63 of these rules.

SECTION II—OLD LEAVE RULES 8.62 to 8.112 Omitted.

SECTION III. REVISED LEAVE RULES APPLICABLE TO GOVERNMENT EMPLOYEES MENTIONED IN RULE 8.52.

DEFINITIONS

8.113. In the rules in this section—

(i) "leave" includes earned leave, half pay leave, commuted leave, leave not due and extraordinary leave;

(ii) "earned leave" means leave earned in respect of periods spent on duty;

(iii) "half pay leave" means leave earned in respect of completed years of service;
(iv) "earned leave due" means the amount of earned leave, to the credit of Government employee on the 31st August, 1949 under the rules in force on that date plus the amount of earned leave calculated as prescribed in rules 8.116, 8.117 and 8.133 as the case may be, diminished by the amount of earned leave taken after the 31st August, 1949.

(v) "half pay leave due" means the amount of half pay leave calculated as prescribed in Rule 8.119 for the entire service diminished by the amount of leave on private affairs and leave on medical certificates taken before 1st September, 1949, and half pay leave taken on or after that date;

(vi) "commuted leave" means leave taken under clause (c) of Rule 8.119.

(vii) "Government employee in a permanent employ" means a Government employee who holds substantially a permanent post or holds a lien on a permanent post or who would hold a lien on a permanent post had his lien not been suspended. It also includes a provisionally permanent Government employee;

(viii) "completed years of service" and "one year's continuous service" means continuous service of the specified duration under the Haryana Government and includes periods spent on duty as well as on leave including extraordinary leave.

(ix) "Military Officer" means an officer of the Armed Forces who is

(i) a Commissioned officer of the Army, Navy or the Air Force; or

(ii) (a) a junior commissioned officer (including an honorary commissioned officer) or an "other rank" of the Army; or

(b) a branch list officer or a rating of the Navy; or
(c) an air-man including a Master Warrant Officer on the Air Force.

GENERAL RULES AND CONDITIONS

8.114. Any kind of leave under these rules may be granted in combination with or in continuation of any other kind of leave.

8.115. The authority which granted leave to a Government employee can commute it retrospectively into leave of a different kind which may be admissible but the Government employee concerned cannot claim it as a matter of right.

8.115A. A Government employee who entered Government service on or after the 1st January, 1931 and transferred to a service or post to which the rules in Part-A of this section apply, from a service or post to which they do not apply, remains under the leave rules to which he was subject prior to his transfer:

Provided that it shall be open to him at the time of the transfer or any time thereafter to exercise the option of coming under the rules in Part-A of this section, subject to the condition that all leave at his credit on the date on which he comes under these rules shall lapse. The intention of exercising this option must be specifically declared to the Government, and the date of such declaration shall be the date of coming under these rules. The option once exercised is final.

Note.—This rule provides for lapsing of only the leave at the credit of a Government employee on the date of option, and any debit balance in his-leave account, as a result of his having been granted leave not due under the rules obtaining before the option was exercised, should not be wiped out.

PART A.—LEAVE TO GOVERNMENT EMPLOYEES IN PERMANENT EMPLOY

GENERAL PROVISIONS

(i) Earned Leave

8.116. (i). The earned leave admissible to a Government employee in permanent employ is—

(a) 1/24th of the period spent on duty, during the first 10 years of his service.

*This takes effect from 1st July, 1939. Leave rules applicable prior to 1-7-1939 are given in Annexure to this Chapter.
(b) 1/18th of the period spent on duty during the next 10 years of his service; and
1/12th of the period spent on duty, thereafter.

Note.—For the purpose of assessing "length of service" under this sub-rule, break in
service occasioned as a result of re-employment shall not entail forfeiture of previous service. Further
in the case of women Government employees, break in service due to re-employment as a result
of family circumstances of the Government employee concerned shall also be condoned by
the re-appointing authority; provided the duration of break does not exceed 10 years.

(iii) Accumulation of earned leave shall be permissible to any extent but the maximum
earned leave that may be granted at a time to a Government employee shall be (a) 120 days
if spent in India (b) 240 days if the entire leave so granted or any portion thereof is
spent outside India, Burma, Ceylon, Daman, Diu, Nepal and Pakistan; provided that
where earned leave exceeding 120 days is granted under this sub-rule the period of such
leave spent in India shall not in the aggregate exceed 120 days:

Provided further that, except as provided in the Study Leave Rules contained in Appendix 20
to the Punjab Civil Services Rules, Volume I, Part II, if a Government employee goes on a
course of study or research or work which in the Government's view increases his competence,
knowledge or efficiency or adds to the technical knowledge, he may be granted earned
leave to the extent it is due to him and not limited to 120 or 240 days.

Note 1.—The consent of Finance Department is not presumed to the grant of such study
leave.

Note 2.—The balance of additional leave earned during the war in terms of para-
graphs 1 to 8 of the Punjab Government letter No. 4552-PR.45 dated 5th December, 1943,
will be allowed to be carried forward subject to the following maximum limits and added to
the earned leave accumulated under this Rule—

(i) in the case of an officer of non-Asian domicile in permanent employ recruited
in India who has been in continuous service from a date prior to 1st February,
1949, and who is entitled to passage concessions...30 days.

(ii) in the case of any other officer (whether permanent or temporary) in Class I, II or
III Service 36 days.

(iii) in the case of an officer in permanent Class IV. 18 days

- The total earned leave that accumulated can be taken at any one time.
(iii) Leave preparatory to retirement (hereinafter called the L.P.R.) may be granted up to one hundred and eighty days on full pay, provided the leave on full pay is due and admissible. If the leave on full pay to this extent is not due, the balance of L.P.R. falling short of one hundred and eighty days may be granted on half pay, if due, subject to the condition that the total leave thus granted does not exceed one hundred and eighty days. In case no leave on full pay is due, the L.P.R. may be granted up to one hundred and eighty days on half pay, provided the leave on half pay is due and admissible."

@Note.—A Govt. employee who is required to retire or may himself choose to retire on or after attaining the age of 50 or 55 years as the case may be, by giving notice of not less than three months period, under the provisions of clause (d) and (e) of Rule 3.26 of the P.T. C.S.R. Vol. I, Part I and rule 3.12 or 3.12-A of the P.T. C.S.R. Vol. II may be allowed due and admissible earned leave and half pay leave not extending beyond 60 days subject to the condition that the leave so granted does not extend beyond 120 days from the date of expiry of the notice period subject further to the condition that the leave so granted does not extend beyond the date of compulsory retirement. Leave salary admissible in respect of leave extending beyond the notice period shall be reduced by the amount of pension and pension equivalent of other retirement benefits.

8.117. (a) Earned leave is not admissible to a Government employee serving in a vacation department in respect of duty performed in any year in which he avails himself of the full vacation.

**(b) The earned leave admissible to such Government employee in respect of any year in which he is prevented from availing himself of the full vacation is such proportion of the following periods as the number of days of vacation not taken bears to the full vacation:

(i) to a Government employee with 10 years' service or less: 15 days


**Foot-note.—Rule 8.117(b) shall be deemed to have come into force from 1st July, 1959."
(ii) to a Government employee with more than ten years' service but not exceeding 20 years' service: 20 days

(iii) to a Government employee, with over 20 years' service: 30 days

If in any year he does not avail himself of the vacation, earned leave will be admissible in respect of that year in accordance with the provisions of Rule 8.116.

(c) Vacation may be taken in combination with or in continuation of any kind of leave under the rules in this section provided that the total duration of vacation and earned leave taken in conjunction, whether the earned leave is taken in combination with or in continuation of other leave or not, shall not exceed the amount of earned leave due and admissible to the Government employee at a time under rule 8.116:

Note.—See paragraph 3 of Annexure I referred to in rule 8.59 of these rules.

8.118. Omitted.

(ii) Half pay leave, commuted leave and "Leave not due".

8.119 (a) The half pay leave admissible to an officer in permanent employ in respect of each completed year of 'service' is 20 days.

Note 1.—As the basis of half pay leave has been changed it will be necessary to make retrospective calculations in respect of such leave for the entire continuous service of an officer. The half pay leave to be carried forward under these orders will therefore be the total half pay leave earned in respect of completed years of service on the 1st September, 1949, reduced by the amount of leave on private account and leave on medical certificate availed of prior to that date. If this calculation results in a minus balance it should be adjusted against the half pay leave that will be earned subsequently, such minus balance being treated as 'leave not due' for purpose of 360 days' limit indicated in clause (d) below.

These orders do not authorise the retrospective calculation of leave salary in respect of the leave-availed of before 1st September, 1949.

*Foot-note.—This amendment shall be deemed to have come into force on the 12th September, 1955.

*Foot-note.—Sub-rule (a) of rule 8.119 takes effect from 1st April 1958.

*Foot-note.—Leave Rules contained in Rules 8.116, 8.117, 8.119 (a) & 8.133 prior to 1st July, 1959 are given in Annexure to this chapter.

Note 2.—The half pay leave to be carried forward on the 1st September, 1949 will be the amount of leave which accrued on that date in respect of complete years of previous service less the leave taken on medical certificate and private affairs. Such leave in respect of any fraction of a year's service left over on the 1st September, 1949 will accrue on completion of another year of service which will include the fraction left over on the 1st September, 1949. To illustrate, in the case of a person (of class I, II or III service) who entered service on the 1st February, 1948 and has taken no leave on medical certificate or private affairs the credit to the half pay leave account on the 1st September 1949 will be 20 days and the person will get a further credit of 20 days on the 1st February, 1950.

Note 3.—As for half pay leave in respect of a completed year of service during which service was rendered partly in a Class III post and partly in a Class IV post, this leave will be calculated on a pro-rata basis separately in respect of Class III service or Class IV service and then added up. The fraction, if any, present in the total half pay leave for the particular year will be ignored if it is less than half or reckoned as one day if it is half or more.

Note 4.—The half pay leave earned by Government employee in respect of a 'completed year of service' can be availed of by him during the course of a spell of leave or during an extension thereof within which the date of anniversary of service falls.

(b) The half pay leave due may be granted to a Government employee on medical certificate or on private affairs.

*(c)* Commuted leave not exceeding half the amount of half pay leave due may be granted to a Government employee on medical certificate or for prosecuting an approved course of study i.e. a course which is certified to be in the public interest by the leave sanctioning authority, subject to the following conditions—

(i) half pay leave up to a maximum of 180 days shall be allowed to be commuted during the entire service where such leave is utilised for an approved course of study.

(ii) when commuted leave is granted, twice the amount of such leave shall be debited against the half pay leave due:

(iii) **Omitted.**

Provided that no commuted leave may be granted under this rule unless the authority competent to sanction leave has reason to believe that the Government employee will return to duty on its expiry.

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*Substituted vide Haryana Government Notification No. 5562-7FR-75/30973 dated the 10th September, 1975.*

(d) Save in the case of leave preparatory to retirement, 'leave not due' may be granted to a Government employee in permanent employ for a period not exceeding 360 days during his entire service, out of which not more than 90 days at a time and 180 days in all, may be otherwise than on medical certificate. Such leave will be debited against the half pay leave the Government employee may earn subsequently.

Note 1.—Leave not due should be granted only if the authority empowered to sanction leave is satisfied that there is reasonable prospect of the Government employee returning to duty on the expiry of the leave and should be limited to the half pay leave he is likely to earn thereafter.

Note 2.—Where a Government employee who has been granted 'leave not due' under this clause applies for permission to retire voluntarily, the leave not due shall if the permission is granted be cancelled and his retirement shall have effect from the date on which such leave commences. An undertaking to this effect should, therefore, be taken from the Government employee, who avails of 'leave not due'. But the question whether a Government employee should be called upon to refund the amount of leave salary should be decided on the merits of each case e.g., if the retirement is voluntary refund should be enforced; if it is unavoidable by reason of ill health incapacitating him for further service no refund should be insisted upon.

Note 3.—When 'leave not due' is granted to a Government employee under this clause and he applies for permission to retire voluntarily or resigns of his own volition at any time after returning to duty, the question of refund to leave salary in respect of the 'leave not due' already availed of before return to duty shall to the extent it has been subsequently wiped off, be treated in the same way as laid down in Note 2 above.

8.120. Cancelled,

(iii) Extraordinary Leave.

8.121. (1) Extraordinary leave may be granted to any Government employee in special circumstances:

(a) when no other leave is by rule admissible; or
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(b) when other leave is admissible, but the Government employee concerned applies in writing for the grant of extraordinary leave.

(2) The authority empowered to grant leave may commute retrospectively:

(a) periods of absence without leave into extraordinary leave.

(b) Extraordinary leave granted into leave of a different kind if the latter type of leave was admissible at the time extraordinary leave was granted.

Note 1.—The power of commuting retrospectively periods of absence without leave into extraordinary leave under sub-clause (a) of sub-rule (2) is absolute and not subject to the conditions mentioned in sub-rule (1); in other words, such communication is permissible even when other leave was admissible to the Government employee concerned at the time his absence without leave commenced. This concession cannot, however, be claimed by the Government employee as a matter of right.

Note 2.—Extraordinary leave granted to a Government employee on medical certificate may be commuted retrospectively into 'leave not due' at the discretion of the authority competent to sanction leave. Such a commutation is also permissible in a case where extraordinary leave was granted to a Government employee on medical certificate during temporary service after the 21st August, 1949, and he is subsequently confirmed or declared quasi-permanent with effect from a date earlier than the commencement of the extraordinary leave.

Note 3.—Extraordinary leave taken by a Government employee otherwise than on medical certificate after 11th September, 1955, may also be commuted into 'leave not due' at the discretion of the authority competent to sanction leave.

LEAVE SALARY

8.122. (1) A Government employee on earned leave shall be entitled to leave salary equal to the pay drawn by him immediately before proceeding on leave.

*'(2) An officer on half pay leave or leave not due is entitled to leave salary equal to half the amount specified in sub rule (1)'*:

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*Substituted vide Haryana Government Notification No. 882-IFR-I1-77/31823 dated the 7th December, 1977. This rule shall be deemed to have been substituted w.e.f. 28th May, 1978.

**Substituted vide Haryana Government notification No. 11/5/30-IFR, II Dt. 25-5-81 effecting from 1-4-79.**
Provided that this limit shall not apply if the leave is on medical certificate or for pursuing an approved course of study otherwise than on study leave terms.

(3) An officer on commuted leave is entitled to leave salary equal to the amount admissible under sub-rule (1).

(4) An officer on extraordinary leave is not entitled to any leave salary.

(5) In case a Government employee dies while in service the cash equivalent of the Leave Salary that the deceased employee would have got had he gone on earned leave that would have been due and admissible to him, but for the death, on the date immediately following the date of the death and, in any case, not exceeding leave salary for 180 days, shall be paid to his family. The cash equivalent of Leave salary admissible under this rule shall also carry the appropriate amount of dearness allowances and

(6) In the case of Government employees governed by Contributory Provident Fund Rules, the Government contribution payable under Contributory Provident Fund Rules is different from death-cum-retirement gratuity payable under pension rules and as such no deduction need be made out of cash equivalent of leave salary payable to the family of a deceased employee on account of Government contribution to Contributory Provident Fund.

(7) In the case of military pensionar re-employed in Civil services who dies during the period of re-employment the cash equivalent of leave salary payable to the family of such employee should also be paid as prescribed in sub-rule (5) above.

*Substituted vide Haryana Government Notification No. 11/5/2/80-IPR-II Dt. 25-5-81

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Note 1.—The leave salary of the Government employee who is reinstated after a period of debarment and who proceeds on leave immediately on reinstatement should be determined on the basis of the pay actually drawn by or allowed to him for the day immediately preceding the day of commencement of leave. The leave salary of a Government employee who is allowed to draw pay under rule 4.3 or 4.16 of these rules, should also be determined similarly i.e. on the basis of the pay actually drawn by him immediately before proceeding on leave.

Note 2.—In respect of any period spent on foreign service out of India, the pay which the Government employee would have drawn if on duty in India but for foreign service out of India shall be substituted for the pay actually drawn for the purpose of determining the leave salary.

Note 3.—In the case of persons to whom the Employees' State Insurance Act, 1948, applies, leave salary admissible during leave other than earned leave, shall be reduced by the amount of benefit admissible under the said Act corresponding period.

Note 4.—(i) The Army/Navy/Air Force reserves employed in the State Government Department on recall to the colours on mobilisation will be allowed, if they so desire, the pecuniary benefit of earned leave to their credit up to a maximum of 120 days of leave admissible under these rules in addition to Army/Navy/Air Force pay and allowance;—

(a) for first month full leave salary
(b) there after half pay salary

The charges on account of this benefit will be payable by the Civil Department concerned.

(ii) The pecuniary benefit of the leave shall be calculated in terms full or half monthly pay worked out on the basis of the Civil emoluments which were actually drawn or which would have been drawn but for the reserves being called to the colours on mobilisation immediately before the commencement of leave.

8.123. Cancelled

ADDITIONAL KINDS OF LEAVE IN SPECIAL CIRCUMSTANCES

(i) Special Disability Leave

8.124. (1) Subject to the conditions hereinafter specified a competent authority may grant special disability leave to a Government employee who is disabled by injury intentionally inflicted or caused in, or in consequence of, the due performance of his official duties or in consequence of his official position.

(2) Such leave shall not be granted unless the disability manifested itself within three months of the occurrence to which it is attributed, and the person disabled acted with due promptitude in bringing it to the notice of the competent authority. If the competent authority is satisfied as to the cause of disability, it may permit leave to be granted in cases where the disability manifested itself more than three months after the occurrence of its cause.
(3) The period of leave granted shall be such as is certified by the Authorised Medical Attendant of the Government employee concerned to be necessary. It shall not be extended, except on the certificate of that authority, and shall in no case exceed 730 days.

(4) Such leave may be combined with leave of any other kind.

(5) Such leave may be granted more than once if the disability is aggravated or reproduced in similar circumstances at a later date, but not more than 730 days of such leave shall be granted in consequence of any one disability.

(6) Such leave shall be counted as duty in calculating service for pension, but half the amount of such leave taken under sub-clause (b) of clause (7) below shall be debited against the leave account.

(7) Leave salary during such leave including a period of such leave granted under clause (5) shall,—

(a) be equal to full pay for the first 120 days;
(b) for the remaining period of such leave, be equal to leave salary admissible on half-pay leave; or at the Government employee's option for a period not exceeding the period of earned leave otherwise admissible to him under rule 8.116 or 8.117, be equal to leave salary admissible on earned leave.

(8) (i) In the case of a person to whom Workmen's Compensation Act, 1923, applies, the amount of leave salary payable under this rule shall be reduced by the amount of compensation payable under section 4(1)(d) of the said Act.

(ii) In the case of a person to whom the Employee's State Insurance Act, 1948 (34 of 1948), applies, the amount of leave salary payable under this rule shall be reduced by the amount of benefit admissible under the said Act for corresponding period.
(9) (a) The provisions of this rule apply to,—

(i) a civil Government employee disabled in consequence of service with a military force, if he is discharged as unfit for further military service, but is not completely and permanently incapacitated for further civil service; and

(ii) a civil employee not so discharged who suffers a disability which is certified by a medical board to be directly attributable to his service with a military force.

(b) in either case, any period of leave granted, to such a person under military rules in respect of that disability shall be reckoned as leave granted under this rule for the purpose of calculating the period admissible.

Note.—The intention of this clause is not that special disability leave should be given to cover any portion of a Government employee’s military service, but that it should be admissible only after the Government employee’s discharge as unfit for further military service.

*8.125. The competent authority may extend the application of the provisions of rule 8.124, to a Government employee who is disabled by injury, accidentally incurred in or in consequence of the due performance of his official duties or in consequence of his official position or by illness incurred in the performance of any particular duty which has the effect of increasing his liability to illness or injury beyond the ordinary risk attaching to the civil post which he holds. The grant of this concession is subject to the further conditions—

(i) That the disability, if due to disease, must be certified by the Authorised Medical Attendant of the Government employee concerned to be directly due to the performance of the particular duty;

(ii) that if the Government employee has contracted such disability during service otherwise than with a military force, it must be, in the opinion of the competent authority exceptional in character; and

*Substituted vide Haryana Government Notification No. 6/1/69/FRI dated the 22nd August, 1978.
(iii) that the period of absence recommended by the Authorised Medical Attendant of the Government employee concerned may be covered in part by leave under this rule and in part by other kind of leave and that the amount of special disability leave granted on leave salary equal to that admissible on earned leave shall not exceed 120 days.

(ii) Study Leave

8.126. Leave may be granted to Government employees on such terms as may be prescribed by general or special orders of the competent authority to enable them to study scientific, technical or similar problems or to undergo special courses of instruction. Such leave is not debited against the leave account.

Note.—For general orders issued under this rule see Appendix 20 in Part II of this volume.

(iii) Maternity leave and Hospital leave

*8.127. (1) The competent authority under rule 8.23 may grant maternity leave to a female Government employee for a period not exceeding three months from the date of its commencement or to the end of six weeks from the date of confinement which ever is earlier. Leave salary equal to the pay drawn immediately before proceeding on leave shall be paid during maternity leave and it shall not be debited against the leave account.

Note 1.—The term “Pay” includes officiating pay provided the authority sanctifying the leave certifies that the Government employee would have continued to officiate had she not proceeded on leave.

Note 2.—Maternity leave may also be granted in case of miscarriages including abortion subject to the condition that the leave does not exceed six-week and the application for leave is supported by a certificate from a Registered Medical Practitioner. The Certificate of a Chief Medical Officer or Deputy Chief Medical Officer (Medical) or Gazetted Medical Officer may, however, be called for in case of doubt.

Note 3.—In the case of a person to whom the provisions of employee’s State Insurance Act 1948, apply, leave salary payable shall be reduced by the amount of benefit admissible under the said Act for the corresponding period.

Note 4.—Maternity leave shall not be admissible to a female Government employee having more than two living children. In such cases leave of the kind due or extra-ordinary leave will be allowed.

(2) Any other kind of leave may be permitted to be prefixed to maternity leave without insisting on a medical certificate. But any leave applied for in continuation of the maternity leave may be granted only if the request is supported by a Medical Certificate.

Note 1.—Earned leave to the extent admissible under rule 8.116 (1) may be granted in continuation of maternity leave, if the request for the grant of leave is supported by a medical certificate.

Note 2.—The female gazetted employees applying for grant of maternity leave should, like all gazetted Government employees, apply for leave on medical certificate, produce the required certificate from a medical committee or board, in accordance with rules 8.9 and 8.16, unless this requirement is relaxed under rule 8.12 by the authority competent to grant leave.

Note 3.—Regularleave in continuation of maternity leave may also be granted in case of illness of a newly born baby, subject to the female Government employee producing during a medical certificate from the authorised Medical Attendant to the effect that the condition of the baby warrants mother’s personal attention and her presence by the baby’s side is absolutely necessary.

*8.128. (1) The competent authority, under rule 8.23 of these rules may grant hospital leave to—

(a) Class IV Government employees; and

(b) such Class III Government employees whose duties involve handling of dangerous machinery, explosive materials, poisonous drugs, etc., or the performance of hazardous tasks, while under medical treatment for illness or injury if such illness or injury is directly due to risk incurred in the course of their official duties.

Note 1.—In the case of persons to whom the Workmen’s Compensation Act, 1923, applies, the amount of leave salary shall be reduced by the amount of compensation payable under section 4(3)(a) of the said Act.

Note 2.—Industrial and workcharged staff will also be entitled to hospital leave in the same manner as other State Government employees.

Note 3.—Hospital leave should be granted on the production by the Government employee concerned of a medical certificate from a superior officer, not below the rank of Gazetted Officer, to the effect that the illness or injury was directly due to risks incurred in the course of official duties and also that the leave recommended is necessary to effect a cure. The period of the leave shall be such as may be certified by the Authorised Medical Attendant to be necessary shall not exceed the maximum laid down in sub-rule (3) below.

(2) Hospital leave may be granted on leave salary equal to full pay or half pay as the authority granting it may consider necessary.

(3) Hospital leave shall in no case exceed one hundred and twenty days on full pay in any period of three years, whether such leave is taken at one time or by instalments. Half the amount of hospital leave on half pay counts for the purpose of this limit as leave on full pay.

Note 1.—The words "full pay" in this rule mean the pay on the last day of duty prior to commencement of leave.

Note 2.—In the case of person to whom the provisions of Employees' State Insurance Act, 1948 apply, leave salary payable under these rules shall be reduced by the amount of benefit admissible under the said Act for the corresponding period.

(4) Hospital leave shall not be debited against the leave account and may be combined with any other kind of leave which may be admissible: provided the total period of leave, after such combination, shall not exceed twenty-eight months.

LEAVE TO MILITARY OFFICERS

8.129. A competent authority may grant leave of the following kinds to a military officer in civil employ who remains subject to the military rules and to a non-commissioned officer in civil employ:—

(a) (i) Earned leave for 120 days* or 180 days in the case of leave preparatory to retirement at a time, not exceeding in all, the privilege leave which it would be permissible to grant to him under the rules applicable to his case on the date on which he became subject to the Punjab Revised Leave Rules, 1936, or to this rule, plus one-eleventh of the duty performed by him from the beginning of the calendar year following that in which he became subject to those rules or to this rule up to 30th June, 1959 and 1/12th of the period spent on duty thereafter:

Provided that,—

(1) if privilege leave under the military rules is not admissible in respect of the calendar year of transfer because the Government employee has not actually performed duty in the military department during that year, duty counting for earned leave shall commence on the date; on which he became sub-

*This takes effect from 1st July, 1959.
ject to the Punjab Revised Leave Rules, 1936 or to this rule;

(2) in the case of a Government employee serving in a vacation department, the provisions of rule 8.117 shall apply *mutatis mutandis* to the calculation and grant of leave under this sub-clause; and

(3) a Government employee holding substantively a tenure post who is temporarily reverted to military duty, shall be treated as if he had remained subject to this rule throughout the period of his absence from his civil post, any privilege leave taken under military leave rules during that period being treated as earned leave taken under this rule.

(ii) Any leave, other privilege leave, admissible under military rules, either alone or in combination with earned leave.

(b) The total period of leave should be regulated by the limits in force under the military rules to which the Government employee is subject.

(c) Leave may be retrospectively commuted by the authority which granted it into any other kind of leave which was admissible to the Government employee concerned at the time when it was granted.

Provided, that except in the case of a Government employee holding substantively a tenure post, no leave under sub-clause (ii) of clause (a) of this rule may be granted to a Government employee unless the Government is prepared to re-employ him immediately upon the termination of the leave.

Provided also that in the case of a Government employee holding substantively a tenure post, leave under sub-clause (i) of clause (a) may be granted so as to extend beyond the expiry of such term if the leave has been applied for in
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sufficient time before the expiry of the fixed term and refused owing to the exigencies of the public Service.

Note 1.—Earned leave extending beyond the term of civil appointment is not admissible to military officers holding civil posts of limited tenure even though the military authorities may agree to the grant of leave.

Note 2.—In the case of a military officer to whom privilege leave was granted under the military rules in respect of a particular official year instead of a calendar year, service for leave under the civil rules should reckon on the first day of the next official year.

8.129-A. Notwithstanding any thing contained in rules 8.119, 8.133 and 8.137, where a military officer not in permanent civil employ has elected to draw civil rates of pay, his leave shall be regulated as follows:

(a) (i) Instead of annual leave, he may be granted earned leave as calculated under rule 8.116 from the beginning of the calendar year following that in which he becomes subject to this rule, his leave account being initially credited with the earned leave equal to the number of days of annual leave which, on the date on which he becomes subject to this rule, it would be permissible to grant him under the leave rules of the Armed Forces.

Provided that, if annual leave under the leave rules of the Armed Forces is not admissible in respect of the calendar year of transfer, duty counting for earned leave shall commence on the date on which he becomes subject to this rule:

Provided further that in the case of a military officer serving in a vacation department the provisions of rule 8.117 shall apply, mutatis mutandis to the calculation and grant of leave:

Provided also that a military officer holding substantively a tenure post, who is temporarily reverted to military duty, shall be treated as if he had remained subject to this rule throughout the period of his absence from his civil post, any Annual leave taken under the leave rules of the Armed Forces during the period being treated as earned leave taken under this rule.
(ii) If a military officer was in civil employ on the date this rule came into force, his leave account shall be initially credited with earned leave equal to the number of days of leave on average pay or earned leave due under rule 8.129 on the date on which he becomes subject to this rule and if on that date he had already begun to earn leave on average pay or earned leave under rule 8.129, the calculation of earned leave under clause (i) shall commence from that date.

(iii) He may also be granted any leave, other than annual leave, admissible under the leave rules of the Armed Forces either alone or in combination with earned leave.

(b) The total period of leave shall be regulated by the limit in force under the leave rules of the Armed Forces to which the military officer is subject.

(c) Leave may be retrospectively commuted by the authority which granted it into any other kind of leave which was admissible to the military officer concerned at the time it was granted:

Provided that except in the case of a military officer holding substantively a tenure post, no leave under clause (iii) of sub-rule (a) may be granted to such military officer unless the civil authority which grants the leave is prepared to re-employ him immediately upon the termination of the leave:

Provided further that in the case of a military officer holding substantively a tenure post, leave under clause (i) of sub-rule (a) may be granted so as to extend beyond the expiry of such term if the leave has been applied for in sufficient time before the expiry of the fixed term and refused owing to the exigencies of public service.

8.129-B A military officer in civil employ shall cease to be governed by rule 8.129-A with effect from the date
from which he is released or discharged from the Armed Forces and shall with effect from the date of such release or discharge become subject to these rules, the earned leave due to him on that date being carried forward.

8.129-C. Where a military officer is appointed substantively to a permanent civil post (other than a tenure post) there shall be credited initially in his leave account.

(a) (i) earned leave equal to the number of days of the annual leave which, on the date he is so appointed, it would be permissible to grant him under the leave rules of the Armed Forces, or

(ii) earned leave, if any, which, on the date on which he is so appointed, it would be permissible to grant him under rule 8.129-A.

Provided that where such appointment is made in the calendar year in which the military officer was transferred to civil employ, the credit under clause (i) shall be reduced by 1/12th of the duty intervening between the date of that appointment and the termination of the calendar year of transfer but no reduction shall be made if annual leave is not admissible in respect of the calendar year of transfer;

(b) half pay leave equal to the number of days of furlough which, on the date he is so appointed, it would be permissible to grant him under the leave rules of the Armed Forces.

LEAVE TO GOVERNMENT EMPLOYEES ON DEPUTATION OUT OF INDIA

*8.130. Unless the competent authority in any case otherwise directs, the following provisions apply to Government employees placed on deputation out of India, under conditions declared to be quasi-European, if the period of the deputation exceeds one year:

(a) The period of deputation shall not count as duty for the purpose of this chapter.

*Substituted vide Haryana Government Notification No. 6/1/(4)/78/FRI dated the 22nd August, 1978.
(b) The amount of leave which can be earned during the period of deputation shall be determined by the competent authority. Such leave can only be taken during the period of deputation and will not be credited or debited in the Government employee's leave account. Leave salary during such leave shall be equal to the rate of deputation pay:

Provided that where a deputation originally sanctioned for one year or less is subsequently extended so that the total period exceeds one year, these provisions shall apply only in respect of the period in excess of one year.

PART B—LEAVE TO PROBATIONERS AND APPRENTICES

LEAVE TO PROBATIONERS

8.131. During the period of probation, a probationer is entitled to leave as follows:

(1) if appointed under contract, to such leave as is prescribed in his contract; or

(2) if there be no such prescription in the contract; or if appointed otherwise, to such leave as would be admissible to him under the leave rules which would be applicable to him if he held his post substantively otherwise than on probation. If for any reason it is proposed to terminate the services of a probationer, any leave which may be granted to him should not extend beyond the date on which the probationary period as already sanctioned or extended expires, or any earlier date on which his services are terminated by the order of an authority competent to appoint him.

Note.—See also rule 8.58.

LEAVE TO APPRENTICES

8.132. During the period of apprenticeship, an apprentice is entitled to leave as follows:

(1) if appointed under contract, to such leave as is prescribed in his contract; or
(2) (i) if there be no such prescription in the contract; or

(ii) if appointed otherwise;

(a) to leave on medical certificate on leave salary equivalent to half of the pay on the last day of duty prior to commencement of leave for a period not exceeding one month in any year of apprenticeship; and

(b) to extraordinary leave under rule 8.121.

Note 1.—See also rule 8.58.

Note 2.—This rule has reference to leave earned or taken during the apprentices period only and not afterwards. See also rule 2.16 (a) (i).

Note 3.—Paid candidates will be treated as apprentices for the purpose of this rule.

Note 4.—The leave at the credit of a Government employee on the date of his appointment as an apprentice under Haryana Government should not lapse but may be allowed to be carried forward on his appointment to a post under Haryana Government on the expiry of the period of apprenticeship.

PART C—LEAVE EARNED BY TEMPORARY AND OFFICIATING SERVICE, SERVICE WHICH IS NOT CONTINUOUS AND PART TIME SERVICE OR SERVICE REMUNERATED WHOLLY OR PARTIALLY BY THE PAYMENT OF HONORARIA OR DAILY WAGES.

LEAVE TO GOVERNMENT EMPLOYEES NOT IN PERMANENT EMPLOY

(i) Earned leave, half pay leave, commuted leave and 'leave not due'

*8.133. The provisions of rules 8.116 to 8.119 apply also to a Government employee not in permanent employ, provided that—

(a) no half pay leave shall be granted unless the authority competent to sanction leave has reason to believe that the officer will return to duty on its expiry; and

(b) no leave not due shall be granted.


*These take effect from 1st July, 1959. Leave Rules prior to 1st July, 1959, are given in Annexure to this Chapter.
8.135. Cancelled.

8.136. No leave is admissible to temporary establishment paid from the Budget-head wages on contingent bills. Such establishment may, however, be allowed extraordinary leave under rule 8.137.

(ii) Extraordinary Leave

8.137. Subject to the provision of rule 8.121 extraordinary leave not exceeding the following limits may be granted on any one occasion:

(i) six months;

(ii) twelve months in cases where the Government employee has completed three years' continuous service on the date of expiry of leave of the kind due and admissible under the rules (including six months' extraordinary leave under (i) above) and his request for such leave is supported by a medical certificate as required under the rules;

(iii) eighteen months, where the officer is undergoing treatment for:

(1) pulmonary tuberculosis or pleurisy of tuberculosis origin in a recognised sanatorium, or

(2) tuberculosis of any other part of the body by a qualified tuberculosis specialist or a Civil Surgeon, or

(3) leprosy in a recognised leprosy institution or by a civil surgeon or a specialist in leprosy recognised as such by the State Administrative Medical Officer concerned.

(iii)g twelve months where the Government employee is undergoing treatment for cancer, or for mental illness in an institution recognised for the treatment of such disease or by a civil surgeon or a specialist in such disease:

Provided that this concession will be admissible only to those Government employees who have been in continuous service for a period exceeding one year.
(iv) twenty-four months where the leave is required for the purpose of prosecuting studies, certified to be in the public interests provided the Government employee concerned has completed three years' continuous service on the date of expiry of leave of the kind due and admissible under the rules (including six months' extraordinary leave under (i) above).

Note 1.—The concession of extraordinary leave up to eighteen months will be admissible also to a Government employee suffering from pulmonary tuberculosis or pleurisy of tuberculous origin who receives treatment at his residence under a tuberculosis specialist recognised as such by the State Administrative Medical Officer concerned and produces a certificate signed by that specialist to the effect that he is under his treatment and that he has reasonable chance of recovery on the expiry of the leave recommended.

Note 2.—The concession of extraordinary leave up to eighteen months under clause (iii) will be admissible only to those Government employees who have been in continuous Government employ for a period exceeding one year.

Note 3.—The maximum limit of six months prescribed in this rule does not apply in the case of teachers in the Education Department who are not in permanent employ and who take leave for the purpose of undergoing a course of training. In their case the limit of extraordinary leave is subject to 24 months which the D.P.I. can grant himself.

Note 4.—Unless the competent authority in view of the exceptional circumstances of the case otherwise determines, no Government employee who is not in permanent employ or quasi-permanent employment shall be granted extra ordinary leave in excess of the limits prescribed under this rule.

Note 5.—Where a Government employee avails of the above leave concession for undergoing treatment for T.B. or leprosy, he should be required to produce a fitness certificate before he is permitted to resume duty on the expiry of the leave, from the following authorities:

(i) A temporary Gazetted Government employee suffering from pulmonary tuberculosis or tuberculous of any other part of the body, should produce a fitness certificate from a Medical Committee/Board as laid down in rule 8.44, irrespective of the fact whether the treatment is had at a sanatorium or at the residence of the Government employee. A.T.B. Specialist should also be co-opted as a member of the Medical Committee/Board.

(ii) A temporary non-Gazetted Government employee, suffering from pulmonary tuberculosis, should produce a certificate of fitness either from the Medical Officer-in-charge of a recognised sanatorium or from a T.B. Specialist recognised by a State Government while such a Government employee suffering from tuberculosis of any other part of the body should produce a certificate from a qualified T.B. Specialist or a Civil Surgeon.

Note 6.—Government Employees belonging to the Scheduled Castes or Scheduled Tribes may, for the purpose of attending the pre-examination training course at the centres notified by the Government, from time to time, be granted extra-ordinary leave by Head of Department*.

✓ (iii) Maternity leave

8.137-A. The Competent authority under rule 8.23 may grant to a female Government employee maternity leave for a period not exceeding three months from the date of its commencement or to the end of six weeks from the date of its confinement whichever is earlier. Leave salary equal to

*Inserted vide Haryana Govt. Notification No. 11/59; 30-IFRII dated 27-7-81.
the pay drawn immediately before proceeding on leave shall be paid during the maternity leave and it shall not be debited against the leave account.

Note 1.—The term "pay" in this rule includes officiating pay provided the authority sanctioning the leave certifies—that the Government employee would have continued to officiate had she not proceeded on leave.

Note 2.—Maternity leave under this rule may also be granted in cases of miscarriage including abortion, subject to the conditions that—

(i) the leave does not exceed six weeks ;

(ii) The application for the leave is supported by a certificate from a registered medical practitioner. The certificate of a Civil Surgeon or a Gazetted Medical Officer may, however, be called for in cases of doubt.

Note 3.—Maternity leave shall not be admissible to a female Government employee having more than two living children. In such cases leave of the kind due or extraordinary leave will be allowed.

Note 4.—In the case of a person to whom the provisions of Employee’s State Insurance Act, 1948, apply, leave salary payable shall be reduced by the amount of benefit admissible under the said Act for the corresponding period.

8.137-B. Any other kind of leave may be permitted to be prefixed to maternity leave without insisting on a medical certificate. But any leave applied for in continuation of the maternity leave may be granted only if the request is supported by a medical certificate.

Note—Also see note 3 below rule 8.127 (2).

(iv) Special Disability Leave

8.137-C. The provisions of rules 8.124 and 8.125 apply mutatis mutandis to temporary and officiating Government employees whose leave is regulated by the rules in this part.

(v) Hospital Leave

*8.138. The provisions of rule 8.128 are applicable to head constables and constables of the Haryana Armed Police Force and Regular Police Force, Overseers and Sub-Overseers in the Haryana Mental Hospital and the establishment of the Government Press, Haryana whose leave is regulated by the rules in this part.

(vi) Terminal Leave

8.138-A. (1) Earned leave to the extent due and admissible at a time can be granted to temporary employees

*Substituted vide Haryana Government Notification No. 5/1/(4)/78/FR, dated the 22nd August, 1978.
(other than those employed on a contract basis) at the discretion of the sanctioning authority on the termination of service on account of retrenchment or on the abolition of posts before attaining the age of superannuation, even when it has not been applied for and refused in the public interest. In all cases, however, where any notice of termination of service is required to be given under the terms of employment of the temporary employee concerned, and that employee is relieved before the expiry of the notice, such notice or the unexpired portion thereof should run concurrently with the leave granted.

(2) Such terminal leave may also be granted to—

(a) re-employed pensioners who are treated as "new entrants" in the matter of leave, subject to the condition that such pensioners will not be entitled to draw their pension during the terminal leave if the pension was held in abeyance during the period of re-employment;

(b) persons employed for a period exceeding one year on a contract basis in terms of Appendix 16 to the Punjab Civil Services Rules, Volume I, Part II;

(c) unqualified persons who may have to vacate their temporary posts to make room for qualified candidates;

(d) persons whose services may have to be dispensed with as a matter of administrative convenience as an alternative to the initiation of disciplinary proceedings against them.

Note 1.—This rule shall not apply to apprentices and persons in non-continuous employment of Government who will continue to be governed by the normal rules applicable to them.

Note 2.—Terminal leave under this rule will not be admissible in the following circumstances:

(i) where the employee concerned has been dismissed or removed from service, or whose service is terminated in the interest of national security; or

(ii) where the employee concerned resigns his post of his own volition unless the resignation is for reasons of ill-health or for other reasons beyond his control. Leave not exceeding half the amount of earned leave which the Government employee concerned can avail of at a time may, however, at the discretion of the sanctioning authority, be allowed in this case;
(iii) where the services of a temporary Government employee are lost by commercial enterprises or semi-Government organisations on terms which include the payment of leave salary, contribution, the grant of leave on termination of the employment under Government will fit such cases, be at the cost and within the discretion of the parent employer.

Note 3.—It will not be necessary to extend the temporary post to cover the period of the leave granted to a Government employee at the end of his temporary employment.

Note 4.—Retrenched Government employees, who are re-employed either in their own or another department on or before the expiry of their terminal leave with no break in service are to be deemed to be in continuous Government service and allowed the benefits of their previous service for calculating casual and earned leave due to them on their re-employment.

Note 5.—Terminal leave is admissible to re-employed pensioners and specialists/contract officers at the discretion of the sanctioning authority on the termination of their services on the due completion of the term of re-employment, and employment, respectively, irrespective of retirement or retention of the post.

Note 6.—A temporary Government employee continues in service during the period of terminal leave only which runs concurrently with the notice period and ceases to be in Government service on the expiry of the notice period, the leave to the extent it goes beyond the notice period being treated as a terminal benefit only.

(vii) Leave beyond the date of compulsory retirement.

8.139. The provisions of rule 8.21 apply mutatis mutandis to temporary and officiating Government employees whose leave is regulated by the rules in this Part.

(viii) Leave Salary

8.140. The provisions of rule 8.122 shall apply mutatis mutandis in the case of Government employees governed by the rules in this Part.

Note.—During re-employment after retirement from pensionable service, an officer's pension is either held in abeyance or is allowed to be drawn separately, a suitable reduction being made in the re-employed pay wherever necessary. An officer whose pension is drawn separately during re-employment and who proceeds on earned leave or half-pay leave or commuted leave will be entitled to leave salary based on the net re-employed pay (i.e., exclusive of the pension and/or pension equivalent of gratuity) and will continue to draw the pension separately in addition. An officer whose pension has been held in abeyance will draw the leave salary based on the net re-employed pay (i.e., pay minus the amount of the uncommuted pension and/or pension equivalent of gratuity) and in addition an amount equivalent to the pension which was held in abeyance. In either case the leave salary (exclusive of the pension or the amount equivalent to pension which was held in abeyance and/or pension equivalent of gratuity) will be admissible during half-pay leave or commuted leave.

During the period of extraordinary leave, an officer whose pension has been held in abeyance will draw only an amount equivalent to the pension which was held in abeyance. Where the pension is drawn separately it will continue to be so drawn during the period of extraordinary leave also.

The leave salary in respect of earned leave, half-pay leave and commuted leave of officers, who were governed by the Contributory Provident system prior to retirement, will be based on their net re-employed pay. They will not draw any leave salary during the period of extraordinary leave also.

LEAVE ADMISSIBLE TO PART-TIME GOVERNMENT EMPLOYEES AND GOVERNMENT EMPLOYEES WHOSE SERVICE IS NOT CONTINUOUS

Law Officers

*8.141. Omitted.

PUBLIC PROSECUTORS AND GOVERNMENT PLEADERS

8.142. (a) (1) Public Prosecutors will ordinarily be permitted to absent themselves from their duties during the period for which the court of the Sessions Judge is closed for the summer vacation, up to a maximum of one month if the state of work permits; but such permission may be withdrawn by the Legal Remembrancer when the work so requires. In these cases, it should not be necessary to appoint any other person to perform the duties of the Public Prosecutor, who will be permitted to draw his consolidated monthly fees for the period of his absence.

(2) When a Public Prosecutor is refused permission to absent himself from duty during the period of the Sessions Court's vacation, he may, with the sanction of Government, be permitted to absent himself from duty at some other time of the year for a period not exceeding one month, during which time he will continue to draw his consolidated monthly fees.

(3) Apart from the concession in clause (2) a Public Prosecutor may be permitted by the Legal Remembrancer to absent himself from his duties at any time of the year up to a period of three months, or for a longer period with the sanction of the Government, during which time he will not be entitled to any remuneration other than that provided in clause (6) below.

(4) During the absence from duty of a Public Prosecutor under the provisions of any of the above clauses arrangements may be made by the Legal Remembrancer for the discharge of his duties by another legal practitioner. The Legal Remembrancer may engage a private practitioner.

*Omitted vide Haryana Government Notification No. 6(1)(478/FR dated the 22nd August, 1978.
either on fees for individual cases at the rates fixed by Government for the employment of private practitioners for criminal case work or on consolidated fees not exceeding Rs. 400 per month, whichever alternative is in the opinion of the Legal Remembrancer most economical and conducive to efficiency. Such appointments will be made by the Legal Remembrancer in consultation with the local authorities.

(5) If no suitable legal practitioner is willing to do the work on Rs. 400 per monscm or if the appointment of a private practitioner on fees does not appear appropriate or economical the Deputy Commissioner should refer the matter with his recommendations to the Legal Remembrancer for the orders of Government.

(6) If the period of absence (other than any period during which the Public Prosecutor is entitled to draw full fees) does not exceed one month the Public Prosecutor may be allowed to draw the difference, if any, between the rate fixed for his fees and the sum paid to his substitute or substitutes.

(7) When the same Public Prosecutor is attached to more districts than one, the Deputy Commissioner each district concerned must be consulted.

(b) (i) Government Pleadners must arrange that their services are available at all times, other than the period of the vacation fixed for subordinate civil courts, unless permission of absence has been given.

(ii) Government Pleadners who are not Public Prosecutors may be given permission of absence at any time of the year; provided that they can be spared. Such permission must be obtained from the Legal Remembrancer through the Deputy Commissioner.

Editor and Reporters of the Indian Law Reports

8.143. The Editor and Reporters engaged in the production of the Indian Law Reports (Punjab Series) who are part-time Government employees earn leave up to 1/12th of the period spent on duty. They can be granted leave up to the maximum of 120 days at any one time and will be
allowed leave salary, equal to the pay, on the day before this leave commences; provided no extra expense is thereby caused to Government.

8.144. Omitted.

LEAVE ADMISSIBLE TO GOVERNMENT EMPLOYEES REMUNERATED WHOLLY OR PARTIALLY BY THE PAYMENT OF HONORARIA OR DAILY WAGES

8.145. A Government employee remunerated by honoraria may be granted leave on the terms laid down in rule 8.144: provided that he makes satisfactory arrangements for the performance of his duties that no extra expense is caused to Government and that during leave of the kind contemplated by clause (b) of rule 8.141, the whole of the honoraria are paid to the person who officiates in his post.

8.146. Leave to—

(1) A section-writer or a temporary press employee paid under the piecework system, or a daily labourer employed in the Public Works Department, if granted leave, is not entitled to any leave salary whatever during his absence.

(2) Labourers employed on a daily wages in Government workshops, power-houses, quarries, electric substations and other similar institutions; or in demolition of buildings, or on blasting operations on roads, or on a power line, a telephone line; or a haulageway in the Electricity branch of the Public Works Department, who are injured while on duty, may be granted leave while under medical treatment for the injury: provided that the injury is directly due to risks incurred in the course of their official duties. The total amount of such leave in any one term of 3 years shall not exceed six months, full wages being allowed for the first three months and half wages thereafter inclusive of compensation under the Workmen's Compensation Act, where such compensation is payable.

8.147. Omitted.

Leave rules applicable to permanent salaried industrial employees in the Haryana Government Class III and Class IV.

8.148. (1) (a) Leave on full pay will be earned at the rate of:

(i) 1/24th of the period spent on duty, during the first 10 years of his service;

(ii) 1/18th of the period spent on duty during the next 10 years of his service; and

(iii) 1/12th of the period spent on duty, thereafter.

(b) Omitted.

(c) When the total period of leave on full pay standing to the credit of an employee under clause (a) is more than 120 days, the maximum amount of leave on full pay that may be granted to him at any one time shall not exceed 120 days. In the case of any employee whose account of leave on full pay commences with a debit, no leave on full pay shall be granted until the expiry of a fresh period spent on duty sufficient to earn such credit as will permit of the leave to be granted after cancelling the debit.

(2) The half pay leave admissible to an employee in respect of each completed year of service is 20 days and will be accumulative. The half pay leave due may be granted to an employee on medical certificate or on private affairs.

(3) Leave without pay may be granted when no other leave is admissible.

(4) The provisions of rule 8.119 (c) and (d) apply to Government employees whose leave is regulated by the rules in this part except that leave not due will be granted only on medical certificate.

(5) Injury leave at half pay rates may be granted to a permanent salaried industrial employee, below the grade of Overseer or General Foreman who is injured in circumstances which would have given rise to a claim for compensation under the Workmen’s Compensation Act, 1923 (VIII
of 1923), if he had been a workman as defined therein, whether or not proviso (a) to sub-section (1) of section 3 of that Act is applicable. In the case of workers who are declared to be suffering from lead poisoning by certifying Surgeon, injury leave will be admissible on full pay. Such leave shall not be deemed to be leave on medical certificate for the purpose of clause (2). It shall be granted from the commencement of disablement for so long as is necessary subject to a limit of two years for any one disability, and a limit of five years during an employee’s total service including service, if any, on the piece establishment. The salary payable in respect of a period of leave granted under this rule shall in the case of an employee to whom the provisions of the Workmen’s Compensation Act, 1923. (VII of 1923), apply be reduced by the amount of compensation paid under clause (d) of sub-section (1) of section 4 of that Act.

Note.—The expression “pay” in this rule means the pay on the day before the leave commences.

LEAVE RULES APPLICABLE TO OFFICIATING/TEMPORARY/INDUSTRIAL EMPLOYEES OF IARYANA GOVERNMENT PRESS, CLASS III AND CLASS IV

*8.149. (a) The leave on full pay admissible to a temporary/officiating industrial employee is at the rate given in rule 8.148 (1)(a).

The maximum leave on full pay that may be granted at a time to an employee shall be 120 days.

(b) The leave on half pay admissible to an employee in respect of each completed year of service is 20 days. This leave may be granted to an employee on medical certificate or private affairs.

(c) Extraordinary leave without pay may be granted to an employee not exceeding 3 months at a time at his request or if no other leave is admissible. Absence without permission may be commuted retrospectively into extraordinary leave.

(d) The provisions of Rules 8.119 (c) and 8.128 apply mutatis mutandis to the temporary/officiating industrial employees.

*These take effect from 1st July, 1959.
ANNEXURE

[Referred to in the foot notes of rules 8.116, 8.117, 8.119(a) and 8.133]

*Introductory.*—Except where otherwise indicated, provisions of Part I, II, III and IV below were applicable during the period from 1st April, 1941 to 31st August, 1949, 1st September, 1949 to 11th September, 1955, 12th September, 1955 to 31st March, 1958 and 1st April, 1958 to 30th June, 1959 respectively.

**PART I**

1. The earned leave admissible to a Government employee in permanent employ is—

(a) to a Government employee in superior service—

(i) if of non-Asiatic domicile recruited in India entitled to leave passage concessions—one-ninth of the period spent on duty;

(ii) if not included in sub-clause (i) one-twelfth of the period spent on duty; and

(b) to a Government employee in inferior service—one-twenty-second of the period spent on duty; provided that when the earned leave due amounts to—

(i) 150 days in the case of a Government employee included in sub-clause (i) of clause (a);

(ii) 120 days in the case of a Government employee included in sub-clause (ii) of clause (a), who belongs to a State Service or who holds a special post;

(iii) 30 days in the case of other Government employees included in sub-clause (a)(ii) above, belonging to a Subordinate service; and

(iv) 30 days in the case of Government employees in inferior service, the Government employee ceases to earn such leave.

Note 1.—A Government employee in superior service in temporary employ serving in the Public Works Department whose post is likely to continue on a Quasi-permanent basis will, after a continuous service of two years, be treated as a Government employee in permanent employ for purpose of earned leave.

This note does not apply to a Government employee holding such a temporary post in an officiating capacity only. The leave of such a Government employee would be governed by paragraph 2 below.

(This sub-paragraph was added.—*vide* Correction Slip No. 15, dated the 15th May, 1941.)

The temporary posts of Assistants on the regular temporary establishment in the Public Works Department, Irrigation Branch, are treated as on a quasi-permanent basis for the purpose of this note.

(This sub-paragraph was added.—*vide* Correction Slip No. 114, dated the 18th June, 1943.)
Note 2.—A temporary Government employee in superior service employed on coloniza-
tion works, whose post is likely to continue on a quasi-permanent basis for a period of 
at least twelve years, will, after a continuous service of two years, be treated as a Government 
employee in permanent employ for the purposes of earned leave. The leave of a Government 
employee holding such a temporary post in an officiating capacity will be governed by para-
graph 4 below.

(This note was inserted.—vide Correction Slip No. 199, dated the 18th 
August, 1944).

2. (a) Earned leave is not admissible to a Government employee in 
permanent employ serving in a vacation department in respect of duty per-
formed in any year in which he avails himself of the full vacation.

(b) The earned leave admissible to such a Government employee in 
respect of any year in which he is prevented from availing himself of the 
full vacation is such proportion of 36 days earned leave if he is included in 
sub-clause (i) of clause (a) of paragraph 1 above, or of 30 days' earned 
leave if he is included in sub-clause (ii) of clause (a) of paragraph 1 above, 
or of 15 days earned leave if he is in inferior service, as the number 
of days of vacation not taken bears to the full vacation.

If in any year he does not avail himself of the vacation, earned leave 
is admissible to him in respect that year in accordance with the provisions 
of paragraph 1 above.

(c) Vacation may be taken in combination with or in continuation 
of any kind of leave under the rules provided that the total duration of 
vacation and earned leave taken in conjunction whether the earned leave 
is taken in combination with or in continuation of other leave or not, 
shall not exceed—

(i) 150 days in the case of a Government employee included in sub-
clause (i) of clause (a) of paragraph 1 above;

(ii) 120 days in the case of a Government employee included in sub-
clause (ii) of clause (a) of paragraph 1 above who belongs to 
a State Service or who holds a special post;

(iii) 90 days in the case of a Government Employee belonging to a 
Subordinate Service; and

(iv) 30 days in the case of a Government Employee in inferior service.

Note. The term 'year' occurring in this paragraph should be interpreted to mean not a 
calendar year in which duty is performed, but twelve months of actual duty in the vacation 
department.

3. Subject to the provisions of rules 8.15 and 8.22, a Government 
employee may at any time be granted the whole or any part of the earned 
leave due to him.

Note.—In calculating 'earned leave' the actual number of days of duty performed should 
first be counted and then multiplied by 1/8th, 1/11th or 1/22nd, as the case may be, the product 
expressed in days (and fraction of a day) and total credit limited to 150, 120, 90 or 30 days, as 
the case may be. In the case of leave enjoyed under the Punjab Revised Leave Rules, 1936, 
prior to 30th November, 1936, no re-adjustment of leave salary paid prior to that date should 
be made, but the correct balance of earned leave as it would have been if the correct method
of calculation given above had been applied from the date on which the Government employee became subject to those rules, should be recalculated as and when such person concerned proceeds on leave after the 30th November, 1936.

4. (a) The earned leave admissible to a Government employee not in permanent employ is, when he is in superior service, one-twenty second of the period spent on duty: provided that when the earned leave due amounts to 30 days he ceases to earn such leave.

(b) No earned leave is admissible to such a Government employee in inferior service.

(c) Earned leave is not admissible to such a Government employee serving in a vacation department.

Exception.—For Government employees in superior service in temporary employ serving in the Public Works Department, see Note 1 under paragraph 1.

5. A Government employee not in permanent employ appointed without interruption of duty substantively to a permanent post will be credited with the earned leave which would have been admissible if his previous duty had been duty as a Government employee in permanent employ diminished by any earned leave already taken. Leave is not an interruption of duty for the purpose of this paragraph.

Note.—The authority which granted leave to a Government employee can commute it retrospectively into leave of a different kind which may be admissible but the Government employee concerned cannot claim it as a matter of right. Commutation of extraordinary leave taken during temporary service, when no other leave was due, into earned leave on confirmation without interruption of service by giving retrospective effect to the benefit of this rule would, however, be irregular.

The real intention of this rule is to provide only for a retrospective recalculation of the leave at credit on the date of confirmation with a reduction on account of the earned leave already taken. Except for the carry forward of the recalculated credit on confirmation, leave earned and leave taken should be a closed chapter at that point and no re-adjustment of any leave taken is automatically permissible as a consequence of such recalculation. The closed chapter, may however, be properly re-opened, for instance to correct miscalculation of leave earned or taken or to re-adjust leave earned and taken when confirmation is ordered with retrospective effect, or at the discretion of the sanctioning authority, to convert leave of any one kind already taken into leave due of any other kind admissible at the time the leave was originally taken.

(This note was inserted.—vide correction slip No. 157, dated the 18th February, 1944.)

6. For half-pay leave see paragraphs 3 and 4 of Part II and notes 1, 2, 3, 4 and 5 below rule 8.119(a).

PART II

1. The earned leave admissible to a Government employee in permanent employ is:

(a) to a Government employee in class I, II or III service one-eleventh of the period spent on duty;
(b) to a Government employee in class IV service—

(1) One-twenty-second of the period spent on duty during the first ten years of service;

(2) One-sixteenth of the period spent on duty during the next ten years of service; and

(3) One-eleventh of the period spent on duty thereafter:

Provided that a Government employee ceases to earn such leave when the earned leave due amounts to—

(i) 120 days in the case of a Government employee in class I, II or III service; and

(ii) in the case of a Government employee in class IV service—

(1) 60 days during the first ten years of service;

(2) 90 days during the next ten years of service; and

(3) 120 days thereafter:

Provided that when the earned leave due amounts to 120 days, a Government employee in Class I or Class II Service employed in India will be permitted to earn such leave for a further period not exceeding 60 days subject to the condition that the earned leave for such further period will be availed of when having exhausted his normal credit, he spends such leave elsewhere than in India (including foreign possessions in India), Pakistan, Ceylon, Nepal, Burma or Aden.

Exception.—The earned leave admissible to a Government employee of non-Asiatic domicile recruited in India who has been in continuous service from a date prior to 1st September, 1949, and is entitled to leave passages, is one-ninth of the period spent on duty and the limit of accumulation for such leave is 150 days.

Note 1.—In calculating earned leave, the actual number of days of duty performed should first be counted and then multiplied by 1/9th or 1/11th or 1/16th or 1/22nd, as the case may be, the product expressed in days (and fraction of a day) and total credit limited to 180 or 150 or 120 or 90 or 60 days, respectively.

Note 2.—Also see Paragraph 3 of Part I.

2. (a) Earned leave is not admissible to a Government employee in permanent employ in a vacation department in respect of duty performed in any year in which he avails himself of the full vacation.

(b) The earned leave admissible to such a Government employee in respect of any year in which he is prevented from availing himself of the full vacation is such proportion of the following periods as the number of days of vacation not taken bears to the full vacation:—

(i) to a Government employee in Class I, II or III Service—30 days;

(ii) to a Government employee in Class IV service—

(1) 15 days during the first ten years of service;
(2) 20 days during the next ten years of service; and
(3) 30 days thereafter; and

(iii) to a Government employee mentioned in exception to first paragraph
—36 days.

If in any year he does not avail himself of the vacation, earned leave will
be admissible to him in respect of that year in accordance with the provision
of paragraph 1 above.

(c) vacation may be taken in combination with or in continuation of
any kind of leave under the rules: provided that the total duration of
callary leave taken in conjunction, whether the earned leave is taken in
combination with or in continuation of other leave or not, shall not exceed the
limit laid down in the first proviso to paragraph 1 or under the exception there-
to, as the case may be:

Provided further that the total duration of vacation, earned leave and
commuted leave taken in conjunction shall not exceed 180 days.

3. The half-pay leave, admissible to a Government employee in permanent
employ in respect of each completed year of service is—

(i) in the case of a Government employee in class I, II or III service—20
days,

(ii) in the case of a Government employee in class IV service—
(1) 15 days during the first twenty years of service, and
(2) 20 days thereafter. [Also see note below rule 8.19(a)].

4. The provisions of paragraphs 1, 2 and 3 apply also to a Government
employee not in permanent employ except that in respect of the first year of
service the earned leave admissible is—

(i) to a Government employee in class I, II or III service—one-twenty
second of the period spent on duty; and

(ii) to a Government employee in class IV service—1/30th of the
period spent on duty:

Provided that no earned leave shall be admissible to such a Government
employee in a Vacation Department in respect of the first year of his service,
provided further that—

(a) no half pay leave shall be granted unless the authority competent to
sanction leave has reason to believe that the officer will return to duty
on its expiry; and

(b) no ‘leave not due’ shall be granted.

Explanation.—On completion of one year’s continuous service, a Govern-
ment employee, who is not in permanent employ, will be eligible for the leave
terms applicable to employee in permanent employ except that he will not be
eligible for any ‘leave not due’. The provisions relating to earned leave will not
have retrospective effect in such cases, i.e., he will begin earning earned
leave at the rate mentioned in paragraph 1 or 2 as the case may be, only from
the date on which the second year of service commences. He will, however, be eligible for half pay leave in respect of the first year of service at the rate mentioned in paragraph 3.

5. A Government employee not in permanent employ appointed without interruption of duty substantively to a permanent post will be credited with the earned leave which would have been admissible if his previous duty had been duty as a Government employee in permanent employ diminished by any earned leave already taken. Leave is not an interruption of duty for the purpose of this paragraph.

Note 1.—The above provision is designed to provide only for retrospective recalculation leave at credit on the date of an individual’s confirmation diminished by any earned leave already taken. Except for the carrying forward of recalculate credit on confirmation no readjustment of any leave earned and taken is permissible, consequent on such recalculation except for instance:

(a) to correct a miscalculation of leave earned or taken,
(b) to readjust leave earned and taken when confirmation is ordered with retrospective effect, or
(c) to convert at the discretion of the sanctioning authority, leave of any one kind already taken into leave due of any other kind admissible any at the time the leave was originally taken.

Note 2.—The commutation of extraordinary leave taken during the temporary service when no other leave was due into earned leave on confirmation without interruption of service by giving retrospective effect to the benefit of this paragraph is not permissible.

PART III

1. The earned leave admissible to a Government employee in permanent employ is:

(a) to a Government employee in class I, II or III service—one-eleventh of the period spent on duty,
(b) to a Government employee in class IV service—
   (1) One-twenty-second of the period spent on duty during the first ten years of service;
   (2) One sixteenth of the period spent on duty during the next ten years of service; and
   (3) One-eleventh of the period spent on duty thereafter;

Provided that a Government employee will cease to earn such leave when the earned leave due amounts to:

(i) 180 days in the case of a Government employee in class I, II or III service; and
(ii) in the case of a Government employee in class IV service—
   (1) 60 days during the first ten years of service;
   (2) 90 days during the next ten years of service; and
   (3) 180 days thereafter.
8.149] LEAVE [Chap. VIII

Exception.—The earned leave admissible to the Government employee of non-Asianic domicile recruited in India who is in continuous service from a date prior to the 1st September, 1949, and is entitled to leave passages, is one-ninth of the period spent on duty and he ceases to such leave when the earned leave due amounts to 180 days.

2. Subject to the provisions of rules 8.15, 8.21 and sub-paragraphs (1) and (3) of this paragraph the maximum earned leave that may be granted at a time to a Government employee employed in India shall be 120 days (or 150 days in the case of Government employees mentioned in the exception to sub-paragraph (1) of this paragraph).

3. Earned leave may be granted to a Government employee in class I or class II service or to a Government employee mentioned in the exception to sub-paragraph (1) of this paragraph exceeding a period of 120 days or 150 days, as the case may be, but not exceeding 180 days if the entire leave so granted or any portion thereof, is spent outside India, Burma, Ceylon, Daman, Diu, Goa, Nepal and Pakistan.

Provident that where earned leave exceeding a period of 120 days or 150 days, as the case may be, is granted under this sub-paragraph, the period of such leave spent in India, shall not in the aggregate exceed the aforesaid limits.

Note 1.—In calculating 'Earned leave' the actual number of days of duty performed should first be counted and then multiplied by 1/9th or 1/11th or 1/15th or 1/22nd, as the case may be, the product expressed in days (and fraction of day) and total credit limited to 180 or 150 or 120 or 90 or 60 days, respectively.

Note 2.—The extra credit up to a maximum of 60 days earned leave ex-India due to an officer in Class I or Class II Service, under the second proviso to paragraph 1 of Part II, is to be carried forward provided that whenever the leave earned under the Revised Leave Rules is liberalised plus the extra credit of leave ex-India or the balance of such extra credit, as the case may be, exceeds 180 days such excess shall be deducted from the extra credit of leave ex-India or the balance of such credit; the net balance of the extra credit after such deduction may be availed of by an officer only when having exhausted his normal credit of leave he spends such leave elsewhere than in India, Burma, etc. (This note was inserted.—vide Government Notification No. 1017-FR-57/1466, dated the 12th March, 1927).

Note 3.—The method of calculation of leave admissible to an official on promotion from inferior to superior service under this rule should be as follows:

The earned leave due to the official should be calculated in accordance with the provision of paragraph 1 in inferior service and at 1/11th of the period spent on duty in superior service, subject to the condition that the maximum is applied in both the cases separately. In other words the earned leave due to the official in inferior service should first be calculated in accordance with the provisions of paragraph 1 and the limits of 60, 90 and 180 days, as the case may be, applied. The balance of earned leave should then be carried over and added to the amount of earned leave admissible from the date of promotion to the superior service, the total amount of earned leave being restricted to the maximum admissible to an officer in superior service in permanent employ.

(This note was inserted.—vide Notification No. 2368-FR-II-59/5605, dated the 1st April, 1938).
(a) Earned leave is not admissible to a Government employee in permanent employ serving in a vacation department in respect of duty performed in any year in which he avails himself of the full vacation.

(b) The earned leave admissible to such a Government employee in respect of any year in which he is prevented from availing himself of the full vacation is such proportion of the following periods as the number of days of vacation not taken bears to the full vacation:

(i) to a Government employee in class I, II or III service—30 days;
(ii) to a Government employee in class IV service—
   (1) 15 days during the first ten years of service;
   (2) 20 days during the next ten years of service;
   (3) 30 days thereafter; and
(iii) to a Government employee mentioned in exception to first paragraph—36 days.

If in any year he does not avail himself of the vacation, earned leave will be admissible to him in respect of that year in accordance with the provisions of first paragraph.

(c) Vacation may be taken in combination with or in continuation of any kind of leave under the rule in Section III of Chapter VIII: provided that the total duration of vacation and earned leave taken in conjunction, whether the earned leave is taken in combination with or in continuation of other leave or not, shall not exceed the amount of earned leave due and admissible to the Government employee at a time under first paragraph.

Provided further that the total duration of vacation earned leave and commuted leave taken in conjunction shall not exceed 240 days.

3. The half-pay leave admissible to a Government employee in permanent employ in respect of each completed year of service is—

(i) in the case of a Government employee in class I, II or III service—20 days;
(ii) in the case of a Government employee in class IV service—
   (1) 15 days during the first twenty years of service, and
   (2) 20 days thereafter.

Note. See note 3 below rules 8.119(i).

4. The provisions of first, second and third paragraphs apply also to a Government employee not in permanent employ except that in respect of the first year of service the earned leave admissible is—

(i) to a Government employee in class I, II or III service—one-twenty second of the period spent on duty; and
(ii) to a Government employee in Class IV service—1/30th of the period spent on duty.
Provided that no earned leave shall be admissible to such a Government employee in a Vacation Department in respect of the first year of his service, provided further that—

(a) no half-pay leave shall be granted unless the authority competent to sanction leave has reason to believe that the officer will return to duty on its expiry (*Except in the case of an officer who has been declared completely and permanently incapacitated for further service by a medical authority); and

(b) no ‘leave not due’ shall be granted.

*The words within brackets were inserted,—vide Notification No. 11388-FR-56/6371, dated the 28th September, 1956.

Explanation.—On completion of one year’s continuous service a Government employee, who is not in permanent employ will be eligible for the leave terms applicable to the Government employees in permanent employ except that he will not be eligible for any ‘leave not due’. The provisions relating to earned leave will not have any retrospective effect in such cases i.e. he will begin earning earned leave at the rate mentioned in first paragraph or second paragraph, as the case may be, only from the date on which the second year of service commences. He will, however, be eligible for half-pay leave in respect of the first year of service at the rate mentioned in third paragraph.

5. See paragraph 5 of part II of the annexure.

PART IV

1. (1) The earned leave admissible to a Government employee in permanent employ is one-eleventh of the period spent on duty:

Provided that he will cease to earn such leave when the earned leave due amounts to 180 days.

*Exception.—The earned leave admissible to a Government employee of non-Asiatic domicile, recruited in India who is in continuous service from a date prior to the 1st September, 1949, and is entitled to leave passage, is one-ninth of the period spent on duty and he ceases to earn such leave when the earned leave due amounts to 180 days.

(2) Subject to the provisions of Rules 8.15 and 8.21 and sub-paragraphs (1), (2) and (3) of this paragraph the maximum earned leave that may be granted at a time to a Government employee employed in India shall be 120 days (or 150 days in the case of a Government employee mentioned in the exception to sub-paragraph (1) of this paragraph).

(3) Earned leave may be granted to a Government employee in Class I or II service or to a Government employee mentioned in the exception to sub-paragraph (1) of this paragraph exceeding a period of 120 days or 150 days, as the case may be, but not exceeding 180 days if the entire leave so granted or any portion thereof is spent outside India, Burma, Ceylon, Daman, Goa, Nepal and Pakistan.
Chap. VIII] THE PUNJAB CIVIL SERVICES RULES

Provided that where earned leave exceeding a period of 120 days or 150 days, as the case may be, is granted under this sub-paragraph, the period of such leave spent in India, shall not in the aggregate exceed the prescribed limits.

Note 1. In calculating 'earned leave' the actual number of days of duty performed should first be counted and then multiplied by 1/8th or 1/11th, as the case may be, the product expressed in days (and fraction of a day) and total credit limited to 180 days.

Note 2. The extra credit up to a maximum of 60 days 'earned leave' ex-India due to an officer in Class I or Class II service under the second proviso to paragraph 1 of part II, is to be carried forward provided that whenever the leave earned under the Revised Leave Rules is liberalized: plus the extra credit of leave ex-India or the balance of such extra credit, as the case may be, exceeds 180 days such excess shall be deducted from the extra credit of leave ex-India or the balance of such credit; the net balance of the extra credit after such deduction may be availed of by an officer only when having estimated his normal credit of leave he spends such leave elsewhere than in India, Burma etc.

2. (a) Earned leave is not admissible to a Government employee in permanent employ serving in a Vacation Department in respect of duty performed in any year in which he avails himself of the full vacation.

(b) The earned leave admissible to such a Government employee in respect of any year in which he is prevented from availing himself of the full vacation in such proportion of 30 days (or 36 days in the case of an officer mentioned in the exception to sub-paragraph (1) of first paragraph) as the number of days vacation not taken bears to the full vacation.

If in any year the government employee does not avail himself of the vacation, earned leave will be admissible to him in respect of that year in accordance with the provisions of first paragraph.

(c) Vacation may be taken in combination with or in continuation of any kind of leave under the rules in section III of Chapter VIII provided that the total duration of vacation and earned leave taken in conjunction, whether the earned leave is taken in combination with or in continuation of other leave or not shall not exceed the amount of earned leave due and admissible to the Government employee at a time under first paragraph.

Provided further that the total duration of vacation, earned leave and commuted leave taken in conjunction shall not exceed 240 days.

3. The half-pay leave admissible to a Government employee in permanent employ in respect of each completed year of service is 20 days.

4. The provisions of preceding three paragraphs apply also to a Government employee not in permanent employ except that in respect of the first year of service the earned leave admissible is one twenty second of the period spent on duty:

Provided that no earned leave shall be admissible to such a Government employee in a Vacation Department in respect of the first year of his service, provided further that——

(a) No half-pay leave shall be granted unless the authority competent to sanction leave has reason to believe that the Government employee will return to duty on its expiry except in the
case of an officer who has been declared completely and perma-
nently incapacitated for further service by a medical authority;
and

(b) no ‘leave not due’ shall be granted.

Explanation.—On completion of one year’s continuous service, a
Government employee, who is not in permanent employ, will be eligible for
the leave terms applicable to a Government employee in permanent employ
except that he will not be eligible for any ‘leave not due’. The provisions
relating to earned leave will not have any retrospective effect in such cases,
i.e. he will begin earning earned leave at the rate mentioned in 1st paragraph
or second paragraph, as the case may be, only from the date on which the
second year of service commences. He will, however, be eligible for half pay
leave in respect of the 1st year of service at the rate mentioned in third para-
graph.

5. See paragraph 5 of section II of the Annexure.
CHAPTER IX—Joining Time

CONDITIONS UNDER WHICH ADMISSIBLE

9.1. Joining time may be granted to Government employee to enable him—

(a) to join a new post either at the same or a new station, without availing himself of any leave on relinquishing charge of his old post;

(b) to join a new post in a new station on return from—

*(i) earned leave not exceeding 180 days;

(ii) leave other than that specified in sub-clause (i) when he has not had sufficient notice of his appointment to new post;

**(c) Omitted.

Note 1.—The authority which granted the leave will decide whether the notice referred to in clause (b) (ii) was insufficient.

Note 2.—The joining time and travelling allowance of military officers in civil employ are governed by the civil rules in virtue of the provisions of paragraph 593 of the Regulations for the Army in India (Rules) and paragraph 2 (iii) and 14 of the Defence Services Regulations, India Passage Regulations, respectively, read with Fundamental Rule 3. These rules admit of the grant of joining time and travelling allowance to military officers in civil employ not only on the occasions of their transfer to the civil employ and retransfer to military employ but also when they are actually serving in the civil employ. For the purposes of these rules, privilege leave under the military leave rules, should be treated as earned leave not exceeding one hundred eighty days' duration.

Note 3.—The time reasonably required for journeys between the place of training and the stations to which a Government employee is posted immediately before and after the period of training should be treated as part of the training period. This does not apply to probationers holding "training posts" which they may be considered as taking with them on transfer. Such probationers are entitled to joining time when transferred.

Note 4.—When a Government employee holding a temporary post is offered through his official superior another such post at some other station at any time before the abolition of his post, he is entitled to joining time.

Note 5.—No joining time, joining time pay or travelling allowance shall be granted to a Government employee who is appointed to a post under the Union Government but joins his new post after termination of his employment under the State Government by resignation or otherwise, unless the employment of a particular Government employee is in the wider public interest. The same applies to a employee of the Union Government or of another State Government who, in similar circumstances, is appointed to a post under the

*Substituted vide Haryana Government Notification No.61/6/78/FRI dated the 22nd August, 1978.

**Omitted vide Ditto
Haryana Government. Further, when a Government employee of one department is appointed to a post in another department, both departments being under the Haryana Government, but joins his new post after termination of his employment under the old department, no joining time, joining time pay or travelling allowance shall be allowed unless it is in the public interest to do so. If joining time is allowed in any case it should be the minimum necessary and should in no case exceed the transit period.

Note 6.—Joining time, joining time pay and travelling allowance of Government employees appointed to posts under the Haryana Government on the results of a Competitive Examination, which is open to both Government employees and others, is regulated as under:

(a) travelling allowance, joining time and joining time pay should ordinarily be allowed to all Government employees serving under the Union or State Government who hold permanent post in a substantive capacity and that,

(b) no travelling allowance, joining time pay and joining time should be granted in the case of those who are employed in a temporary capacity without the sanction of Government,

(c) for the purpose of clause (a) above provisionally permanent and quasi-permanent Government employees shall be treated as on par with the permanent Government employees.

9.2. No joining time is allowed in cases when a Government employee is transferred from one post to another in the same office establishment.

9.3. (a) A Government employee on transfer during a vacation may be permitted to take joining time at the end of the vacation.

(b) If vacation is combined with leave, joining time shall be regulated under rule 9.1 (b) (i), if the total period of earned leave and vacation combined is of not more than 180 days duration.

9.4 If a government employee takes leave while in transit from one post to another, the period which has elapsed since he handed over charge of his old post, must be included in his leave. On the expiry of the leave the Government employee may be allowed normal joining time.

**Calculation of Joining Time**

9.5 The joining time of a government employee in cases involving a transfer from one station to another, is subject to a maximum of 30 days. Six days are allowed for pre-

*Substituted vide Haryana Government Notification No. 61(61)/78/FRI dated the 22nd August, 1978.*
to cover the actual journey calculated as follows:—

(a) A Government employee is allowed—

(i) for the portion of the journey which he travels by aircraft.

(ii) for the portion of the journey which he travels or might travel—

by railway —500 Kilometres or any longer time actually occupied in the journey.
by ocean steamer —350 Kilometres
by river steamer —150 Kilometres
by motor vehicle or horse-drawn conveyance —150 Kilometres
in any other way —25 Kilometres

(b) (i) For purpose of journey by air under clause (a) (i) a part of a day should be treated as one day.

(ii) a day is also allowed for any fractional portion of any distance prescribed in clause (a) (ii).

(c) When part of the journey is by steamer, the limit of six days for preparation may be extended to cover any period unavoidably spent in awaiting the departure of the steamer.

Note.—If a steamer is not due to start immediately after the expiry of six days from the day when the Government employee gives over charge, the Government employee may add to the joining time the number of days intervening between the expiry of the six days and the departure of the next steamer, whether he actually starts during the first six days or by the next steamer after their expiry.

(d) Travel by road not exceeding 8 Kilometres to or from a railway station, or steamer at the beginning or end of a journey does not count for joining time.
(e) A Sunday does not count as a day for the purpose of the calculations in this rule but Sundays are included in the maximum period of 30 days.

Exception.—The authority sanctioning the transfer may in special circumstances reduce the period of joining time admissible under this rule.

9.6. Not more than one day is allowed to a Government employee in order to join a new post when the appointment to such post does not necessarily involve a change of residence from one station to another. A holiday counts as a day for the purpose of this rule.

9.6A. When holiday(s) follow(s) joining time, the normal joining time may be deemed to have been extended to cover such holiday(s).

9.7. Except in the case of a journey performed by air which will be governed by the provisions in clause (a) (i) of rule 9.5 by whatever route a Government employee actually travels his joining time shall, unless a competent authority for special reasons otherwise orders, be calculated by the route which travellers ordinary use.

9.8. (a) The joining time of a Government employee under clause (b) (i) and (ii) of rule 9.1 will be counted from his old station or from the place at which he receives the order of appointment whichever calculation will entitle him to less joining time. If the leave is being spent out of India, and the order of appointment to the new post reaches him before he arrives at the port of debarkation, the port of debarkation is the place in which he received the order for the purpose of this rule. (If, however, such a Government employee actually performs the journey to his old headquarters for winding up his personnel affairs, etc., his joining time will be calculated from the old headquarters to the new headquarters, irrespective of the place where he spends leave or receives posting orders. A certificate to the effect that the Government employee had actually performed the journey from the station where he was spending leave to the old headquarters for winding up personnel affairs should be furnished by the officer concerned with his charge report for assumption of the post at the new headquarters. The responsibility for obtaining the certificate from a gazetted officer would rest
with the Audit Officer concerned and for non-gazetted staff, with the head of office.

(b) A Government employee taking joining time under clause (b) (i) of rule 9.1 who receives, while on leave (whether spent in or out of India); order of transfer to a station other than that from which he took leave, will be granted full joining time admissible under clause (a) above, without reference to the authority which granted the leave and irrespective of the date on which the order of transfer is received by him. Should he join his new appointment before the expiry of such leave plus the joining time admissible; the period short taken should be considered as leave not enjoyed, and a corresponding portion of the leave sanctioned should be cancelled without any reference to the authority which granted the leave. If in any case, the Government employee desires not to avail himself of the full period of joining time admissible the period of leave and joining time should be adjusted with reference to such option.

9.9. Deleted

9.10. If a Government employee is authorised to make over charge of a post elsewhere than at his headquarters, his joining time shall be calculated from the place at which he actually makes over charge.

9.11. If a Government employee is appointed to a new post while in transit from one post to another, his joining time begins on the day following that on which he receives the order of appointment.

Note.—A second period of six days for preparation should not be included in calculating the joining time of a Government employee whose appointment is changed while he is in transit.

9.12. When a Government employee under the administrative control of the Haryana Government is transferred to the control of another Government, his joining time for the journey to join his post under that Government and for the return will be governed by the rules of that Government.


*Deleted w.e.f. 6-5-1963
PAY DURING JOINING TIME

9.15. A Government employee on joining time shall be regarded as on duty, and shall be entitled to be paid as follows:

(a) Where joining time is granted under clause (a) of rule 9.1 the pay which he would have drawn if he had continued in the old post; or the pay which he will draw on taking charge of the new post, whichever is less;

(b) where the joining time is granted under Clause (b) of rule 9.1—

(i) if it is in continuation of leave which included a period of earned leave—pay equal to the leave salary which he last drew during such earned leave at the rate prescribed for payment of leave salary in-India; and

(ii) if it is in continuation of leave which did not include a period of earned leave—pay equal to the leave salary which the Government employee would have drawn under the leave rules applicable to him as if he had been on earned leave in India for the period of joining time;

Provided that—

(i) a Government employee on transfer shall not be entitled to any pay for the period of joining time unless his transfer is in the interest of public service;

(ii) no joining time pay shall be granted to a Government employee who does not hold a permanent post under Government (including the Central and State Governments) in a substantive capacity or a post under the Haryana Government in a quasi-permanent capacity, when he is appointed to a new post on the results of a competitive examination or interview which is
open to both Government employees and others.

Note 1.—A Government employee on transfer is not entitled to be paid, while on joining time unless his transfer is made in the public interest.

In such cases the Government employee may be granted regular leave by the competent authority under the leave rules admissible to him even if the transfer is at his own request to cover the periods after handing over charge at the old station and before taking over at another, if the Government employee applies for it and the Competent authority is willing to sanction it. In case, however, where the Government employee does not apply for leave to cover the period spent in transit, this period should be treated as "dies non" for purposes of leave, increment and pension.

Note 2.—A military officer subject to the Military Leave Rules who retains a lien on his civil post is entitled on joining time, under sub-clause (ii) of clause (b) above, to draw the same amount of leave-salary which he would have drawn had he been leave-under Civil Leave Rules: provided that such leave-salary shall not be less than that which he actually drew during the last portion of his leave.

9.16. In the Public Works Department no extra pay (where the transfer involves the grant of extra pay) can be drawn in any case by a relieving Government employee, until the transfer is complete, but as far as ordinary pay and allowances are concerned an exception may be made to the general rule in all cases in which the charge to be transferred (whether a division, a sub-division, or other charge) consists of several scattered works which the relieving and the relieved Government employees are required, by the orders of a superior officer, to inspect together before the transfer can be completed. The relieving Government employee will be considered as on duty if the period taken in carrying out these inspections is not considered by the Superintending Engineer to be excessive. While so taking over charge, the relieving Government employee will draw—

(i) if he is transferred from a post which he holds substantively his presumptive pay in that post;

(ii) if he is transferred from a post which he has held in an officiating capacity, the officiating pay admissible in that post: provided it is not more than the pay he would draw after the transfer is complete, otherwise his presumptive pay in the permanent post on which he had a lien prior to transfer;
(iii) if he returns from leave, his pay during the period of taking over charge be regulated as follows:

(a) if he went on leave while working in the post held by him substantively, the presumptive pay of that post; and

(b) if he went on leave while working in a post in an officiating capacity, the officiating pay of that post or the pay which will be admissible to him in the new post, after taking over charge, whichever is less.

Note 1.—The concession of house-rent allowance or free quarter ordinarily admissible to a Government employee should be treated as "ordinary pay and allowances" within the meaning of this rule and is admissible to both the relieved and the relieving Government employees during the period occupied by them in handing over and taking over charge.

Note 2.—In each case where it has been decided to treat the period of taking over charge of a relieving officer as 'duty' under the provisions of this rule, a declaration in the following proforma should be issued:

DECLARATION

I,

(Name)  
(Designation)

declare that Shri—

(Name and designation of the Officer to be relieved)

and Shri

(Name of the relieving officer)

— were engaged in joint

(Designation)

inspection of several scattered works and/or stores during the period from —— to —— in connection with handing over and taking over charge and I do not consider the above period as excessive during which Shri— Shri— Shri— shall be treated as on duty.

(Name of the relieving officer)
9.17 The application of rule 9.16, which forms an exception to the general rule and which concerns the Public Works Department only, has also been extended to the transfer of charge specified in column 2 of the table below in the case of the following departments. The authority noted in column 3 against each is to determine whether the period spent in completing the transfer of charge is not excessive—

<table>
<thead>
<tr>
<th>Name of Department</th>
<th>Charge to be transferred</th>
<th>Authority competent to determining whether the period spent in completing the transfer of charge is not excessive</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Jail Department</td>
<td>Deputy Superintendents and Storekeepers</td>
<td>Inspector General of Prisons, Haryana</td>
</tr>
<tr>
<td>2. (a) Industries Department</td>
<td>Teachers and Clerks holding charge of Stores in the Government Institutions, Store-keepers and Clerks in Government Training Institute, Marketing Section, Laboratory Assistants and all Demonstrators of Demonstration Parties and Clerks, Store Keepers, Assistants, Technical Assistants of Quality Marking Centres and other Centres</td>
<td>Director of Industries</td>
</tr>
<tr>
<td>3. Agriculture Department</td>
<td>Storekeepers, Well Supervisors and Well Bokers in Workshops and Well Boring Section and Agriculture Assistants and Clerks attached to Farms</td>
<td>Director of Agriculture</td>
</tr>
<tr>
<td>4. Animal Husbandry Department</td>
<td>Veterinary Assistant Surgeon, Incharge Farm Hospital, Government Livestock Farms, Hisar, Veterinary Assistant Surgeon, Incharge, Civil Veterinary Hospital</td>
<td>Chief Superintendent, Government Livestock Farms, Hisar, Sub-divisional Officers</td>
</tr>
<tr>
<td>Name of Department</td>
<td>Charge to be transferred</td>
<td>Authority competent to determine whether the period spent in completing the transfer of charge is not excessive.</td>
</tr>
<tr>
<td>-------------------</td>
<td>-------------------------</td>
<td>---------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>5. Judicial</td>
<td>Ahlads and Record-keepers in the Courts of District and Sessions Judges. Including Additional District and Sessions Judges. Ahlads, Execution, Moharris, Guardian Moharris in the Court of Senior and other Subordinate Judges and Administrative Subordinate Judges and Readers to Administrative Subordinate Judges, Ahlads, Nal-Shairif, in charge of Execution work and Insolvency Clerk in Small Cause Courts.</td>
<td>District and Sessions Judges concerned up to 10 days. Presiding Officers of the Court up to 7 days and District Sessions Judges up to 10 days.</td>
</tr>
<tr>
<td>6. Food and Supplies Department</td>
<td>Inspectors, Food and Supplies/ Sub-Inspection, Food and Supplies</td>
<td>Head of the Department. Provided the total period spent in the transfer of charge does not exceed four days. Heads of Department</td>
</tr>
<tr>
<td>7. Treasuries and Accounts Branch (Finance Department)</td>
<td>Assistant Treasury Officer, district treasurers and Assistant Sub treasurers</td>
<td></td>
</tr>
</tbody>
</table>

**Oversayal and Extension of Joining Time**

9.18. A Government employee who does not join his post within his joining time is entitled to no pay or leave-salary after the end of the joining time. Wilful absence from duty after the expiry of joining time may be treated as misbehaviour for the purpose of rule 3.17.

9.19. (a) A competent authority may, in any case extend the joining time admissible under these rules provided that the general spirit of the rules is observed.

(b) within the prescribed maximum of thirty days, Heads of Departments may, in the case of Government employees under their control (other than those belonging to All-India Services), extend the joining time admissible under the rules to the extent necessary in the following circumstances:

(i) When the Government employee has been unable to use the ordinary mode of travelling or, notwithstanding due diligence on his part, has spent more time on the journey than is allowed by the rules, or
(ii) when such extension is considered necessary for the public convenience or for the saving or such public expenditure as is caused by unnecessary or purely formal transfers;

(iii) when the rules have, in any particular case, operated harshly, as for example, when a Government employee has through no fault on his part missed a steamer or fallen sick on the journey.

JOINING TIME TO PERSONS NOT IN GOVERNMENT SERVICE ON JOINING THE GOVERNMENT SERVICE AND ON REVERSION FROM IT

9.20. A person in employment other than Government service or on leave granted from such employment, if, in the interest of Government, he is appointed to a post under Government, may, at the discretion of the competent authority, be treated as on joining time while he prepares for and makes the journey to join the post under Government, and while he prepares for and makes the journey on reversion from the post under Government to return to his original employment. During such joining time he shall receive pay equal to the pay, or, in the case of joining time immediately following leave granted from the private employment, to the leave salary, paid to him, by his private employer prior to his appointment to Government service or pay equal to the pay of the post in Government service, whichever is less.
CHAPTER X—Foreign Service

EXTENT OF APPLICATION

10.1 The rules in this Chapter apply to those Government employees only who are transferred to foreign service after these rules came into force. Government employees transferred previously will remain subject to the rules in force at the time of transfer.

*Notes 1 to 5 Omitted.

GENERAL CONDITIONS

**10.2. (a) No Government employee may be transferred to foreign service against his will:

Provided that this sub-rule shall not apply to the transfer of a Government employee to the service of a body, incorporated or not, which is wholly or substantially owned or controlled by the Government.

(b) A transfer to foreign service outside India and in India may be sanctioned by a competent authority subject to the conditions laid down in these rules and any restrictions which it may deem fit to impose by general or special orders.

Note 1.—For the purposes of the rules in this Chapter, Nepal is treated as outside India.

Note 2.—If a Government employee on foreign service in India is sent by his employer out of India on duty he should continue to be treated as on foreign service in India, but both in this case and in the converse case of a Government employee on foreign service out of India deputed by his employer to India on duty who similarly continues to be on foreign service out of India, the fact of the Government employee being so deputed should be brought to the notice of the sending authority as it might be necessary to reconsider the question of his employment.

Note 3.—The Governments which will be entitled to recover pension contribution on behalf of a Government employee sent to foreign service, should be regarded as the Government competent to sanction the transfer.

Instruction.—A copy of the orders sanctioning a Government employee's transfer to foreign service must always be communicated to the Accountant-General, Haryana, by the authority by whom the transfer is sanctioned. The Government employee himself should without delay communicate a copy to that officer and take this instructions as to the payment of contributions.
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- of the contributions, report to that officer the time and date of all transfers of charge to which he is a party while in, and on return from, foreign service, and furnish from time to time, particulars regarding his pay in foreign service, leave taken by him, his postal address and any other information which that officer may require.

Note 4.—No Government employee shall be transferred to foreign service unless the foreign employer undertakes to afford him, so far as may be, privileges not inferior to those which he would have enjoyed under the Punjab Services (Medical Attendance) Rules, 1940, if he had been employed in the service of the Government of Haryana.

10.3 A transfer to foreign service is not admissible unless—

(a) the duties to be performed after the transfer are such as should, for public reasons, be rendered by a Government employee; and

(b) the Government employee transferred holds, at the time of transfer, a post paid from Government revenues, or holds a lien on a permanent post, or would hold a lien on such a post had his lien not been suspended.

Note 1.—Under this rule the transfer of a temporary Government employee to foreign service is permissible.

Note 2.—If in any case a proposal is made that a Government employee should be lent to a private undertaking, it is necessary that the principles of clause (a) of this rule should be applied most rigorously, and in general the loan of a Government employee to a private undertaking should be regarded as a very exceptional case requiring special justification.

10.4 If a Government employee is transferred to foreign service while on leave he ceases, from the date of such transfer, to be on leave and to draw leave salary.

Note 1.—Foreign service during leave preparatory to retirement should be treated as "private employment", i.e., Government employee who has reached or is approaching the age of superannuation not retaining his employment under a foreign employer, should be allowed to take any leave which would be admissible to him had he not accepted such employment, and pension contribution should not be required. The concession of drawing leave salary in addition to pay from the foreign employer should not be granted to Government employees who are already in foreign service at the time they apply for leave preparatory to retirement and propose to continue on duty in the service of the same employer during such leave. This concession shall not be granted to Government employees who retire before reaching the age of superannuation, if they take such leave after being offered, or having made arrangements for employment in foreign service. In such cases they should be required either to retire or go on foreign service terms.

It is, however, always open to the competent authority in exceptional cases, which in its opinion justify such a course, to require that the Government employee should remain in Government service and be placed on usual foreign service terms, i.e., he would not be on leave and his service would be treated as foreign service counting for pension, contribution being taken from the foreign employer.
Note 2.—In the case of a Government employee who is under rule 3,26 (c) (3), compelled to retire from active service after five years tenure of his post (unless reappointed), even though he has not reached the age of superannuation, there is no objection to his drawing leave salary in addition to pay from the foreign employer during leave preparatory to retirement if he takes such leave after having been offered or having made arrangements for employment under a foreign employer: Provided the leave is the last leave taken before the date of such compulsory retirement.

10.5. (i) A Government employee transferred to foreign service shall remain in the cadre or cadres in which he was included in a substantive or officiating capacity immediately before his transfer, and may be given, subject to the conditions prescribed under the second proviso to rule 4.13 (1), such substantive or officiate promotion in those cadres as the authority competent to order promotion may decide. In giving promotion, such authority shall also take into account the nature of the work performed in foreign service.

(ii) In any individual case, the competent authority may grant a Government employee, outside his cadre but in his own line, such promotion as it considers he would have got had he not been transferred to foreign service.

Note 1.—The words "in his own line" used in the above rule refer to posts to which a Government employee may normally look for promotion in his own department or office.

Note 2.—This rule should not be interpreted in such a manner as to allow adventitious increments to a Government employee in foreign service merely because he might, had he remained in Government service, have been fortunate enough to secure promotion to a post outside the cadre of the service to which he belongs.

10.6. A Government employee in foreign service, if appointed to officiate in a post in Government service, will draw pay calculated on the pay of the post in Government service on which he holds a lien or would hold a lien, had his lien not been suspended and that of the post in which he officiates. His pay in foreign service will not be taken into account in fixing his pay.

10.7. A Government employee transferred to foreign service may not, without the sanction of the competent authority, accept a pension or gratuity from his foreign employer in respect of such service.

PAY AND JOINING TIME

10.8. A Government employee in foreign service will draw pay from the foreign employer from the date on
Chap. X. THE PUNJAB CIVIL SERVICES RULES [10.8-10.9

which he relinquishes charge of his post in Government service.
Subject to any restrictions which the competent authority
may by general order impose, the amount of his pay, the
amount of joining time admissible to him and his pay
during such joining time will be fixed by the authority
sanctioning the transfer in consultation with the foreign
employer.

Note 1.—The restrictions given in Annexure A to this Chapter have been imposed
for regulating the amount of remuneration to be paid to Government employees on foreign
service in India.

Note 2.—Omitted.

Instruction.—When any Government employee lent on foreign service conditions reverts
from Government service without, at the same time, retiring from the service of his foreign
country, the Assessor (General) shall communicate to the foreign employer through the
usual authorities a statement showing the date of retirement and the amount of money drawn
from the Government so as to give the foreign employer the opportunity, if he be so inclined,
of revising the existing terms of employment.

CONTRIBUTION FOR LEAVE SALARY, PENSION, ETC.

10.9. (a) While a Government employee is in foreign
service, contribution towards the cost of his pension must
be paid to Government revenues on his behalf.

(b) If the foreign service is in India, contributions must
be paid on account of the cost of leave salary also.

(c) Contributions due under clauses (a) and (b) above
shall be paid by the Government employee himself, unless
the foreign employer consents to pay them. They shall not be
payable during leave taken while in foreign service.

(d) By special arrangement made under rule 10.17 (b),
contributions on account of leave salary may be required
in the case of foreign service out of India also, the contribu-
tions being paid by the foreign employer.

Note 1.—Pensions, throughout this Chapter, include Government contributions, if
any, payable to a Government employee's credit in a provident fund.

Note 2.—A Government employee who is a subscriber to a Contributory Provident
Fund and who is transferred to foreign service shall pay monthly subscriptions calculated
on the rate of pay drawn in foreign service. The foreign employer or the Government em-
ployee himself, according to the arrangement made under clause (c) of rule 10.9 shall pay,
in addition, for the period of active foreign service, at such time as Government pays provident
contributions which were to be paid if the employee had not proceeded on foreign service, the rate of pay drawn by him in foreign service being
regarded as his "remuneration" for this purpose and Y equals the fraction which the amount
processeable as leave salary contribution bears to pay drawn in foreign service.
Note 1.—In the case of a Government employee in foreign service in India, a continuation of leave as above is not applicable to the foreign service and in return for the leave service in India the same employee shall not be allowed for leave service. As the leave prescribed under this rule is not to exceed six months in any case in the regular period of his service and do not take leave carries over to the foreign service, if any leave is allowed and consequently leave pay is not allowed in India for the same period, it is desirable that a condition to this effect be included in the terms of transfer to foreign service.

Note 2.—When a Government employee is transferred to foreign service or when the period of leave service of a Government employee is completed, it should be stipulated that contributions for pension and leave salary or for pension alone, as the case may be, will be recoverable of the asset to become from time to time. Similarly, if the Government employee is on leave pensionable leave and to whom it has been paid, the same employee and subscription to a contributor provident fund and if he is allowed to continue the pension while in foreign service, the employee should specify the contributions made with reference to Note 2 above and state that these will be subject to withdrawal from the contributor provident fund upon any revision of the order contained in that note. The necessary rule for the purpose of the purpose of the order and the order with the order with effect from time to time is suggested upon the authority to whom the case is submitted.

Note 1.—Leave salary contributions are not applicable to a female Government employee unless otherwise authorized. They will be paid by the foreign employer.

Note 2.—(a) The rates of contributions payable on account of pension and leave salary shall be such as the competent authority may by general order prescribe.

(b) The leave salary contribution are designed to secure to the Government employee the pension that he would have earned but for his transfer to the Government if he had not been transferred to foreign service.

(c) The rates of contributions or leave salary are designed to secure to the Government employee leave salary contributions under the contributions applicable to him. In the case of countries where leave salary contributions are admissible, the pay drawn by the Government employee, and the case of Government employees in their own contributions such part of pay as may be contributions, shall count for the purpose, of rule 8.1 on the last day of duty.

Note 1.—The contributions prescribed under this rule and the method of their calculation are given in Annexure B and C to this Chapter.

Note 2.—For determining the monthly pension contributions payable during foreign service the amount of basic pay inclusive of allowance to the minimum of the scale of pay in the next higher pay scale plus increments.

Note 3.—A competent authority may remit the contributions once in any specified case or class of cases.

Note 4.—Medical Officers on foreign service in India fund charitable hospitals and dispensaries for the treatment of sick, and payment of Provident Fund contributions under this rule.

Note 5.—The latest refund Government Notification No. 6/16(2)/79 dated 22nd August, 1982.
10.12. Contribution for leave salary or pension, due in respect of a Government employee on foreign service, may be paid annually within fifteen days from the end of the financial year or at the end of the foreign service, if deputation on foreign service expires before the end of the financial year, and if the payment is not made within the said period, interest unless it is specially remitted by the competent authority must be paid to Government on the unpaid contribution by the Government employee or the foreign employer as the case may be, at the rate of two per cent per Rs. 100 from the date of expiry of the period aforesaid unto the date on which the contribution is finally paid. Where contributions are paid not in cash but by book adjustments in the accounts maintained by the Accountant General, any interest levied on over due contributions should be charged unto the date on which the adjustment is finally made in the accounts.

The leave salary and pension contributions should be paid separately as they are creditable to different heads of accounts and no dues recoverable from Government on any account should be set off against these contributions.

10.13. Interest on overdue contributions will only be remitted in exceptional circumstances when, for instance, the payment of the contribution has been delayed through no fault of the Government employee or the foreign employer concerned. Interest will not be remitted in consequence of delay on the part of the Accountant General to make a claim. If the facts on which the claim is based were within the knowledge of the Government employee or the foreign employer concerned.

10.14. A Government employee in foreign service may not elect to withhold contributions and to forfeit the right to count as duty in Government service the time spent in foreign employ. The contribution paid on his behalf maintains his claim to pension or to pension and leave salary, as the case may be, in accordance with the rules of the service of which he is a member. Neither he nor the foreign employer has any right of property in a contribution paid, and no claim for refund can be entertained.

*Substituted vide Haryana Government Notification No. 1855-FRD(7)-S/D-253 dated the 7th October, 1976.*
10.15. A Government employee transferred to foreign service must, before taking up his duties in foreign service, make himself acquainted with the rules or arrangements which will regulate his leave during such service.

10.16. A Government employee in foreign service in India may not be granted leave otherwise than in accordance with the rules applicable to the service of which he is a member, and may not take leave or receive leave salary from Government unless he actually quits duty and goes on leave.

Note 1.—A Government employee on foreign service in India is himself personally responsible for the observance of this rule, by accepting leave to which he is not entitled under the rules he renders himself liable to refund leave-salary irregularly drawn; and in the event of his refusing to refund, to forfeit his previous service under Government, and to cease to have any claim on Government in respect of either pension or leave-salary.

Note 2.—For the restrictions in respect of the grant of leave preparatory to retirement, see note below rule 10.18.

10.17. (a) A Government employee in foreign service out of India may be granted leave by his employer on such conditions as the employer may determine. In any individual case the authority sanctioning the transfer may determine before hand in consultation with the employer the conditions on which leave will be granted by the employer. The leave salary in respect of leave granted by the employer will be paid by the employer and the leave will not be debited against the Government employees’ leave account.

Note.—Leave granted under this clause should be treated as leave and not as salary for the purposes of pension.

(b) In special circumstances, the authority sanctioning transfer to foreign service out of India may make an arrangement with the foreign employer under which leave may be granted to the Government employee in accordance with the rules applicable to him as a Government employee, if the foreign employer pays leave-contribution at the rate prescribed under rule 10.10 (2).

Note.—For the resolution in respect of the grant of leave preparatory to retirement, see note below rule 10.14.
10.18. A Government employee returns from service to Government service at the end of his term of service or charge of his post in Government, he takes leave on the condition of joining his post. If he rejoining his post, his reversion shall take place on the date as the competent authority may decide.

Note.—The grant of leave on the condition of a Government employee that, with permission to remain in the service of the foreign employer, may be extended in the following manner:

1. Cases where a Government employee, who is already on foreign service in or out of India under a body corporate, owned or controlled by Government is prepared to release him from their employment for the purpose of enjoying the leave. If he is not so released, the leave should be counted as interest of public service and it may then be availed of by the Government to the extent admissible, under Rule 8.21 from the excess of the grant in service.

2. Cases where a Government employee who is on foreign service in or out of India under a body corporate, owned or controlled by Government is prepared to return to the service in the foreign service.
shall be made under the following rules:

(a) The amount to be recovered shall be the gross sanctioned cost of the service, or of the portion of the service, as the case may be, and shall not vary with the actual expenditure of any month.

(b) The cost of the service shall include contributions at such rates as may be laid down under rule 10.10 (a) and the contributions shall be calculated on the sanctioned rates of pay of the members of the establishment.

(c) A competent authority may reduce the amount or recoveries, or may entirely forgo them.

Note 1.—With reference to clause (c) all leave and pension contributions recoverable on account of establishments employed in Killabandi operations in all estates in the State have been remitted.

Note 2.—The following procedure shall be adopted in applying the rates of contributions prescribed under rule 10.10 (a) to cases falling under this rule:

1. **Pension contribution.**—In the case of a Government employee, belonging to one of the State Services, Class I, or holding a special post of corresponding rank, the amount to be recovered as contribution should be the average of the rates prescribed in columns 2 and 3 of the table in Annexure 'C' to this Chapter.

In the case of a Government employee of a State Service Class II, or holding a special post of corresponding rank, the rates laid down in columns 4, 5 or 6, as the case may be, of the table in Annexure 'C' to this Chapter.

2. **Contribution for leave-salary.**—The rate to be applied in calculating the amount to be levied as contribution in respect of a member of one of the State Services, Class I, or holding a special post of corresponding rank, should be 15% whereas the actual percentage prescribed for other Government employees should be levied on the total sanctioned cost, or in the case of time-scales of pay on the average cost of all the posts concerned in all other cases.

Note 3.—Omitted.

Note 4.—The procedure laid down in note 2 above is also applicable to all Government commercial concerns in which leave and pensionary charges are adjusted on contribution basis in their regular commercial accounts or in which pensionary charges are taken into account, in calculating the same price of goods manufactured or fees for services rendered or to any other department in which pensionary charges are adjusted in the regular accounts on the basis of foreign service contribution rates.
ANNEXURE A

(Referred to in note 1 to 10.8 Rule)

The amount of remuneration to be granted to a Government employee transferred to foreign service in India should be regulated by the following principles:

(1) When the transfer of a Government employee to foreign service in India is sanctioned the pay which he shall receive in such service must be precisely specified in the order sanctioning the transfer. If it is intended that he shall receive any remuneration or enjoy any concession of pecuniary value in addition to his pay proper, the exact notice of such remuneration or concession must be similarly specified. No Government employee will be permitted to receive any remuneration or enjoy any concession which is not so specified, and, if the order is silent as to any particular remuneration or concession, it must be assumed that the intention is that it shall not be enjoyed.

(2) The following two general principles must be observed in sanctioning the conditions of transfer:

(a) The terms granted to the Government employee must not be such as to impose an unnecessarily heavy burden on the foreign employer.

(b) The terms granted must not be so greatly in excess of the remuneration which the Government employee would receive in Government service as to render foreign service appreciably more attractive than Government service.

Note.—The intention of this principle is to prevent undue increase in the emoluments of the individual Government employee transferred to foreign service. His pay in foreign service should, therefore, be fixed rather with reference to the post which he would have held under Government had he not been transferred than with reference to the post in India corresponding to that held by him in foreign service.

(3) Provided that the two principles laid down in paragraph (2) above are observed, a competent authority may sanction the grant of the following concessions by the foreign employer:

Such concessions must not be sanctioned as a matter of course but in those cases only in which their grant is in accordance with local custom and the wishes of the foreign employer, and is, in the opinion of the competent authority justified by the circumstances. The value of the concessions must be taken into account in determining an appropriate rate of pay for the Government employee in foreign service:

(a) The payment of contributions towards leave salary and pension under the ordinary rules regulating such contributions.
(b) The grant of travelling allowance under the ordinary travelling allowance rules of the Haryana Government or under the local rules of the foreign employer and of permanent travelling allowance, conveyance allowance and horse allowance.

(c) The use of tents, boats, and transport on tour: Provided that this is accompanied by a corresponding reduction in the amount of travelling allowance admissible.

(d) The grant of free residential accommodation which may be furnished, in cases in which the competent authority considers this to be desirable, on such scale as may seem proper to that authority.

(e) The use of motors, carriages and animals.

(f) Payment by the foreign employer of such compensatory allowance as would be paid by Government at the station at which he is employed in foreign service were the Government employee in the service of Government.

(4) The grant of any concession not specified in paragraph (3) above requires the sanction of the Finance Department.

(5) Specific terms in regard to travelling allowance to be allowed to Government employees for journeys on transfer to foreign service, and on reversion therefrom, should invariably be prescribed by sanctioning authorities in consultation and agreement with the foreign employer, i.e., it should be made clear in the orders sanctioning the transfer whether the travelling allowance for such journeys, which is payable by the foreign employer, is to be regulated by the Punjab Travelling Allowance Rules or by the rules framed by the foreign employer.

(6) The foreign employers should in the case of Government employees transferred to foreign service accept liability for leave salary in respect of disability leave granted on account of a disability incurred in, and through foreign service, even though such disability manifests itself after the termination of foreign service. The leave salary charges for such leave should be recovered direct from foreign employers. The foreign employer is liable to pay leave salary charges, if it is medically certified that the disability has been incurred in or through foreign service, irrespective of the period that has elapsed between the date of reversion and the date of manifestation of the disability.

*Note:* See also the instructions contained in the Haryana Government letter No. 2528-SFR (O) dated the 11th May, 1937, regarding the grant of deputation allowance to Haryana Government employees who are transferred to public service or to other State Government including Central Government or bodies (incorporated or not) wholly or substantially owned or controlled by the Government, provided that the transfer is outside the regular line of duty in public interest.
ANNEXURE B
(Referred to in note 1 under Rule 10.10)

The following rates of contributions have been prescribed by Government under rule 10.10(a):

(1) Omitted.

(2) The rate of monthly contribution for leave salary payable during active foreign service in respect of Government employee will be 11% of pay drawn in foreign service.

Note 1.—In the case of contract officers governed by the leave terms in Part I of Appendix 16 to the Punjab Civil Services Rules, Volume I, Part II, and who are transferred to foreign service, the leave salary contribution should be recovered at the above rates.

Note 2.—Omitted.

Note 3.—Recovery of leave contribution in respect of joining time taken under rule 9.1(b) while proceeding to foreign service should be based on the pay that the Government employee would have drawn on the assumption of office in foreign service.

(3) The following instructions should be observed in the calculation of the amounts of contributions:

(i) The term “active foreign service” in paragraph 2 above is intended to include the period of joining time which may be allowed to a Government employee, both on the occasion of his proceeding to and reverting from foreign service, and accordingly contributions are leviable in respect of such periods.

(ii) “Length of service” means the entire service running from the date from which service for pension commences or is likely to commence.

(iii) The leave salary contribution for the period of joining time taken by a Government employee in continuation of leave under clause (b) of Rule 9.1 before reversion from foreign service should be calculated on the pay he was getting immediately before he proceeded on leave.

(iv) When a temporary Government employee is transferred to foreign service pension contributions should be recovered as in the case of permanent Government employees.

In such cases the recovery of contributions for leave salary does not present any difficulty, the amounts being calculated on the pay actually drawn in foreign service.

(v) In the case of Government employees mentioned in rule 4.2 and 4.2 A of Volume II of these rules the period which they are entitled to add under that rule to their service qualifying for superannuation pension should be taken into account in reckoning “length of service” for determining the rates of foreign service contribution on account of pension prescribed.

(vi) For purpose of recovery of pension contribution, a Government employee on foreign service, should be deemed to be member of the service to which he belongs substantively.

*Substituted vide Haryana Government Notification No. 61/(4)/78/PR-I dated the 22nd August, 1978.
Annexure 'C'

(Referred to in note (i) under Rule 10.10)

The following rates of contributions have been prescribed by Government under rule 10.10 (a):—

Rates of monthly contribution for pension payable during active foreign service in respect of:—

<table>
<thead>
<tr>
<th>Length of service</th>
<th>Members of Class I Service</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Group I, those who are ordinarily expected to qualify for the maximum pension of Rs. 8,100 per annum</td>
<td>48</td>
<td>4%</td>
<td>4%</td>
<td>5%</td>
<td>7%</td>
</tr>
<tr>
<td></td>
<td>Group II, other grade I Officers of State Class I Services other than those in Group I</td>
<td>56</td>
<td>4%</td>
<td>5%</td>
<td>5%</td>
<td>7%</td>
</tr>
<tr>
<td></td>
<td>Members of the Class II State Services</td>
<td>64</td>
<td>5%</td>
<td>5%</td>
<td>6%</td>
<td>8%</td>
</tr>
<tr>
<td></td>
<td>Members of the Class III State Services</td>
<td>73</td>
<td>5%</td>
<td>5%</td>
<td>6%</td>
<td>8%</td>
</tr>
<tr>
<td></td>
<td>Class IV Government employees</td>
<td>81</td>
<td>5%</td>
<td>6%</td>
<td>6%</td>
<td>8%</td>
</tr>
<tr>
<td></td>
<td>Other Grade I Officers who are in scales of pay whose maximum is Rs. 1,800 or above</td>
<td>89</td>
<td>6%</td>
<td>6%</td>
<td>7%</td>
<td>8%</td>
</tr>
<tr>
<td>0—1 year</td>
<td>97</td>
<td>6%</td>
<td>6%</td>
<td>7%</td>
<td>8%</td>
<td></td>
</tr>
<tr>
<td>1—2 years</td>
<td>105</td>
<td>7%</td>
<td>7%</td>
<td>7%</td>
<td>8%</td>
<td></td>
</tr>
<tr>
<td>2—3 years</td>
<td>113</td>
<td>7%</td>
<td>7%</td>
<td>8%</td>
<td>8%</td>
<td></td>
</tr>
<tr>
<td>3—4 years</td>
<td>121</td>
<td>7%</td>
<td>7%</td>
<td>8%</td>
<td>8%</td>
<td></td>
</tr>
<tr>
<td>4—5 years</td>
<td>129</td>
<td>8%</td>
<td>8%</td>
<td>8%</td>
<td>8%</td>
<td></td>
</tr>
<tr>
<td>5—6 years</td>
<td>137</td>
<td>8%</td>
<td>8%</td>
<td>8%</td>
<td>8%</td>
<td></td>
</tr>
<tr>
<td>6—7 years</td>
<td>145</td>
<td>9%</td>
<td>9%</td>
<td>8%</td>
<td>8%</td>
<td></td>
</tr>
<tr>
<td>7—8 years</td>
<td>153</td>
<td>9%</td>
<td>9%</td>
<td>9%</td>
<td>9%</td>
<td></td>
</tr>
<tr>
<td>8—9 years</td>
<td>161</td>
<td>9%</td>
<td>9%</td>
<td>9%</td>
<td>9%</td>
<td></td>
</tr>
<tr>
<td>9—10 years</td>
<td>169</td>
<td>10%</td>
<td>9%</td>
<td>10%</td>
<td>9%</td>
<td>9%</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td></td>
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<td>------------</td>
<td>------------</td>
<td>------------</td>
<td>------------</td>
<td>------------</td>
<td>------------</td>
<td></td>
</tr>
<tr>
<td>16—17 years</td>
<td>177</td>
<td>10%</td>
<td>9%</td>
<td>10%</td>
<td>9%</td>
<td></td>
</tr>
<tr>
<td>17—18 years</td>
<td>185</td>
<td>11%</td>
<td>10%</td>
<td>10%</td>
<td>9%</td>
<td></td>
</tr>
<tr>
<td>18—19 years</td>
<td>193</td>
<td>11%</td>
<td>10%</td>
<td>10%</td>
<td>9%</td>
<td></td>
</tr>
<tr>
<td>19—20 years</td>
<td>201</td>
<td>11%</td>
<td>10%</td>
<td>11%</td>
<td>9%</td>
<td></td>
</tr>
<tr>
<td>20—21 years</td>
<td>209</td>
<td>12%</td>
<td>11%</td>
<td>11%</td>
<td>9%</td>
<td></td>
</tr>
<tr>
<td>21—22 years</td>
<td>218</td>
<td>12%</td>
<td>11%</td>
<td>11%</td>
<td>10%</td>
<td></td>
</tr>
<tr>
<td>22—23 years</td>
<td>226</td>
<td>13%</td>
<td>11%</td>
<td>12%</td>
<td>10%</td>
<td></td>
</tr>
<tr>
<td>23—24 years</td>
<td>226</td>
<td>13%</td>
<td>11%</td>
<td>12%</td>
<td>10%</td>
<td></td>
</tr>
<tr>
<td>24—25 years</td>
<td>226</td>
<td>13%</td>
<td>11%</td>
<td>12%</td>
<td>10%</td>
<td></td>
</tr>
<tr>
<td>25—26 years</td>
<td>226</td>
<td>13%</td>
<td>11%</td>
<td>12%</td>
<td>10%</td>
<td></td>
</tr>
<tr>
<td>26—27 years</td>
<td>226</td>
<td>13%</td>
<td>11%</td>
<td>12%</td>
<td>10%</td>
<td></td>
</tr>
<tr>
<td>27—28 years</td>
<td>226</td>
<td>13%</td>
<td>11%</td>
<td>12%</td>
<td>10%</td>
<td></td>
</tr>
<tr>
<td>28—29 years</td>
<td>226</td>
<td>13%</td>
<td>11%</td>
<td>12%</td>
<td>10%</td>
<td></td>
</tr>
<tr>
<td>Over 29 years</td>
<td>226</td>
<td>13%</td>
<td>11%</td>
<td>12%</td>
<td>10%</td>
<td></td>
</tr>
</tbody>
</table>

Note 1.—The term "maximum monthly pay" referred to in Columns 3—6 denotes the maximum pay as defined in Rule 2.44 of these rules, held by Government employee at the time of his proceeding on foreign service or to which he may receive proforma promotion while in foreign service.

Note 2.—The above rates of pension contributions include an element for the grant of extra ordinary pension also.
CHAPTER IX.—Service under Local Funds

11.1. Government employees paid from local funds which are administered by Government are subject to the provisions of Chapter I to IX and XII to XIV of these rules.

*Note 1.*—Employees of local funds administered by Government who are not paid from consolidated fund by the State and are, therefore, not Government employees are subject to the provisions of Chapters I to IX of the rules.

*Note 2.*—The expression “Local Funds which are administered by Government” means funds administered by bodies which by law or rule having the force of law come under the control of Government in regard to proceedings generally and not merely in regard to specific matters, such as the sanctioning of the budget or sanction to the creation or filling up of particular posts or the enactment of leave, of pensions or similar rules. In other words means funds over whose expenditure Government retains complete and direct control.

11.2. The transfer of Government employees to service under local funds which are not administered by Government will be regulated by the rules in Chapter X.

11.3. Persons transferred to Government service from a local fund which is not administered by Government will be treated as joining a first post under Government, and their previous service will not count as duty performed. A competent authority may, however, allow previous service in such cases to count as duty performed on such terms as it thinks fit.

*Note 1.*—Omitted.

*Note 2.*—Previous service rendered by dispensers under a local body on their joining posts under Government shall count for purposes of fixing their pay under this rule.
CHAPTER XII. —Record of Service

GAZETTED GOVERNMENT EMPLOYEES

*12.1. A record of service of a Gazetted Government employee shall be maintained in the form ATC. 3A by the head of department/office in which he is employed.

NON-GAZETTED GOVERNMENT EMPLOYEES

Service Books

12.2. A service book in the form prescribed by the Comptroller and Auditor-General in Article 188 of Audit Code (reproduced in Part II of Appendix 11) must be maintained for every non-gazetted Government employee, holding a substantive post on a permanent, establishment, or officiating-in post or holding a temporary post with the following exceptions:

(a) Government employees the particulars of whose service are recorded in a history of services or a service register maintained by the audit officer;

(b) Government employees officiating in post or holding temporary posts, who are recruited for permanent, temporary or officiating vacancies not likely to last for more than one year and are not eligible for permanent appointments;

(c) Police Officer of rank not higher than that of head constable.

12.3. In all cases in which a service book is necessary under rule 12.2, such a book must be supplied for the Government employee by the Government at its own cost on his first appointment to Government service. It must be kept in the custody of the head of the office in which he is serving and transferred with him from office to office.

*Deemed to have been substituted with effect from 1st September, 1978 vide Haryana Government Notification No. 1/13(1) 79-AO (FD) dated the 26th May, 1979.
but should not be made over to him nor should it be given to him when proceeding on leave. When a non-gazetted Government employee officiates in a gazetted post the service book should be kept by the head of the office to which he permanently belongs, but when he is confirmed in such a post the service book should be forwarded to the Accountant-General for record. It should not be returned to the Government employee on retirement, resignation or discharge from service even in cases where he might have paid for it already.

Note—A certified copy of a service book may be supplied to the Government employee, who asks for it on quitting Government service by retirement, discharge or registration, on payment of a copying fee of Rs. 5.

12.4. Every step in a Government employees official life must be recorded in his service book, and each entry must be attested by the head of his office or, if he himself is the head of an office, by his immediate superior. The head of the office must see that all entries are duly made and attested, and that the book contains no erasure or over-writing, all corrections being neatly made and properly attested.

Note 1.—The head of an office may authorise any gazetted Government employee serving under him to attest entries in the service book of a non-gazetted Government employee. This will not, however, relieve the head of the office of his responsibility for the accuracy of the entries so attested.

Note 2.—The Executive Engineers of Public Works Department, Irrigation Branch may authorise a non-Gazetted, Sub-Divisional Officer as well, if serving under him at the headquarters of the Division, to attest entries in the Service Book on his behalf, provided the non-Gazetted Sub-Divisional Officer so authorised has rendered 5 years Service as Sub-Divisional Officer alone i.e., exclusive of service rendered as Junior Engineer.

*12.5. Omitted.

12.6. Every period of suspension from employment and every other interruption in service should be noted, with full details of its duration, by an entry written across the page and attested by the Head of Office or other Attesting Officer. The Attesting Officer should take efficient measures to see that those entries are made with regularity. The duty should not be left to the non-gazetted officer concerned.

*Omitted vide Haryana Government Notification No. 1/12(1)/79-Ao (F.D.) dated the 28th May, 1979.
12.7. Personal certificates of character must not, unless the head of the department so directs, be entered in a service book, but, if a Government employee is reduced to a lower substantive post, the cause of the reduction should always be briefly stated thus “Reduction for inefficiency”, “Reduction owing to revision of establishment”, etc.

12.8. It is the duty of every Government employee to see that his service book is properly maintained as prescribed in rule 12.4 in order that there may be no difficulty in verifying his service for pension. The head of the office should therefore, permit a Government employee to examine his service book should he at any time desire to do so.

12.9. If the Government employee is transferred to foreign service, the head of office or department must send his service book to the Accountant-General who will return it after noting therein, over the signature of a Gazetted Officer, the orders sanctioning the transfer, the effect of the transfer in regard to leave admissible during foreign service and any other particulars which the Accountant-General may consider to be necessary in connection with the transfer. On the Government employee’s retransfer to Government service his service book should again be sent to the Accountant-General who will have noted in it, over the signature of a Gazetted Officer, all necessary particulars concerned with the foreign service including the fact of recovery of leave and pension contributions. No entry relating to time spent in foreign service may be attested by any authority other than the Officer of the Audit Department.

Service Rolls

12.10. In the case of a Police Officer of rank not higher than Head Constable, these should be maintained for each district by the Superintendent of Police, a Service Roll in English in which should be recorded the date of enrolment of each man in the constabulary, his caste, tribe, village, age, height and marks of identification; his rank, promotion, reduction or other punishment; his absence from duty on leave or without leave, the interruption in his service; and every other incidence in his service which may involve