

FIRST LIST OF
Corrections and Additions to
Swamy's Compilation of
F.R. S.R. PART I—GENERAL RULES

NINTH EDITION

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Page 20, F.R. 9 (13)

Insert the following as Government of India's Orders below this sub-rule:—

GOVERNMENT OF INDIA'S ORDERS

(1) Concept of lien consequent on simplification of confirmation procedure.—The concept of lien as the title of a Government servant to hold substantively a permanent post will undergo a change, consequent on simplification of confirmation procedure effective from 1-4-1988 (*vide extract furnished below*). Lien will now represent only the right/title of a Government servant to hold a regular post, whether permanent or temporary, either immediately or on the termination of the periods of absence. The benefits of having a lien in a grade will thus be enjoyed by all officers who are confirmed in the grade of entry or who have been promoted to a higher post declared as having completed the probation where it is prescribed, or those who have been promoted on regular basis to a higher post where no probation is prescribed under the Rules, as the case may be.

The above right/title will, however, be subject to the condition that the juniormost person in the grade will be liable to be reverted to the lower grade if at any time the number of persons so entitled is more than the posts available in that grade. For example, if a person who is confirmed or whose probation in a higher post has been declared as having been completed or one who is holding a higher post for which there is no probation on a regular basis, reverts from deputation or foreign service and if there is no vacancy in that grade to accommodate him, the juniormost person will be reverted. If, however, this officer himself is the juniormost, he will be reverted to the next lower grade from which he was earlier promoted.

[G.I., Dept. of Per. & Trg., O.M. No. 18011/1/86-Estt. (D), dated the 28th March, 1988.]

EXTRACT

(A) General.—(i) Confirmation will be made only once in the service of an official which will be in the entry grade.

(ii) Confirmation is delinked from the availability of permanent vacancy in the grade. In other words, an officer who has successfully completed the probation may be considered for confirmation.

(B) Confirmation in the grade to which initially recruited.—(i) As at present, the appointee should satisfactorily complete the probation.

(ii) The case will be placed before the D.P.C. (for confirmation).

(iii) A specific Order of confirmation will be issued when the case is cleared from all angles.

(C) *On Promotion.*—(i) If the recruitment rules do not prescribe any probation, an officer promoted on regular basis (after following the prescribed D.P.C., etc., procedure) will have all the benefits that a person confirmed in that grade would have.

(ii) Where probation is prescribed, the appointing authority will on completion of the prescribed period of probation assess the work and conduct of the officer himself and in case the conclusion is that the officer is fit to hold the higher grade, he will pass an order declaring that the person concerned has successfully completed the probation. If the appointing authority considers that the work of the officer has not been satisfactory or needs to be watched for some more time, he may revert him to the post or grade from which he was promoted, or extend the period of probation, as the case may be.

Since there will be no confirmation on promotion before an official is declared to have completed the probation satisfactorily, a rigorous screening of his performance should be made and there should be no hesitation to revert a person to the post or grade from which he was promoted if the work of the officer during probation has not been satisfactory.

These instructions will come into force with effect from 1st April, 1988.

[G.I., Dept. of Per. & Trg., O.M. No. 18011/1/86-Estt. (D), dated the 28th March, 1988.]

(No. i, dated the 1st October, 1988.)

No. 2

Page 23, F.R. 9 (21)

Insert the following as Order (2) below this Rule after numbering the existing Order as (1):—

(2) Non-Practising Allowance for medical posts treated as pay.—

(a) *In the case of posts included in C.H.S.*—It has been decided that the revised rates of Non-Practising Allowance for posts included in the Central Health Service in the revised scales of pay would be as indicated below and would be effective from the date an employee draws pay in the revised scale applicable to him in accordance with the Central Civil Services (Revised Pay) Rules, 1986—

<i>Pay range in the revised scale of pay</i>	<i>Rate of N.P.A. p.m.</i>
Below Rs. 3,000 	Rs. 600
Rs. 3,000 and above but below Rs. 3,700	Rs. 800
Rs. 3,700 and above 	Rs. 900

2. The Non-Practising Allowance will be treated as 'Pay' for all service matters. In other words the Non-Practising Allowance will be

taken into account for computing D.A., entitlement of T.A./D.A. and other allowances as well as for calculation of retirement benefits.

[G.I., Min. of H. & F.W., Letter No. A. 27023/1/87-C.H.S. V, dated the 22nd September, 1987.]

(b) *Other than those included in C.H.S.*—It has been decided that the revised rates of Non-Practising Allowance for medical posts other than posts included in the Central Health Service in the revised scales of pay would be as indicated below and would be effective from the date an employee draws pay in the revised scale applicable to him in accordance with the Central Civil Services (Revised Pay) Rules, 1986—

<i>Pay range in the revised scale of pay</i>	<i>Rate of N.P.A. p.m.</i>
Below Rs. 3,000	Rs. 600
Rs. 3,000 and above but below Rs. 3,700	Rs. 800
Rs. 3,700 and above	Rs. 900

2. The Non-Practising Allowance at the revised rates would be admissible only in those medical posts for which a medical qualification recognised under the Indian Medical Council Act, 1956, or under the Dentists Act, 1948, has been prescribed as an essential qualification and to which the Non-Practising Allowance is attached at present.

3. The Non-Practising Allowance will be treated as “Pay” for all service matters. In other words, the Non-Practising Allowance will be taken into account for computing D.A., entitlement of T.A./D.A. and other allowances as well as for calculation of retirement benefits.

4. These orders would not be applicable to medical posts under the Ministries of Railways and Defence and the Department of Atomic Energy for which separate orders will issue.

[G.I., M.F., O.M. No. 7 (15)/E. III/87, dated the 18th September, 1987.]

(No. 2, dated the 1st October, 1988.)

No. 3

Page 32, F.R. 9 (25)

Omit the words “and includes Non-Practising Allowance granted to doctors in lieu of private practice” appearing in clause (b).

[G.I., Dept. of Per. & Trg., Notification No. 18/11/87-Estt. (Pay I), dated the 21st July, 1988.]

(No. 3, dated the 1st October, 1988.)

No. 4

Page 32, F.R. 9 (25)

Insert the following at the end of Order (1) below this sub-rule:—

At present the Government is reviewing the question of admissibility of special pay to all Group ‘A’ Officers/Posts. However, pending decision

in this regard, it has been decided that special pay at the following rates shall be paid to officers of organised Group 'A' non-technical, technical, scientific and engineering services, when they are posted to the Headquarters Organisations of those Departments, i.e., to the highest office administratively in charge of the Department like Office of the Comptroller and Auditor-General, Office of the Controller-General of Defence Accounts, Central Board of Direct Taxes, Central Board of Excise and Customs, etc.

Rate of Special Pay

Officers in senior scale (Rs. 3,000-4,500).	Rs. 400 per month subject to the condition that grade pay <i>plus</i> special pay shall not exceed Rs. 4,500.
Officers in Junior Administrative Grade/Selection Grade (Rs. 3,700-5,000 and Rs. 4,500-5,700).	Rs. 500 per month subject to the condition that grade pay <i>plus</i> special pay shall not exceed Rs. 5,850.

2. These orders shall not apply to officers of services, the cadres of which consist only posts at the Headquarters Organisations as also to officers of services who are not entitled to any special pay while posted as Under Secretary/Deputy Secretary or Director in the Central Secretariat.

3. These orders shall take effect from 1-1-1986.

[G.I., Dept. of Per. & Trg., O.M. No. 6/30/86-Estt. (Pay. II), dated the 30th November, 1987.]

(No. 4, dated the 1st October, 1988.)

No. 5

Page 33, F.R. 9 (25)

Insert the following as Orders (1-A) and (1-B) below this Rule:—

(1-A) Special Pay on appointment as Under/Deputy Secretary/Director in the Central Secretariat.—Pending decision on the review of the question of admissibility of special pay to all Group 'A' Officers/Posts, it has been decided that on their posting as Under Secretary/Deputy Secretary/Director in the Secretariat under the Senior Staffing Scheme Officers of Organised Group 'A' services will be entitled either to get their pay fixed in the scale of pay attached to the post or to draw their grade pay *plus* special pay on the following terms and conditions:—

- (a) *Under Secretary.*—Special Pay of Rs. 400 p.m. subject to the condition that grade pay *plus* special pay shall not exceed Rs. 4,500.
- (b) *Deputy Secretary/Director.*—Special Pay of Rs. 500 p.m. subject to the condition that grade pay *plus* special pay shall not exceed Rs. 5,850.

NOTE 1.—If the grade pay *plus* special pay of an officer working in the Secretariat exceeds Rs. 5,850, it will be limited to Rs. 5,850 by suitably adjusting the special pay. The officer shall have the option to revert to his parent cadre when the quantum of special pay is reduced;

NOTE 2.—When the grade pay of the officer exceeds Rs. 5,850 the officer shall revert to his parent cadre within a period of 6 months from such date;

NOTE 3.—In respect of officers who are currently working in the Secretariat as Deputy Secretaries/Directors and whose pay has been fixed with effect from 1-1-1986 at a stage above Rs. 5,850, they shall revert to their parent cadre latest by 31-12-1987 or the date of completion of their tenure in the Secretariat, whichever is earlier.

2. These orders shall take effect from 1-1-1986.

3. As regards the revised rates for Special Pay admissible to Central Group 'A' Services Officers on their posting in their respective Headquarters, separate orders may be awaited.

[G.I., Dept. of Per. & Trg., O.M. No. 6/30/86-Estt. (Pay-II), dated the 22nd September, 1987.]

(1-B) Special Pay to Group 'A' Officers/Posts other than Group 'A' Officers belonging to organised Group 'A' Services and Officers of All India Services.—Pending the outcome of the review of payment of Special Pay to various Groups A, B, C and D posts under the Central Government, it has been decided that in respect of those Group 'A' Officers/Posts who were in receipt of special pay in the pre-revised scale prior to 1-1-1986, the special pay admissible would be doubled subject to a maximum of Rs. 500 per month. The grant of such special pay in the revised scale is subject to the condition that the need for continuing the special pay has been reviewed and found justified as required in this Department's D.O. Letter No. 6/29/86-Estt. (Pay-II), dated 17-9-1986. [*Not printed.*]

2. These orders will take effect from the date the incumbent of the Group 'A' Post/Group 'A' Officer elected the revised pay scale notified under the C.C.S. (Revised Pay) Rules, 1986, as amended.

3. These orders will not apply to incumbents of those Group 'A' posts in respect of which it has been specifically notified in the notification relating to revised scales effective from 1-1-1986 that the revised scales will be without any special pay.

4. These orders will not also apply to officers of Organised Group 'A' Services and All India Service Officers posted as Under Secretaries/Deputy Secretaries/Directors in the Central Secretariat under the Senior Staffing Scheme and officers belonging to organised Group 'A' Services posted in their Headquarters Organisations for whom orders have been separately issued in O.M., dated 22-9-1987 and 30-11-1987 respectively [*Orders (1) and (1-A) above*].

[G.I., Dept. of Per. & Trg., O.M. No. 6/30/86-Estt. (Pay. II), dated the 7th July 1988.]

(No. 5, dated the 1st October, 1988.)

No. 6

Page 38, F.R. 9 (25)

Insert the following as Order (6-A) below this sub-rule:—

(6-A) Grant of special pay to (a) Cashiers in Department of Posts.—Orders contained in O.M. No. 6/31/86-Estt. (Pay-II), dated 29-9-1986 [*Order (6) above*] are applicable to Cashiers in Administrative Offices of the Circles and Postal Training Centres whose special pay was, before the issue of those orders, regulated *vide* O.M. No. 6/2/E.II(B)/76, dated 30-10-1976 and O.M. No. F. 9 (10) E. III/80, dated 25-9-1980 [*Order (6) above*].

[G.I., Dept. of Posts, New Delhi, Letter No. 6-1/87-PAP, dated the 26th May, 1987.]

(b) Cashiers in Department of Telecom.—It is clarified that the order, dated 29-9-1986 [*Order (6) above*] above will be applicable to the Cashiers in the Department of Telecommunication whose special pay was, before the issue of these orders, regulated in terms of O.M. No. F. 6 (2)-E. III (B) 76, dated 30-10-1976 and O.M. No. F. 9 (10) E. III/80, dated 25-9-1980.

[G.I., Dept. of Telecom., New Delhi, Letter No. 10/19/86-PAT, dated the 7th December, 1987.]

(c) Treasurers/Assistant Treasurers in Department of Posts.—The existing rates of special pay to Treasurers/Assistant Treasurers in Post Offices, who are performing the specific duties of handling and disbursement of cash in the scale of Rs. 975-1,660 shall be revised as follows:—

For handling cash up to Rs. 3 lakhs	Rs. 60 p.m.
For handling cash over Rs. 3 lakhs	Rs. 80 p.m.

2. These enhanced rates of special pay will be payable to an employee from the date he draws pay in the revised scale of pay applicable in accordance with C.C.S. (R.P.) Rules, 1986.

3. The manner of determining the quantum of cash handled by the Treasurer/Assistant Treasurers shall be the same as laid down in O.M. No. 6/31/86-Estt (Pay-II), dated the 29th September, 1986. [*Order (6) above*].

[G.I., Dept. of Posts, Letter No. 6/16/86-PAP, dated the 5th May, 1987.]

(No. 6, dated the 1st October, 1988.)

No. 7

Page 41, F.R. 9 (25)

Insert the following as Note 2 below Order (9) under this sub-rule:—

NOTE 2.—It has been decided that Rs. 35 per month paid to U.D.Cs. as special pay under Ministry of Finance (Department of Expenditure), Office Memorandum No. F. 7 (52)/E. III/78, dated 5-5-1979 [*Order (9)*]

above] shall be taken into account for fixation of pay on promotion subject to the conditions—

- (a) that the incumbent is a substantive holder of the post to which the special pay is attached;

OR

- (b) that the incumbent, on the date of his appointment to higher post, is officiating in the lower post to which the special pay is attached, continuously for a period of not less than three years.

3. These orders take effect from 1st September, 1985.

[G.I., M.F., O.M. No. 7 (35)-E. III/87, dated the 1st September, 1987.]

(No. 7, dated the 1st October, 1988.)

No. 8

Page 46, F.R. 9 (25)

Insert the following as Order (14) below this sub-rule:—

(14) Revised rate of Special pay to Bradma Machine Operators.— At present Bradma Machine Operators in various Ministries/Departments are drawing special pay at the rate of Rs. 20 p.m. [doubled to Rs. 40 p.m. with effect from 1-1-1986, in terms of O.M. No. 6/29/86-Estt. (Pay-II), dated the 29th September, 1986]. However, in a few isolated cases prior to 1-1-1986, special pay appears to have been allowed at a rate of Rs. 30 p.m. The need for ensuring uniformity in the rate of special pay for operating Bradma Machines has been considered because as per suppliers, Bradma Machines in use in various Ministries/Departments/Offices of the Government of India involve similar operation. It has accordingly been decided that with effect from 1-1-1986, special pay for operating Bradma Machine shall be allowed at a uniform rate of Rs. 40 p.m. only.

2. Other terms and conditions for grant of special pay to Bradma Machine Operators as laid down in O.M. No. 9 (42)/E. III (A)/61, dated 8-12-1961 and 9-1-1974 [*not printed*] will remain the same.

3. However, those individual Bradma Machine Operators who had been allowed to draw the Special pay at the higher rate of Rs. 30 p.m. prior to 1-1-1986, with the consent of Ministry of Finance or Dept. of Per. & Trg., will be allowed a Special pay of Rs. 60 p.m. with effect from 1-1-1986, as personal to them till they vacate the posts and as and when fresh incumbents are posted in their place. Special pay to be allowed to them will be only Rs. 40 p.m.

[G.I., Dept. of Per. & Trg., O.M. No. 4/4/88-Estt. (Pay-II), dated the 31st May, 1988.]

(No. 8, dated the 1st October, 1988.)

No. 9

Page 66, F.R. 17-A

Insert the following at the end of the Government of India's Order below this Rule:—

The Committee on Subordinate Legislation of Rajya Sabha which examined the provision of Rule 28 of the C.C.S. (Pension) Rules, 1972, has recommended that opportunity of representation should be given to the Government employee before making entry in the Service Book regarding forfeiture of past service because of his participation in strike. While giving evidence before it, the Committee has been assured that the provisions of the above order will be strictly adhered to in each and every case falling within the scope of clause (b) of Rule 28 of the C.C.S. (Pension) Rules, 1972.

These instructions are, therefore, brought to the notice of the various Ministries/Departments of the Government of India for careful compliance.

[G.I., Dept. of Per. & Trg., O.M. No. 33011/2 (S)/84-Estt. (B), dated the 10th March, 1988.]

(No. 9, dated the 1st October, 1988.)

No. 10

Page 96, F.R. 22-C

Insert the following as item (g) of Order (10) below this Rule:—

(g) **In the case of Assistant of C.S.S.**—It has been decided that pay of an Assistant of C.S.S., who is senior by virtue of having been recruited through an earlier examination but is drawing less pay on promotion in the Grade of Section Officer than his junior recruited through a later examination, may be stepped up to a level equal to the pay of such junior Section Officer in the same cadre.

4. The benefit of the Award will not be available in those cases, for example, where the pay of the senior Assistant on promotion in the Grade of Section Officer is less than his junior in the same cadre on account of such senior Assistant having been superseded or penalised with stopping of increment, etc. (in the higher or lower post), in any disciplinary case, and in respect of Assistants promoted as Section Officers through Limited Departmental Competitive Examinations.

5. All Cadre Controlling Authorities are requested to ensure that such anomalies leading to stepping up of pay are avoided in future, as far as possible.

6. These orders shall take effect on and from 1st June, 1983.

[G.I., Dept. of Per. & Trg., O.M. No. 5/16/80 C.S., 1, dated the 13th April, 1988.]

(No. 10, dated the 1st October, 1988.)

No. 11

Page 107, F.R. 22-C

Insert the following at the end of Order (15) below this Rule:—

Option of date for fixation of pay on promotion.—The undersigned is directed to refer to the Department of Personnel & Administrative Reforms, O.M. No. 7/1/80-Estt. (Pay-I), dated 26-9-1981, on the subject mentioned above which provides that when a Central Government employee is promoted to the next higher grade or post where pay has to be fixed under the provisions of F.R. 22-C, he may be given an option for fixation of his pay on promotion as under—

- (a) either his initial pay may be fixed in the higher post on the basis of F.R. 22-C straightaway without any further review on accrual of increment in the pay scale of lower post, or
- (b) his pay on promotion may be fixed initially in the manner as provided under F.R. 22 (a) (i) which may be re-fixed on the basis of the provisions of F.R. 22-C on the date of accrual of next increment in the scale of pay of the lower post.

References have been received from various Ministries/Departments regarding applicability of the provisions of the O.M., dated 26-9-1981, in the cases of employees who had been promoted before 1-1-1986 and who had exercised option as at 2 (b) thereof above for fixation of their pay on promotion and in whose cases the dates of next increment in the lower scales (both pre-revised and revised) fall after 1-1-1986. The matter has been carefully examined and the President is pleased to decide as follows:—

- (i) On 1-1-1986, the pay of such Government servants may be fixed in the promoted posts with reference to the pay that had been fixed at the time of promotion as provided under F.R. 22 (a) (i). They will be allowed to draw that pay in the revised scales with effect from 1-1-1986.
- (ii) Their notional pay in the lower posts in the revised scales may also be fixed as on 1-1-1986. With effect from the dates of accrual of their next increments in the revised scales in the lower posts, their pay in the promoted posts may be re-fixed on the basis of the provisions of F.R. 22-C.
- (iii) In the promoted posts, they will draw their next increments on completion of one year from the dates their pay was re-fixed under (ii) *supra*, subject to the satisfaction of other conditions.

[G.I., Dept. of Per. & Trg., O.M. No. 1/2/87-Estt. (Pay-I), dated the 9th November, 1987.]

(No. 11, dated the 1st October, 1988.)

No. 12

Page 111, F.R. 22-C

Insert the following at the end of Order (18) below this Rule:—

In the above order, it has been decided that with effect from 1-1-1986, where a Government servant is promoted or appointed to another post carrying duties and responsibilities of greater importance than those attached to the post held by him, the provisions contained in F.R. 22-C shall apply without pay limits for fixation of pay. The question whether the option contained in O.M., dated 26-9-1981[*Order* (15)], will be applicable in the case of promotions effected on or after 1-1-1986 has also been examined. It has been decided that in all cases of promotions to the next higher grades or posts taking place on or after 1-1-1986 where pay has to be fixed under F.R. 22-C, the Government servants may be given an option for fixation of their pay on such promotions as under—

- (a) either their initial pay may be fixed in the higher grades or posts on the basis of F.R. 22-C straightaway without any further review on accrual of increment in the pay scale of the lower grades or posts, or
- (b) their pay on promotion may be fixed initially at the stage of the time scales of the promoted grades or posts above their pay in the lower grades or posts, which may be refixed on the basis of the provisions of F.R. 22-C on the dates of accrual of next increment in the scales of pay of the lower grades or posts.

All other existing conditions regarding such pay fixation will, however, continue to be applicable.

Option in terms of para. above shall be exercised within a period of three months in case of officers who have been promoted on or after 1-1-1986 till the date of issue of these orders. In case of promotions after the date of issue of these orders, option shall be given within one month of the date of promotion. Option once exercised shall be final.

[G.I., Dept. of Per. & Trg., O.M. No. 1/2/87-Estt. (Pay-I), dated the 9th November, 1987.]

(No. 12, dated the 1st October, 1988.)

No. 13

Page 112, F.R. 22-C

Insert the following as Orders (20) and (21) below this Rule:—

(20) Amount to be added in the lower post shall not be less than Rs. 25 before fixing the pay in the higher post under F.R. 22-C.—The Government have further examined the recommendations contained in paragraph 23.15 of the Report of the Fourth Central Pay Commission on a representation made by the Staff Side of the J.C.M. (National Council) and have decided to accept the same. Accordingly, in supersession of all the various

existing orders on the subject, it has been decided that when a Government servant is promoted or appointed to another post carrying duties and responsibilities of greater importance than those attached to the post held by him, the provisions contained in F.R. 22-C shall apply for fixing his pay subject to the condition that the amount to be added to pay in the lower post before fixing the pay in the higher post should not be less than Rs. 25 (Rupees twenty-five only).

2. Action is being taken separately to amend the rule.

3. These orders shall take effect from 1st January, 1986.

[G.I., Dept. of Per. & Trg., O.M. No. 1/2/86-Estt. (Pay-I), dated the 17th May, 1988.]

(21) Fixation of pay of Stenographers Grade 'B' on their appointment as Section Officer through the C.S.S. Section Officers' Grade Limited Departmental Competitive Examination.—In O.M. No. 13/15/83-Estt. (Pay-I), dated the 29th November, 1985, it has been provided that when a Stenographer Grade 'C' was officiating as Stenographer Grade 'B' of the C.S.S.S. and gets appointed to the Section Officers' Grade of the C.S.S. on the basis of the S.O.'s Grade Limited Departmental Competitive Examination held by the U.P.S.C., his pay in the Section Officer Grade should be fixed under the normal rules/orders with reference to his presumptive pay of the post of Stenographer Grade 'C', since the individual is made eligible to take the Section Officer's Grade Examination under the relevant rules only on the ground that he still holds a lien as Stenographer Grade 'C' and under the C.S.S. S.O.'s Grade Limited Departmental Competitive Examination Regulation, 1984, only Stenographers Grade 'C', and not Stenographers Grade 'B', are eligible *inter alia* to take the examination.

2. With the introduction of the revised pay scales with effect from 1-1-1986, the pay scales of the posts of Stenographer Grade 'B' of the C.S.S.S. and that of the Section Officer of the C.S.S. is identical, namely, Rs. 2,000-3,500. Consequently, when a Stenographer Grade 'B' of the C.S.S.S. is appointed as Section Officer on or after 1-1-1986 on the basis of the Section Officers' Grade Limited Departmental Competitive Examination his pay may continue to be fixed under the normal rules/orders on the basis of this Department's O.M., dated 29th November, 1985, referred to in the previous paragraph subject to the operation of the 4th proviso to F.R. 22-C, read with proviso to F.R. 22, so that the pay drawn by him in the identical scale of Stenographers Grade 'B' of the C.S.S.S. and the period for which such pay is drawn in that scale is protected.

[G.I., Dept. of Per. & Trg., O.M. No. 5/50/86-C.S. I, dated the 27th May, 1988.]
(No. 13, dated the 1st October, 1988.)

No. 14

Page 152, F.R. 26

Insert the following as Order (16) below this Rule:—

(16) Stagnation increments effective from 1-1-1986.—The Government have accepted the recommendations of the Fourth Central Pay

Commission contained in their Report relating to grant of stagnation increments with the modification that the scheme of stagnation increment will apply to employees, maximum of whose scale of pay does not exceed Rs. 6,700 per month.

2. Accordingly, in supersession of all previous orders on the subject it has been decided that all Central Government employees who have opted for C.C.S. (R.P.) Rules, 1986, the maximum of whose pay scale does not exceed Rs. 6,700 and who may reach the maximum of their revised scale of pay shall be granted one stagnation increment on completion of every 2 years at the maximum of the respective scales. The stagnation increment shall be equivalent to the rate of the increment last drawn by them in their pay scales and shall be treated as Personal Pay. A maximum of three such increments shall be allowed. "The pay *plus* stagnation increment shall in no case exceed Rs. 7,300."

3. The employees against whom disciplinary cases are pending will, however, have to await the result of the pending disciplinary proceedings before being considered for the grant of this benefit.

4. These orders will take effect from 1-1-1986.

[G.I., M.F., O.M. No. 7 (20)-E. III/87, dated the 3rd July, 1987.]

(No. 14, dated the 1st October, 1988.)

No. 15

Page 168, F.R. 27

Insert the following at the end of Order (13) below this Rule:—

The various points raised are clarified as follows:—

Point of Doubt (i)

Degree of excellence in the sporting events of national/international importance for the entitlement of increments.

Clarification

An individual sportsman/sportswoman participating in national/international events will be treated as showing excellence if he/she achieves first, second and third position in the event.

Point of Doubt (ii)

Tournaments conducted by the Central Secretariat Control Board or by any State Government/Regional Board on its behalf which could be equated to events of national importance.

Clarification

If such tournaments are recognised by the various Federations and given the status of national level then only the tournaments organised by the C.S.C.B. will be treated as having national importance.

Point of Doubt (iii)

The competent authority to grant increments to such sportsmen/ sportswomen.

Clarification

Since advance increments are to be granted under F.R. 27, the authority competent to grant advance increments will be as defined under F.R. 27.

[G.I., Dept. Per. & Trg., O.M. No. 6/2/85-Estt. (Pay.I), dated the 2nd July, 1986.]

AUTHOR'S NOTE.—Referring to item (c) of the Order above, the incentive increment will not count for the purpose of retirement benefits with effect from 1-1-1986.

(No. 15, dated the 1st October, 1988.)

No. 16

Page 185, F.R. 30

Insert the following as item (d) of the Order (7) below this Rule:—

(d) Discontinuance of S.G. for posts in Groups 'C' and 'D'.—The Fourth Pay Commission in its report has recommended *inter alia*, that the Selection Grade should not be continued for the posts in Groups 'C' and 'D' where they are applicable at present and the existing incumbents in the Selection Grade may be allowed to continue in the appropriate scales recommended by them as personal to them. With the promulgation of Central Civil Services (Revised Pay) Rules, 1986, which has been notified on 13-9-1986 and made effective from 1-1-1986, the above recommendations of the Fourth Pay Commission stands implemented. A reference in this connection is also invited to the provisions contained in the Note below Part A of the First Schedule of the Central Civil Services (Revised Pay) Rules, 1986.

2. In regard to the appointments made in the Selection Grade in the pre-revised scales in Groups 'C' and 'D' between 1-1-1986 and 12-9-1986 and fixation of pay in the revised scale, the President is pleased to decide as follows:—

(A) Employees holding Selection Grade posts as on 1-1-1986 in terms of O.M. No. 7 (21)/E. III (A)/74, dated 10-1-1977—

- (i) In cases where a separate replacement scale corresponding to pre-revised scale of Selection Grade post has been prescribed in the Central Civil Services (Revised Pay) Rules, 1986 and the incumbents of the Selection Grade posts have opted for revised scales with effect from 1-1-1986 itself, such incumbents of the Selection Grade posts may be allowed appropriate replacement scales as personal to them. In case, the incumbents of the Selection Grade posts do not opt for revised scales

with effect from 1-1-1986, they may also be allowed to carry the pre-revised scales of pay of the Selection Grade posts as personal to them beyond 1-1-1986.

- (ii) In cases where pre-revised scales applicable to Ordinary Grade and Selection Grade posts have been merged into one replacement scale and the incumbents of the Selection Grade posts have opted for revised scales with effect from 1-1-1986, the initial pay of such Government servants may be fixed under Rule 7 of Central Civil Services (Revised Pay) Rules, 1986. In cases where the incumbents of Selection Grade posts do not opt for revised scales with effect from 1-1-1986, such incumbents may be allowed to carry the pre-revised scales of pay of the Selection Grade posts as personal to them beyond 1-1-1986.

(B) Employees appointed to Selection Grade in pre-revised scales between 1-1-1986 and 12-9-1986 in terms of O.M. No. 7 (21) E. III (A)/74, dated 10-1-1977—

- (i) In cases where a separate replacement scale corresponding to Selection Grade post has been prescribed under Central Civil Services (Revised Pay) Rules, 1986 and where Selection Grade has been allowed in terms of O.M. No. 7 (21)-E. III (A)/74, dated 10-1-1977, on or after 1-1-1986 and before 13-9-1986 and if a Government servant holding such Selection Grade post as on 12-9-1986 has opted for revised scale of pay with effect from 1-1-1986 with reference to post he was holding on 1-1-1986, the initial pay of such an employee may first be fixed in the revised scale as on 1-1-1986 under Central Civil Services (Revised Pay) Rules, 1986, and thereafter with effect from the date on which he was appointed to the Selection Grade post his pay in the revised replacement scale corresponding to pre-revised Selection Grade scale may be fixed in accordance with the provisions of O.M. No. 7 (21)-E. III (A)/74, dated 10-1-1977 and such incumbents of Selection Grade posts will carry the revised replacement scale as personal to them. In cases where such incumbents of Selection Grade posts do not exercise their option for switching over to the revised scale with effect from 1-1-1986, such employees may be allowed to carry the pre-revised Selection Grade scales of pay as personal to them from the date of their appointment to such Selection Grade made not later than 12-9-1986.
- (ii) In cases where pre-revised scales applicable to Ordinary Grade and Selection Grade have been merged in one replacement scale under Central Civil Services (Revised Pay) Rules, 1986, the initial pay of such employees may be fixed as per the provisions contained in Central Civil Services (Revised Pay) Rules, 1986, and their appointment to Selection Grade after 1-1-1986 in the pre-revised scale would become non-effective.

3. If there are any clear vacancies available prior to 13-9-1986 in the non-functional Selection Grade posts and staff were eligible on the relevant crucial date, there is no objection to allow non-functional Selection Grade to those staff and regulate their cases in accordance with the present orders. However, such appointments should be finalised expeditiously where due. Pay fixation of such staff may be regulated under the relevant provisions of this O.M.

4. With effect from 13-9-1986, all the Selection Grade posts created in terms of O.M. No. 7 (21) E. III/74, dated 10-1-1977, may be reverted to Ordinary Grade scale wherever Selection Grades have not been converted as promotional grades and no appointments to Selection Grade posts made on or after 13-9-1986 would be valid, having regard to the provisions contained in Central Civil Services (Revised Pay) Rules, 1986.

[G.I., M.F., O.M. No. 7 (51)/E. III/86, dated the 14th May, 1987.]

Clarification.—As per 'Note' below Part A of the First Schedule to the C.C.S. (R.P.) Rules, 1986, the existing incumbents in non-functional Selection Grade have been allowed suitable revised scales of pay corresponding to the pre-revised non-functional Selection Grade scales as personal to them. In some cases the corresponding revised scale for the pre-revised non-functional Selection Grade has become identical to the revised scale of pay for the next promotional post. A doubt has been raised as to how to fix the pay of a Government servant in such revised personal scale of pay when appointed to a post in identical scale of pay after observing due process of rules relating to promotion and the appointments to the promotional post involves assumption of higher duties and responsibilities.

2. It is clarified that wherever appointment to higher post involves assumption of higher duties and responsibilities and the personal scale of pay and the scale of pay of the higher post is identical, the pay may be fixed under F.R. 22-C.

[G.I., M.F., O.M. No. 7 (36)-E. III/88, dated the 9th August, 1988.]

(No. 16, dated the 1st October, 1988.)

No. 17

Page 188, F.R. 30

Insert the following as Order (7-A) below this Rule:—

(7-A) Fixation of pay on appointment to Selection Grade posts in Group 'A'.—It has been decided that the fixation of pay of the Group 'A' Central Services Officers (including those serving in the Indian Audit and Accounts Departments) appointed to the Selection Grade should be governed by the provisions of F.R. 22 (a) (ii). These are summarised as below—

Pay on appointment to the Selection Grade:

- (i) A member of the Service shall be entitled to draw pay in the Selection Grade only on appointment to that grade.

- (ii) The pay of a member of the Service in the Junior Administrative Grade shall, on appointment to the Selection Grade be fixed (a) at the stage which is equal to his pay in the Junior Administrative Grade or if there is no such stage, the stage next below that pay, *plus* personal pay equal to the difference to be absorbed in future increases in pay or (b) the minimum of the Selection Grade, whichever is higher.
- (iii) The next increment in the Selection Grade would accrue after rendering the requisite qualifying service in that grade.

[G.I., Dept. of Per. & Trg., (PP Division), O.M. No. 19/1/86-pp. II, dated the 14th August, 1987; 26th November 1987; and 5th July, 1988.]

(No. 17, dated the 1st October, 1988.)

No. 18

Page 198, F.R. 31-A

Insert the following below para. 2 of M.H.A., O.M., dated the 21st March, 1968, extract appearing in Order (1) below this Rule:—

Revised Orders.—The position as at para. 2 of O.M., dated 21-3-1968, has been re-examined in the light of the recent decisions of the Courts and it has been decided that there is no objection to the competent authority passing an order rectifying the earlier erroneous confirmation order of the official, which was passed in contravention of the existing rules/instructions whether statutory or administrative/executive, as otherwise, it would amount to perpetuation of the mistake and would be detrimental to the larger interests of Government. However, in these cases, the principles of Natural Justice should be complied with by giving the Government servant a show-cause notice and opportunity to be heard before passing any order affecting him.

[G.I., Dept. of Per. & Trg., O.M. No. 18011/2/88-Estt. (D), dated the 9th August, 1988]

(No. 18, dated the 1st October, 1988.)

No. 19

Page 201, F.R. 36

Add to the Foot Reference of Order (4) the following:—

“O.M. No. 18/26/86-Estt. (Pay-I), dated the 29th July, 1987.”

(No. 19, dated the 1st October, 1988.)

No. 21

Page 218, F.R. 45-A

Substitute the following for the existing Order (5) below this Rule:—

(5) Area for scooter/cycle shed shall not form part of living area, for fixation of Flat Rate of Licence Fee.—The monthly licence fee for garages and servant quarters have been fixed on the basis of rough estimate so that the licence fee for garages has to be recovered at the rate of Rs. 5 p.m. only, in such cases where the garage is allotted separately. In such cases where Scooter/Cycle shed is allotted as a part of the residential accommodation no additional licence fee is recoverable. The living area for the purpose of fixation of flat rate of licence fee is to be calculated in accordance with the yardstick mentioned at Annexure IV to this Directorate, O.M., dated 7-8-1987 [Order No. (15)]. Accordingly, the area, for scooter/cycle shed is not to be taken into account for calculating the living area.

[G.I., Dir. of Estates. Lr. No. 12035 (13)/87-Pol. III, dated the 26/27th November, 1987.]

(No. 21, dated the 1st October, 1988.)

No. 22

Page 222, F.R. 45-A

Substitute the following for the existing Order (10) below this Rule:—

(10) Rounding off licence fee.—It has been decided that with effect from 1-4-1987 the total of the monthly licence fee in respect of Government residence, additions/alterations, furniture, installations and other services, if any, taken together in respect of any individual would be rounded off to the nearest rupee, i.e., fraction of a rupee from fifty paise and above shall be rounded off to the next higher rupee and the fraction of less than fifty paise shall be ignored. The same would apply to the fractions arising out of recovery of the licence fee, etc., or part of a month as and when needed.

[G.I., Min. of Urban Development, O.M. No. 11/11/W. & E/85, dated the 12th March, 1987.]

(No. 22, dated the 1st October, 1988.)

No. 23

Page 223, F.R. 45-A

Insert the following at the end of item (a) of Order (13) below this Rule:—

Consequent on fixing flat rate of licence fee for different types of accommodation on the basis of the recommendations of the Fourth Pay Commission the recovery of licence fee from house-owning officers who are allowed retention of accommodation has been considered and it has been decided that licence fee should be recovered as follows:—

<i>Existing rate of licence fee being recovered</i>	<i>Revised rate of licence fee to be recovered</i>
(i) If the income from own house does not exceed Rs. 3,000 p.m.	Standard licence fee/pooled licence fee under F.R. 45-A or 10% of emoluments, whichever is less.
(ii) If the income from own house exceeds Rs. 3,000 p.m. but does not exceed Rs. 5,000 p.m.	Twice the standard licence fee/twice the pooled licence fee under F.R. 45-A or 20% of emoluments, whichever is less.
(iii) If the income exceeds Rs 5,000 p.m.	Thrice the standard licence fee/thrice the pooled licence fee under F.R. 45-A or 30% of emoluments whichever is less.

It has been decided that the above rate of licence fee may be recovered from 1-7-1987, i.e., from salary for the month of July, 1987.

[G.I., Min. of Urban Development, Dir. of Estates, O.M. No. 12035 (1)/85-Pol. II (Vol. III), (ii), dated the 7th August, 1987.]

(No. 23, dated the 1st October, 1988.)

No. 27

Page 247, F.R. 46

Insert the following as item (iv) of Order (9) below this Rule:—

(iv) The existing orders governing the grant of honorarium to Group 'D' staff and Despatch Riders appointed for short periods in the absence of the regular Staff Car Drivers/Despatch Riders/Scooter Drivers *vide* item (i) above provide for the payment of an honorarium at Rs. 2 per day and Re. 1 per day to concerned Staff for work done as Staff Car Drivers and Despatch Riders, respectively.

2. The question of upward revision of these rates has been under consideration of the Government and it has been decided in supersession of all previous orders issued in this connection that the rates of honorarium payable to Group 'D' staff will be as under—

- | | |
|--|---------------|
| (i) Group 'D' staff <i>or</i> Despatch Riders who are appointed to work as Staff Car Drivers ... | Rs. 4 per day |
| (ii) Group 'D' staff who are appointed to work as Despatch Riders/Scooter Drivers ... | Rs. 2 per day |

3. The honorarium at the above rates is admissible in cases where regular officiating arrangement is not permissible or not considered necessary.

4. These orders will take effect from the date of their issue.

[G.I., Dept. of Per. & Trg., O.M. No. 17016/6/87-Estt. (Allow.) dated the 25th February, 1988.]

(No. 27, dated the 1st October, 1988.)

No. 31

Page 335, S.R. 4

Insert the following at the end of Order (7) below this Rule:—

The present practice of declaring women candidates found to be pregnant of twelve weeks' standing as temporarily unfit and their appointment being held in abeyance until the confinement is over, has been under examination of this department. It has now been decided in consultation with the Ministry of Health and Family Welfare, etc., that it shall no longer be necessary to declare a woman candidate as "Temporarily Unfit" if she is found to be pregnant during medical examination before appointment against posts which do not prescribe any elaborate training, i.e., they can be appointed straightaway on the job. However, where pregnant women are to be appointed against posts carrying hazardous nature of duties, e.g., in Police Organisations, etc., and they have to complete a period of training as a condition of service, the existing instructions laid down in O.M., dated 19th July, 1976, above will continue to apply.

[G.I., D.P. & A.R., O.M. No. 14034/4/84-Estt. (D), dated the 13th February, 1985.]

(No. 31, dated the 1st October, 1988.)

No. 26

Page 241, F.R. 46

Insert the following at the end of Order (2) below this Rule:—

The functions of the “Secretariat Training School (Examination Wing)” have been taken over by the Staff Selection Commission who are now responsible for holding of all examinations for recruitment to Group ‘C’ non-technical posts. The words “Secretariat Training School (Examination Wing)” appearing in the O.M., dated 25-9-1970, may, therefore, be read as “Staff Selection Commission”.

[G.I., Dept. of Per. & Trg., O.M. No. 24012/19/87-Estt. (B), dated the 21st December, 1987.]

(No. 26, dated the 1st October, 1988.)

No. 29

Page 249, F.R. 46

Insert the following as item (c) of Order (12) below this Rule:—

(c) **Revised rates effective from 25-8-1987.**—It has been decided to revise the rate for translation work from regional languages to English/Hindi and vice versa to Rs. 15 per thousand words for the version in which the translation is rendered. The minimum remuneration payable will continue to be Rs. 2. All other conditions mentioned in the O.M. dated 20th March, 1980 [*item (b) above*] will remain unchanged.

2. These orders will come into force from the date of issue of this O.M. and will remain in force till further orders.

[G.I., Dept. of Per. & Trg., O.M. No. 17013/3/86-Estt. (Allowance), dated the 25th August, 1987.]

(No. 29, dated the 1st October, 1988.)

No. 33

Page 370, S.R. 324

Insert the following after sub-rule (3) in this Rule:—

“(4) Notwithstanding anything contained in sub-rules (1) and (2), the flat rate of licence fee prescribed under F.R. 45-A-IV (c) (ii) for residences shall be recalculated on the expiry of three years from the date of the last calculation and the recalculation shall take effect from 1st July next following, or from such other date as the President may direct.”

[G.I., M.F., Notification No. F. 11 (7)-W. & E/86, dated the 30th June, 1987, published in The Gazette of India, Extraordinary, Part II, sub-section (1) of Section 3, dated 1-7-1987. This comes into force on the 1st day of July, 1987.]

(No. 33, dated the 1st October, 1988.)

Page 248, F.R. 46

Substitute the following for the existing Order (10) below this Rule:—

(10) Revised rates of honorarium to Reporters/Stenographers to take down the verbatim reports of the proceedings of *ad hoc* Committees, conferences.—In supersession of all the previous orders issued by the Ministry of Finance and this Department, it has been decided in consultation with the Ministry of Finance that the payment of Honorarium to Reporters/Stenographers who take down, whether in English or in any Indian Language, verbatim reports of the proceedings of *ad hoc* Committees, conferences, etc., organised by the Ministries and the Attached Offices of the Government of India, should be made at the following rates:—

(i) Reporters of Parliament	Rs. 75 per day
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NOTE.—Ministries should ensure that the services of these Reporters are not requisitioned except in unavoidable circumstances.

(ii) Reporters of Government of India Offices like the Tariff Commission or of State Legislatures ...	Rs. 45 per day
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(iii) Stenographer (Grades 'C' and above) of the Secretariat, Attached Offices of the Government of India, State Governments, Private firms/offices and reporters and stenographers of the Administrative Secretariats of Union Territories ...	Rs. 24 per day
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NOTE.—In exceptional circumstances when no Stenographers (Grade 'C' and above) are available, Stenographers (Grade 'D') of the Secretariat, Attached and Subordinate Offices of the Government of India and of the Administrative Secretariat of Union Territories may be employed on an honorarium of Rs. 12 per day.

2. No honorarium will be paid to Reporters/Stenographers who are employed to take down reports other than 'Verbatim' reports of the meetings, conferences, etc., arranged by the Ministries/attached offices.

3. These orders will take effect from the date of their issue.

[G.I., Dept. of Per. & Trg., O.M. No. 17016/8/87-Estt. (Allowances), dated the 25th May, 1988.]

(No. 28, dated the 1st October, 1988.)

No. 30

Page 328, S.R. 4

Insert the following as items (e) and (f) of Order (3) below this Rule:—

(e) **Intra-ocular lens implant.**—In the case of a person who has undergone intra-ocular lens implant, if the visual acuity with intra-ocular lens is according to the standards laid down for the post, the person concerned may be considered fit for Government service.

[G.I., M. H. & F.W., O.M. No. A. 17020/1/86-MS., dated the 25th July, 1986.]

(f) **Candidates with implanted Pacemakers.**—A candidate having got a Pacemaker implanted, may be considered fit for Government service except the candidates selected for the following posts:—

- (1) Pilots.
- (2) Jobs in the Defence Forces, Police and Security.
- (3) Railway or Bus Drivers.
- (4) Posts attached to electro-magnetic areas.
- (5) Any other posts requiring higher standards of physical fitness.

In case of doubts about any category of services or posts, a reference will be made to this Ministry for obtaining clarifications.

[G.I., M.H. & F.W., O.M. No. A-17020/2/86-MS, dated the 17th March, 1988.]

(No. 30, dated the 1st October, 1988.)

No. 36

Page 463, Appx. 6

Substitute the following for the existing paragraph 37 of this Appendix:—

37. Where an officer, who is drawing a monthly pay of (a) Rs. 2,800 or less in the revised scales of pay promulgated under the Central Civil Services (Revised Pay) Rules, 1986, or (b) Rs. 1,000 or less in the pre-revised scales (the term 'Pay' will include, besides pay in pre-revised scales of pay, appropriate Dearness Pay, D.A., Additional Dearness Allowance, *Ad hoc* D.A. and Interim Relief thereon at the rates applicable under the orders in force on 31-12-1985) is deputed abroad otherwise than on training and for a period of one month or more, to a place where the climate at the time of deputation/duty is generally colder than winter in Delhi may be reimbursed the actual expenses limited to the following in order to equip himself with additional clothing:—

- (i) Rs. 600 if the period of deputation is more than a month but less than a year.
- (ii) Rs. 1,000 if the period of deputation is one year or more.

An officer will not be entitled to the allowance a second time until at least a period of 7 years had elapsed from the receipt of the first allowance.

[G.I., M.F., O.M. No. 19036/6/88-E. IV, dated the 22nd September, 1988.]

(No. 36, dated the 1st October 1988.)

No. 44

Page 522, Appendix 12

Insert the following at the end of Section IV in this Appendix:—

Scheme extended with revised rates of incentive allowance.—It has been decided that the scheme may continue even after 15th May, 1987. The rates of incentive allowance have been increased to Rs. 60 and Rs. 40 per month for Stenographers and Typists respectively. These revised rates will be effective from the 16th May, 1987. Other conditions for grant of this incentive allowance laid down in the above O.M. No. 14012/55/76-OL (C), dated 12-8-1983, will remain the same.

[G.I., M.H.A., O.M. No. 13034/31/85-OL (C), dated the 16th July, 1987.]

(No. 44, dated the 1st October, 1988.)

No. 20

Page 213, F.R. 45-A

Re-number the existing item (ii) of sub-clause (c) of Clause IV of this Rule, as item (iii); and

Insert before item (iii) so re-numbered the following:—

“(ii) prescribe flat rate of monthly licence fee applicable throughout the country based on the cost of construction and plinth area, living area of the type of accommodation allotted to the employees subject to the condition that the amount taken from any officer shall not exceed 10 per cent of his monthly emoluments”.

[G.I., M.F., Notification No. F. 11 (7)/W. & E/86, dated the 30th June, 1987, published in The Gazette of India, Extraordinary, Part II, sub-section (1) of Section 3, dated 1-7-1987. This comes into force on the 1st day of July, 1987.]

(No. 20, dated the 1st October, 1988.)

Insert the following as item (c) of the Order (15) below this Rule:—

(c) Flat rate licence fee for residential accommodation with effect from 1-7-1987.—The matter relating to fixation of flat rate of licence fee for Government accommodation has been considered by Government and the recommendation of the Fourth Pay Commission for fixation of flat rate of licence fee for residential accommodation all over the country has been accepted. The relevant provisions of the Fundamental Rules and the Supplementary Rules have also been amended for the purpose of fixation/recovery of flat rate of licence fee and for its revision every three years. Copies of the notifications published in the Gazette of India amending F.R. 45-A and S.R. 324 are enclosed. (Annexures I & II). (*Amendments since carried out.*)

In terms of F.R. 45-A-IV (c) (ii), it has been decided by the Central Government to prescribe flat rates of licence for the residential accommodation available in general pool and also under various Ministries/Departments of Government of India all over the country (except in respect of sub-standard/unclassified accommodation of Ministry of Defence, accommodation for service personnel/offices of Ministry of Defence and accommodation under the control of the Ministry of Railways). The flat rate of licence fee for different types of accommodation fixed by Government is indicated in the statement attached with this O.M. (Annexure III). The formula for calculating the living area of the accommodation is indicated in Annexure IV. For common services/conservancy and for fire tax and scavenging tax payable for residences, no additional charges are to be recovered. The flat rate of licence fee is to be recovered with effect from 1-7-1987, i.e., from the salary for the month of July, 1987.

It has also been decided that no additions/alterations of structural character may be carried out in residences at the request of the allottees. Such additions/alterations, if considered necessary, may be carried out in all similar residences in a standardised manner and no additional licence fee or charges may be recovered from the allottees for such additions/alterations.

Normally, water and electricity charges are payable by the allottees to the local bodies. Where, however, such charges cannot be recovered from the allottees due to non-availability of separate meters, etc., this will continue to be recovered by the Government from the allottees. Similarly, charges on account of issue of furniture, electrical appliances, air-conditioning appliances, etc., would also be recovered from the allottees, if issued.

The living area of the quarters indicated in Annexure III has been assessed on the basis of the living area of the bulk of general pool quarters, as these quarters have been constructed over a long period of time. How-

ever there may be cases where the living area of the quarters may be slightly less than the minimum specified for the relevant type or slightly more than the maximum specified. In such cases, licence fee may be recovered on the basis of the classification of the types of accommodation and based on the lowest or highest rates depending on the lower living area or higher living area of the quarter and in such cases, the licence fee may be fixed on a provisional basis and such anomalies brought to the notice of the Directorate of Estates indicating the type of accommodation, plinth area, living area, year of construction and number of rooms available, etc., so that such cases can be considered and decision taken.

It is requested that immediate action may please be taken to recover licence fee in accordance with these orders in respect of accommodation under the control of various Ministries/Departments all over the country.

[G.I., Min. of U.D., Dir. of Estates, O.M. No. 12035 (1)/85-Pol. II (Vol. III) (i), dated the 7th August, 1987.]

ANNEXURE I

(Not printed)

See Correction No. 20

ANNEXURE II

(Not printed)

See Correction No. 33

ANNEXURE III

Statement indicating the formula for fixation of Flat rate of Licence Fee for different types of accommodation.

1. QUARTERS

Type of accommodation	Range of living area	Flat rate of licence fee uniformly applicable throughout the country	Remarks
(1)	(in Sq. Mt.) (2)	(Rs.) (3)	(4)
A	Up to 30	10	Quarters sharing toilet facilities meant for more than two quarters.
A	Up to 30	15	Quarters sharing toilet facilities meant for two quarters.

Type of accom- modation	Range of living area	Flat rate of licence fee uniformly applicable throughout the country (Rs.)	Remarks
(1)	(in Sq. Mt.) (2)	(3)	(4)
A	Up to 30	25	Old quarters with plinth area less than 300 sq. ft.
A	Up to 30	35	Quarters with plinth area of 300 sq. ft. and more.
B	26.5	35	Crash Programme Type-B quarters with plinth area of 350 sq. ft. reclassified as Type-A.
B	32 to 40	60	
B	41 to 50	75	
C	34.5	60	Crash programme Type-C quarters with plinth area of 425 sq. ft. reclassified as Type-B.
C	44 to 55	85	
C	56 to 65	105	
D	59 to 75	115	
D	76 to 91.5	145	
E	Up to 106	185	
E	Beyond 106	210	
E. I	Up to 159.5	260	
E. I	Beyond 159.5	300	
E. II	189.5 to 224.5	350	
E. III	243 to 350	500	
E. III	350.5 to 522	600	

2. HOSTEL ACCOMMODATION

Category of Suite	Living area (Sq. Mt.)	Proposed flat rate of licence fee uniformly applicable throughout the country (Rs.)	Remarks
(1)	(2)	(3)	(4)
1. Single Room	21.5 to 30.0	65.00	Single room suites without kitchen.
2. Single Room	30.5 to 39.5	90.00	Single room suites with kitchen.
3. Double Room	47.5 to 60.0	125.00	

For servant quarters and garages, allotted independent of the regular accommodation/hostel, the following flat rates may be recovered:—

- | | |
|---------------------|-------------------|
| (i) Servant Quarter | Rs. 10 per month. |
| (ii) Garage | Rs. 5 per month. |

ANNEXURE IV

YARDSTICK FOR DETERMINATION OF LIVING AREA

Main Building:

- | | |
|---|-------------------------|
| (a) Rooms, Kitchen, Bath, Latrine, Store and enclosed verandah. | 100% of the floor area. |
| (b) Verandah, Corridors and Barsati | 25% of the floor area. |
| (c) Porch | 12½% of the floor area. |
| (d) Court-yard pucca | 5% of the floor area. |

Out-Houses:

- | | |
|----------------------|-------------------------|
| (a) Rooms | 25% of the floor area. |
| (b) Verandahs | 12½% of the floor area. |

(No. 24, dated the 1st October, 1988.)

No. 25

Page 228, F.R. 45-A

Insert the following as Order (18) below this Rule:—

(18) Charging of damages for unauthorised occupation of General Pool residential accommodation and recovery of licence fee when general pool accommodation is allotted to ineligible persons/organisation.—According to the decision taken in 1970, market rate of licence fee is calculated on the basis of the formula, as indicated below—

“Double the standard licence fee under F.R. 45-B or double the pooled standard licence fee under F.R. 45-A, whichever is higher, *plus* single departmental charges, *plus* double the additional licence fee for additions and alterations, if any, *plus* other charges (service charges, garden charges, charges for scale furniture, extra furniture and electrical appliances) under F.R. 45-B including departmental charges”.

In Memorandum No. 18011/12/73-Pol. I, dated 31st July, 1976 (*not printed*) orders were communicated prescribing the pooled unit market rate of licence fee in respect of general pool accommodation in Delhi. It was also indicated in these orders that in the case of occupants whose allotments have been cancelled and necessary eviction proceedings under the Public Premises (Eviction of Unauthorised Occupants) Act, 1971, have been finalised and the period of 30 days (since reduced to 15 days) allowed for the vacation of the premises has expired damages at three times the pooled market rate of licence fee per month for the accommodation in Types II to VIII under unauthorised occupation should be recovered till the date of vacation/physical eviction; in respect of Type-I accommodation, three times the market rate of licence fee of the accommodation was to be charged. The matter relating to recovery of damages from the unauthorised occupants for occupation of residential accommodation and also the quantum of licence fee to be charged when allotments are made to ineligible individuals/organisations on the basis of existing market licence fee formula has been considered by Government and it has been decided as follows:—

- (i) The decision taken in the year 1970 indicating the formula for fixation of market rate of licence fee and the orders issued by the Directorate of Estates in Memorandum No. 18011/12/73-Pol. I, dated 31-7-1976 (*not printed*), for pooling of market rate of licence fee, fixing pooled unit market rate of licence fee and recovery of damages from unauthorised occupants at three times the market rate of licence fee after the period allowed by the Estate Officer for vacation of the accommodation has expired, is hereby withdrawn.
- (ii) A damages rate of Rs. 20 per sq. mt. of living area in respect of Types A to D (Types I to IV) and Rs. 21 per sq. mt. of living

area in respect of Types E and above (Types V and above) for general pool accommodation in Delhi is fixed. In addition, garden charges and other charges as are applicable will also be recovered.

- (iii) Similar damages rates may be worked out by the C.P.W.D. for other stations where general pool accommodation is available and the rates so assessed may be adopted for recovery of damages in such stations.
- (iv) The rate indicated in sub-paras. (ii) and (iii) above will be valid for a period of two years and revised rates should be prescribed thereafter for a period of two years.
- (v) In respect of other departmental pools of accommodation in Delhi/other stations the rates as indicated in sub-para. (ii) above being prescribed for general pool accommodation is to be adopted by various other Ministries/Departments. In stations where there is no general pool accommodation, the Ministry/Departments concerned may get suitable unit rates worked out by the C.P.W.D.
- (vi) The rate of damages as above would be the rate to be charged from the unauthorised occupant and if he/she is not agreeable to pay it, the damages to be recovered from him/her will have to be pleaded before the Estate Officer in terms of Rule 8 of the Public Premises (Eviction of Unauthorised Occupants) Rules, 1971 (Extract enclosed).
- (vii) The rate of damages as above would be effective from a prospective date and all pending cases may be disposed of based on the pre-revised orders. The prospective date would mean that only unauthorised occupation beginning from the date of effect of the revised orders or a subsequent date would come within the purview of revised rate of damages.

Suitable amendments are being carried out in the Allotment of Government Residences (General Pool) in Delhi Rules, 1963, to delete the words "market licence fee" and to substitute the same by the word "damages". Similar amendments may be carried out by the Ministries/Departments in their Allotment Rules.

The term "market rate of licence fee" will no more be applicable either for recovery of licence fee for residential accommodation or for charging/recovery of damages.

- (viii) In cases where general pool accommodation is allotted or allowed to be retained on payment of existing market rate of licence fee, such as officers who have gone on deputation to Sports Authority of India and other public sector undertakings,

autonomous bodies, etc., and permanent officials working in the Headquarters of C.S.I.R., I.C.A.R., etc., licence fee to be recovered will be categorised as "Special licence fee". The "Special licence fee" will be determined at the rate of double the standard licence fee under F.R. 45-B or double the licence fee at flat rates under F.R. 45-A, whichever is higher *plus* single departmental charges *plus* double the additional licence fee for additions and alterations, if any, *plus* other charges (service charges, garden charges, charges for furniture, electrical appliances, etc.), under F.R. 45-B, including departmental charges. It would be necessary for the Rent Section to review the licence fee being recovered in respect of such categories of employees and take action for revising the same according to these orders.

3. These orders will be effective from 1st September, 1987, i.e., unauthorised occupation commencing from 1st September, 1987 and in the case of recovery of special licence fee, for the period commencing from 1st September, 1987.

[G.I., Min. of Urban Development, (Dir. of Estates), O.M. No. 18011 (12)/73 Pol. III, dated the 27th August, 1987.]

ENCLOSURE

Extract of Rule 8 of Public Premises (Eviction of Unauthorised Occupants) Rules, 1971

Assessment of damages: In assessing damages for unauthorised use and occupation of any Public premises the estate officer shall take into consideration the following matters, namely:—

- (a) the purpose and the period for which the public premises were in unauthorised occupation;
- (b) the nature, size and standard of the accommodation available in such premises;
- (c) the rent that would have been realised if the premises had been let on rent for the period of unauthorised occupation to a private person;
- (d) any damage done to the premises during the period of unauthorised occupation;
- (e) any other matter relevant for the purpose of assessing the damages.

(No. 25, dated the 1st October, 1988.)

Page 423, Appendix 5

Insert the following as item A-1 in Section I in this Appendix:—

A-1. Terms applicable to transfer on deputation to ex-cadre posts under Government.

[G.I., Dept. of Per. & Trg., O.M. No. 2/12/87-Estt. (Pt. II), dated the 29th April, 1982.]

1. A need has been felt for some time past to consolidate at one place the various instructions/orders that have been issued from time to time and are still in force on the subject. The opportunity has also been taken to review the entire matter and bring about rationalisation in the instructions/orders. Accordingly, it has been decided to bring out the salient features of the instructions on the subject in this Office Memorandum. The Ministry of Finance may kindly bring to the notice of all administrative authorities concerned the contents of this O.M. for information, guidance and compliance.

2. Application

2.1 These orders will apply to all Central Government employees who are regularly appointed on deputation in accordance with the provisions of the relevant recruitment rules to hold posts in the Central Government except in the following cases, viz:—

- (a) Members of the All India Services and those deputed to posts whose terms are regulated under specific statutory rules or orders;
- (b) Officers appointed on deputation to posts in the Central Secretariat such as Under Secretary, Deputy Secretary, Director, Joint Secretary, Additional Secretary, Secretary, etc., for whom separate orders as issued from time to time will continue to apply;
- (c) Deputation to posts outside India; and
- (d) Appointments of a specific category of employees to a specified class of posts where special orders are already in existence such as appointments made in the personal staff of Ministers, etc., to the extent the provisions contained therein are at variance with those contained in these orders.

3. Scope of Admissibility

3.1 The term 'deputation' will cover only appointments made by transfer on a temporary basis to other posts in the same or other depart-

ments/offices of the Central Government provided the transfer is outside the normal field of deployment and is in the public interest.

3.2 The question whether the transfer is outside the normal field of deployment or not will be decided by the authority which controls the service or the post from which the employee is transferred.

3.3 Appointments of serving Government servants made either by promotion or by direct recruitment with open market candidates, whether on a permanent or temporary basis, will not be regarded as 'deputation'.

3.4 Permanent appointments made by transfer will also not be treated as 'deputation'.

3.5 Temporary transfers made on the basis of personal requests of employees otherwise than in public interest will also not be treated as 'deputation'.

4. Exercise of option

4.1 An employee on deputation may elect to draw either the pay in the scale of pay of the deputation post or his basic pay in the parent cadre *plus* personal pay, if any *plus* deputation (duty) allowance. In no case will the pay so fixed be less than the minimum of the scale of the ex-cadre post.

4.2 The borrowing authority should obtain the option of the employee within a period of one month from the date of joining the ex-cadre post.

4.3 The option once exercised shall be final. However, the employee may revise the option under the following circumstances:—

- (a) When he receives *pro forma* promotion in his parent cadre under the Next Below Rule;
- (b) When he is reverted to a lower grade in his parent cadre;
- (c) When he is appointed to another grade in the borrowing organisation; and
- (d) When the scale of pay of the cadre post on the basis of which his emoluments are regulated during the deputation or of the ex-cadre post held by the employee on deputation is revised either with retrospective effect or from a prospective date.

5. Pay fixation

5.1 When an employee on deputation elects to draw pay in the scale of pay attached to the ex-cadre post, his pay may be fixed under the normal rules with reference to his pay in the cadre post to which he has been appointed on a regular basis.

5.2 In cases of appointments/promotion from one ex-cadre post to another ex-cadre post where the employee opts to draw pay in the scale

of pay of the ex-cadre post, the pay in the scale of the second or subsequent ex-cadre posts shall be fixed under the normal rules with reference to pay in the cadre post only. In respect of appointments to ex-cadre posts on time-scale of pay identical with the time-scale of pay of ex-cadre post(s) held on an earlier occasion(s), the benefit of proviso 1 (iii) to F.R. 22 will, however, be admissible.

5.3 In cases of appointments to a second or subsequent ex-cadre post(s) in a higher pay scale than that of the previous ex-cadre post, the pay may be fixed with reference to the pay drawn in the cadre post and if the pay so fixed happens to be less than the pay drawn in the previous ex-cadre post, the difference may be allowed as personal pay to be absorbed in future increases in pay. This is subject to the condition that on both the occasions the employee should have opted to draw pay in the scales of pay attached to the ex-cadre posts.

5.4 If during the period of deputation the basic pay of an employee exceeds the maximum of the scale of pay of the post or the fixed pay of the post, on account of *pro forma* promotion in his cadre under the Next Below Rule or otherwise, the deputation of the employee should be restricted to a maximum period of six months from the date on which his pay thus exceeds such maximum and he should be reverted to his parent department within the said period.

5.5 No employee whose basic pay at the time of his proposed deputation exceeds the maximum of the scale of pay of the ex-cadre post or the fixed pay of the ex-cadre post, as the case may be, shall be deputed to such a post.

6. Deputation (Duty) Allowance

6.1 The deputation (duty) allowance admissible shall be at the following rates:—

- (a) 5% of the employee's basic pay subject to a maximum of Rs. 250 p.m. when the transfer is within the same station;
- (b) 10% of the employee's basic pay subject to a maximum of Rs. 500 p.m. in all other cases:

provided that the basic pay *plus* the deputation (duty) allowance shall at no time exceed Rs. 7,300 p.m.

NOTE 1.—The term 'same station' for this purpose will be determined with reference to the station where the person was on duty before proceeding on deputation.

NOTE 2.—When there is no change in the headquarters with reference to the last post held, the transfer should be treated as within the same station and when there is change in headquarters it would be treated as not in the same station. So far as places falling within the same urban

agglomeration of the old headquarters are concerned, they would be treated as transfer within the same station.

6.2 Special rates of deputation (duty) allowance may be admissible under separate orders in any particular area, on account of conditions of living there being particularly arduous or unattractive. Where special rate is more favourable than that under 6.1 above, employees deputed to the area will be given the benefit of the special rate.

6.3 The deputation (duty) allowance, as admissible *vide* 6.1 above, shall be further so restricted that the basic pay of the employee in his parent cadre from time to time *plus* deputation (duty) allowance does not exceed the maximum of the scale of pay of the post held on deputation.

Clarification.—Till revision of pay scales in Public Sector Undertakings, in the case of Central Government employees who are in revised scales and are allowed to go on deputation to Public Sector Undertakings following the Central pattern of dearness allowance, the ceiling on their grade pay and deputation allowance may be regulated with effect from 1-1-1988 with reference to the total of their grade pay in the revised scale, D.A. *plus* deputation (duty) allowance and the total of emoluments including D.A./A.D.A./*Ad hoc* D.A./I.R. admissible on the maximum of the pay scale of the ex-cadre post in the Public Undertaking.

[G.I., Dept. of Per. & Trg., U.O. No. 1/1/87-Estt. (Pay-III), dated 25th March, 1988, received with C. & A.G., New Delhi, Letter No. 522-Audit 1/90-86, dated the 16th June, 1988.]

6.4 The employee on deputation may be given the benefit of the Next Below Rule subject to the application of the provisions of 6.3 above in regard to the regulation of the deputation (duty) allowance.

6.5 Whenever extension of the period of deputation for the fifth year or the second year in excess of the period prescribed in the Recruitment Rules is granted, it would be on the specific understanding that the officer would not be entitled to draw deputation (duty) allowance.

6.6 If an employee (with the permission of the competent authority) proceeds on deputation from one post in one Ministry/Department/Organisation to another post in the same or another Ministry/Department/Organisation without reverting to his parent cadre, and if the second ex-cadre post is at the same station as the first ex-cadre post, then the rate of deputation (duty) allowance would remain unchanged.

6.7 In cases where a deputationist is transferred by the borrowing authority from one station to another without any change in the post held by him, the rate of deputation (duty) allowance will remain the same as was decided at the time of initial posting and will not undergo any change.

7. Admissibility of any other pay and allowances while on deputation

7.1 Any project allowance admissible in a project area may be drawn in addition to deputation (duty) allowance.

7.2 Any other special pay drawn by an employee in the parent department should not be allowed in addition to the deputation (duty) allowance provided, however, the Government may, by general or special order, suitably restrict the deputation (duty) allowance where under special circumstances, the special pay drawn by an officer in a non-tenure post in his parent cadre is allowed to be drawn, in addition to basic pay, in his deputation post. This will require the specific prior concurrence of the Department of Personnel and Training.

7.3 The personal pay, if any, drawn by an employee in his parent department will continue to be admissible until it is absorbed in other increases in pay, i.e., increments or increase of pay by promotion or for any other reasons unless, it is personal pay (or special pay in the nature of personal pay like qualification pay, etc.) of non-absorbable nature.

7.4 In case special pay is attached to the scale of pay of the ex-cadre post and the employee has opted to draw pay in that scale, in addition to his pay in that scale, he will also be entitled to draw such special pay.

8. Tenure of Deputation

8.1 The period of deputation shall be subject to a maximum of three years in all cases except for those posts where a longer period of tenure is prescribed in the Recruitment Rules.

8.2 The Administrative Ministries may grant extension beyond this limit up to one year, after obtaining orders of their Secretary, in cases where such extension is considered necessary in public interest.

8.3 The borrowing Ministries/Departments may extend the period of deputation for the fifth year or for the second year in excess of the period prescribed in the Recruitment Rules, where absolutely necessary, subject to the following conditions:—

- (i) While according extension for the fifth year or the second year in excess of the period prescribed in the Recruitment Rules, the directive issued for rigid application of the tenure rules should be taken into consideration and only in rare and exceptional circumstances, such extensions should be granted.
- (ii) The extension should be strictly in public interest and with the specific prior approval of the concerned Minister in the borrowing Ministry/Department.
- (iii) Where such extension is granted, it would be on the specific understanding that the officer would not be entitled to draw deputation (duty) allowance.
- (iv) The extension would be subject to the prior approval of the lending organisation of the officer on deputation, and wherever necessary, the U.P.S.C.

8.4 In cases where the extension is beyond the fifth year or beyond the second year in excess of the period prescribed in the Recruitment Rules, the same would be allowed only after obtaining the prior approval of the Department of Personnel and Training. Proposals in this regard should reach this Department at least three months before the expiry of the extended tenure.

8.5 When extension of the period of deputation is considered, the period of extension may be so decided upon as to enable the officer concerned to continue on deputation till the completion of the academic year in cases where the officer has school/college going children.

8.6 For computing the total period of deputation, the period of deputation, including the period of deputation in another ex-cadre post held immediately preceding the current appointment in the same or some other organisation/department of the Central Government shall also be taken into account.

8.7 If during the period of deputation the basic pay of an employee exceeds the maximum of the scale of pay of the post or the fixed pay of the post, on account of *pro forma* promotion in his cadre under the Next Below Rule or otherwise, the deputation of the employee should be restricted to a maximum period of six months from the date on which his pay thus exceeds such maximum and he should be reverted to his parent department within the said period.

8.8 If during the period of deputation, on account of *pro forma* promotion in the parent cadre under the Next Below Rule the employee becomes entitled to a scale of pay higher than the scale of pay attached to the ex-cadre post, he may be allowed to complete the normal tenure of deputation subject to 8.7 above but no extension of the period of deputation should be allowed in such cases.

9. Promotions during period of deputation

9.1 When an employee already on deputation is to be promoted/appointed to another post by the borrowing authority, the borrowing authority should obtain the concurrence of the lending authority prior to the promotion/appointment.

9.2 The employees on deputation may be given the benefit of the Next Below Rule subject to the application of the other provisions contained in this Office Memorandum.

10. Grant of leave on expiry of tenure of deputation

On reversion from the deputation post to the parent cadre, the employee concerned might be allowed leave not exceeding two months by the borrowing Ministry/Department/Organisation. The employee concerned should apply for further leave to his cadre controlling authority.

11. Premature reversion of deputationist to parent cadre

Normally, when an employee is appointed on deputation, his services are replaced at the disposal of the parent Ministry/Department at the end of the tenure. However, as and when a situation arises for premature reversion to the parent cadre of the deputationist, his services could be so returned after giving reasonable notice to the lending Ministry/Department and the employee.

12. Sanctioning of deputation (duty) allowance

The Administrative Ministries/Departments will be competent to sanction the deputation (duty) allowance of their employees and those in offices under them in accordance with these terms and conditions. Such sanctions may be issued either by the Ministry/Department transferring the employees or by the Ministry/Department borrowing the services of the employees, as may be appropriate in the circumstances of each case.

13. Relaxation of conditions

Any relaxation of these terms and conditions will require the prior concurrence of the Department of Personnel and Training.

14. In so far as persons serving in the Indian Audit and Accounts Department are concerned, these orders are being issued after consultation with the Comptroller and Auditor-General of India.

15. These orders take effect from the 1st April, 1988, in so far as the modifications incorporated now are concerned.

(No. 35, dated the 1st October, 1988.)

Page 472, Appendix 6

Insert the following as Section II in this Appendix after re-numbering the existing Section II as Section III:—

II

In the case of Scientific and Technology Departments/Organisations.
[G.I., M.F., O.M. No. 19036/8/83-E. IV, dated the 6th July, 1987.]

Consequent to the decision taken by the Cabinet on the recommendations of the Scientific Advisory Committee to the Cabinet, it has been decided to give enhanced powers to the Science and Technology Departments/Organisations as per enclosure.

ENCLOSURE

Heads of S. & T. Ministries/Departments/Agencies shall have full powers to authorise expenditure pertaining to their Departments for the purpose of travel, transport, etc., subject to the budgetary ceiling previously approved under various sub-heads and shall further be subject to the condition that all orders on reappropriation issued by the Ministry of Finance from time to time are strictly observed. Heads of S. & T. Ministries/Departments/Agencies shall also have powers to sanction deputations abroad/international travel to the scientists working in their organisations subject to the following conditions:—

- (a) (i) the delegation of the power would be regulated by Budgetary Control. In the budget of the organisation a specific provision on International Travel should be made while framing the budget proposals. The amount so provided should include cost of passage, other local costs, per diem cash allowance, contingencies, entertainment, accommodation, registration fee, etc. Specific details regarding the conference or the training programmes which are known in advance may also be given in the budget proposals as far as possible.
- (ii) Once the budget along with the budget for foreign deputation/delegation is approved, the Head of the Organisation can sanction International Travel without having to obtain the approval of the Screening Committee wherever applicable. These powers cannot be delegated further by him. In the matter of selection, the guidelines given by S.A.C.C. and shown as Annexure I to this Memorandum should be followed.
- (iii) No diversion of fund from any other head is permissible. The normal powers of reappropriation available to the Department will not be applicable for this purpose.

(iv) In approving such deputations abroad, other instructions of the Government of India on the subject should be strictly followed.

(b) Heads of agencies who have to travel should get their travel plans cleared by their higher authorities.

(c) A monthly statement showing Deputation/Delegation abroad approved by the S. & T. Ministries/Departments/Agencies under the delegated powers should be submitted positively by the 5th of every month in respect of the preceding month to Finance Secretary in *pro forma* at Annexure II specifically indicating the position about the budget provision for meeting the cost of the deputation.

ANNEXURE I

Guidelines for participation of Indian Scientists and Technologists in International Conferences/Symposia as approved by Science Advisory Committee to the Cabinet.

- (1) All Scientific Departments should each have a specific budget head/allocation for supporting their scientists/technologists to attend international conferences/symposia in subjects with which they are concerned. Support should cover to and from as appropriate in the specific cases, air fare in full, per diem expenses, registration fees, etc.
- (2) Powers regarding selection/clearance/approval of scientists and technologists for participation in international conferences/symposia may be delegated to the scientific head of concerned agency. The selection could be made by a small Screening Committee headed by the head of the agency.

A detailed *pro forma* and check-list may be prepared and used invariably taking into consideration the specific aspects of subjects dealt with by each agency, including Security/Sensitivity considerations. The *pro forma* would also elicit general information such as relevance and importance of the conferences/symposia in relation to functions of the agency, the role of the nominee (as Chairman, rapporteurs invited/keynote speakers, author of contributed papers, etc.), the importance of his contribution to the subject of the conferences/symposia, conferences if attended to in the past, etc. Submission or acceptance of a paper for a conference would not by itself be a justification for sponsoring participation in a conference. The papers to be presented should be evaluated for quality. A directory will be prepared of standard recognised international conferences/symposia such as those listed by UNESCO, etc. Attendance at these should not involve any security/sensitivity aspects and corresponding clearances from Ministry of External Affairs.

A mechanism will be established, consisting of the Heads of the scientific institution/organisation and concerned officials of the other appropriate Departments/Ministries (e.g., Ministry of Home Affairs/Ministry of External Affairs) to discuss the participation in conference which do not fall in the purview of the above mentioned categories or where any sensitive issues might be involved.

3. The above Screening Committee would arrive at and communicate decisions quickly. Normally, the following selection procedure would be adopted:—

- (a) Notifications received by a Scientific Agency/Department regarding conferences/symposia to be held abroad, would be circulated to the relevant subject-matter institutions under its jurisdiction, for making a selection, at the level of each such institution, there would be a Selection Committee to screen the candidates. In other cases, such as requests made by individual scientists for participation in a conference abroad or invitations received by individual scientists/technologists by name, a view may be taken directly, i.e., without circulation.
- (b) In cases involving scientists/technologists of high standing who receive invitations by name for presentation of papers, for chairing sessions, for giving keynote addresses, etc., and are paid by outside agencies, the candidatures should normally be supported and not withheld.
- (c) In cases of scientists and technologists who receive paid invitations by name but who cannot be considered of such high standing as at (b) above, security/sensitivity aspects may need to be looked into, as also aspects of financing if special foreign currency funds are involved.
- (d) Cases involving short-term and long-term deputations for training abroad should be dealt with separately and should not be covered under these guidelines.
- (e) In cases where participation is fully funded by the department/organisation in India, one visit in a period of three years may normally be taken as guideline. There would be expectations, in cases of partial funding by a Department, depending on the nature of work/accomplishment, etc. Exceptions to this guideline could be made on the basis of justifications submitted. In cases where a scientist/technologist invited is an established leader in a given field and his participation in an international conference is likely to enhance the image of India, such personnel should be allowed to participate in international conferences without undue restrictions.

4. The absence of scientists/technologists from an institution, for participation in international conferences/symposia, should be treated as duty.

5. (a) Each scientific department should have some funds available to support delegations, composed of scientists from various institutes, in the country which could be sent for international meetings that are of special interest and importance to the Department.
- (b) The Screening Committee in a scientific institute/agency should prepare well in advance a list of conferences that would be of importance for purpose of sending delegations, so that decisions in these matters can be taken well in advance.
- (c) At present, partial travel assistance is provided for participation of scientists in international conferences, etc., by the Ministry of Education, University Grants Commission, Department of Science and Technology, besides Indian Council of Agricultural Research and Indian Council of Medical Research and Indian National Science Academy. As a result, a scientist approaches several agencies hoping to get a part of assistance from each. He has to run to several organisations without being sure of getting the total assistance that is needed. It should be ensured that the scientist can participate with support from not more than two agencies provided his attendance can be considered worthwhile otherwise.

ANNEXURE II

**Monthly Statement Showing Deputations/Delegations Abroad
Approved by Science and Technology Ministries/Departments/
Agencies under the Delegated Powers**

Name of the sponsoring Ministry/Department/Agency.....

Sl. No.	Name with full designation of the person(s) deputed	Name(s) of country/countries to be visited and intended dates of visit	Purpose of visit (in brief)	Month			
				Estimated cost		Budget provision	
				Total	Foreign Exchange component	Before meeting the cost of deputation	After meeting the cost of deputation
1	2	3	4	5	6	7	8

Page 508, Appendix 11

Insert the following at the end of item (2) in this Appendix above the 'Application Form':—

For the benefit of the officials who may be posted to States/Union Territories mentioned above, the concessions admissible as per orders quoted above are indicated below:

I. Civilian Central Government employee serving in the States of Assam, Meghalaya, Manipur, Nagaland and Tripura and Union Territories of Arunachal Pradesh and Mizoram (these two Union Territories have now become States), Andaman and Nicobar Islands and Lakshadweep.

- (i) In the case of officers who are posted to the aforesaid States/ Union Territories and who desire to keep their family at the last station of posting, in the case of officers who may be in occupation of accommodation below their entitled type on the basis of emoluments prescribed on the crucial date of the relevant Allotment Year, they may be allowed to retain the same accommodation in case the accommodation occupied is from Type-B to Type-E. For this purpose, emoluments prescribed on the crucial date for the relevant Allotment year will be taken into account and not the emoluments on the date of transfer. Highest type of accommodation that can be allowed to be retained or allotted as alternative accommodation will be Type-E.
- (ii) In the case of officers who are in occupation of their entitled type of accommodation they will be allotted accommodation of one type below the type of accommodation under their occupation, in the same or nearby locality or Hostel accommodation, in case the officers request for allotment of alternative accommodation.
- (iii) Licence fee may be recovered at $1\frac{1}{2}$ (one and a half) times the standard licence fee as defined in F.R. 45-A for the accommodation offered or 15% of the emoluments drawn by the officer as defined under F.R. 45-C on the date of his transfer, whichever is less, for the period beyond the permissible period of retention of the residence under S.R. 317-B-11 (2). It will be obligatory for the officers to accept the allotment of alternative accommodation offered failing which the above concession will not be available.
- (iv) The request for retention of accommodation/allotment of alternative accommodation should reach the Directorate of Estates within one month of the relinquishing of the charge on the last station of posting of the officer.

- (v) It is the responsibility of the officer concerned to intimate to the Directorate of Estates of the date of relinquishment of charge immediately prior to the posting to the North-Eastern Region, the date of joining in the new post in the North-Eastern Region and date of handing over charge in that Region. The concerned office will also ensure that such intimation is sent to the Directorate of Estates within one month of the event.
- (vi) The above concession would be admissible if the Government servant is transferred from one State/Union Territory to another within the North-Eastern Region.
- (vii) The orders are applicable only in case the officials are posted to Central Government offices, offices of the Union Territories and these orders will not be applicable in cases where officers are posted to public sector undertakings, Government companies, autonomous bodies, etc.

II. All India Services Officers

The above concession of retention of accommodation/allotment of alternative accommodation is permissible to All India Services Officers (Indian Administrative Service, Indian Police Service, Indian Forest Service) as per details given below—

- (i) Officers of All India Services from a State cadre other than the States in North-Eastern Region/Union Territories cadre sent on deputation to North-Eastern Region (Assam, Meghalaya, Manipur, Nagaland, Tripura, Arunachal Pradesh and Mizoram) in public interest so long as they are on deputation to the North-Eastern Region.
- (ii) All India Services Officers of U.T. cadre who are posted to one of the four Union Territories, viz., Andaman and Nicobar Islands, Lakshadweep, Arunachal Pradesh and Mizoram (the latter two Union Territories have now become States).
- (iii) Officers of All India Services cadre borne on the State cadres belonging to Assam, Meghalaya, Manipur, Tripura and Nagaland, who revert to the cadres at the end of the normal tenure with the Central Government, for a period of 2 years including the period of retention admissible under the rules at present, such All India Services officers of these States who have to revert prematurely in public interest may be allowed the concession of retention of accommodation/allotment of alternative accommodation for the balance period of their tenure or two years, whichever is longer.

3. In the case of House Owning officer, each case will be considered on merits and decided.

4. As indicated above, these orders would be valid for a period of six months from 1-11-1986 or till revised orders are issued, whichever is earlier.

[G.I., Min. of U.D. (Dir. of Estates), O.M. No. 12035 (24)/77-Pol. II, dated the 26th March, 1987.]

It has been decided that the orders issued in the O.M. of even number, dated 26-3-1987 should be extended for the period from 1-5-1987 to 30-9-1987.

Keeping in view the acute shortage of accommodation available in Delhi for allotment to senior serving officers, the highest type of alternative accommodation to be allotted or allowed to be retained has also been considered and it has been decided that the officers should be allowed to retain or allotted alternative accommodation of Type-E (D-II). In other words, even if an officer is in occupation of D-I Type, and it is in his next below Type, he will have to be allotted alternative accommodation in Type-E (D-II).

It is also clarified that the orders issued from time to time for retention of accommodation/allotment of alternative accommodation in the case of Central Government officers posted to States/Union Territories and extended by the Order of 26-3-1987 are also applicable in cases where Central Government employees are sent on deputation to State Governments.

[G.I., M.U.D. (Dir. of Estates), O.M. No. 12035 (24)/77-Pol. II, dated the 2nd July, 1987.]

(No. 40, dated the 1st October, 1988.)

No. 45

Page 523, Appendix 12

Insert the following as item V in this Appendix:—

V

[Deptt. of Official Language (Ministry of H.A.) O.M. No. II/12013/3/87-O.L. (A-2), dated the 16th February, 1988.]

Subject:—Incentive Scheme for doing work in Hindi.

Revised Incentive Scheme for original Hindi noting/drafting in official work was issued under this Department's O.M. No. II/12013/1/84-OL (A-2), dated 25-5-1984 (*not printed*). This Department has been receiving suggestions from time to time for further liberalising this scheme. Suggestions for making changes in the above Incentive Scheme for working in Hindi were made at the meeting of the Central Official Language Implementation Committee held on 27th May, 1987. After considering all these suggestions and in consultation with the Ministry of Finance, it has now been decided to introduce a new Incentive Scheme which will replace the scheme issued *vide* O.M. above. The details of the Scheme are as follows:—

2. (i) **Scope of the Scheme**

All Ministries/Departments/Attached and Subordinate Offices of the Central Government may introduce this scheme independently for their Officers/employees.

(ii) **Eligibility**

(A) Officers/Employees of all categories who do their official work wholly or partly originally in Hindi can participate in this Scheme.

(B) Only those officers/employees will be eligible for award who write at least twenty thousand words in Hindi in a year in regions 'A' and 'B' (i.e., Bihar, Haryana, Himachal Pradesh, Madhya Pradesh, Rajasthan, Uttar Pradesh, Gujarat, Maharashtra and Punjab States and the Union Territory of Andaman & Nicobar Islands, Union Territories of Delhi and Chandigarh) and at least ten thousand words in Hindi in a year in region 'C' (which comprises all other States and Union Territories except region 'A' and 'B'). In addition to original noting and drafting this will also include such other items of work done in Hindi which can be verified such as entry in the registers, preparation of lists, accounting work, etc.

(C) Stenographers/typists who are covered under some other scheme for encouraging the use of Hindi in official work will not be eligible to participate in this scheme.

(D) Hindi Officers and translators who generally do their work in Hindi will not be eligible to participate in this Scheme.

3. Prizes

The following cash awards will be given to the participants every year according to the work done by them in Hindi:—

- (a) Independently for each Ministry/Department.
Attached Office of Central Government.

First Prize (2 Prizes)	Rs. 500 each.
Second Prize (3 Prizes)	Rs. 300 each.
Third Prize (5 Prizes) 	Rs. 150 each.

- (b) Independently for each Subordinate Office of any Department of Central Government.

First Prize (2 Prizes)	Rs. 400 each.
Second Prize (3 Prizes)	Rs. 200 each.
Third Prize (5 Prizes) 	Rs. 150 each.

4. For purposes of this scheme every geographically separate located Office may be treated as an independent Unit. For instance, an Office of an Assistant Commissioner, etc., under Commissioner of Income Tax or Area Superintendent's Office, etc., under Divisional Railway Managers of the Railways will be Independent Units for operation of this scheme. Same will be the case in respect of Subordinate and Attached Offices of the Ministry of Defence or the P. & T. Department, etc.

5. Criteria for awarding Prizes

(a) For facilitating assessment a total of 100 marks will be allotted. Out of this 70 marks will be earmarked for the quantum of work done in Hindi and 30 for clarity in expression of thoughts.

(b) The competitors whose mother tongue is Tamil, Telugu, Kannada, Malayalam, Bengali, Oriya or Assamese may be given additional weightage up to 20%. The exact weightage to be given to such an employee will be determined by the Assessment Committee. While doing so the Committee will also keep in view the Standard of work of those Officers/employees who otherwise rank higher to him/her.

(c) The competitors will maintain a record of the words written by them every day in the attached *pro forma*. Each week's record will be verified and countersigned by the next higher Officer. If Section head himself keeps a record then it would not be necessary for the employees to maintain such record.

(d) At the end of one year every competitor will submit the record of his/her work done in Hindi to the Assessment Committee through the countersigning officer. If countersigning Officer or Section head himself keeps an overall watch and account of the work, then this would not be necessary and he would furnish details.

(c) **Assessment Committee**

The Assessment Committee in the Ministries/Departments may consist of the Joint Secretary in charge of Hindi, the Under Secretary in charge of O. & M. and the Senior Hindi Officer/Hindi Officer. In the Attached and Subordinate Offices it may comprise of the Head of Department/Office Hindi Officers and one more Gazetted Officer or Rajbhasha Adhikari. However, the composition of the Committee may be changed to suit the availability of Officers in various concerned Offices.

6. Mention of winning a prize will also be made in Service records of the Officer/employee concerned in a suitable form. A list of the prize winners may please be endorsed to this Department also.

7. The expenditure on operating this scheme will be met by each Ministry/Department/Office from its own budget provision. A Head of Department/Office can sanction the prizes on the recommendation of the Assessment Committee under the authority of this Circular. The scheme has been approved by the Ministry of Finance (Department of Expenditure) *vide* their U.O. No. H. 78/E. III/87, dated 27-1-1988.

8. This scheme will come into force with effect from 1st April, 1988.

9. All the Ministries/Departments are requested to circulate this scheme immediately among all of their Officers/Employees and introduce it in their Ministries/Departments with effect from 1st April, 1988. They may also apprise all of their Attached and Subordinate Offices of this Scheme and ask them to introduce it in all their Offices with effect from 1st April, 1988. They may also inform the undertakings, corporations, etc., under their control about this scheme and encourage them to introduce Incentive Scheme in their Offices on the basis of this.

10. The information regarding the action taken in this regard may please be sent to this Department as early as possible.

PRO FORMA

Weekly statement of the original work done in Hindi by Sh./Smt./Kum.....for the week ending.....

Sl. No.	Date	Total No. of Files & Registers wherein work was done in Hindi	No. of words used in Note/Draft written in Hindi	Other items of work done in Hindi		Signature of Senior Officer (Once in a Week.)
				Brief description	No. of words	
1	2	3	4	5	6	7

Page 365, S.R. 314

Insert the following as Order (3) below this Rule:—

(3) Imposition of penalties for subletting of Government accommodation.—According to the provisions of the allotment rules for subletting of Government accommodation allotted to Government officials, penalties as provided in the Allotment of Government Residences (General Pool in Delhi) Rules can be imposed. The matter as to whether an allottee of General Pool residential accommodation who desires to share the same should send prior intimation to the Directorate of Estates regarding the sharing of accommodation has been considered and it has been decided by Government that the allottee officer should send prior intimation to the Directorate of Estates and its regional offices in the prescribed form. It has also been decided that officers who unauthorisedly sublet the residence or commit any other breach of the rules should be declared ineligible for allotment of residential accommodation for a period not exceeding five years. A copy of the notification amending the provisions of the allotment rules is sent herewith (Annexure I).

2. In accordance with the amended provisions of S.R. 317-B-20 (1), the allottee officer is required to send prior intimation to the Director of Estates in such form as may be prescribed by the Director, intimating full particulars of the officer and his family residing in the quarter and full particulars of the sharer and his family. A copy of the form in which such intimation is to be sent by the Allottee Officer through his Office is enclosed (Annexure II).

3. A note explaining the various provisions of the Allotment of Government Residences (General Pool in Delhi) Rules regarding subletting/sharing of accommodation and penalties that can be imposed is also enclosed (Annexure III).

4. It is requested that the above may please be brought to the notice of all officials working in various Ministries/Attached and Subordinate offices in Delhi and other stations such as Bombay, Calcutta, Madras, Bangalore, Nagpur, Simla, Chandigarh, Faridabad, Ghaziabad, Lucknow and Hyderabad for information and compliance.

[G.I., Min. of Urban Development, Dir. of Estates, O.M. No 12032 (2)/83-Pol. II, dated the 4th August, 1987.]

AUTHOR'S NOTE.—Allotment of Government Residences (General Pool in Delhi) Rules, 1963, have been made applicable to the other cities mentioned in para. 4 above.

ANNEXURE I NOTIFICATION

G.S.R. 538.—In pursuance of the provisions of Rule 45 of the Fundamental Rules, the President hereby makes the following rules further to

amend the Allotment of Government Residences (General Pool in Delhi) Rules, 1963, namely:—

1. (1) These rules may be called the Allotment of Government Residences (General Pool in Delhi), Amendment Rules, 1987.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Allotment of Government Residences (General Pool in Delhi) Rules, 1963,—

- (a) in S.R. 317-B-20, after sub-rule (1), the following proviso shall be added at the end, namely:—

“Provided that the officer shall send prior intimation to the Director of Estates in such Form as may be prescribed by the Director intimating full particulars of the officer and his family residing in the quarter and full particulars of the sharer and his family.”

- (b) in sub-rule (5) of Rule 317-B-21, for the words “three years” the words “five years” shall be substituted.

Published in the Gazette of India, Part II, Section 3, sub-section (i), dated the 11th July, 1987 — G.I., M.U.D., Notification No. 12032 (2)/83-Pol. II, dated the 1st July, 1987.]

ANNEXURE II

Government of India — Directorate of Estates

(Application for sending prior intimation regarding sharing of accommodation.).

- | | | | |
|---|-----|-----|-----------------------|
| 1. Name | ... | ... | |
| 2. Designation and Office Address | ... | ... | |
| 3. Particulars of accommodation under occupation | ... | ... | ... |
| Type | ... | ... | |
| Quarter No. | ... | ... | ... |
| Sector/Block/Colony | ... | ... | ... |
| 4. Particulars of the Allottee Officer & his family... | ... | ... | Name Relationship Age |
| 5. Particulars of the Sharer — Name, Designation and Office address | ... | ... | |
| 6. Particulars of Sharer's family | | | Name Relationship Age |

7. Rent charged from the Sharer ...
8. Whether the officer or wife/husband or dependent children own any house or flat at the station of posting within the limits of local or adjoining municipality. If so, full details

Signature :.....

Designation :.....

No.

Government of India

Ministry/Department/Office.....

New Delhi – 110 001, the..... 198 .

Forwarded to the Directorate of Estates, Nirman Bhavan,

New Delhi – 110 011.

Signature :.....

Designation :.....

ANNEXURE III

Ministry of Urban Development (Directorate of Estates)

Note regarding provisions in the Allotment of Government Residences (General Pool in Delhi) Rules relating to subletting/sharing of Government accommodation and penalties that can be imposed.

1. Provisions relating to subletting/sharing of accommodation:

- (i) Subletting includes sharing of accommodation by an allottee with another person, with or without payment of licence fee by such other person. However, any sharing of accommodation by an allottee with close relations shall not be deemed to be subletting.

The following relations will be treated as close relations:—

- (i) Father, Mother, Brothers, Sisters, Grandfather and Grandmother and Grandsons and Granddaughters.
- (ii) Uncles, Aunts, First Cousins, Nephews, Nieces directly related by blood to allottee.
- (iii) Father-in-law, Mother-in-law, Sister-in-law, Son-in-law, Daughter-in-law.
- (iv) Relationship established by legal adoption.

2. No officer shall sublet the whole of his residence:

- (i) Provided that an officer proceeding on leave may accommodate in the residence any other officer eligible to share Government accommodation, as a caretaker, for the period of leave but not exceeding six months.
- (ii) No officer shall share the residence allotted to him or any of the out-houses, garages and stables appurtenant thereto except with the employees of the Central Government eligible for allotment of residences under the allotment rules. The servant's quarters, out-houses, garages and stables may be used only for the bona fide purposes including residences of the servants of the allottee or for such other purposes as may be permitted by the Director of Estates.
- (iii) Any officer who shares or sublets his residence shall do so at his own risk and responsibility and shall remain personally responsible for any licence fee payable in respect of the residence and for any damage caused to the residence or its precincts or grounds or services provided therein by Government beyond fair wear and tear.

3. Categories of employees eligible to share general pool accommodation:

Though as per the provisions of S.R. 317-B-20 (1) an allottee can share the residence allotted to him only with Central Government employee eligible for general pool accommodation, the following categories of officers, etc., have also been declared eligible to share accommodation of general pool residences, by way of administrative orders—

- (i) Central Government servants ineligible for general pool residences.
- (ii) Staff of semi-Government organisations.
- (iii) Staff of a body corporate, owned or controlled by Government.
- (iv) Foreign students studying in India (cases to be sponsored by the Ministry of External Affairs/Education. Individual cases are to be decided by the Directorate of Estates).
- (v) Teachers of recognised schools.
- (vi) Officers transferred to other stations.
- (vii) Members of Defence Forces (during the period of emergency).
- (viii) Retired Central Government servants.
- (ix) Reservists of Army, Air Force, etc.

Only one sharer is permitted. Allottee officer shall send prior information to the Directorate of Estates in the prescribed form intimating full particulars of the officer and his family residing in the quarter and full particulars of the sharer and his family.

4. Penalties under the Allotment Rules—

- (i) If an officer to whom a residence has been allotted, unauthorisedly sublets the residence or charges licence fee from the sharer at a rate which the Director of Estates considers excessive or erects any unauthorised structure in any part of the residence or uses the residence or any portion thereof for any purposes other than that for which it is meant or tampers with the electric or water connection or commits any other breach of the rules in this Division or of the terms and conditions of the allotment or uses the residence or premises or permits or suffers the residence or premises to be used for any purpose which the Director of Estates considers to be improper or conducts himself in a manner which in his opinion is prejudicial to the maintenance of harmonious relations with his neighbours or has knowingly furnished incorrect information in any application or written statement with a view to securing the allotment, the Director of Estates may, without prejudice to any other disciplinary action that may be taken against him, cancel the allotment of the residence.
- (ii) If an officer sublets a residence allotted to him or any portion thereof, or any of the out-houses, garages or stable appurtenant thereto in contravention of the rules, he may, without prejudice to any other action that may be taken against him, be charged enhanced licence fee not exceeding four times the standard licence fee under F.R. 45-A. The quantum of licence fee is to be recovered in each case will be decided by the Director of Estates on merits. In addition, the officer may be debarred from sharing the residence for a specified period in future as may be decided by the Director of Estates.
- (iii) Where action to cancel the allotment is taken on account of unauthorised subletting of the premises by the allottee, a period of sixty days shall be allowed to the allottee, and any other person residing with him therein to vacate the premises. The allotment shall be cancelled with effect from the date of vacation of the premises or expiry of the period of sixty days from the date of the orders for the cancellation of the allotment, whichever is earlier. The officer can also be declared ineligible for allotment of residential accommodation for a period not exceeding five years.
- (iv) Where the allotment of a residence is cancelled for conduct prejudicial to the maintenance of harmonious relations with

neighbours, the officer at the discretion of the Director of Estates may be allotted another residence in the same class at any other place.

- (v) Where any penalty under this rule is imposed by any officer of the rank of Deputy Director of Estates, the aggrieved person, may within sixty days of the receipt of the orders by him or his employer imposing the penalty, file a representation to the Director of Estates or the Addl. Director of Estates.

5. The Dept. of Per. & Trg. have issued orders in their O.M. No. 11013/14/85-Estt. (A), dated 6-3-1986, that the question whether any departmental disciplinary action may be taken against such employees, who are found guilty of letting out the Government residential accommodation by the Director of Estates, apart from the action taken against them under the Allotment Rules, has been considered carefully and it has been decided that in all cases where a Government servant has been found guilty of letting out the Government residential accommodation allotted to him/her, the Directorate of Estates will intimate to the administrative authority concerned the details of the case and action taken against the employee under the Allotment Rules and the concerned disciplinary authority after considering the facts of the case may take suitable departmental disciplinary action under the disciplinary rules for imposition of a suitable penalty on grounds of unbecoming conduct of the Government employee involving violation of Rule 3 (1) (iii) of the C.C.S. (Conduct) Rules, 1964, or any other similar rule governing them. Similarly, disciplinary action may be taken in those cases also where the accommodation in question is controlled by an authority other than the Directorate of Estates.

(No. 32, dated the 1st October, 1988.)

No. 34

Page 385, Appendix 2

Insert the following as item (d) of the Order (3) below this Rule:—

(d) Pay as defined in F.R. 9 (21) (a) (i) only with effect from 1-1-1986.—
Consequent upon revision of Central Government pay scales with effect from 1-1-1986 and the decision to calculate pension from 1-1-1986 with reference to pay as defined in F.R. 9 (21) (a) (i) only, the question of issuing necessary revised orders in this regard has been engaging the attention. It has been decided that pension contribution payable in respect of Government servant during the active period of his foreign service shall be based on the maximum of the pay as defined in Rule 9 (21) (a) (i) of the Fundamental Rules of the revised pay scale of the post held by a Government servant at the time of proceeding on foreign service or to which he may receive *pro forma* promotion while on foreign service.

2. These orders will apply with effect from 1-1-1986. In respect of persons who are already on foreign service as on 1-1-1986, the rates of pension contribution will be calculated as per above formula with effect from the date they opt to come over to the revised scale in their parent cadres. For the earlier period, the pension contributions will be as per extant orders.

[G.I., Dept. of Per. & Trg., O.M. No. 2/44/85-Estt. (Pay-II), dated the 5th October, 1987.]

(No. 34, dated the 1st October, 1988.)

No. 42

Page 512, Appendix 11

Insert the following at the end of item (3) in this Appendix:—

In partial modification of the clarifications 1 and 4 above it is clarified that the Central Government employees on their transfer/posting to North-Eastern Region, Andaman and Nicobar Islands and Lakshadweep Islands shall be entitled to House Rent Allowance with reference to the last place of posting, if otherwise admissible, irrespective of whether they have claimed transfer T.A. for family or not subject to the condition that hired private accommodation or owned house at the last station of posting is put to bona fide use of the members of the family.

3. The other clarifications issued against the points at Sl. Nos. 2 and 3 above shall continue to apply while regulating claims for House Rent Allowance.

[G.I., M.F., O.M. No. 11014/1/84-E.II(B), dated the 8th March, 1988.]

(No. 42, dated the 1st October, 1988.)

Page 477, Appendix 8

Insert the following, above para. I Criteria for Extension/Re-employment in item 1 in this Appendix:—

Clarification.—Since the expression “extension re-employment” has given rise to an impression that the terms “extension” and “re-employment” could be used interchangeably, a need has been felt to distinguish the cases in which retention of the services of Government servant beyond the date of his superannuation is to be treated as “extension of service” as also those in which it shall be treated as “re-employment”.

2. The question has been examined carefully by the Government of India and the following decisions have been reached:—

- (i) Where the services of a Government servant beyond the age of his superannuation are required in the same cadre post which he is holding at the time of superannuation, then such retention shall be treated as “extension of service”;
- (ii) Any proposal for retaining the services of a Government servant in the parent cadre beyond the normal age of superannuation in a post different from the one which he was holding at the time of superannuation, should be strongly discouraged. If, however, such retention is for very exceptional reasons considered to be unavoidable, the same shall be treated as “re-employment”; and
- (iii) Where the services of a Government servant on deputation to an ex-cadre post or holding an ex-cadre post are required by the competent authority beyond the date of his superannuation in his parent service, then such retention, be it on the post he was holding at the time of superannuation or in any other post shall for all purposes be treated as “re-employment”. In cases where the services of a Government servant are to be retained beyond the age of superannuation for reasons other than in public interest or where such proposals do not satisfy the criteria/conditions as laid down in the Office Memorandum cited above, the matter shall be referred to the Department of Personnel and Training for seeking specific clarification about the manner in which such retention is to be regulated.

3. The Ministries/Departments are requested to bring these instructions to the notice of all concerned.

[G.I., Dept. of Per. & Trg., O.M. No. 26012/6/87-Estt. (A), dated the 13th April, 1988.]

(No. 38, dated the 1st October, 1988.)

No. 39

Page 504, Appendix 11

Insert the following Note in the Order (1) in this Appendix:—

NOTE.—Pending completion of the review of the various facilities extended to Central Government employees posted to North-Eastern Region, Andaman and Nicobar Islands and Lakshadweep, it has been decided to extend the existing orders governing special facilities for a further period of one year with effect from 1-2-1988 or issue of revised orders, whichever is earlier.

[G.I., M.F., O.M. No. 20014/3/83-E. IV/E.II (B), dated the 15th July, 1988.]

(No. 39, dated the 1st October, 1988.)

No. 41

Page 511, Appendix 11

Insert the following above Clarifications in item (3) of this Appendix:—

It has been decided that civilian employees of the Central Government serving in the Union Territories/States of North-Eastern Region, Andaman and Nicobar Islands and Lakshadweep may be allowed revised rates of H.R.A. with effect from 1-10-1986, in terms of this Ministry's O.M. No. 11013/2/86-E. II (B), dated 23-9-1986 and O.M. No. 11013/2/86-E. II (B), dated 19-3-1987, for the last place of posting on their transfer to the States/Union Territories in the North-Eastern Region, Andaman and Nicobar Islands and Lakshadweep.

2. The other conditions for drawal of the allowances remain the same.

[G.I., M.F., O.M. No. 11016/1/E. II (B)/84, dated the 28th January, 1988.]

(No. 41, dated the 1st October 1988.)

No. 43

Page 517, Appendix 12

Insert the following at the end of Section I in this Appendix:—

Clarification.—The limit of total honorarium payable to an individual in a year for imparting instructions in a Hindi Workshop may be decided in accordance with the provisions contained in Dept. of Per. & Trg., O.M. No. 17011/9/85-Estt. (Allowances), dated the 23rd December, 1985 (*See* item 19-B of Appendix 3) whether the person concerned is a serving officer or a retired officer.

[G.I., M.H.A., Dept. of Official Language, O.M. No. 14025/4/87-OL(D), dated the November, 1987.]

(No. 43 dated the 1st October, 1988.)



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