

Fundamental Rules and Subsidiary Rules

ASSAM

India

Fundamental Rules and Subsidiary Rules

Rule FUNDAMENTAL-RULES-AND-SUBSIDIARY-RULES of 1940

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Fundamental Rules and Subsidiary Rules Last Updated 12th February, 2020
Section I Extracts from the Government of India Act, 1935
Section II Fundamental Rules and Subsidiary Rules (Applicable to Members of Services Under the Rule-Making Control of the Provincial Government)
Fundamental Rules [Made by the Governor of Assam under Section 241 (2) (b) of the Government of India Act, 1935 and amended by that authority from time to time]

Part I – Chapter I

Extent of Application F.R.1. These rules may be called the Fundamental Rules. They shall come into force with effect from the 1st January, 1940. Note. The statutory rules framed by Government have effect from the date on which they are passed subject to any special provisions as to the date of effect in the rules themselves. A sanction accorded by Government, in the absence of any indication to the contrary in the order itself, lapses if and when it is superseded by an order of a latter date. F.R.2. (1) The Fundamental Rules apply to all Government servants whose pay is debitable to civil estimates of Assam. No rules modifying or replacing any of the Fundamental Rules shall adversely affect any person who is in Government service at the time when these rules come into force except under the direction of the authority competent or empowered to make such a rule under paragraph (a) of sub-section. (3) of Section 241 of the Government of India, 1935. (2) Where the application of any rule in the Fundamental Rules is expressly or by implication limited by the provisions of any section of the Act or by any rule made thereunder, the limitation shall prevail and the rule in the Fundamental Rules shall be subject to such section or rule. Secretary of State's Order. - In exercise of the powers conferred by paragraph (a) of sub-section (3) of Section 241 of the Government of India Act, 1935, the Secretary of State hereby authorises the Governor in the case of persons serving in connection with the affairs of a State to give the directions referred to in the said paragraph, so however, that in giving any such direction, the Governor shall exercise his individual judgement. [Government of India, Finance Department, Notification No. F.l (12)-Ex. 1/37, dated the 17th February, 1938]. F.R.3. [Deleted]. F.R.4. [Deleted]. F.R.5. [Deleted]. F.R.5A. The State Government may relax the provisions of rules or orders so made by it in such manner as may appear

to it to be just and equitable :Provided that where any such rule or order is applicable to the case of any person, the case shall not be dealt with in any manner less favourable to him than that provided by the rule or order.F.R.6. The State Government may delegate any of its powers to any of its officers subject to any conditions which it may think fit to impose and to such extent as may be required for the convenient and efficient despatch of public business.S.R.1. - The powers delegated by the Government of Assam under the different Fundamental Rules are detailed in Appendix 1.The delegations made in this rule as well as in Subsidiary Rule 4 (3) are subject to the condition that a power may be exercised by an authority to whom it has been delegated in respect of those Government servants only who are under control of that authority :Provided that nothing contained in Appendices 1 and 4 shall operate to restrict the powers conferred upon such authority by any other rules framed under the Act.F.R.7. No power may be exercised or delegated under these rules except after consultation with the Finance Department. It shall be open to that Department to prescribe, by general or special order, cases in which its assent may be presumed to have been given and to require that its opinion on any matter on which it has been consulted shall be submitted by the departments concerned for the orders of the State Government.S.R.2. - The assent of the Finance Department may be presumed to the exercised of any of the powers mentioned in Appendix 2 to the extent therein stated.F.R.8. The powers of interpreting these rules is reserved to the State Government.Note. A Government servant's claim to pay and allowances is regulated by the rules in force at the time in respect of which the pay and allowances are earned; and to leave by the rules in force at the time the leave is applied for and granted.The expression "claim to leave" includes the earning of the leave, the method of calculation, the admissibility of the leave and its grant. The leave account must be revised as soon as a rule regulating the method of calculation is amended, and subsequent leaves granted according to the amended leave account.

Chapter II

Definitions

F.R.9. Unless there be something repugnant in the subject or context the terms defined in this Chapter are used in the rules in the sense here explained ;F.R.9. (1) The "Act" means the Government of India, Act, 1935.F.R.9. (2) "Average Pay" means the average monthly pay earned during the 12 complete months immediately preceding the month in which the event occurs which necessitates the calculation of average pay :Provided that in respect of any period spent of deputation out of India which has been declared by the Governor to be under quasi-European conditions the pay which the Government servant would have drawn if on duty in India shall be substituted for the pay actually drawn.Note. In the case of Government servants who are not deputed out of India of special items of work but are placed on continuous service with commission and committees whose functions require work both in and out of India, the reference to the "pay which the Government servant would have drawn if on duty in India" should be interpreted as a reference to the pay which he would have drawn in India had he continued on duty with the commission or committee there.Audit Instruction. - (1) According to the definition of 'average pay' in this rule the average is to be taken of the monthly pay earned during the 12 complete months immediately preceding the month in which the leave is taken, and for this purpose "the 12 complete months immediately preceding" should be interpreted literally. Thus, a Government servant who

has been on leave from 23rd March, 1922 to 22nd July, 1922 inclusive is granted leave from 4th February, 1923, his average pay should be calculated on the pay earned for the periods 1st February, 1922 to 22nd March, 1922 and 23rd July, 1922 to 31st January, 1923. If, however, a Government servant happens to have been on leave for more than 12 months immediately preceding the month in which the leave is taken then the average should be taken of the monthly pay earned during the 12 complete months immediately preceding the month in respect of which the previous leave commenced.

Note 1. In the case of a Government servant on foreign service out of India lasting for more than 12 months who, on reversion to British service, immediately takes leave under the Fundamental Rules, the calculation of average pay in respect of leave earned while in Government service should be based on the pay drawn by him during the 12 complete months preceding the month in which he was transferred to foreign service.

Note 2. Any period of joining time taken either under Clause (b) or under Clause (c) of F.R. 105 during the preceding 12 months should be ignored in calculating average pay, as no "pay" is drawn in respect of such joining time.

Audit Instruction. -

(2) The term "month" in these rules means "calendar month" as in F.R.9 (18).

Audit Instruction. -

(3) In the case of a Government servant of a Vacation Department, the vacation falling in the period of 12 complete months immediately preceding the month in which leave is taken should be treated as duty under F.R. 82 (b), and the pay drawn by the Government servant during the vacations should be treated as pay drawn on duty and should, therefore, be taken into account in determining his leave salary during the succeeding leave.

Audit Instruction. -

(4) In the case of a Government servant of a Vacation Department both prefixing and affixing leave to a vacation, the leave-salary for the leave affixed should be calculated on the pay drawn by the Government servant during the twelve complete months preceding the commencement of his leave.

F.R.9 (3) "Barrister" means a practising barrister of England or Ireland, and a practising member of the Faculty of Advocates of the Court of Session of Scotland. It does not include a person who, though called to the Bar, has never practised the profession of barrister.

F.R.9 (4) "Cadre" means the strength of a service or a part of a service sanctioned as a separate unit.

F.R.9 (5) "Compensatory allowance" means an allowance granted to meet personal expenditure necessitated by the special circumstances in which duty is performed. It includes a travelling allowance, but does not include a sumptuary allowance nor the grant of a free passage by sea to or from any place outside India.

Note. In view of the importance attached to the correct classification of additions to pay such as special pay and compensatory allowance, it can be accepted as a general principle that the reasons for the grant of such additions to pay should be briefly recorded in the letter or memorandum conveying the sanction. In cases, however, in which an official record in an open letter may be undesirable, it should be possible to communicate the reasons confidentially to the audit authority.

Audit Instruction. -

(5) The allowances granted to Professors of Medical Colleges who are denied the privilege of private practice should be treated as compensatory allowances.

F.R.9 (6) "Duty" - (a) Duty includes-

(i) Service as a probationer or apprentice ; provided that such service is followed by confirmation.

Note. The service of probationer in State and Subordinate Services and in special posts sanctioned by the Government of Assam counts as duty for increments under F.R. 26 (a) before confirmation, if the scale of pay fixed for a particular service or post provides for the grant of increments during the probationary period. The service of persons appointed on probation to post with incremental scales of pay in which there is no stage for probationary period also counts as duty for increments.

(ii) **Joining time.** **Note.** Joining time under Clause (b) or (c) of F.R. 105 on return from extraordinary leave counts as "Duty" although under F.R. 107 (b) (i) the Government servant may not be entitled to any payment at all during such

joining time; but see Audit Instruction (5) below F.R. 26.(iii)Extra leave on average for three weeks granted to a Government servant undergoing anti-rabic treatment.(b)The State Government may issue orders declaring that, in circumstances similar to those mentioned below, a Government servant may be treated as on duty-(i)during a course of instruction or training;(ii)in the case of a student, stipendiary or otherwise, who is entitled to be appointed to the service of Government on passing, through a course of training at a University, College or School, the interval between the satisfactory completion of the course and his assumption of duties;(iii)during preparation for an examination in any oriental language.(iv)[Deleted.]S.R.3 (1) - A Government servant, who has been substantively appointed to a post or to a cadre in Government service or officiating in a temporary or permanent post shall be treated on duty during any course of instruction or training which he may be required or permitted to undergo in accordance with the terms of any general or special orders of Government and during the time reasonably required for the journeys to and from the place of instruction or training.Note 1. In estimating the "time reasonably required for the journey" the head of the office or the controlling authority as defined in Appendix 30 of the Subsidiary Rules, may, when necessary, allow the time for preparation up to a limit for six days but should not ordinarily do so in cases when the course of instruction lasts for less than six months. If the course of instruction lasts for less than six months but more than one month, time for preparation up to a limit for three days may, in exceptional circumstances, be allowed.Note 2. Police Officers deputed to the State Finger Print Bureau for a course of training will be treated as being on duty during the period of training and so will newly appointed Sub-Inspector of the Police (Cadets) while under training in a Police Training School or College.Note 3. In the case of Government servants who join the Army in India Reserve of Officers the time spent on training will count as duty under F.R.9 (6) (b).Note 4. Officers of the Education Department deputed by the Director of Public Instruction to a Scouter's or Guide Training Camp/Red Cross Training Camp, vallies jamborees, etc. will be treated as on duty during the period of training.Note 5. When an officer attends departmental examination immediately after completion of training and returns to his old post he will be entitled to a reasonable time required for the journey under S.R. 3 (1).Note 6. When an officer is transferred to a post other than the post from which he proceeded on training immediately after completion of the training he will be entitled to a reasonable time required for the journey from place of training to his former post under S. R. 3 (1) and then will be entitled to his joining time under F.R. 105 for the journey from the place of his former post to that of his new one.Note 7. When an officer is transferred to a post other than his old post after attending the departmental examination in continuation of his survey and Settlement Training he will be entitled to his joining time as in the case of Note 6 above.Note 8. (1) Government servants deputed to the Survey and Settlement Training at Jhalukbari or any other place as the State Government may decide will be treated as on duty during the period of training.(2)A student, stipendiary or otherwise, who is entitled to be appointed to Government service on passing through a course of training at a University, College or School, shall unless in any case it be otherwise expressly provided in the terms of his appointment, be treated as on duty during the interval between the satisfactory completion of the course and his assumption of duty.(3)The period of training or probation of State Forest Service Officers and Rangers shall count towards leave and pension ; provided that no period so passed before an officer has completed 23 years of age shall count.(4)(a)A Government servant shall be treated as on duty during any period, which he is permitted to spend in preparation for an examination of any of the following kinds in an oriental language :(i)An optional examination by the high proficiency or

degree of honours test in any vernacular language ;(ii)An optional examination by the higher standard or high proficiency test in Sanskrit, Arabic or Persian ;(iii)An optional examination by the degree of honours test in Sanskrit, Arabic or Persian.(b)The period to be spent in preparation is limited to six months in a case covered by sub-Clause (iii) of Clause (a) of this paragraph, and to three months in other case.(c)Preparation shall not be permitted to count as duty more than once under each of the sub-Clause (iii) of Clause (a) of this paragraph.(d)Period spent in preparation under this paragraph may be combined with leave on average pay.(5)A Government servant required to attend a departmental examination is on duty during a reasonable time required for the journey to and from the place of examination and the day or days of the examination.Note. This rule is intended to cover only departmental examinations, whether optional or compulsory, for promotion within the normal scope of the Government servant's department or office.(6)When a Government servant is treated as on duty under paragraph (1) or (3) above his right to draw during such period any compensatory allowance attached to the post on which he holds a lien or a permanent or temporary post against which he is officiating shall be governed, as though he were on leave, by S.Rr. 118 and 119.(7)Government servants appointed in England who, on their first arrival in India do not, before they report themselves at the seat of Government receive orders to take charge of a specified post, shall be treated as on duty during the interval between the date of such report and the date on which they take charge of their duties ; provided that the interval between receipt of orders and the assumption of their duties shall not exceed the amount of joining time which would be admissible to a Government servant entitled to joining time under F.R. 105

(a).F.R.9 (6-A). "Fee" means a recurring or non-recurring payment to a Government servant from a source other than the Consolidated Fund of India or the Consolidated Fund of a State whether made directly to the Government servant or indirectly through the intermediary of Government.F.R.9 (7). "Foreign service" means in which a Government servant receives his substantive pay with sanction of Government (a) from any source other than the revenue of the Federation of a (Province) or the Railway Fund (when established); or (b) from a company working as a State Railway.F.R.9 (8) [Deleted.]F.R.9 (9) "Honorarium" means a recurring or non-recurring payment granted to a Government servant from the Consolidated Fund of India or the Consolidated Fund of a State as remuneration for a special work of an intermittent or occasional character.F.R.9 (10) "Joining time" means the time allowed to a Government servant in which to join a new post or to travel to or from a station to which he is posted.F.R.9 (11) "Leave on average (or half or quarter average) pay" means leave on leave-salary equal to average (or half or quarter average) pay, as regulated by Rr. 89 and 90.F.R.9 (12) "Leave salary" means the monthly amount paid by Government to a Government servant on leave.F.R.9 (13) "Lien" means the title of a Government servant to hold substantively either immediately (or on the termination of a period or periods of absence) a permanent post, including a tenure post, to which he has been appointed substantively.Note. In the case of a Government servant who holds no lien on any appointment except that which it is proposed to abolish, the correct procedure in deciding the exact date from which the appointment is to be abolished would be to defer the date of abolition up to the termination of such leave, as may be granted.F.R.9 (14) "Local fund" means-(a)revenue administered by bodies which by law or rule having the force of law come under the control of Government whether in regard to proceedings generally or to specific matters, such as the sanctioning of their budget's sanction to the creation or filling up of particular posts, or the enactment of leave, pension or similar rules ; and(b)the revenues of any body which may be specially notified by the Government as such.F.R.9 (15) "Provincial

"Government" means the Governor aided and advised by the Council of Ministers except in so far as he is by or under the Act required to act in his discretion to exercise his individual judgement [S. 50 of the Act of 1935].F.R.9 (16) [Deleted.]F.R.9 (17) "Ministerial servant" means a Government servant of a subordinate service whose duties are entirely clerical, and any other class of servants specially defined as such by general or special order of the State Government.F.R.9 (18) "Month" means a calendar month. In calculating a period expressed in terms of months and days, complete calendar months, irrespective of the number of days in each should first be calculated and the odd number of days calculated subsequently.Audit Instruction. - In calculating a period of 3 months and 20 days from 25th January, 3 months should be taken as ending on 24th April, and 20 days on 14th May, In the same way the period from 30th January to 2nd March should be reckoned as one month and 2 days because one month from 30th January ends on 18th February. A period of one month and 29 days commencing from the 1st January will expire, in an ordinary year (in which February is a month of 28 days), on the last day of February, because a period of 29 days cannot obviously mean to exceed a period of full calendar month and leave for two months from 1st January would end on the last day of February. The same would be the case if February were a month of 29 days or if the broken period were 28 days (in an ordinary year).F.R.9 (19) "Officiate" - A Government servant officiates in a post when he performs the duties of a post on which another person holds a lien. The (Provincial) Government may, if it thinks fit, appoint a Government servant to officiate in a vacant post on which no other Government servant holds a lien.F.R.9 (20) "Overseas pay" means pay granted to a Government servant in consideration of the fact that he is serving in a country other than the country of his domicile.Rules regulating grant of overseas pay

1. Overseas pay at the rate or rates sanctioned for a particular service or post may be drawn by an officer having at the date of his appointment to such service or post his domicile elsewhere than in Asia :

Provided that no such officer shall be entitled to this concession who, prior to such appointment, has for the purpose of his appointment to any office under the Government or of the conferment upon him by the Government of any scholarship, emoluments or other privilege, claimed or been deemed to be a native of India.

2. For the purposes of these rules, the domicile of a person shall be determined in accordance with the provisions set out in the Schedule to these rules. [For Schedule see "the Schedule referred to in F.R. 75-A" inserted after F.R. 130 in Section II] :

Provided that a person who was born and has been educated exclusively in Asia and has not resided out of Asia for a total period exceeding six months, shall be deemed to have his domicile in Asia.

3. No officer who after his appointment to a service or post acquires a new domicile shall thereby lose his right to or become entitled to overseas pay.

4. If any question arises as to the domicile of any officer at the time of his appointment the decision thereon of the (Provincial) Government shall be final.

F.R.9 (21) (a) "Pay" means the amount drawn monthly by a Government servant as-(i)the pay, other than special pay or pay granted in view of his personal qualifications, which has been sanctioned for a post held by him substantively or in an officiating capacity, or to which he is entitled by reason of his position in a cadre ; and(ii)overseas pay, technical pay, special pay and personal pay; and(iii)any other emoluments which may be specially classed as pay by the State Government.Note 1. Judicial pay and language pay shall be regarded as "pay" for all purposes.Note 2. In the case of a piece-worker in the Assam Government Press when appointed to a post on a time-scale , "pay" shall be deemed to be equivalent to one hundred and seventy-five times his hourly class rate.Audit Instruction 1. - If language allowances are lump sum allowances, they will be dealt with under F.R. 46. If they are recurring payments, they will fall under the head "pay" under F.R. 9 (21) (a).Audit Instruction 2. - If the allowances granted to medical officers in the medical charge of Railway employees are paid from the revenue of the State, they be classified as "Special Pay" If they are paid by Companies, they cannot be treated as "Special Pay" unless contribution is paid.(b)[Deleted.]F.R.9 (22) "Permanent post" means a post carrying a definite rate of pay sanctioned without limit of time.F.R.9 (23) "Personal pay" means additional pay granted to a Government servant-(a)to save him from a loss of substantive pay in respect of a permanent post other than a tenure post due to a revision of pay or to any reduction of such substantive pay otherwise than as a disciplinary measure ; or(b)in exceptional circumstances, or other personal considerations.Note. All cases in which it is proposed to grant personal pay under F.R.9 (23) (b) may be referred to the Government in the Finance Department through Administrative Departments concerned. No case will be entertained which is not of an entirely exceptional character and in submitting cases for the grant of personal pay this should be carefully borne in mind.F.R. (24) "Presumptive pay of a post", when used with reference to any particular Government servant, means the pay to which he would be entitled, if he held the post substantively and were performing its duties, but it does not include special pay unless the Government servant performs or discharges the work or responsibility, in consideration of which the special pay was sanctioned.Audit Instruction. - The first part of the definition is intended to facilitate the use of the term in relation to a Government servant who has been absent from a post for sometime but still retains a lien on it.F.R.9 (24-A) "Revenue of the Federation and Revenues of the Province." These expressions have the meanings assigned to them respectively in Section 136 of the Act [vide also Note to Treasury Rule 2 (b)].F.R.9 (25) "Special pay" means an addition, of the nature of pay, to the emoluments of a post or of a Government servant, granted in consideration of-(a)the specially arduous nature of the duties ; or(b)a specific addition to the work or responsibility ;(c)[Deleted.] [Vide Notification No. FEG. 23/68 Pt., dated 3rd December, 1968 effective from the same date].F.R.9 (26) [Deleted].F.R.9 (27) "Subsistence grant", means a monthly grant made to a Government servant who is not in receipt of pay or leave salary.F.R.9 (28) "Substantive pay" means the pay other than special pay, personal pay or emoluments classed as pay by the Provincial Government under Rule 9 (21) (a) (iii), to which a Government servant is entitled on account of a post to which he has been appointed substantively or by reason of his substantive position in a cadre.Note. In the case of a piece worker in the Assam Government Press, when appointed to a post on a time-scale, "substantive pay" shall be deemed to be equivalent to one

hundred and seventy-five times his hourly class rate.F.R.9 (29) "Technical pay" means pay granted to a Government servant in consideration of the fact that he has received technical training in Europe.F.R.9 (30) "Temporary post" means a post carrying a definite rate of pay sanctioned for a limited time.Note. A temporary post can be held either substantively or in an officiating capacity. An extension of a temporary post to cover the period of leave granted to its holder is expedient only when the grant of leave involves no expense to Government but improper in the absence of this condition.F.R.9 (30-A) "Tenure post" means a permanent post which an individual Government servant may not hold for more than a limited period.Note. In case of doubt the State Government will decide whether a particular post is or is not a tenure post.F.R.9 (31) (a) "Time-scale pay" means pay which, subject to any conditions prescribed in these rules, rises by periodical increments from a minimum to a maximum. It includes the class of pay hitherto known as progressive.(b)Time-scales are said to be identical if the minimum, the maximum period of increment and the rate of increment of the time-scales are identical.(c)A post is said to be on the same time-scale as another post on a time-scale if the two time-scales are identical and the posts fall within a cadre, or a class in a cadre, such cadre or class having been created in order to fill all posts involving duties of approximately the same character or degree of responsibility, in a service of establishment or group of establishments ; so that the pay of the holder of any particular post is determined by his position in the cadre or class and not by the fact that he holds that post.F.R.9 (32) "Travelling allowance" means an allowance granted to a Government servant to cover the expenses which he incurs in travelling in the interests of the public service. It includes allowances granted for the maintenance of conveyances, houses and tents.General DefinitionsS.R.4. - Unless there is something repugnant in the subject or context, terms defined below are used in the sense here explained :(1)"Audit Officer" means such Audit Officer as the Comptroller and Auditor General may, by general or special order, designate in each case.Note. Accountant General, Assam, is the Audit Officer in Assam.(2)"Apprentice" means a person deputed for training in a trade or business with a view to employment in Government service, who draws pay at monthly rates from Government during such training but is not employed or in or against a substantive vacancy in the cadre of a department.Audit Instruction. - The leave of apprentices during the period of apprenticeship is governed by S.R.134 and on confirmation they cannot count their apprentice period for leave as if it had been service rendered substantively in a permanent post.(3)"Competent authority" in relation to the exercise of any power means the Provincial Government, or any authority to which the power is delegated by or under these rules. Appendix 4 gives a list of authorities who have been declared to be competent authorities under the various Subsidiary Rules.(4)"Head of a Department" means any authority which the Provincial Government may by order declare to be the Head of a Department for the purposes of these rules. A list of the authorities who have been declared to be Heads of Departments is given in Appendix 5.(5)"Holiday" means (a) a holiday prescribed or notified by or under Section 25 of the Negotiable Instruments Act, 1881 ; and (b)in relation to any particular office a day on which such office is ordered by notification of Government in the official Gazette to be closed for the transaction of Government business without reserve or qualification.(6)Class I Service. All gazetted posts on the new time scales, the maximum of which is Rs. 1000 and above.Class II Service. All gazetted posts on the new scales,the maximum of which is Rs. 700 and above, but does not exceed Rs. 999.Class III Service. All other Services or posts, gazetted or non-gazetted, excepting those classified in Class IV service.Class IV Service. All other posts in the new time scales, the maximum of which is Rs. 140 or below.(7)"Probationer" means a Government servant employed on probation in or against a

substantive vacancy in the cadre of a department. Audit Instruction. - (a) Term "probationer" does not cover a Government servant who holds substantively a permanent post in a cadre and is appointed "on probation" to another post. (b) No person appointed substantively to a permanent post in a cadre is a probationer, unless definite conditions of probation have been attached to his appointment, such as the condition that he must remain on probation pending the passing of certain examinations. (c) The status of a probationer is to be considered as having the attributes of a substantive status except the rules prescribe otherwise.

Part II – Chapter III

General Conditions of Service F.R.10. Except as provided by this rule, no person may be substantively appointed to a permanent post in Government service without a medical certificate of health. The (State) Government may make rules prescribing the form in which medical certificate should be prepared, and the particular medical or other officers by whom they should be signed. It may, in individual cases, dispense with the production of certificate, and may by general order exempt any specified class of Government servant from the operation of this rule. Note. A medical certificate of health should be obtained from all whenever appointments are made to temporary posts which have been made sanctioned at least for a period of one year and whenever such appointments are made without specifying a period. Such certificate may not be insisted upon when the period is less than four months. Conditions of Age, Health and Medical Certificate S.R.5. - (i) A medical certificate of fitness for Government service shall be in the following form : "I hereby certify that I have examined A. B. a candidate for employment in the..... Department, and cannot discover that..... has any disease (communicable or otherwise), constitutional weakness or bodily infirmity, except..... I do not consider this a disqualification for employment in the office of..... Note. In the case of non-gazetted officers the signature of the candidate, or if the candidate is illiterate, his left thumb and finger impressions should be taken on the certificate in the presence of , and certified as so taken by the Medical Officer who grants the certificate. These should afterwards be verified by the Head of the Office with those in the Service Book. (ii) A candidate for employment may produce a certificate in the above form signed by any Commissioned Medical Officer of Government or by any Medical Officer-in-charge of a civil station ; provided that-(a) no person shall be confirmed in a permanent post until he has produced a certificate in the above form signed by the officer in medical charge of the district in Assam in which he ordinarily resides or has his headquarters. (b) in Shillong, women candidates for Government service in Gazetted and non-Gazetted appointments shall be examined by the Medical Superintendent, Ganesh Das Women and Children Hospital, Shillong, for all purposes when the Medical Examination is to be done by a single Medical Officer. In the mofussil such examination shall be done by the Civil Surgeons of the Districts concerned or by the Women Medical Officers where they are appointed and the certificate granted by the latter shall be countersigned by the Civil Surgeons of the Districts concerned. (iii) When a woman candidate is to be examined by the Medical Board in Shillong, the Medical Superintendent, Ganesh Das Women and Children Hospital, Shillong, shall be one of the members of the Shillong Standing Medical Board. In Dibrugarh, where also meetings of the Dibrugarh Standing Medical Board are held, action to include a Woman Medical Officer Honorary or otherwise for the purpose of medical examination of women candidates referred to it, shall be taken if she is available ; and (c) in the case of a post on pay no exceeding fifty rupees, the appointing authority may accept a certificate signed by any Government

Medical Officer.S.R.6. - Except as otherwise provided by rules governing recruitment to particular service a person whose age exceeds twenty-five years on the 1st January of the year in which the recruitment is made may not ordinarily be admitted into service of the State in superior pensionable service without the sanction of Government in the Home Department, the Head of the Department or the Commissioner of Divisions. The ordinary limit is extended to-(a)thirty years in the case of-(i)a person appointed to Assam Civil Service from the Bar ;(ii)appointments to teaching posts in College in the Assam Educational Service;(iii)appointments to teaching posts on non-technical subjects in Engineering and Technical Institutions ; and(b)twenty-nine years in the case of appointment of Medical graduates in the services of the State Government;(c)thirty-five years in respect of candidates in employ in aided schools for appointments to Class II of Assam School Service ; provided they are eligible for the same otherwise and have acquired necessary experience.Note. This rule does not apply to the employment in civil capacities of reservists and pensioners of the Indian Army.S.R.7. - The following classes of Government servants are exempted from the operation of F.R. 10-(a)All persons appointed to inferior service ;(b)All Government servants promoted from inferior to superior service ;(c)The political jemadars and interpreters belonging to the hill tribes in the North-Frontier Tracts;(d)Government servants appointed by the Secretary of State or the High Commissioner for India;(e)Lower Primary School Pandits belonging to hill tribes in the Sadiya and Balipara Frontier Tracts.S.R.8. - (a) In the case of a Government servant whose year of birth is known, but not the exact date, the 1st July should be treated as the date of birth for the purpose of determining the date on which the Government servant concerned should be held to have attained the age of 55 years. Similarly, if only the month and year of birth is known, the 16th of the month is taken to be the exact date of birth.(b)In the case of a Government servant whose date of birth is not known the following principles should be observed in determining his age :(i)In the case of a person who first entered military employ was subsequently employed in a Civil Department, his date of birth for the purpose of his civil employment should be the date stated by him at the time of attestation. Cases often arise in which the documents referring to the previous military service do not give the definite date of birth but only the age stated at the time of attestation. In such cases, the Government servant concerned should be assumed to have completed the stated age on the date of attestation e.g., if an ex-soldier was enrolled on 1st January, 1910, and if on that date his age was stated to be 18, his date of birth should be taken as 1st January, 1892 ;(ii)The method in paragraph (i) above should also be followed in cases when a person enters civil employ without having rendered any military service and is unable to give his date of birth but gives his age.(c)Commissioner and Heads of Departments may alter the recorded date of birth in the case of non-Gazetted servants ; provided they are satisfied after enquiry that the previous date was incorrect.Note. The Head of the office should record the date of birth in the Service Book of a non-Gazetted Government servant on his initial appointment with reference to the Matriculation or equivalent certificate and shall also record a remark to this effect in the Service Book. In cases where these are not available, the Head Office should verify the date with reference to the birth certificate to be produced by the Government servant and record a note to that effect in the Service Book. In the case of Gazetted Government servant, the verification should be made according to the above procedure on his initial appointment by the Administrative Department concerned. They should intimate the date of birth of the officer as verified to the Accountant General for incorporation of the same in the History of Services of the Gazetted Governments servants.No alteration in the date of birth of a Government servant should be allowed except in very rare cases where a manifest mistake

has been made. Such mistake should be rectified at the earliest opportunity in the course of : (1) periodical re-attestation of the entries in the first page of service book and (2) preparation of the annual detailed statement of a permanent establishment (Financial Rule Form No. 11) in which is noted the date of incumbent's birth. In no case request for change in the date of birth of a Government servant made on a date within three years of the date of his actual superannuation should be entertained. The following criteria should be followed in Considering requests for change in date of birth which are not time-barred. Such request should be supported by satisfactory documentary evidence (such as the Matriculation or equivalent certificate or duly attested copy of birth certificate) together with a satisfactory explanation of the circumstances in which the wrong date came to be entered and statement on any previous attempts made to have the record amended. It should also be examined whether the Government servant concerned would have been within the age- limits prescribed for Government service at the time he entered service with reference to the different date later claimed by him as the correct date. If he would not have been so eligible, it should be examined whether the date actually accepted then was given by him bona fide and did not give him some advantage in securing admission into service at that time, and the change proposed later on is for bona fide reasons and not merely to gain some fresh advantage.

F.R.11. Unless in any case it would be otherwise distinctly provided the whole-time of a Government servant is at the disposal of the Government which pays him, and he may be employed in any manner required by proper authority without claim for additional remuneration whether the services required of him are such as would ordinarily be remunerated from a local fund, from the funds of a body incorporated or not, which is wholly or substantially owned or controlled by the Government or from the funds of an Autonomous District Council.

F.R.12. (a) Two or more Government servants cannot be appointed substantively to the same permanent post at the same time. (b) A Government servant cannot be appointed substantively, except as a temporary measure, to two or more permanent posts at the same time. (c) A Government servant cannot be appointed substantively to a post on which another Government servant is holding a lien.

F.R.12A. Unless in any case it be otherwise provided in these rules, a Government servant on substantive appointment to any permanent post acquires a lien on that post and ceases to hold any lien previously acquired on any other post.

F.R.13. Unless his lien is suspended under Rule 14 or transferred under Rule 14-B, a Government servant holding substantively a permanent post retains a lien on that post- (a) while performing the duties of that post ; (b) while on foreign service, or holding a temporary post, or officiating in another post; (c) during joining time on transfer to another post; unless he is transferred substantively to a post on lower pay, in which case his lien is transferred to the new post from the date on which he is relieved of his duties in the old post; (d) while on leave ; and (e) while under suspension.

F.R.14. (a) The State Government shall suspend the lien of a Government servant on a permanent post which he holds substantively if he is appointed in a substantive capacity- (1) to a tenure post; or (2) [Deleted] ; (3) provisionally , to a post on which another Government servant would hold a lien had his lien not been suspended under this rule. (b) The State Government may, at its opinion, suspend the lien of a Government servant on a permanent post which he holds substantively if he is deputed out of India or transferred to foreign service, or, in circumstances not covered by Clause (a) of this rule, is transferred in an officiating capacity, to a post in another cadre, and if in any of these cases there is reason to believe that he will remain absent from the post on which he holds a lien for a period of not less than three years. (c) Notwithstanding anything contained in Clause (a) or (b) of this rule a Government servant's lien on a tenure post may in no circumstances be suspended. If he is

appointed substantively to another permanent post, his lien on the tenure post must be terminated.(d)If a Government servant's lien on a post is suspended under Clause (a) or (b) of this rule, the post may be filled substantively, and the Government servant appointed to hold it substantively shall acquire a lien on it : provided that the arrangements shall be reserved as soon as the suspended lien revives.Note 1. This clause shall also apply to a post in a selection grade of a cadre.Note 2. When a post is filled substantively under this clause, the appointment will be termed a provisional appointment; the Government servant appointed will hold a provisional lien on the post; and that lien will be liable to suspension under Clause (a) but not under Clause (b) of the rule.Assam Government's decision. - The operation of F.R. 14 should, with immediate effect, be restricted so as to permit only on provisional substantive appointment against one post. Accordingly, the lien acquired by a Government servant on his appointment on provisionally substantive capacity under Clause (d) of F.R. 14, should not in future .be suspended if he is deputed out of India or is transferred to a post of the nature specified in Clause (b) of that rule.(e)A Government servant's lien which has been suspended under Clause (a) to this rule shall revive as soon as he ceases to hold a lien on a post of the nature specified in sub-Clause (1) or (3) of that clause.(f)A Government servant's lien which has been suspended under Clause (b) of this rule shall revive as he ceases to be on deputation out of India or on foreign service or to hold a post in another cadre; provided that a suspended lien shall not revive because the Government servant takes leave if there is reason to believe that he will, on return from leave continue to be on deputation out of India or on foreign service or to hold a post in another cadre and the total period of absence on duty will not fall short of three years or that he will hold substantively a post of the nature specified in Clause (1) or (3) of Clause (a).F.R.14A. (a) Government servant's lien on a post in no circumstances be terminated, even with his consent, if the result will be to leave him without a lien or a suspended lien upon a permanent post.(b)A Government servant's lien on a post shall stand terminated on his acquiring a lien on a permanent post (whether under Central Government or State Government) outside the cadre in which he is borne.Note. A candidate who is already in permanent Government service should be appointed to officiate in the higher service or post until further orders. The passing of such further orders terminating the appointment (and as a necessary consequence reverting the candidate to his former post) in the event of the candidate's failure to pass the departmental examination within the prescribed period, or if he is otherwise found unsuitable, will not attract the provisions of Section 240 (3) of the Government of India Act, 1935. The question whether a permanent Government servant on his appointment to a higher service or post on the results of a competitive examination can be asked to surrender his right to lien on his previous and treated as "probationer" like a raw recruit from outside has been considered and it has been held that a person who has been confirmed in Government service cannot thereafter be appointed "on probation" as such an appointment is repugnant to the whole concept of the Civil Service Regulations and to their fundamental principles in that it is calculated to deprive him of his security of tenure. An agreement by which an officer promoted to a higher service or post consents to forfeit his lien on the post previously held by him and to be appointed "on probation" in the higher post, in so far it has the effect of depriving him of the security of tenure is open to objection in that it offends against the principle that where a statute confers a right on class of persons in the public interest, or persons of that class can contract himself out of that right.(c)[Deleted].F.R.14B. Subject to the provisions of Rule 15, the State Government may transfer to another permanent post in the same cadre the lien of a Government servant who is not performing the duties of the post to which the lien relates, even if

that lien has been suspended. Office Memorandum Suspension of Lien under F.R. 14 (B). - The undersigned is directed to say that as per provision in F.R. 14 (b) read with serial 2 of the Appendix 2 of Fundamental Rules and Subsidiary Rules lien of a Government servant can be suspended by the concerned Department of the Government, if he is deputed out of or deputed on Foreign service or transferred in an officiating capacity to a post borne in another cadre if in any of these cases there is reason to believe that he will remain absent from his substantive post for a period of not less than three years. Instances have, however, come to the notice of this department that even in cases where the Government servants have remained absent from their substantive posts far beyond the stipulated period of three years, their lien in their respective substantive posts has not been suspended by the departments concerned with the result that a tendency has grown among most of the Government servants thus deputed/ transferred to remain absent from their substantive posts for an indefinite period to the detriment of the interest of the departments concerned and their other colleagues serving in the parent cadre. With a view, therefore, to put a stop to such a tendency, it has been decided that a lien of a Government servant in a case of such deputation/transfer where there is reason to believe that he will be absent from his substantive post for more than three years should invariably be suspended. It is added here that as per provision in F.R. 14 (b) the lien of a Government servant thus suspended revives as soon as he reverts to his substantive post. F.R. 15. (a) The State Government may transfer a Government servant from one post to another ; provided that except-(1)on account of inefficiency or misbehaviour, or(2)on his written request, a Government servant shall not be transferred, substantively to, or except in a case covered by Rule 49, appointed to officiate in a post carrying less pay than the pay of the permanent post on which he holds a lien or would hold a lien had his lien not been suspended under Rule 14.(b)Nothing contained in Clause (a) of this rule or in Clause (13) of Rule 9 shall operate to prevent the re-transfer of a Government servant to the post on which he would hold a lien had it not been suspended in accordance with the provisions of Clause (a) of Rule 14. Decision by the Government of Assam. - Permanent transfers from a higher to a lower scale in anticipation of the abolition of a post are not transfers within the meaning of F.R. 15. Government of India's decision. - A question having arisen as to whether the reversal of permanent arrangement in consequence of any order passed by the appellate or revisional authority, as the case may be, is barred by Fundamental Rule 15, it has been held with the concurrence of the Auditor-General that if an officer having been dismissed or removed from service, or reduced in rank, or superseded by another officer, has a right of appeal against the penalty imposed on him and his appeal is allowed, and equally if there is an authority competent to interfere in revision, with orders passed by the lower authorities imposing any of these penalties, and that authority sets aside the orders imposing that penalty, the reversal of any permanent arrangements made, in the meantime may be considered to be the automatic consequence of the orders passed by the appellate or revisional authority, as the case may be, and the provisions of Fundamental Rule 15, according to which a Government servant shall not be transferred substantively to a post carrying less pay, except under the circumstances mentioned in that rule are not attracted in such a case, in this connection attention is invited to the provisions of Rr. 59 and 61 of the Civil Services (Classification, Control and Appeal) Rules and the Government of India's administrative instructions below Fundamental Rule 54 of the P. and T. Compilation of Fundamental and Supplementary Rules, Volume I.

2. While the technical position is as stated above, there is no doubt that the reversal of permanent arrangements made in the vacancies caused by the dismissal, removal or reduction, etc., of Government servants, pending final decisions on their cases, may cause considerable hardship to Government servants to be reverted and also administrative inconvenience. The undersigned, is therefore, directed to draw attention to the desirability of not making permanent arrangements in such vacancies as far as possible while an appeal or representation of an officer affected is pending or expected to be submitted and until final decision thereon has been reached.

F.R.16. A Government servant may be required to subscribe to a provident fund, a family pension fund, or other similar fund, in accordance with such rules as the Governor may by order prescribe.

F.R.17. (1) Subject to any exceptions specifically made in these rules and to the provision of sub-Rule (2), an officer shall begin to draw the pay and allowances attached to his tenure of a post with effect from the date when he assumes the duties of that post, and shall cease to draw them as soon as he ceases to discharge duties :Provided that an officer who is absent from duty without any authority shall not be entitled to any pay and allowances during the period of such absence.(2)The date from which a person recruited overseas shall commence to draw pay on first appointment shall be determined by the general or special orders of the State Government.

Audit Instruction. - A Government servant will begin to draw the pay and allowances attached to his tenure of a post with effect from the date on which he assumes the duties of that post if the charge is transferred before noon of that date. If the charge is transferred afternoon, he commences to draw them from the following day. This rule does not, however, apply to cases in which it is the recognised practice to pay a Government servant at a higher rate for more important duties performed during a part only of a day.

F.R.17A. Without prejudice to the provisions of Rr. 64 and 65 of the Assam Services (Pension) Rules, 1969, a period of unauthorised absence-(1)in the case of employees working in industrial establishments, during a strike which has been declared illegal under the provisions of the Industrial Disputes Act, 1947 or any other law for the time being in force ;(2)in the case of other employees as a result of acting in combination or in concerted manner such as during a strike without any authority from or valid reason to the satisfaction of the State Government; and(3)in the case of an individual employee, remaining absent unauthorisedly or deserting the post;shall be deemed to cause an interruption or break in service of the employee, unless otherwise decided by the State Government for the purposes of leave, travel concession, permanency, and eligibility for appearing in departmental examinations for which a minimum period of continuous service is required.

Explanation. - For the purpose of this rule, "strike" includes a general, token, sympathetic or any similar strike, and also a participation in bundh or in similar activities.

This will take effect from 22nd March, 1965.

S.R.9. - (i) The pay of officers recruited overseas shall commence from the date of disembarkation in India, subject to their proceedings to take up their duties without avoidable delay.The term "without avoidable delay" refers only to delay on the part of the officer in reporting himself for duty (either at the State Government's headquarters or at the actual place of duty, as the case may be) and not to delay in actually taking up his duties thereafter.(ii)Personnel recruited in the United Kingdom for service in Assam, who receive second-class passages to India on

first appointment, will be entitled to pay from the date of embarkation from the United Kingdom for India.

S.R.10. - The headquarters of a Government servant shall be in such place as a competent authority may prescribe. In the absence of special orders by such authority the headquarters of a Government servant shall be the station where the records of his office are kept. A list of places declared by Government to be headquarters of certain Government servants is given in Appendix 6.

S.R.11. - Unless for special reasons (which must be of a public nature) the authority under whose order the transfer takes place permits or requires it to be made in any particular case elsewhere, or otherwise, the charge of an office must be made over at its headquarters both the relieving and the relieved officers being present. Where an authority subordinate to Government permits or requires a transfers to be made elsewhere or otherwise, the special reasons shall be recorded.

S.R.12. - The condition imposed by the above rule that both relieving and the relieved officers must be present is not enforced in the case of Government servants who are permitted to combine vacation with leave under F.R. 82, or District and Sessions Judges.

S.R.13. - The following procedure should be followed in these cases : (a) When vacation is prefixed to leave, the outgoing officer will report before leaving headquarters, or if for urgent reasons, the leave is granted during vacation, as soon as it is granted that he makes, the officer will then take over charge at the end of the vacation in the ordinary way. (b) When vacation is affixed to leave, the officer to be relieved will make over charge in the ordinary way before the vacation, the incoming officer on return at the end of the vacation taking over charge with effect from the beginning of the vacation.

Leaving Jurisdiction S.R.14. - No Government servant (other than a police officer acting within his legal powers or an Excise Officer acting under the orders of the District Officer) is entitled to pay or allowances for any time he may spend beyond the limits of his charge without proper authority.

S.R.15. - (1) Departments of Government may sanction journeys in India for attending conferences, meetings and committees by Hon'ble Ministers, Secretaries to Government, Heads of Departments and other officers under the control of such Departments. (2) A Head of a Department may authorise any Government servant under his administrative control to proceed on duty to any part of British India or to any Indian State, or Foreign Settlement in India. (3) A list of general sanctions accorded to enable certain Government servants to proceed outside their jurisdiction is given in Appendix 7.

S.R.16. - A Controlling Officer for the travelling allowance may allow any Government servant subordinate to him to proceed on duty to any part of the territories of the Government of Assam or to a District or Foreign State or Settlement adjoining the jurisdiction of the Controlling Officer and to draw travelling allowance under Rule 153.

S.R.17. - A Government servant permitted by a competent authority to proceed to any place on duty beyond the limit of his charge may take with him such establishment and records as are absolutely necessary for the efficient discharge of his duties.

F.R.18. Unless the Governor in view of the special circumstances of the case, shall otherwise determine, after five years' continuous absence from duty, elsewhere than on foreign service in India, whether with or without leave, a Government servant shall be removed from service after following the procedure laid down in the Assam Services (Discipline and Appeal) Rules, 1964.

Part III – Chapter IV

Pay F.R.19. The fixation of pay is within the competence of the State Government : Provided that, except in the case of personal pay granted in the circumstances defined in R. 9 (23) (a), the pay of a Government servant shall not be so increased as to exceed the pay sanctioned for his post without

the sanction of an authority competent to create a post in the same cadre on a rate of pay equal to his pay when increased. Note 1. It is not the intention of this rule that the State Government should grant less pay than is permissible under F.R. 22 and 23. Note 2. Except in special cases retrospective effect to increase of pay and allowance will not be given. F.R. 20. When a Government servant is treated as on duty under Rule 9 (6) (b), the State Government may at their option authorise payment to him of the pay of his substantive appointment, or of any lower rate of pay which the State Government may consider suitable. If the duty consists in a course of training or instruction the pay admissible may, if the State Government so directs, be instead of either of the rates just specified, the pay of any officiating appointment held by the officer at the time he was placed on such duty, but this rate of pay shall not be allowed for a period longer than that for which the officer would have held the officiating appointment had he not been placed upon a course. Audit Instructions. - (1) A Government servant who is treated as on duty during a course of instruction or training and who, at the time when he was placed on such duty, was drawing higher pay on account of an officiating appointment may, on every occasion during the period of instruction or training when he would have held that officiating appointment but for such instruction or training, be allowed to draw pay equivalent to what he would have drawn had he been holding the officiating appointment. (2) The expressions "the pay of the substantive appointment" and "the pay of any officiating appointment" occurring in F.R. 20 should be taken to mean "the pay which the Government servant drew in the post which he held substantively" and "the pay which the Government servant drew in the post in which he officiated" respectively. In neither case is there any restriction on the kind of "pay" to be drawn and the expressions should therefore be held to include special pay, if any, which the Government servant drew in the post which he held substantively or in an officiating capacity. S.R. 18. - The following rules will govern the pay of officers who are declared to be on duty under F.R. 9 (6) (b): (1) Full substantive pay may be given but in no case as a matter of right to a teacher or inspecting officer of the Education Department in Government employ deputed to a training institution. Full substantive pay will be allowed in the case of officers of the Education Department deputed by the Director of Public Instruction to a Scout's Guides Training Camp; (2) Mandal or Patwaris who are deputed for training at the Survey School will draw their grade pay during the period of training whether substitutes are taken or not; (3) During the period of their deputation to undergo a course of training in or out of the State, Assistant Surgeons and Sub-Assistant Surgeons of the Medical and Public Health Department will draw their "time scale pay" or "the pay of their substantive appointment", as the case may be, together with lodging allowances, at rates indicated below; provided that Assistant Surgeons and Sub-Assistant Surgeons who fail to qualify at the first attempt will, at any subsequent attempt, be entitled to draw their 'time scale' or 'substantive pay' and travelling allowances only. Lodging Allowances

Course of Training	Assistant Surgeon Rs.	Sub-Assistant Surgeon Rs.
(i) Leprosy Training, Calcutta	50	30 per mensem
(ii) Post-graduate Course, Calcutta	50	30 Ditto
(iii) School of Tropical Medicine, Calcutta	50	30 Ditto
(iv) X-ray Course, Dehra Dun	50	30 Ditto

(v) Malaria Course (India)	50	30Ditto
(vi) Pasture Institute, Shillong (when the course is for more than 15 days)	50	30Ditto
(vii) Preliminary training at Calcutta in connection with teaching appointment in the Berry-White Medical School at Dibrugarh	50	30Ditto
(viii) Sanitation and Hygiene under the Assistant Directors of Public Health, Assam, at their Divisional Headquarters.	Rural Health Inspector Rs. 15 per mensem	

Note 1. Medical Officers who are deputed to attend the course at the Pasture Institute and who are stationed at Shillong will not be entitled to lodging allowance if they occupy free quarters or draw house rent allowance in lieu thereof. Note 2. The lodging allowance payable to Medical Officers deputed for training under the British Empire Leprosy Relief Association, Calcutta should, in the first instance, be paid by Government and then recovered in full from the Association; (4) Jail warders who are deputed for training in drill and discipline at the police lines, Sylhet or Gauhati, will draw their grade pay during the period of such training; (5) Government servants deputed to the Survey and Settlement Training at Jhalukbari or any other place as the State Government decide will draw pay under F.R. 20, dearness allowance as admissible under the rules and compensatory allowance under S.R. 3 (6); (6) All other cases should be referred to Government for orders. Note. An officer when deputed for training in the Army in India Reserve Officer is allowed to draw any compensatory allowance that may be attached to his substantive post. Time-Scale Pay F.R. 21. Rules 22 to 29 inclusive and Rule 31 apply to time-scales of pay generally. They do not, however, apply to time-scale sanctioned by the State Government in so far as they are inconsistent with terms specially so sanctioned for such time-scale. F.R. 22. The initial substantive pay of a Government servant who is appointed substantively to a post on a time-scale of a pay is regulated as follows: (a) If he holds a lien on a permanent post other than a tenure post, or would hold a lien on such a post had his lien not been suspended—(i) when appointment to the new post involves the assumption of duties or responsibilities of greater importance (as interpreted for the purpose of Rule 30) than those attaching to such permanent post, he will draw as initial pay the stage of the time-scale next above his substantive pay in respect of the old post; (ii) when appointment to the new post does not involve such assumption, he will draw as initial pay the stage of the time-scale when is equal to his substantive pay in respect of the old post, or, if there is no such stage, the next below that pay, plus personal pay equal to the difference, and in either case will continue to draw that pay until such time as he would have received on and increment in the time-scale of the old post, or for the period after which an increment is earned in the time-scale of the new post, whichever is less. But if the minimum pay of the time-scale of the new post is higher than his substantive pay in respect of the old post, he will draw that minimum as initial pay; (iii) when appointment to the new post is made on his own request under Rule 15 (a) and the maximum pay in the time-scale of that post is less than his substantive pay in respect of the old post he will draw that maximum as initial pay. (b) If the conditions prescribed in Clause (a) are not fulfilled he will draw as initial pay the minimum of the time-scale: Provided, both in cases covered by Clause (a) and in cases, other than cases of re-employment after resignation or removal or dismissal from the public service, covered by Clause (b), that if the either—(1) has previously held substantively or officiated in—(i) the same post, or (ii) a

permanent or temporary post or the same time- scale, or(iii)a permanent post, other than a tenure post on an identical time-scale, or temporary post on an identical time- scale, such post being on the same time-scale as a permanent post; or(2)is appointed substantively to a tenure post on a time-scale identical with that of another tenure post which he has previously held substantively or in which he has previously officiated ;the initial pay shall not be less than the pay, other than special pay, personal pay or emoluments classed as pay by the State Government under Rule 9 (21) (a) (iii) which he drew on the last such occasion, and he shall count the period during which he drew that pay on such last and any previous occasions for increment in the stage of the time-scale equivalent to that pay.

Note 1. If, however, the pay last drawn by the Government servant in temporary post has been inflated by the grant of premature increments the pay which he would have drawn but for the grant of those increments shall be taken for the purpose of this proviso to be the pay which he last drew in the temporary post.

Note 2. An officer in respect of whom one of the penalties included in Classification Rule 49 (iii) was imposed will on re-promotion count previous service in the higher grade under F.R. 22 unless the order of punishment or the order passed on appeal directs otherwise ; andAn order debarring an officer from counting his past service in the grade from which he is reduced, if and when re-appointed to it, amounts to an order of reduction to a stage of that grade lower than that admissible under F.R. 22 and does not, therefore, fall outside the scope of Rule 49 of the Civil Services (Classification, Control and Appeal) Rules.

Exception. - The condition in paragraph (iii) of the first proviso that the temporary post should be on the same time-scale as a permanent post shall not be enforced when a temporary post is (i) created by one Government or Department for the purpose of work of the same nature as the ordinary work for which permanent posts exist in a cadre under a different Government or Department ; and (ii) sanctioned on a time-scale identical with the time scale applicable to the permanent post in the cadre under the different Government or Department.

Note 1. If the Government servant is entitled to overseas pay in the new post was not drawing overseas pay in the old post, the overseas pay in the new post shall not be taken into account in determining the stage in the time-scale of new post to which he is entitled under Clause (a).

Note 2. For the purposes of this rule sterling overseas pay shall be converted into rupees at the official rate of exchange.

Note 3. The reversion to the ordinary cadre of a service from a tenure post included in that cadre or from a tenure or special post not included in it does not constitute "substantive appointment to a post" for the purpose of F.R. 22.

Note 4. In fixing the pay of a Military pensioner on his entry into Civil Department the provisions of Article 148 of the Assam Pension Manual should be followed.

Audit Instructions. - (1) A time-scale may be of recent introduction, whereas the cadre or class to which it is attached may have been in existence on a graded scale before the time-scale came into force or it may be that one time-scale has taken the place of another. If a Government servant has held substantively, or officiated in a post in the cadre or class prior to the introduction of a new time-scale, and has drawn during the period salary or pay equal to a stage, or intermediate between two stages, in the new time-scale then the initial pay in the new time-scale may be fixed at the salary or pay last drawn and the period during which it was drawn may be counted for increment in the same stage, or if the salary or pay was intermediate between two stages in the lower stage of that time- scale.(2)The revised Rule 22 is applicable in cases in which the occasion for fixation of pay arose on or after the date of effect of the revised rule i.e., the 18th March, 1930. In cases where the occasion arose the 18th March, 1930, but the question of fixation of pay is taken up after that date the old Rule 22 should be applied.(3)When the next increment in the time-scale of either the new or the old post falls due, the Government servant should draw the next

increment in the time-scale of the new post and forthwith lose the personal pay and all connection with the time-scale of the old post. The personal pay is given to a Government servant only for the purpose of initial pay and not at any subsequent stage in the new time-scale in which the Government servant might draw less pay than he would have drawn had he remained in the old time-scale.(4)For the purposes of F.Rr. 22 and 23, a temporary post on a certain rate of pay (fixed on time-scale) which is converted into a permanent post on the same or different rates of pay is not the "same post" as the permanent post even though the duties remain the same. In other words in view of Fundamental Rule 9 (30) the temporary post is to be regarded as having ceased to exist and to have been replaced by the permanent post. The incumbent of the temporary post is thus entitled only to the pay of the permanent post if it is on a fixed rate of pay or to the minimum pay of the time-scale of the post if it is on a time-scale unless his case is covered by the concession admissible under provisos (1) (ii) and 1 (iii) to F.R.22.The provisions of Article 30 of the Assam Pension Manual are not affected by the above decision.(5)The expression "If he holds a lien on a permanent post" occurring in Clause (a) of Fundamental Rule 22 should be held to include the lien on a permanent post to which a Government servant is appointed in a provisional substantive capacity under Fundamental Rule 14 (d) and the expression "Substantive pay in respect of the old post" occurring in that rule should be held to include his substantive pay in respect of that provisional substantive appointment. Fundamental Rule 22 (a) should therefor be held to permit the substantive pay in respect of a State substantive appointment being taken into account in determining his initial pay in another post to which he is appointed. When the initial pay of a Government servant in a post is thus fixed it will not be affected even if during the tenure of his appointment to that post the reverts from his provisional appointment.State Government Memos Under F.R.22 Government of AssamFinance Department General (Establishment) Branch

No. FEG. 11/59/5 dated the 12th March, 1960

Subject. - Recoveries from subsistence allowance.The undersigned is directed to state that at present there is no comprehensive provision in any rules or orders issued by the Government of Assam for the recovery of Government dues from the subsistence allowance granted to a Government servant under suspension. The question of making such recoveries from the subsistence allowance has accordingly been considered. The permissible deductions shall fall under the two categories-(a)Compulsory deductions ;(b)Optional deductions.The Governor of Assam has been pleased to decide that the recovery of the following deductions, which fall under category (a) above, should be enforced from the subsistence allowance :(i)Income-tax and super-tax (provided the employee's yearly income calculated with reference to subsistence allowance is taxable);(ii)House rent and allied charges i.e, electricity, water, furniture, etc.,(iii)Re-payment of loans and advances taken from Government at such rates as the head of the department deems it right to fix.

3. The deductions falling under category (b), which should not be made except with the Government servant's written consent, are as under :

(a)Premium due on Postal Life Assurance Policies ;(b)Amounts due to Co-operative Stores and Co-operative Credit Societies ;(c)Refund of advances taken from General Provident Fund.

4. It has further been decided that deductions of the following nature should not be made from the subsistence allowance-

(i)Subscription to a General Provident Fund ;(ii)Amounts due on Court attachments ;(iii)Recovery of loss to Government for which a Government servant is responsible.

5. As regards recovery of over payments, there is no bar to effect the same from the subsistence allowance, but the competent administrative authority will exercise discretion to decide, whether the recovery should be held wholly in abeyance during the period of suspension, or it should be effected at full or reduced rate, depending on the circumstances of each case.

6. The above orders will be applicable in case of all Government servants under the rule making control of the Governor of Assam.

Sd. There is no bar to effect recovery of over payments from the subsistence allowance, but the recoveries should not ordinarily be made at a rate greater than one-third of the amount of the subsistence allowance i.e., exclusive of dearness allowance, if any, admissible to the Government servant under F.R. 53 (i) (ii) (a). [Notification No. FEG. 100/60/76, dated the 21st March, 1963]. Government of Assam Finance Department General (Establishment) Branch

No. FEG. 23/66/Part/1/49 dated, Shillong, the 13th January, 1972

Office Memorandum Subject. - Revised scale, 1964-Appointment of Selection Grade Posts-Fixation of pay therein.(1)The undersigned is directed to invite a reference to this department office memorandum No. FEG.63/65/35, dated 31-1-1968, regarding the procedure to be followed in the matter of fixation of pay of a Government servant on being given the Selection Grade. In the office memorandum referred to, it is categorically stated that pay in such a case should be governed by F.R. 22 (a) (ii) since such an appointment does not involve assumption of higher duties and responsibilities.(2)It is, however, observed that all the departments have not applied the aforesaid principle uniformity, as a result of which disparity has arisen. Hence it is reiterated once again that grant of the selection grade does not imply promotion and that pay in such a case should be fixed in accordance with the provisions laid down in F.R. 22 (a)(ii). It has, however, been decided by the Government that in all past cases where the eligibility for their benefit occurred on or before 25-11-1971, fixation of pay under F.R. 22-C may be allowed.(3)The undersigned is further directed to say that the number of selection grade posts in any service with effect from 25-11-1971 may be calculated on the basis of the number of permanent posts plus the number of temporary posts which have continued for more than five years except where specific provision has been made in the Assam (Revision of Pay) Rules, 1964, in regard to any service. Administrative Departments/Heads of Departments are requested to intimate the undersigned the number of selection grade posts calculated on this basis within one month from the receipt of this circular. Government of Assam Finance (Establishment) Department No. FEG/23/66/Part/193 Dated, Shillong, the 30th November, 1972 Office Memorandum Subject. - Revised Scales, 1964-Appointment of Selection

Grade Posts, Fixation of pay therein. The Government have re-examined the case of Government servants whose pay in the selection grade was wrongly fixed under F.R. 22-C and it has been decided that it would be discriminatory to allow such Government servants to continue to enjoy undue financial benefits. Government have, therefore, decided that in partial modification of Memo No. 23/66/Pt./1/49, dated 13-1-1972, the pay of such Government servants should be re-fixed notionally under F.R. 22 (a) (ii) with effect from the date of their getting the selection grade and they should be allowed to draw only emoluments admissible to them on that basis with effect from 1-12-1972. The Government have, however, been pleased to decide that in order to avoid undue hardship to such Government servants, recovery of the excess emoluments drawn by them up to 31-12-1972 due to wrong fixation of their pay under F.R. 22-C may be waived.

Government of Assam Finance Department (Establishment) Branch No. FEG. 13/67/64 Dated 13-7-1973 From : Additional Secretary to the Government of Assam, Finance Department. To The Accountant General, Assam, Shillong. Subject - Amendment of F.R. 22-C. Sir, I am directed to invite a reference to this Department D.O. No. FEG. 13/67/50, dated 24-3-1972 and your reply thereon vide D.O. No. Co-ord. 30-1/70/71/1264, dated 9-6-1972. The entire issue was further re-examined by this Department and it is decided that there is no necessity of amend the entire rule as contemplated in this Department D.O. Letter referred to above. The difficulties as pointed out by you in your letter referred to above in the matter of fixation of pay of those Government servants promoted/ appointed to a second higher post within a period of 3 years cannot be given the benefit of F.R. 22-C. In such cases, pay should be regulated as per provision laid down in F.R. 22 (a) (i) if he is a substantive holder of the lower post. Where, however, it is not possible to take recourse to F.R. 22 (a) (i), fixation of pay will have to be done having recourse to F.R. 27 by the Finance Department. In a case where a Government servant was allowed to officiate in a higher post for a short duration, such as, leave vacancy etc. his initial pay on the first such occasion should be regulated as per provision laid down in F.R. 22-C. If, however, he is subsequently reverted and again promoted to the same post on a subsequent date, pay should be regulated as per provision laid down in provisos 1-3, F.R. 22-C and the limit of 3 years as incorporated in C.S. No. 215, F.R. 22-C will not operate. Cases occurring from 29-3-1965 to 17-2-1970 should be regulated as per orders contained in this Department letter No. FEG. 13/67/49, dated 11-11-1971. It is, however, made clear that the intention of the Government is that the bar of 3 years should operate only where there are two distinct promotions/appointments within a period of 3 years irrespective of whether it is in the direct line of service or not.

Additional Secretary to the Government of Assam Finance Department. F.R. 22A. The initial substantive pay of a Government servant who is appointed substantively to a post on a time-scale of pay which has been reduced for reasons other than a diminution in the duties or responsibilities attached to post thereon and who is not entitled to draw pay on the time-scale as it stood prior to reduction, is regulated by R. 22 ; provided, both in cases covered by Clause (a) of that rule and in cases other than those of re-employment after resignation or removal or dismissal from the public service, covered by Clause (b), that if he either-(1) has previously held substantively or officiated in-(i) the same post prior to reduction of its time-scale ; or (ii) a permanent or temporary post of the same time- scale as the unreduced time-scale of the post; or (iii) a permanent post other than a tenure post, or a temporary post on a time-scale of pay identical with the unreduced time-scale of the post, such temporary post being on the same time-scale as a permanent post; or (2) is appointed substantively to a tenure post the time-scale of which has been reduced without diminution in the duties or responsibilities attached to it and has previously held substantively or officiated in another tenure post on a time-

scale identical with the unreduced time-scale of the tenure post, then the initial pay shall not be less than the pay, other than special pay, personal pay or emoluments classed as pay by the State Government under R. 9 (21) (a) (iii), which he would have drawn under R.22 on the last such occasion if the reduced time-scale of pay had been in force from the beginning and he shall count for increments the period during which he would have drawn that pay on such last and any previous occasions. AF.R.22B. Notwithstanding anything contained in this rule, the following provisions shall govern the pay of a Government servant who is appointed as a probationer in another service or cadre, and subsequently confirmed in that service or cadre: (a) during the period of probation he shall draw pay at the minimum of the time-scale or at the probationary stages of the time-scale of the service or post, as the case may be : Provided that if the presumptive pay of the permanent post, other than a tenure post, on which he holds a lien or would hold a lien, had his lien not been suspended, should at any time be greater than the pay fixed under this clause, he shall draw the presumptive pay of the permanent post ; (b) on confirmation in the service or post after the expiry of the period of probation, the pay of the Government servant shall be fixed in the time-scale of the service or post in accordance with the provisions of Rule 22.(2) The provisions contained in sub-rule (1) shall apply mutatis mutandis to cases of Government servants appointed on probation with definite conditions against temporary post in another service or cadre where recruitment to permanent post of such service or cadre is made as probationers, except that in such cases the fixation of pay in the manner indicated in Clause (b) of sub-rule (1) shall be done under Rule 31 of the rules immediately on the expiry of the period of probation and on regular officiating appointment to a post, either permanent or temporary, in the service or cadre. (3) Notwithstanding anything contained in these rules a Government servant appointed as an apprentice in another service or cadre shall draw- (a) during the period of apprenticeship, the stipend or pay prescribed for such period; provided that if the presumptive pay of the permanent post, other than a tenure post on which he holds a lien or would hold a lien had his lien not been suspended should at any time be greater than the stipend or pay fixed under this clause, he shall draw the presumptive pay of the permanent post; (b) on satisfactory completion of the apprenticeship and regular appointment to a post in the service or cadre, the pay as fixed in the time-scale of the service or post under R. 22 or 31 of these rules. This takes effect from 13th September, 1961. F.R.22C. (1) Notwithstanding anything contained in these rules, where a Government servant holding a post in a substantive, temporary or officiating capacity is promoted or appointed in a substantive, temporary or officiating capacity to another post carrying duties and responsibilities of greater importance than those attaching to the post held by him, his initial pay in the time-scale of the higher post shall be fixed at the stage next above the pay notionally arrived at by increasing his pay in respect of the lower post by one increment at the stage at which such pay has accrued : Provided that in all cases of promotion from one Class I post to another Class I post, the pay in the higher scale should be fixed at the stage next above the pay drawn in the lower scale irrespective of whether the lower post was held in a substantive, officiating or temporary capacity: Provided further that the provisions of sub-Rule (2) of F.R. 31 shall not be applicable in any case where the initial pay is fixed under this rule : Provided also that where a Government servant has, immediately before his promotion or appointment to a higher post, been drawing pay at the maximum of the time-scale of a lower post, his initial pay in the time-scale of the higher post, shall be fixed at the stage next above the pay notionally arrived at by increasing his pay in the lower post, by the amount of the rate of increment just before maximum of the time-scale of the lower post: Provided further that if a Government servant either- (1) has

previously held substantively or officiated in-(i)the same post, or(ii)a permanent or temporary post on the same time- scale, or(iii)a permanent post other than a tenure post, or a temporary post on an identical time-scale, or(2)is appointed substantively to a tenure post on a time-scale identical with that of another tenure post which he has previously held substantively or in which he has previously officiated ;then proviso to F.R. 22 shall apply in the matter of the initial fixation of pay and counting of previous service for increment.Explanation. - In this rule, the expression "Class I" has the meaning assigned to it in the Resolution on the Report of Pay Commission, 1937, and the Assam Service (Revision of Pay) Rules, 1975 with Schedule.(2)Notwithstanding anything contained in these rules, the pay of a Government servant shall not be fixed under these rules twice within a period of three years.State Government's decision. - Provisions of F.R. 22-C will not apply to cases of Government servants appointed to higher post through the Assam Public Service Commission and in whose case the Commission have made a specific recommendation regarding the pay to be given.The intention behind the above provisions that in a case where the Assam Public Service Commission recommended a specific rate of pay to be given to the Government servant, the person concerned should be eligible for that rate of pay. If, on the contrary, the Commission recommended that the pay should be fixed under the normal rules, then the pay may be fixed under F.R. 22-C subject of course, to the condition that the post is higher than the post previously held by a Government servant.In order to enable the Account/Audit Authorities to see that the pay has been fixed in accordance with the above, the Governor is pleased to decide that in all cases of appointment of Government servant to other posts through the Assam Public Service Commission in the matter of pay, i.e., whether it is specific rate of pay or pay fixed "under the normal rule", as the case may be, should invariably be indicated in the order or Notification appointing the Government servant concerned to the post.The above procedure shall also apply in the case of recruitment through Selection Committee.State Government Notification under F.R. 22C. - (1) Under this rule if the question is as to how the pay of a person reverting from an ex-cadre post to an identical/equivalent cadre post in the parent department is to be fixed, the answer would be if a person goes to 'A' in this parent department to a post 'B' elsewhere and reverts to post 'C in his parent department which post is higher than that in post 'A', but not higher than that of the post 'B', the pay in the post 'C' should be fixed under the present rule, with reference to pay in post 'A', if the pay so fixed is more advantageous to the pay fixed under the normal rules with reference to his pay in post 'B'. [Refer to the Notification No. FEG. 27/65/41, dated the 6th May, 1967].(2)Government have decided in partial modification of Government letter No. FEG. 14/67/54, dated 13th July, 1973 that the period of 3 years for the bar in respect of second and subsequent fixation of pay under F.R. 22-C as amended by Correction Slip No. 215 should be calculated from the date of issue of the said amendment, i.e., 18th February, 1970 or thereafter. The cases of fixation which took place prior to 18th February, 1970 are excluded from the purview of this amendment. [Refer to FEG. 13/67/85, dated 2nd February, 1977].F.R.23. The holder of a post, the pay of which changed, shall be treated as if he were transferred to a new post on the new pay: provided that he may at his option retain his old pay until the date on which he has earned his next or any subsequent increment on that old scale, or until he vacates his post or ceases to draw pay on that time-scale. The option once exercised is final.Audit Instructions. - (1) This rule applies to an officiating as well as to a substantive holder of a post.(2)If the maximum pay of a post is altered with no change in the rate of increment and the minimum, the initial pay of the holder of the post should be fixed under F.R. 22-B and not under F.R. 22-A even though he may be holding the post substantively.(3)See also Audit Instruction (4)

below F.R.22.Interpretation. - The expression "subsequent increment on the old scale" in the proviso to F.R. 23 should be held to include grade promotion in cases in which a time-scale of pay have been substituted for a graded scale of pay.Note. When the pay of a post is reduced, the incumbent thereof cannot be forced to accept the lower rate of pay or paid or discharged (with or without compensation pension without first being given the opportunity of exercising his rights under F.R. 23 (i) (in of being treated as if transferred to a new post on a new pay, and (ii) of retaining at his option his old pay in the new post.F.R.24. An increment shall ordinarily be drawn as a matter of course unless it is withheld. An increment may be withheld from a Government servant by the State Government, or by any authority to whom the State Government may delegate this power under Rule 6, if his conduct has not been good or his work has not been satisfactory. In ordering the withholding of an increment, the withholding authority shall state the period for which it is withheld and whether the postponement shall have the effect of postponing future increments.Note. When the authority passing orders to withhold an increment fails to specify clearly for what period the officer is to be deprived of his increment, the deprivation should be held to cease on the expiry of the period during which the officer would have drawn the increment withheld and shall not affect future increment.F.R.25. Where an efficiency bar is prescribed in a time- scale, the increment next above the bar shall not be allowed to a Government servant without the specific sanction of the authority empowered to withhold increments under Rule 24 or relevant disciplinary rules applicable to the Government servant or any other authority whom the Governor may, by general or special order, authorise in this behalf.Note. On each occasion on which an officer is allowed to pass an efficiency bar which had previously been enforced against him, he should come on to the time-scale at such stage as the authority competent to declare the bar removed may fix for him subject of course to the pay admissible according to his length of service.Exception. - Inspectors and Inspectresses of Schools are authorised to pass orders for crossing the efficiency bar of officers of Class II of the Assam School Service : provided that cases of stoppage are reported to the Director of Public Instruction.F.R.26. (a) All duty in a post on a time-scale counts for increments in that time-scale:Provided that for the purpose of arriving at the date of next increment in that time-scale, the total of such periods as do not count for increment in that time-scale shall be added to the normal date of increment.Method of reckoning the date of increment under the amended rule and old ruleAnnexure

Date of increment 23-4-1964

Extraordinary leave taken, which does not count for increment.

Day From To

3	29-5-64	31-3-64
6	15-7-64	20-7-64
9	7-10-64	15-10-64
4	18-12-64	21-12-64
3	26-1-65	28-1-65
4	16-3-65	19-3-65

29

The 29 date of next increment according to old rules and amended rules will be as follows :

Old Rule Month Days

From	23-4-64	to	28-5-64	1	6
"	1-6-64	"	14-7-64	1	14
"	21-7-64	"	6-10-64	2	16
"	16-10-64	"	17-12-64	2	2
"	22-12-64	"	25-1-65	1	4
"	29-1-65	"	15-3-65	1	15
"	20-3-65	"	22-5-65	2	3
				10	60

Date of increment 23-4-1965

Amended Rules :Date of last increment-23-4-64Date of next increment-23-4-65(but for taking extraordinary leave)Total number of extraordinary leave-29 days.Date of next increment-23-4-65+29 days-i.e, 22-5-65.(b)(i)Service in another post other than a post carrying less pay referred to in clause (a) of Rule 15, whether in a substantive or officiating capacity, service on deputation out of India and leave other than extraordinary leave shall count for increments in the time-scale applicable to the post on which the Government servant holds a lien, as well as in the time-scale applicable to the post or posts, if any, on which he would hold a lien had his lien not been suspended.(ii)All leave other than extraordinary leave and the period of deputation out of India shall count for increment in the time-scale applicable to a post in which a Government servant was officiating at the time he proceeded on leave or deputation out of India and would have continued to officiate but for his proceeding on leave or deputation out of India :Provided that the Governor may in any case in which he is satisfied that the extraordinary leave was taken on account of illness or for any other cause beyond the Government servant's control or for prosecuting higher scientific and technical studies, direct that extraordinary leave shall be counted for increments under Clause (i) or (ii).(c)If a Government servant while officiating in a post or holding a temporary post on a time-scale of pay , is appointed to officiate in a higher post to hold a higher temporary post, his officiating or temporary service in the higher post shall, if he is re-appointed to the lower post, or is appointed or re-appointed to the post, on the same time-scale of pay, count for increments in the time-scale to such lower post. The period of officiating service in the higher post which counts for increments in the lower post is however, restricted to tire period during which the Government servant would have officiated in the lower post but for his appointment to the higher post. This clause applies also to a Government servant who is not actually officiating in the lower post at the time of his appointment to the higher post, but who would have so officiated in such lower post on the time-scale of pay had he not been appointed to the higher post.State Government's decision. - 1. For the purpose of F.R. 26 (c), the officiating and temporary service in the higher post will also include all leave and the period of deputation out of India, which counts for increments in that post under Clauses (b) (ii) and (d) of this rule, provided it is certified by the appointing authority that the Government servant concerned would have actually officiated in the lower post but for his proceeding on leave or deputation out of India from the higher post.

2. Under Clause (c) of F.R. 26, a Government servant officiating in a post or holding temporary post can count towards increments in the time-scale applicable to such post, service rendered in an officiating or temporary

capacity in any higher post to which he may be appointed while officiating in or holding the lower temporary post, provided he would have continued to officiate in or holding such lower post but for his appointment to the higher post.

As strictly speaking, the rule in the Fundamental Rules are not applicable when both posts are not under the State Government in cases where a State Government servant while officiating in a post or holding a temporary post under the State Government is appointed to officiate in higher post or to hold a higher temporary post under the Central Government, the period of service in the higher post under the Central Government cannot count for increment in the lower post under the State Government unless recourse is had to F.R.27. After careful consideration, it has been decided that the benefits of F.R.26 (c) may be extended to State Government servants officiating in higher posts or holding higher temporary post under the Central Government also.(d)Foreign service counts for increments in the time- scale applicable to-(i)the post in Government service on which the Government servant concerned holds a lien as well as the post or posts, if any, on which he would hold a lien had his lien not been suspended ;(ii)the post in Government service in which the Government servant was officiating immediately before his transfer to foreign service, for so long as he would have continued to officiate in that post or a post on the same time- scale but for his going on a foreign service ; and(iii)any post to which he may receive officiating promotion under Rule 113 below for the duration of such promotion.(e)Joining time counts for increment-(i)if it is under Clause (a) or Clause (d) of Rule 105, in the time-scale applicable to the post on which a Government servant holds a lien or would hold a lien had his lien not been suspended as well as in the time-scale applicable to the post, the pay of which is received by a Government servant during the period ; and(ii)if it is under Clause (b) or Clause (c) of Rule 105, in the time-scale applicable to post/posts on which the last day of leave before commencement of the joining time counts for increments.Explanation. - For the purpose of this rule, the period treated as duty under sub-Clause (b) of Clause (6) of Rule 9 shall be deemed to be duty in a post if the Government servant draws pay of that post during such period.F.R.27. An authority may grant a premature increment to Government servant on a time-scale of pay if it has power to create a post in the same cadre on the same scale of pay.Note. In the case of increment granted in advance it is usually the intention that the officer should be entitled to increments in the same manner as if he had reached his position in the scale in the ordinary course and in the absence of special orders to the contrary he should be placed on exactly the same footing as regards future increments of an officer as has so risen.F.R.28. The authority which orders the transfer of a Government servant as a penalty from a higher to a lower grade or post, he may allow him to draw any pay, not exceeding the maximum of the lower grade or post, which it may think proper:Provided that the pay allowed to be drawn by a Government servant under this rule shall not exceed the pay which he would have drawn by the operation of Rule 22 read with Clause (b) or Clause (c), as the case may be, of Rule 26.F.R.29. (1) If a Government servant is reduced as a measure of penalty to a lower stage in his time-scale, the authority ordering such reduction shall state the period for which it shall be effective, and whether, on restoration, the period of reduction shall operate to postpone future increments, and if so, to what extent.(2)If a Government servant is reduced as a measure of penalty to a lower service, grade or post or to a lower time-scale, the authority ordering the reduction may or may not specify the

period for which the reduction shall be effective ; but where the period is specified, that authority shall also state whether on restoration the period of reduction shall operate to postpone future increments, and if so, to what extent. Note. Sub-rule (1) of the new rules covers cases of restoration after a period of deduction to lower stage in time-scale, and sub-Rule (2) relates to cases of restoration after a specified period of reduction to a lower grade or post. Under the new rule, reduction to a lower stage in a time-scale can be ordered only for a specified period. Hence the authority ordering such reduction is required to specify the period in the order of reduction. Reduction to lower post or grade can be either for any specified period in which case the period has to be indicated in order of reduction or for an unspecified or indefinite period. In the latter case on re-appointment to the higher post or grade the pay of the Government servant will be regulated under the normal rules and not under the F.R. 29. State Government's Interpretation of sub-Rule (1) of F.R. 29. - (a) Every order passed by the competent authority imposing on a Government servant the penalty of reduction to a lower stage in a time-scale should indicate-(i)the date for which it takes effect and the period (in terms of years and months) for which the penalty shall be operative ;(ii)the stage in the time-scale (in terms of rupees) to which the Government servant is reduced ; and(iii)the extent (in terms of years and months), if any, to which the period referred to at (i) above should operate to postpone future increments. It should be noted that reduction to a lower stage in a time-scale is not permissible under the rule either for an unspecified or as permanent measure. Also when a Government servant is reduced to a particular stage, his pay will remain constant at that stage for the entire period of reduction. The period to be specified under (iii) should in no case exceed the period specified under (i). (b) The question as to what should be the pay of a Government servant on the expiry of the period of reduction should be decided as follows : (i) if the original order of reduction lays down that the period of reduction shall not operate to postpone future increments or is silent on this point, the Government servant should be allowed the pay which he would have drawn in the normal course but for the reduction. If, however, the pay down by him immediately before reduction was below the efficiency bar, he should not be allowed to cross the bar except in accordance with the provision of F.R. 25 ; (ii) if the original order specifies that the period of reduction was to operate to postpone future increments of any specified period, the pay of the Government servant should be fixed in accordance with (i) above but after treating the period for which the increments were to be postponed as not counting for increments. State Government's Interpretation/clarification relating to sub-Rule (2) of F.R. 29. - 1. Under sub-Rule (2) of F.R. 29 if a Government servant is reduced as a measure of penalty to a lower grade/post/service/time-scale, the competent authority ordering the reduction should indicate in the order of reduction : (a) the date from which the punishment takes effect. Where the reduction is intended for a particular period, the same should be specified (in terms of years and months). On expiry of the specified period of reduction, the Government servant concerned shall be automatically restored to his old grade/post/service/time-scale. The reduction may also be for an unspecified or an indefinite period. In cases where no period is specified in the order of penalty, it is to be construed that the penalty is for an unspecified period ; (b) the extent (in terms of years and months), if any, to which the period referred to in sub-Clause (a) above shall operate to postpone future increments on restoration, after the specified period. The period to be specified under this sub- clause shall in no case exceed the period specified under sub-Clause (a) above.

2. The pay of a Government servant, who is reduced to the lower grade/post/service/time-scale, whether for a specified or unspecified period, should be regulated in accordance with the provisions of F.R. 28 as amended by Correction slip No. 183 [vide Notification No. FEG 58/60/Pt/40, dated 6-9-1962]. Once the pay is thus fixed in the lower grade/post/service/time-scale, increments therein shall be regulated in accordance with the provisions of normal rules unless such increments are also withheld.

3. The pay of Government servant on restoration to the higher grade/post/service/time-scale, in cases where the period of reduction is specified, shall be regulated as follows :

(i) if it is laid down in the order of reduction that the period of reduction shall not operate to postpone future increments, the Government servant shall be entitled to the pay which he would have drawn but for his reduction to the lower grade/post/service/time-scale. If, however, the pay drawn by him immediately before reduction was below the efficiency bar, he shall not be allowed to cross the bar except in accordance with the provisions of F.R. 25 ;(ii) if it is laid down in the order of reduction that the period of reduction shall operate to postpone future increments, for any specified period which shall not exceed the period of reduction to the lower grade/post/service/time-scale, the pay of the Government servant on restoration shall be fixed as in (i) above but after treating the period for which increments are postponed as not counting towards increments.

4. In cases where the reduction to the lower grade/post/service/time-scale is for an unspecified period if and when the Government servant is re-appointed to the higher post in the normal course the pay in the higher post will be regulated only in accordance with the normal rules relating to pay fixation.

Under Secretary to the Government of Assam, Finance Department Memo No. FEG 58/60/Pt/40, dated the 6th September, 1962. F.R. 29A. Where an order of penalty of withholding of increment of a Government servant or his reduction to a lower service, grade or post, or to a lower time-scale, or to a lower stage in a time-scale, is set aside or modified by competent authority on appeal or review, the pay of the Government servant shall, notwithstanding anything contained in these rules, be regulated in the following manner: (a) If the said order is set aside, he shall be given, for the period such order has been in force, the difference between the pay to which he would have been entitled had that order not been made and the pay he had actually drawn. (b) If the said order is modified, the pay shall be regulated as if the order as so modified had been made, in the first instance. Explanation. - If the pay drawn by a Government servant in respect of any period prior to the issue of orders of the competent authority under this rule is revised, leave salary and allowances (other than travelling allowance), if any, admissible to him during that period shall be revised on the

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

Pay of officiating Government servant F.R.30. (1) Subject to the provisions of Chapter VI, a Government servant who is appointed to officiate in a post shall not draw pay higher than his substantive pay in respect of a permanent, post, other than a tenure post, unless the officiating appointment involves the assumption of duties and responsibilities of greater importance than those attaching to the post other than a tenure post on which he holds a lien or would hold a lien had his lien not been suspended : Provided that the State Government may exempt from the operation of this rule any service which is not organised on a time-scale basis and in which a system of acting promotion from grade to grade is in force at the time of the coming into force of these rules : Provided further that the State Government may specify posts outside the ordinary line of a service the holders of which may, notwithstanding the provisions of this rule and subject to such conditions as the State Government may prescribe, be given any officiating promotion in the cadre of the service which the authority competent to order promotion may decide, and may thereupon be granted the same pay whether with or without any special pay attached to such post as they would have received if still in the ordinary line. (2) For the purpose of this rule, the officiating appointment shall not be deemed to involve the assumption of duties or responsibilities of greater importance if the post to which it is made is on the same scale of pay as the permanent post other than a tenure post, on which he holds a lien or would hold a lien had his lien not been suspended or on a scale of pay identical therewith.

Audit Instructions. - (i) It is not intended that the phrase "outside the ordinary line of a service" in the second proviso to Clause (1) of F.R. 30 should be rigidly interpreted either as "outside the cadre of a service" or as "outside the ordinary time-scale". The form of words adopted allowed the Government to exercise their discretion in regard to cases where exceptional circumstances which could not be foreseen and provided for by rule might arise. (ii) The specification of a post under this proviso will enable a Government servant to count service in that post for increment in the grade in which he would have officiated had he not been holding the specified post.

Note. The Government of Assam have exempted from the operation of F.R. 30, the Rangers and Deputy Rangers whose service has been reorganised on a graded system of pay.

F.R.31. (1) Subject to the provisions of Rr. 30 and 35, a Government servant who is appointed to officiate in a post will draw the presumptive pay of that post. (2) On an enhancement in the substantive pay, as a result of increment or otherwise, the pay of such Government servant shall be refixed under sub-Rule (1) from the date of such enhancement as if he was appointed to officiate in that post on that date where such refixation is to his advantage.

State Government's decision. - (1) A question has been raised in regard to the manner in which the officiating pay is to be regulated in a case where an increment in the substantive post falls due during a period of leave and refixation of officiating pay is to the Government servant's advantage. It has been decided that in the case of a person proceeding on leave, if the period of leave counts for increments in the officiating post either under F.R.26 (a) or 26 (b) subject to the fulfilment of the conditions and production of the necessary certificates, his

officiating pay may be refixed under F.R. 31 (2) from the very date of increment or increase in the substantive pay as if he was appointed to officiate in the post on that date. The benefit of the increase in officiating pay can be had by him only from the date of resumption of duties but his next increments in the officiating post will accrue to him from an earlier date in the next year calculated with reference to the date of refixation of pay. If, however, the period of leave does not count for increment in the officiating post the Government servant loses all connection with that post during that period and he will be entitled to get his officiating pay refixed only from the date he returns from leave in which case the next increment will fall due only after completion of the prescribed period of duty from the date of resuming charge unless he becomes entitled to refixation of pay under F.R. 31 (2) once again from an earlier date. (2) A doubt has been raised whether in the case of a Government servant whose officiating pay on refixation under F.R. 31 (2) carries his pay above the efficiency bar stage in the time-scale of the officiating post, the efficiency bar should be applied. Since the refixation of officiating pay under F.R. 31 (2) is to be done in the same manner as initial fixation of pay under F.R. 31 (1) it has been decided that in the type of cases mentioned above, the Government servant concerned should be deemed to have automatically crossed the efficiency bar at the time of refixation of officiating pay and the question of application of efficiency bar will not arise. In the case of a Government servant officiating in a post and whose pay had been refixed under F.R. 31 (2), if he is confirmed in that post from a retrospective date the refixation of pay done under F.R. 31 (2) after the date of his confirmation will have to be revised and consequently over payments, if any, will have to be recovered. Note. A Government servant while officiating in a higher post took regular leave for short period and thus reverted to his substantive post in which, during the leave, an increment accrued to him which raised his substantive pay so as to equal the pay he was drawing in his officiating post. As under F.R. 31 officiating pay has to be fixed on each occasion of appointment to a higher post, carrying greater responsibility the Government servant on re-appoint to the higher post on return from leave was able to get the benefit of the next stage in the time-scale of the post, which he would not have got had he continued to officiate without a break. The automatic fixation in such cases of officiating pay at a rate higher than that drawn on a previous occasion, which the rule allows, is not justifiable and that in these cases the powers conferred by F.R. 67 or 35 could reasonably be exercised. For instance, if the competent authority feels that a Government servant who in the normal course would continue to officiate in a higher post has applied for short period of regular leave with the deliberate intention of getting the benefit of the increment accruing to him in his substantive scale of pay during the leave for the fixation of his pay in the officiating post on his re-appointment to it, it will be for the consideration of that authority whether the leave applied for should not be refused under F.R. 67. If, on the other hand, the effect of leave on the Government servant's officiating pay on subsequent re-appointment to the higher post is not realised at the time, or the competent authority is satisfied that the leave applied for is really necessary, or even if a short break in officiating service occur in the natural course of events, the power conferred by F.R. 35 to reduce officiating pay may quite reasonably be exercised so as to limit the officiating pay on re-appoint to the higher post to what the Government servant would have drawn had he continued to officiate without a break. Audit Instructions. - (1) The pay of a Government servant officiating in a post the pay of which is subject to increase upon the passing of an examination or upon the completion of a certain period of service is the pay which he would from time to time receive if he held the post substantively. (2) The pay of a Government servant officiating in a post the pay of which has been reduced with effect from the next succession thereto is the

reduced pay.F.R.31A. Notwithstanding the provisions contained in these rules the pay of a Government servant, whose promotion or appointment to a post is found to be or to have been erroneous, shall be regulated in accordance with any general or special orders issued by the Governor in this behalf.F.R.32. [Deleted]F.R.33. When a Government servant officiates in a post the pay of which have been fixed at a rate personal to another Government servant, the State Government may permit him to draw pay at any rate not exceeding the rate so fixed or, if the rate so fixed be a time-scale, may grant him initial pay not exceeding the lowest stage of that time-scale and future increments not exceeding those of the sanctioned scale.Audit Instruction. - If a Government servant, who is personally qualified to draw overseas pay, is appointed to officiate in a post on a time-scale, the pay of which is fixed personally for the substantive holder of the post and includes sterling overseas pay, "the lowest stage in time-scale" for the purposes of Fundamental Rule 33 is the minimum of the time-scale, plus the sterling overseas pay included in the pay fixed personally for the substantive holder of the post. The State Government may, therefore , grant to such officiating Government servant the sterling overseas pay in the pay fixed personally for the substantive holder of the post.F.R.34. [Deleted.]F.R.35. State Government may fix the pay of an officiating Government servant at an amount less than admissible under these rules.Audit Instructions. - (1) One class of cases falling under this rule is that in which a Government servant merely holds charge of current duties and does not perform the full duties of the post.(2)When a Government servant is appointed to officiate in a post on time-scale of pay but has his pay fixed below minimum of the time-scale under Fundamental Rule 35 he must not be treated as having effectually officiated in that post within the meaning of Fundamental Rule 22, or having rendered duty in it within the meaning of Fundamental Rule 26. Such an officer, on confirmation, should have his initial pay fixed under F.R. 22 (b), and draw the next increment after he has put in duty for the usual period required calculated from the date of his confirmation.F.R.36. The State Government may issue general or special orders allowing acting promotions to be made in the place of Government servants who are treated as on duty under Rule 9 (6) (b).S.R.19. - (a) The Conservator of Forests may make acting appointment in place of Forest subordinates deputed to undergo a course of training at the Forest College, Dehradun and at the Assam Forest School at Jhalukbari.(b)The Director of Public Instruction may make acting appointments in place of inspecting officers and teachers deputed to undergo a course of training in a training College.Personal PayF.R.37. Except when the authority sanctioning its order otherwise directs personal pay shall be reduced by any amount by which the recipient's pay any may be increased, and shall cease as soon as his pay is increased by any amount equal to his personal pay.F.R.38. [Deleted.]Pay of Temporary PostF.R.39. When a temporary post is created which may have to be filled by a person not already in Government service, the pay of the post shall be fixed with reference to the minimum that is necessary to secure the services of a person capable of discharging the duties of the post.F.R.40. When a temporary post is created which will probably be filled by a person who is already a Government servant, its pay should be fixed by the State Government with due regard to-(a)the character and responsibility of the work to be performed, and(b)the existing pay of Government servants of a status sufficient to warrant their selection for the post.Audit Instruction. - Under the Fundamental Rules special duty on deputation in India is not recognised. A temporary post will be created for the performance of that duty. If the special duty is to be undertaken in addition to the ordinary duties of the Government servant, then Rr. 40 and 48 will apply.F.R.41. [Deleted].F.R.42. [Deleted].F.R.43. [Deleted].

Chapter V

Additions to Pay

F.R.44. Compensatory allowances. - Subject to the general rule the amount of a compensatory allowance should be so regulated that allowance is not on the whole a source of profit to the recipient; the State Government may grant such allowances to any Government servant under its control and may make rules prescribing their amounts and the conditions under which they may be drawn. Note. The Subsidiary Rules relating to travelling allowance are embodied in Section IV of Fundamental Rules and Assam Subsidiary Rules (Second Edition) 1939. Audit Instructions. - (1) No revision of claims of travelling allowance is permissible in cases where a Government servant is promoted or reverted or is granted an increased rate of pay with retrospective effect in respect of the period intervening between the date of promotion or reversion or grant of increased rate of pay and that on which it is notified unless it is clear that there has been an actual change of duties. (2) A Government servant's claim to travelling allowance should be regulated by the rules in force at the time of journey, in respect of which they are made was undertaken. Compensatory allowances other than travelling allowances S.R.21. - Subject, in respect of house-rent allowance, to the provisions of Rule 119, a compensatory allowance attached to a post will be drawn in full by the Government servant performing the duties of that post. S.R.22. - (i) When a Government servant who has drawn a compensatory allowance in his old post joins a new to which he is appointed while on duty in his old post, or when a Government servant joins a new post on return from leave of not more than four month's duration during which he has been permitted by competent authority to draw a compensatory allowance, and a compensatory allowance is also attached to his new post will, during joining time, draw a compensatory allowance at the lower of the two rates. (ii) Compensatory allowance is admissible in all cases during joining time granted under F.R. 105 (d), and will be at the rate of the allowance attached to the post which the Government servant is leaving or is proceeding to join, as the case may be. (iii) Ration Compensation Allowance is admissible during all kinds of joining time when it is treated as duty. Provision of Residences F.R.45. The State Government may make rules or issue orders laying down the principles governing the allotment to officers serving under its administrative control, for use by them as residences of such buildings owned or leased by it, or such portions thereof as the State Government may make available for the purpose. Such rules or orders may lay down different principles for observance in different localities or in respect of different classes of residences and may prescribe the circumstances in which such an officer shall be considered to be in occupation of a residence. F.R.45A. I. [Deleted]. II. For the purpose of the assessment of the rent, the capital cost of a residence owned by Government shall include the cost or value of sanitary, water-supply and electric installations and fittings but exclude the cost or value of the site (including expenditure on its preparation); and shall be either -(a) the cost of acquiring or constructing the residence and any capital expenditure incurred after acquisition or construction ; or when this is not known; (b) the present value of residence. Note. The cost of restoration or special repairs shall not be added to capital cost or present value unless such restoration or repairs add to accommodation or involve replacement of the existing type of work by work of a more expensive character : Provided that - (i) the State Government may make rules providing the manner in which the present value of residences shall be determined ; (ii) the State Government may make rules determining what expenditure is to be regarded for the purpose of sub-Clause (a) above, as

expenditure upon the preparation of a site ;(iii)the State Government may, for reasons which should be recorded, authorise a re-valuation of all residences of a specified class or classes within a specified area to be conducted under the rules referred to in proviso (i) above, and may revise the capital cost of any or all such residences on the basis of such re-valuation. Note. Clause (i) in the proviso obviously does not provide more than supplement (b) in the substantive part by setting the manner in which the present value is to be determined in case in which the factors specified in (a) are not known ; Clause (iii) which unlike (Clause (i) is a true proviso, alters the operation of the substantive part of the rule by substituting for the capital cost determined in accordance with (a) in the substantive part, in a case when the factors specified in (a) are Known, a new capital cost represented by the present value calculated in accordance with the rules made under proviso (i) for the primary purpose of determining the present value in cases to which (b) in the substantive part is applicable.(iv)the capital cost, howsoever calculated, shall not take into consideration (1) any charges on account of establishment and tools and plants other than such as were actually charged direct to the work in cases in which the residence was constructed by Government, or (2) in other cases, the estimated amount of such charges;(v)the State Government may, for reasons which should be recorded, write off a specified portion of the capital cost of a residence-(1)when a portion of the residence must be set aside by the officer to whom the residence is allotted for the reception of official and non-official visitors visiting him on business ; or(2)when it is satisfied that the capital cost, as determined under the above rules, would be greatly in excess of the proper value of the accommodation provided ;(vi)in assessing the cost or value of sanitary, water- supply and electric installations and fittings, the State Government may by rules determine what are to be regarded as fittings for this purpose.III. The standard rent of a residence shall be calculated as follows :(a)In the case of leased residences the standard rent shall be the sum paid to the lessor plus an addition determined under rules which the State Government may make, for meeting, during the period of lease, such charges for both ordinary and special maintenance and repairs and for capital expenditure on additions or alterations as may be a charge on Government and for the interest on such capital expenditure, as also for municipal and other taxes in the nature of house or property tax payable by Government in respect of the residence ;(b)In the case of residences owned by Government, the standard rent shall be calculated on the capital cost of the residence, and shall be either-(i)a percentage of such capital cost equal to such rate of interest as may from time to time to be fixed by the State Government plus an addition for municipal and other taxes in the nature of house or property tax payable by Government in respect of the residence and for both ordinary and special maintenance and repairs such addition being determined under rules which the State Government may make ; or(ii)six per cent per annum of such capital cost, whichever is less.(bb)In the case of a residence gifted to Government or leased on a nominal rent or on a rent-free basis to Government the standard rent shall be the same as the case of a residence owned by Government;(c)In all cases standard rent shall be expressed as standards for a calendar month and shall be equal to one-twelfth of the annual rent as calculated above, subject to the proviso that, in special localities or in respect of special classes of residence, the State Government may fix a standard rent to cover a period greater than one month but not greater than one year. Where the State Government takes action under this proviso, standard rent so fixed shall not be a larger proportion of the annual rent than the proportion which the period of occupation as prescribed under Rule 45 above bears to one year. Note 1. For the purpose of sub-Clause (a), (b) and (bb) above, the additions for both ordinary and special maintenance and repairs shall not include anything for

the establishment and tools and plant charges, except to the extent allowed under proviso (iv) to Clause II. Note 2. The State Government may by rule permit minor additions and alterations the cost of which does not exceed a prescribed percentage of the capital cost of the residence, to be made during such period as the rule may determine, without the rent of the residence being increased. IV. When Government supplies an officer with a residence leased or owned by Government the following conditions shall be observed : (a) The scale of accommodations supplied shall not, except at the officer's own request, exceed that which is appropriate to the status of the occupant. (b) Unless in any case it be otherwise expressly provided in these rules, he shall pay (i) rent for the residence, such rent being the standard rent as defined in Clause III above or 10 per cent of his monthly emoluments, whichever is less ; (ii) municipal and other taxes payable by Government in respect of the residence not being in the nature of house or property tax. (c) Notwithstanding anything contained in sub- Clause (b) above, State Government may- (i) at any time after the standard rents have been calculated under the provisions of Clause III above, group of a number of residences whether in a particular area or of a particular class or classes, for the purpose of assessment of rent, subject to the following conditions being fulfilled : (1) that the basis of assessment is uniform ; and (2) that the amount taken from any officer shall not exceed 10 per cent of his monthly emoluments ; (ii) by general or special order; provide for taking a rent in excess of that prescribed in sub-Clause (b) or sub-Clause (c) (i) above from an officer- (1) who is not required or permitted to reside on duty at the station at which the residence is supplied to him ; (2) who, at his own request, is supplied with accommodation which exceeds that which is appropriate to the status of the post held by him, or (3) who is in receipt of a compensatory allowance granted on account of dearness allowance, or (4) who sub-lets without permission the residence supplied to him. V. In special circumstances, for reasons which should be recorded, the State Government- (a) may, by general or special order, grant rent-free accommodation to any officer or class of officers, or (b) may, by special order, waive or reduce the amount of rent to be recovered from any officer, or (c) may, by general or special order, waive or reduce the amount of municipal and other taxes, not being in the nature of house or property tax, to be recovered from any officer or class of officers. VI. If a residence is supplied with services, other than water supply, sanitary or electric installations and fittings, such as furniture, tennis court or garden maintained at the cost of Government, rent shall be charged for these in addition to the rent payable under Clause IV. The tenant will also be required to pay the cost of the water, electric energy, etc., consumed. The State Government may make rules prescribing how the additional rents and charges shall be determined, and such rules may also authorise the remission or reduction of the additional rent or charges in special circumstances for reasons which should be recorded. Note 1. The value of the site should be excluded in calculating the rent of special services. Note 2. A tenant will not be required to pay meter hire when meters are the property of Government. The cost of meters in such cases is to be included in the capital cost of the buildings for the purpose of calculating rent. Where, as is usually the case, meters are owned and supplied by Municipal bodies or electric companies, a tenant of a Government residence is charged meter rent, by the company or local body concerned, as in the case of any other consumer of electricity. VII. [Deleted]. VIII. [Deleted]. F.R. 45B. [Deleted]. F.R. 45C. For the purpose of Rule 45-A "emoluments" means- (i) Pay; (ii) Payments for the revenue of the State and fees, if such payments or fees are received in the shape of a fixed addition to monthly pay and allowance, as part of the authorised remuneration of a post; (iii) compensatory allowances, other than travelling allowance and winter allowance whether drawn from the revenues of the State or from a local body; (iv) pension, other

than a pension drawn under the provisions of Chapter IX of the Assam Pension Manual, or compensation received under the Workmen's Compensation Act, 1923 [Now Employees' Compensation Act, 1923], as subsequently amended ;(v)in the case of a Government servant under suspension and in receipt of subsistence grant, the amount of the subsistence grant; provided that if such Government servant is subsequently allowed to draw pay for the period of suspension the difference between the rent recovered on the basis of the subsistence grant and the rent due on the basis of the emolument ultimately drawn shall be recovered from him.It does not include allowances attached to the Victoria Cross, the Military Cross, King's Police Medal, the Indian Police Medal, the order of British India or the Indian Order of Merit.Note 1. The emoluments of a Government servant paid at piece-work rates shall be determined in such manner as the State Government may prescribe.Note 2. The emoluments of an officer on leave mean the emoluments drawn by him for the last complete calendar month of duty performed by him prior to his departure on leave.Note 3. The amount of pension to be taken into account will be the amount originally sanctioned, i.e., before communication, if any, and will also include the pension equivalent of death-cum-retirement gratuity and other forms of retirement benefits, if any, e.g., Government contribution to a Contributory Provident Fund, commuted value of pension, etc.Allotment of ResidencesS.R.23. - When a building owned or leased by Government or a portion thereof has been made available by Government for use as a residence by an officer under its administrative control, the competent authority may allot such building or part of a building to a post specified in the order of allotment for use as a residence by the incumbent of the post.S.R.24. - (1) The incumbent of a post to which a residence has been allotted under S.R. 23, shall be considered to be in occupation of the residence during the period of his incumbency, unless the allotment is changed or suspended under these rules.(2)An officer shall not be considered to be in occupation of a residence only by reason of the fact that he shares it with an officer who is in occupation thereof.(3)An officer shall be considered to be in occupation of his residence when absent on tour or at hill station where he is permitted but not required, by Government to reside.(4)An officer shall not be considered to be in occupation of a residence when the proceeds on leave, unless the competent authority otherwise directs.S.R.25. - (1) The competent authority may suspend the allotment of residence to a post-(a)which is temporarily held by an officer under F.R. 49 in addition to another post, if the officer does not actually occupy the residence ;(b)the incumbent of which discharges the duties of another post if such duties prevent him from occupying the residence ;(c)to which an officer has been transferred from another post in the same station, if the officer is in occupation of a residence allotted to such other post and the competent authority does not consider it necessary that he should change his residence ;(d)in which an officer is officiating for a period not exceeding two months, if the officer is prevented from actually occupying the residence by circumstances which, in the opinion of the competent authority, justify suspension of the allotment.(2)No allotment shall be suspended otherwise than in accordance with sub-Rule (1) save by order of the State Government.(3)An order of suspension under this rule shall terminate on the next change of incumbents or when the circumstances justifying the suspension case so exist, whichever is earlier.(4)When the allotment of a residence to a post has been suspended under this rule, the competent authority may allot the residence to any officer of Government or, it is not required by any such officer, to any suitable person :Provided that the allotment to such officer or person shall terminate not later than the date upon which the period of suspension terminates.S.R.26. - An officer in occupation of a residence may sub-let it subject to the following conditions, namely :(a)the lessee shall be approved by the competent authority ;(b)the

sub-tenancy shall not be recognised by Government;(c)the lessor shall remain personally responsible for the rent and for any damage caused to the residence beyond fair wear and tear ;(d)the sub-tenancy shall terminate not later than the date on which the lessor ceases to hold the post to which the residence has been allotted ; and(e)the rent payable by the lessee shall not, except with the previous sanction of the competent authority, exceed the rent payable to Government by the lessor.State Government's decision - 1. In the case of sub-letting of a Government residence when the lessor is not entitled to rent-free quarters or house rent allowance in lieu but the lessee is so entitled, the rent payable by the lessor should be the rent payable by him if he had not sub-let the residence, or the rent payable by the lessee if the residence had been allotted to him direct by Government otherwise free of rent, whichever is higher ;

2. When a Government residence is sub-let and the lessor and the lessee are, or the lessor is, entitled to rent-free quarters or house rent allowance in lieu, the following procedure should be adopted in regard to the recovery of rent-

(i)when both the lessor and the lessee are entitled to rent-free quarters or house rent allowance in lieu, the lessor will pay to Government an amount equivalent to the higher of the house rent allowances; and(ii)when the lessor is entitled to rent free quarters or house rent allowance in lieu and the lessee is not so entitled, the lessor will pay to Government an amount equivalent either to the house rent allowance admissible to him or to the rent payable by the lessee if the house had been allotted to him direct by Government, whichever is higher.S.R.27. - Officers holding posts to which residences have been allotted may exchange residences with the permission of the authority which made the allotment. Such exchange shall not be recognized by Government. Each officer shall remain responsible for the rent of residence allotted to the post held by him.S.R.28. - The competent authority may permit an officer during temporary absence from his station to store his furniture and other property at his own risk, free of rent in the residence occupied by him prior to such absence, unless-(a)the officer, if any, who discharges the duties of the absent officer is responsible for payment of the residence ; or(b)arrangements are made to let the residence during such temporary absence.S.R.28A. - If the Officer, to whom a residence is allotted, is dismissed from the service, dies, or retires, from service or is transferred from the place of posting to another place the allotment of residence to him shall be cancelled with effect from one month after the date of his dismissal, death, retirement or transfer to another place, as the case may be, or with effect from any date after such dismissal, death, retirement or transfer on which the residence is actually vacated, whichever is earlier.Explanation. - (1) 'Transfer' for the purpose of this rule means actual change in the Headquarters of the officer transferred.(2)'Residence' means all official residences other than those specially attached to the posts held by the officer,S.R.29. - An officer, who at his own request , is supplied with a residence owned or leased by Government, of class higher than that for which he is eligible, when a house of his class is available for him, will be charged the full standard rent laid down in F.R. 45-A and will not be given the benefit of the 10 per cent concessions afforded by Clause IV (b) of F.R.45-A.Rent of Government ResidencesS.R.30. - For the purposes of Clause II of the F.R. 45-A, the present value of a residence and of the site on which it stands shall be estimated by a Public Works Officer of rank not lower than an Executive Engineer, nominated in that behalf by the competent authority. The estimate shall be forwarded to the competent authority, who shall determine the present value of the residence and of the site.S.R.31. - For the purposes of Clause II of

F.R. 45-A, expenditure incurred on such works as-(a)earth work in raising and levelling and work done in terracing ;(b)turfing ;(c)revertments, retaining any compound walls ;(d)approach roads and paths inclusive of all culverts, drains, steps, guard railings and posts ;(e)fencing, including zenana fencing and compound walls used as such ;(f)hedging of all descriptions ;(g)entrance and wickets gates ;(h)drains, inclusive of all pucca drains with their aprons, and also any Kutcha drains discharging water from the compound ; and(i)wells and tanks not now used as a source of water-supply by occupant;shall be regarded as expenditure upon the preparation of a site.S.R.32. - For the purposes of proviso (iv) to Clause II of F.R. 45-A, the following shall be regarded as fittings, namely :Electric Fittings(a)Lamps of all kinds (excluding bulbs);(b)Fans including switches and regulators the hire of which is not charged separately; and(c)Meters, the hire of which is not charged separately.Sanitary and water-supply fittings(a)apparatus for hot water supply ;(b)baths, basins and lavatory equipment; and(c)meters, the hire of which is not charged separately.Note. It is the intention of Subsidiary Rule 32 that only those articles which form an integral part of the electric, sanitary or water-supply installations shall be regarded as fittings. Such fittings need not necessarily be fixture, e.g., electric lamps and fans may include movable lamps and fans, but on the other hand, fixtures do not necessarily fall under the head of fittings, unless they are connected with the supply in question. The basins and baths referred to in the rule are intended to cover only fixed lavatory basins and baths of the type generally known as English baths.S.R.33. - In the calculation of the standard rent of a leased residence under sub-Clause (a) of Clause III of F.R. 45-A, the addition to be made for meeting the charges on Government other than the sum paid to the lessor shall be-(a)for meeting such charges for both ordinary and special maintenance and repairs, the amount estimated by the competent authority to be the probable cost of the maintenance and repairs of the residence (including maintenance and repairs of any additional work done at Government expenses) and all the rates or taxes, if any, payable under any law or custom by the owner to a municipality or other local body, unless the amount of such rates of taxes has been included in the sum paid by the lessor ; and(b)for meeting such charges for capital expenditure on additions or alterations and for the interest on such capital expenditure, an amount estimated by the competent authority to be sufficient to repay to Government during the period of the lease such charge or such part thereof as the lessor may not have agreed to reimburse to Government, plus interest calculated at the rate fixed by the State Government under sub-Clause (b)(i) of Clause III of F.R. 45-A :-(i)if no part of such charges is to be reimbursed by the lessor, on half such charges ; or(ii)if part of such charges is to be reimbursed by the lessor, on half the sum of such charges and the amount to be reimbursed.S.R.34. - (1) In the calculation under sub-Clause (b) of Clause of F.R. 45-A of the standard rent of a residence owned by Government, the addition to be made for municipal and other taxes payable by Government and for both ordinary and special maintenance and repairs shall be-(a)the amount estimated by the competent authority to be the probable cost of the maintenance and repairs of the residence (including sanitary, water-supply and electric installations and fittings) plus the amount of the rates of taxes, if any, payable under any law or custom by the owner to a municipality or other local body ; or(b)if no such estimate has been made, a percentage of the sum taken under Clause II of Fundamental Rule 45-A as the capital cost of the residence, to be fixed by the competent authority and based on the average proportion which the amounts actually charged for such taxes, maintenance and repairs in respect of residence of similar design and with similar conveniences in the same locality bear to the capital cost of such residences.(2)For the purpose of making the estimate or fixing the percentage referred to in sub-Rule (1)-(a)"probable cost" shall include all

charges which may reasonably be expected to be incurred ;(b)"ordinary repairs" shall include repairs executed annually or periodically, but shall not include special repairs ;(c)"special repairs" shall include renewal of floors and roofs and other replacements recurring at long intervals ; and(d)the cost or probable cost of repairs necessitated by the occurrence of fire, flood, earthquake, abnormal storm or other natural calamity shall not be taken into consideration.(3)The competent authority may at any time revise the amount estimated or the percentage fixed under sub-Rule (1) and shall so revise it as if no revision has taken place for five years.S.R.35. - (1) When the standard rent of a residence has been calculated, minor additions and alterations may be made without the rent of the residence being increased, subject to the following conditions, namely :(a)the total cost of such additions and alterations shall not exceed 5 per cent of the capital cost on which the standard rent was last calculated; and(b)such additions and alterations shall be made within five years after the last calculation of the standard rent.(2)In cases where additions or alterations are made at the specific request of an officer to whom the residence has been allotted, additional rent calculated at the rate of 6% of the estimated cost of additional and/or alterations will be recovered from that officer from the date of completion of the work, over and above the rent which otherwise would have been charged under the provisions of Clause III of F.R. 45-A. Such additional recovery will continue until that residence is re-allotted to another officer or till the standard rent has been re-calculated under the provisions of S.R. 26.S.R.36. - (1) When by reason of additions and alterations, the capital cost of a residence exceeds by more than 6 per cent of the capital cost on which the standard rent was last calculated, the standard rent shall be re-calculated with effect from the 1st April next following.(2)Subject to the provisions of sub-Rule (1), the standard rent of a residence shall be calculated on the expiry of five years from the date of the last calculation.(3)Notwithstanding sub-Rr. (1) and (2), when a residence referred to in sub-Rule. (2) of S.R. 35 is vacated by the officer at whose request additions or alterations were made, the standard rent of residence on its re-allotment to another officer, will be the existing standard rent plus the additional rent sanctioned in accordance with S.R. 35 (2) for works carried out up to the date of re-allotment. If the standard rent of that residence has been pooled with other residences its pooled rent will be the existing pooled rent plus additional rent recoverable under S.R. 35 (2).S.R.37. - (1) If a residence is supplied with services other than water-supply, sanitary or electric installations and fittings, such as furniture, tennis court or garden maintained at the cost of Government (other than a garden in respect of which rules, other than the rules made by the State Government under Clause VI of F.R.45-A are in force) the rent to be charged for such services in addition to, and during the same period as the rent payable under Clause IV of F.R. 45-A shall be determined by the competent authority subject to the following provisions, namely :(a)the rent shall, in the case of furniture, be calculated for durable and non-durable articles separately;(b)the rent shall be expressed as monthly rent and shall be one-twelfth of the amount annually required for the payment of-(i)interest at a rate to be fixed from time to time by the State Government in this behalf on the capital cost of such services ;(ii)in the case of furniture, depreciation and repairs ; and(iii)in the case of such services, other than furniture, maintenance charges; and(c)if the capital cost of such services is not known, it may be estimated by competent authority.Note. Rent for furniture, when charged, should be assessed at 9 per cent per annum of the capital cost, which includes interest, depreciation and repair charges.(2)If a residence is supplied by Government with electric energy and water and meters (see S.R. 32) the charges for such service shall be recovered in addition to the rent payable under sub-Rule (1) and under Clause IV of F.R. 45-A, and shall be determined by the competent authority

subject to the following provisions, namely : (a) In the case of electric energy and water, the supply of which is regulated by meters, the charges shall be calculated on the number of units consumed each month as indicated by the meters. The rate of the cost per unit shall be so fixed as to include in addition to such margin of profit to Government as the competent authority may deem reasonable, the amount required for the payment of - (i) interest at a rate to be fixed by the State Government from time to time in this behalf on the capital outlay incurred on the system up to the point of contract with the interest on installation; (ii) depreciation and maintenance charges and the capital assets ; and (iii) actual running expense. (b) In the case of electric energy and water, the supply of which is not regulated by meter, the charges recoverable shall be fixed at such rates as the competent authority may deem reasonable. (c) In the case meters, the charges shall be recovered for the period of actual use, subject to minimum of one month and to broken periods being treated as a whole month, at a fixed rate per mensem which shall be one-twelfth of the amount annually required for the payment of - (i) interest at a rate to be fixed from time to time by the State Government in this behalf on the capital cost of such meters; and (ii) depreciation and maintenance charges. (d) If the capital outlay or cost mentioned in Clause (a) (i) and (c) (i) is not known, it may be estimated by the competent authority : Provided that nothing contained in this sub-rule shall operate to prevent the competent authority from grouping a number of residences whether in a particular area or of a particular class or classes for the purpose of assessment of charges for electric energy, water and meters, subject to the condition that the basis of assessment is uniform. (3) The State Government may, in special circumstances, by order remit or reduce the additional rent and charges referred to in sub-Rr. (1) and (2) for reasons which should be recorded in the order. S.R. 38. - When a portion of a residence is utilised as an office, the competent authority may grant remission of rent for the portion so utilised, the capital cost of the remaining portion being assessed separately for the purpose of calculating the standard rent. No remission of rent, however, is admissible where separate office accommodation is provided for the official use or where the use of a part of his residence for official purposes is optional. S.R. 39. - The competent authority may authorise reduction or remission of rent otherwise chargeable when a residence is rendered uninhabitable by reason of extensive repairs in progress or from any other cause and is so certified by the Executive Engineer; inconvenience caused by petty or ordinary annual repairs is insufficient to warrant reduction or remission of rent. Honoraria F.R. 46. (a) Fees. - Subject to any rules made under F.R. 46-A and F.R. 47, a Government servant may be permitted, if this can be done without detriment to his official duties and responsibilities, to perform a specified service or series of services for a private person or body or for a public body including a body administering a local fund and to receive a remuneration therefor, if the service be material, a non-recurring or recurring fee. Note. This clause does not apply to the acceptance of fees by Medical Officers in civil employ for professional attendance which is regulated by the orders of the Secretary of State. (b) "Honoraria" - The State Government may grant or permit a Government servant to receive an honorarium as remuneration for work performed which is intermittent or occasional in character and either so laborious or of such special merit as to justify a special reward. Except when special reasons, which should be recorded in writing, exist for a departure from this provision, sanction to the grant or acceptance of an honorarium should not be given unless the work has been undertaken with prior consent of the State Government and its amount has been settled in advance. (c) "Fees and Honoraria" - In the case of both fees and honoraria the sanctioning authority shall record in writing that due regard has been paid to the general principle enunciated in F.R. 11, and shall record also

the reasons which in his opinion justify the grant of the extra remuneration. Audit Instruction. - The rule requires that the reasons for the grant should be recorded in writing, as it is intended that the grant of an honorarium or fee should be carefully controlled and that audit should be given an effective opportunity of intervention if it be deemed necessary. Audit Officers may, therefore, require that the reasons for the grant of an honorarium or fee should be communicated to them in each case. State Government's interpretation - 1. A question has been raised whether honorarium under F.R. 46 (b), can be granted to a Government servant for performing the duties of another sanctioned post in addition to the normal duties attached to his own post.

2. Honorarium has been defined in Fundamental Rule 9 (9) as a recurring or non-recurring payment granted to a Government servant from the Consolidated Fund of India or the Consolidated Fund of a State as remuneration for special work of an intermittent or occasional character. When a post is sanctioned the duties attached to it can hardly be regarded as intermittent or occasional in character. Hence, when in addition to his own duties, a Government servant is required to perform the duties of another sanctioned post, he should be deemed to be performing additional duties which are not intermittent or occasional in character, even though he may be asked to perform such additional duties only for a short period. Honorarium, under F.R. 46 (b), will not, therefore, be admissible to a Government servant who is required to perform the additional duties of a sanctioned post.

3. Past cases which have been already decided otherwise need not be re-opened.

F.R.46A. The State Government may make rules prescribing the conditions and limits subject to which a fee may be received by a Medical Officer in civil employ for services other than professional attendance. Government of India's Order under F.R. 46-A in Section III of Fundamental Rules and Assam Subsidiary Rules (Second Edition) 1939, are reproduced below : Government of India's Order. - (1) Unless the President by special order otherwise directs, no portion of any fee received by a Medical Officer in civil employ for services other than professional attendance shall be credited to the revenues of the Federation or of a Province. (2) The following rules have been issued regarding the acceptance of fees by Indian Medical Service Officers in civil employ and all other Medical Officers under the rule making control of the President for service other than professional attendance : (a) No work or class of work involving the acceptance of fees may be undertaken on behalf of a private person or body or public body or Indian State except with the knowledge and sanction, whether general or special, of a competent authority prescribed by the State Government under whom the Medical Officer is serving. Note. The Government of Assam have prescribed the Inspector General of Civil Hospitals and the Director of Public Health, Assam to be competent authority under this rule who should certify in writing that the work does not interfere with the official duties of the Medical Officer concerned. (b) In cases where the fee received by the Medical

Officer is divisible between himself and Government, the total amount should first be paid into the Government treasury, the share of the Medical Officer being thereafter drawn on a refund bill in Civil Account Code Form No. 17. In such cases a complete record of the works done and the fees received should be kept by the Medical Officer. Note. The above procedure will not apply to fees for examination by a Medical Board for commutation of pension or of candidates in respect of appointments to All-India services and technical post, one-fourth of which only will be credited to Government and the balance will be paid to Medical Board in cash by examinee at the time of the medical examination as laid down in the Government of India, Education, Health and Land Department letter No. F. 109/32-H. dated the 8th July, 1932 and No. F-16-11/38-H, dated the 8th June, 1938. (c) For private bacteriological, pathological and analytical work carried out in Government laboratories and in the Chemical Examiner's Department, 40 per cent of the fees should be credited to Government, the remainder (60 per cent) being allowed to the Director of the Laboratory or the Chemical Examiner as the case may be, who may divide it with his assistants and subordinates in such manner as he considers equitable. No payment should, however, be made to officers from the sale proceeds of those vaccines which are used on a large scale for prophylactic purposes, for example T.B. Cholera, Influenza and Plague vaccines. Note 1. The bacteriological and microscopical examinations which are required in connection with the investigation of the cases of persons entitled to free medical attendance should be conducted free of charge ; provided that they are carried out under the following conditions, namely, at the hospital or Government institution with its own staff equipment and apparatus and in the ordinary course of its work. Note 2. This clause does not apply to Lt. Col. L.A.P. Anderson, I.M.S. or Lt.Col. J.L. Sen, I.M.S. so long as they continue to hold the posts of Director, Pasteur Institute and Medical Research Institute, Shillong and Superintendent, Berry-White Medical School Dibrugarh, respectively. They will be governed by the rules contained in the Government of India's letter No. 1300- Health, dated the 20th November, 1924. (d) The rates shown in Appendix 8 are maximum which a Medical Officer will be free to reduce or remit, if he is entitled to appropriate them himself. In cases where the fee is divisible between the Medical Officer and Government, the former may charge lower rates in special cases where he considers it necessary either owing to the pecuniary circumstances of the patient or for some other reason of public interest, and the share of Government will be calculated on the basis of the fee actually realised instead of the prescribed fee, provided the approval of Government is obtained by a general or special order in this behalf. Note. Under this rule general orders have been issued that the Director, Pasteur Institute, Shillong and the Superintendent, Berry-White Medical School, Dibrugarh, may accept such reduced sum as they find the patient capable of paying, when specimens are sent by the Officer-in-charge of Hospital maintained by a recognised mission or of the Ganesh Das Hospital, Shillong, with the report that the patient is unable to pay the full fees. He should, however, satisfy himself that similar concessions are made by the Hospital itself to such patients. (3) The following rules have been issued by the Government of India regarding the acceptance of fees by Indian Medical Service Officers in civil employ : (a) If an officer is summoned by the court at the instance of the State, he should be treated as being on duty and he should be allowed to draw his travelling and subsistence allowance if the court is situated away from his headquarters; if the Court is situated at his headquarters, he should not be paid anything. Note. No travelling and subsistence allowance shall be admissible unless the Court is situated at a distance of more than ten miles from the officers' headquarters. (b) If such an officer is summoned by the Court at the instance of a private person or party, such attendance at Court should be regarded as private

practice of the nature of expert evidence and should be regulated as follows : (i) The Officer may accept such fees as the Government under whom he is serving may permit him to accept having regard to his eminence in medical profession, the importance of the case and the distance of the Court from his headquarters. (ii) In each case the officer should apply to Government for sanction in the same way, as, for example, an officer has to obtain permission of Government for accepting fee. (iii) The Government would, in according permission, be at liberty to recover from the fee such amount as may be considered reasonable for the loss of the officer's time in the event of his attendance at the Court interfering with the performance of his official duties. (iv) The officer's travelling and subsistence allowance would be paid by the private person or party at whose instance he may be summoned.

S.R. 40. - (1) The rule framed by the Government of India to govern the acceptance of fees for services other than professional attendance (See Order under F.R. 46-A, in Section III) have been adopted by the Government of Assam in respect of Government servant under their rule-making control, subject to the following conditions. The items referred to below appear in Appendix 8.I. Items 1 and 2. - (a) Medical Officer holding appointments as Civil Surgeons are authorised to charge the same rates as those prescribed for Indian Medical Service Officers. (b) Civil Assistant Surgeons may charge half of the above rate. (c) Sub-Assistant Surgeons may charge one quarter of the above rates.

Explanation. - Medico-legal examinations made at a dispensary or hospital or work done in the ordinary course of duty, and no fee is chargeable (save at subsidized practitioners' dispensaries). No certificate is to be given in respect of such an examination except when it is made on the requisition of Magistrate or police officer in a cognizable case, or on the requisition of a Magistrate in a non-cognizable case. Certificates in such cases, when it is stated that the requisition is made at his own instance, to satisfy doubt as to the nature of the injury in the interests of justice, will be given free of charge.

II. Item 3. - Medical Officers holding appointments as Civil Surgeons may claim a fee of Rs. 16, Assistant or Sub-Assistant Surgeons a fee of Rs. 4 for each day's attendance.

III. Items 4-7. - These items apply only to Civil Surgeons, who will be entitled to receive the same fees as Indian Medical Service Officers.

IV. Items 9-10. - (1) The maximum rate of fees laid down for such examinations carried out by Indian Medical Services Officers shall also apply in the case of all other Medical Officers including Sub-Assistant Surgeons. The entire amount of the fees should first be created into the Treasury and 60 per cent of it payable to the Government servants undertaking the work, shall be drawn. (2) The rules framed by the Government of India [vide Order No. (3) below F.R. 46-A in Section III of this volume] to govern the acceptance of fees by Indian Medical Services Officers in civil employ for giving evidence in a Court of Law have been adopted by the Government of Assam in respect of Government servants under their rule-making control.

F.R. 47. The State Government may make rules prescribing the conditions and limits, subject to which authorities subordinate to it may sanction the grant or acceptance of honoraria, and acceptance of fees, other than the acceptance of fee by Medical Officers in civil employ for professional attendance.

Note. Where the officer's presence in Court for giving evidence entails absence during the usual working hours in the hospital or laboratory such portion not exceeding 60 per cent of the fee as Government may, in according permission, fix after taking into consideration the degree of interruption involved in each case, shall be credited to Government in accordance with the procedure laid down in Clause (b) of the Government of India's Order No. (2).

S.R. 41. - Subject to the conditions prescribed in S.Rr. 51 to 55 and to any general or special orders governing a particular case or class of cases a competent authority may sanction the grant of an honorarium to a Government servant or the acceptance by such Government servant of an

honorarium or a fee. No Government servant may accept an honorarium or fee without such sanction. When the Government servant is under the administrative control of another authority, the consent of the competent authority permitting him to undertake the work and to accept the honorarium or the fee together with the certificate specified in S.R. 53, where necessary, should be obtained in writing and the fact recorded in the order of sanction.

Note 1. (a) Sanction has been given to the acceptance of remuneration by (a) Government officers of the Education Department appointed as Paper-setters, Moderators and Examiners, Scrutinisers, Supervising Officers, Officer-in-charge, etc. on the scale approved from time to time in respect of Examinations or Tests held by the Universities of India, or by Department of Education or by any Board or Committee in the State constituted or approved by the Government; or by any institution under the control of the Government. (b) Educational Officers, other than Deputy Inspectors and Sub-Inspectors of Schools from local and Municipal Boards for setting and moderating question papers and examining answer papers of the Primary Scholarship Examination conducted by these Boards at the rates fixed from time to time. (c) Educational Officers, including Deputy Inspectors and Sub-Inspectors of Schools appointed as Invigilators and Superintendents of Primary Scholarships Examination held during holidays ; provided that they do not receive any remuneration for similar work in connection with any other examination held simultaneously, at rates fixed from time to time. (d) Persons who are permitted to act as Supervisors or Invigilators in connection with examinations held by the Central Public Service Commission at their State centres at prescribed rates. (e) Sanction has also been given to the acceptance of remuneration by the Electrical and Factory Inspector, appointed as examiner for technical subjects of the Prince of Wales Technical School, Jorhat and the Surma Valley Technical School, Sylhet on the scale fixed from time to time. (f) Sanction has also been given to the acceptance of remuneration by Government servants appointed as Paper-setters, Examiners and Invigilators in connection with examination held by the Assam Public Service Commission at prescribed rates. These do not apply to Members of the Commission nor do the invigilation fees apply to Members of All-India or State Services, save for such work conducted on public holiday.

Note 2. A fee of Rs. 48 is payable to Civil Surgeon for inspection of each tea garden on the unhealthy list.

Note 3. A reward of four annas is admissible for each conviction obtained to vaccination staff instituting proceedings.

Note 4. On every death certificate issued by the Sub-Inspector of Police in charge of the thana he will be entitled to a fee of Re. 1.

Note 5. A Sub-Assistant Surgeon may be remunerated at the rate of Rs. 15 and an Assistant Surgeon at the rate of Rs. 20 for each set of lectures on ambulance work, and for examination at annas eight for each candidate, if recognised classes are held. In the case of the Murarichand College Centre the minimum charge for examination will be Rs. 6. The examination will not be held by the lecturer. This does not apply to Sub-Assistant Surgeons in whole time charge of Jail Hospitals, Police Hospitals and Government Hospitals, who are not entitled to remuneration for classes held in the institutions of which they are in medical charge.

Note 6. The Sub-Assistant Surgeon at Haltugaon and Kachugaon may be paid by the Conservator of Forests remuneration up to a maximum limit of Rs. 20 in each case in any month for the treatment of elephants belonging to the Forest Department in emergent cases when the Veterinary Assistant attached to the Forest Department is absent.

Note 7. Officers of the Jail Department may be granted the reward offered for the capture of escaped prisoners or re-capture of escaped undertrial prisoners.

Note 8. The Inspector (Subedar), Armed Police Reserve Sub-Inspector and Drill Inspector in charge of training the Jail staff in drill and musketry may be granted allowance at the following rates for each Assistant Jailer, Head Warder

and Warder trained under the Armed Police at district and sub-divisional headquarters:

Inspector (Subedar) Rs. 5 p.m.

Armed (Branch) Sub-Inspector Rs. 4 p.m.

Drill Inspector Rs. 2 p.m.

Honoraria at the aforesaid rates are also admissible to these officers for each police recruit trained by them. The honoraria will be drawn and disbursed by the Superintendent of Police of the district concerned, subject to the general control of the Inspector-General of Police who may disallow any payment either wholly or partially if he is not satisfied with the quality of the training given. The above rates are admissible for the course of initial training. Half of the above rates will be allowed for the refreshal course of training. Note 9. Veterinary Assistants are authorised to accept fees from private persons at the rates laid down in the departmental rules. S.R.42. - The following rules have been laid down for the grant of language rewards to Subordinate Officer in Assam : (1) Subordinate Officers for the purposes of these rules, or Officers other than officers of the All-India or the State Services or Officers holding posts which have been declared to be "special posts". (2) Any Subordinate Officer who, in the opinion of a Commissioner, is a Head of a Department or a Political Officer, should be acquainted with any language spoken in the hill district or Frontier Tract in which he is serving, may (provided the language is not the candidate's native language or a language naturally acquired by the candidate at his home) be permitted by that authority to sit for an examination in the language and if he passes will be eligible for a reward. (3) The examination will consist of a practical (colloquial) test to be conducted under the orders of a Commissioner, Head of Department or Political Officer who may prescribe the test suitable for the different classes of officers under him and determine how the examination is to be conducted. (4) The result of the examination will be sent to the officer under whose order the examination was conducted and such officer is empowered, subject to budget provision, to grant the prescribed reward to the successful candidate or candidates. (5) The reward will be equivalent to two months' pay of the officer to whom it is granted subject to a maximum of R. 100 (Rupees hundred only). (6) When a Commissioner or Head of a Department or a Political Officer considers in the case of any officer to whom these rules apply, that it is desirable that an officer should have a written knowledge of the language, the examination prescribed in Rule 3 will also include a written test in which the officer will be required - (a) to write down sentence spoken in the tribal language or a conversation held between two of them and to explain the sentences or the conversation correctly in English ; and (b) to translate without assistance from English or his mother tongue into the tribal language sentences which are not of very much or more difficult nature than those described in Clause (a). The translation must be substantially correct and intelligible to a native whose language he is writing. When an officer passes such an examination, the maximum limit of the reward may be Rs. 300 (Rupees three hundred only). Note. The rewards prescribed in Sub-Clauses (5) and (6) (b) are, until further orders reduced to a maximum of Rs. 50 (Rupees fifty only) and Rs. 150 (Rupees one hundred and fifty only), respectively. S.R.43. - If it is necessary to admit to hospital a patient to whom S.R. 280 or 281 applies, he will be required to defray all charges for board or for special accommodation. Medical, surgical and nursing charges will be borne by Government for officers themselves, but normal fees will be charged for their wives or members of their family. Payment will be made on a certificate granted by the Civil Hospitals. Medical, surgical and nursing charges shall be paid by Government only when the treatment or nursing is administered in a hospital by its own staff and in

the ordinary course of its works. The words "hospital" referred to in this Note includes the Welsh Mission Hospital, Shillong, and Welsh Mission Hospital, Jowai. (1) All Government servants of the Provincial and Subordinate Services when admitted to a Government or a Local Board hospital and which they may under departmental rules or orders admitted, shall be entitled without payment of fees to medical and surgical attendance and to all the services normally provided by the hospital with its own staff apparatus and equipment ; provided that such services are recommended by the authorised medical attendant. They will be required to bear themselves any charges which may be fixed under the rules of the hospital for diet and special accommodation : Provided that Government servants drawing pay of Rs. 50 per mensem or less will be provided with free hospital diet. (2) If it is necessary for a Government servant of a State and Subordinate Services to be admitted to a hospital which is not maintained by Government or a Local Board, in accordance with departmental rules, he may, on production of a medical certificate to this effect from the Civil Surgeon of the district in which his headquarters are situated, countersigned by the Inspector General of Civil Hospitals, recover the following charges as may be imposed by that hospital, from Government: Fees for medical or surgical attendance. Fees for X-Ray or Electrical Treatment. Drugs and Dressings. The Payment will be subject to the same condition as in Government hospitals, viz, that the treatment is administered by the hospital through its own staff and in the ordinary course of its work. In case (1) travelling allowance will be regulated by S.R. 272. In case (2) travelling allowance will be admissible, in instances where X-Ray diagnosis is certified by the Civil Surgeon, with the counter-signature of the Inspector General of Civil Hospitals, to be necessary ; provided that the hospital is nearer to the place of the officer's headquarters than any Government hospital where such X-Ray treatment is obtainable otherwise no travelling allowance is admissible save that if the expense of the journey is altogether disproportionate to the pay of the officer concerned, the matter should be referred to Government for orders together with a certificate signed or countersigned by the Civil Surgeon that the journey is absolutely necessary ; except in cases of real emergency, such reference should be made before the journey is undertaken. S.R. 44. - The following rules and scale of fees and charges are prescribed for X-Ray, and Electrical Treatment at the Berry-White Medical School, Dibrugarh and the Reid Chest Hospital and Clinic, Shillong : (1) For the purposes of these rules patients will be classified as follows : Class A. - Persons drawing a salary, or whose total income is estimated to be not less than Rs. 600 per mensem. Class B. - Persons drawing a salary, or whose total income is estimated to be not less than Rs. 200 per mensem. Class C. - Persons whose salary, or estimated income is not less than Rs. 60 per mensem. Class D. - Indigent persons. (2) No charge will be made for the treatment of indigent persons. (3) Tea garden coolies and persons sent in any employer for X-Ray or electrical treatment will be granted facilities if there is a definite necessity for the radiogram or treatment, and will be charged for under Class B, the bill being rendered to the employer. (4) Radiogram taken only for the purpose of school instruction will not be charged for. (5) The fees levied in the cases of Classes A and B will be divided equally between Government and the operator and staff. The Superintendent has discretion to waive or adduce the charge in any case where he is satisfied for reasons to be recorded in writing that it would be a hardship ; provided that any recovery is credited to Government up to the Government share. All flat rate fees will be credited in full to Government. (6) The scale of fees will be as follows :

Nature of work	Class of patients	Rs.
Screening	A	5

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	B	3	
Ionisation treatment	A	5	
	B	3	
Diathermy	A	5	
	B	3	
First Radiogram according to part placed	A	10-15	
	B	8-12	
Second or subsequent Radiogram	A	half the above rate.	
	B		
Barium meal	A	75	
	B	40	
Gall Bladder	A	32	
	B	24	
Ultra-violet exposure	A	5	
	B	3	
Infra-red exposure	A	4	
	B	2	
Faradaic current applications	A	4	
	B	2	
Centerisation	A	5-20	According to extent of operation.
	B	3-10	
Vibratory Massage	A	4	
	B	2	
Urography	A	32	
	B	24	
Barium Enema	A	37-50	Paise
	B	20	0
Examination of lungs or Bronchial tract after Lipiodol or similar drug	A	32	0
	B	24	0

In the case of Class C patients a flat rate of Rs. 5 only (to cover cost of materials) will be charged for every kind of work mentioned above 38 except for Screening, Ionisation treatment, Diathermy, Ultra-violet and Infra-red exposures, Faradaic current application and Vibratory Massage for which a flat rate of Rs. 2 will be charged. Note. No fee is chargeable for radiographic and electro-therapeutic treatment of Government servants other than examination in connection with dental treatment carried out at the instance of the authorised Medical Officer. S.R.45. - The fee of the Public Analyst for analysis of articles submitted under Section 225 (1) of the Assam Municipal Act,

1923 is Rs. 2 per sample if sent by a local body and Rs.5 if sent by any other person. The Public Analyst is entitled to a fee of half the amount.S.R.46. - The Indian Officer ordinarily a School Moulvi or an officer of similar status selected as a member of the Local Committee for the conduct of the Departmental Examinations in (1) colloquial Hindustani, (2) (Lower or Higher Standard Begali; and (3) Lower and Higher Standard Assamese, when examining officers of the Burma Oil Company, the Assam Oil Company, the Assam Railways and Trading Company and officers and senior subordinates of the Assam Bengal Railway is entitled to half the fee realised, viz Rs. 16 in each case.S.R.47. - Half of the additional fee charged at the rate for Rs.50 for the inspection of a boiler on Sundays and certain holidays under Rule 4 (7) of the rules framed under Section 29 of the Indian Boilers Act, 1923 (5 of 1923), is payable to the Inspector of Boilers.S.R.48. - (1) The receipt from charges for operations performed into Government hospitals in Assam on well-to-do-patients, other than Government servants or servants of local bodies, realised under Assam Government Notification No. 338- L.S.G., dated the 1st February, 1937, should be divided between Government and the Government servant undertaking the work in the following manner:

30. per cent to Government,

60. per cent to the Operator,

5. per cent to the Anaesthetist,

5. per cent to other Assistants.

(2)In the case of minor operations 50 per cent to Government and 50 per cent to the operator, anaesthetist and other assistants proportionately to their shares inter se for major operations.The division of fees for operations is subject to the following conditions :(i)The total fee must be paid into the Government Treasury, the share of the staff being thereafter drawn on a refund bill in Assam Treasury Rules Form No. 18.A complete record of the work done and of the fees received should be kept by the officer-in-charge of the hospital.(ii)When the Civil Surgeon reduces the fee in special cases the shares of Government will be calculated on the basis of the fees actually realised.Subject to the above, in medical and other cases the Civil Assistant or Sub-Assistant Surgeon will not be debarred from accepting fees if this is offered by a patient either in accordance with a previous arrangement or subsequent suo motu.S.R.48A. - Subject to the provisions of the rules that may exist on the subject, all hospital facilities ordinarily available, as distinct from those admissible to paying patient in the paying wards in a Government Hospital or in a Government Medical Institute, whether these relate to medical examination or treatment, will be allowed to indigent persons free of charge.The Medical Officer in attendance of such an indigent patient is authorised to decide whether a particular patient attended to by him is really indigent or not. In the case of any doubt or dispute over the matter, it should be referred to the Senior Medical Officer-in-charge of the Hospital or the Institute concerned for his decision which shall be final.S.R.49. - In the case of remuneration paid to copyist, sanction is accorded to the acceptance of such remuneration at the sanctioned rates by a member of the fixed establishment of any office for preparing copies of any document where the copies applied for are few or not sufficient to induce an

outsider to take a licence for the work, provided the member of the establishment cannot, in the opinion of the Head of the office, do the copying work in addition to his duties during office hours and does in fact do the work out of office hours.S.R.50. - Minister chosen by the Governor under Section 51 of Government of India Act, 1935, shall during the period of their tenure of office be entitled to the medical attendance and treatment as are laid down for Government servants.While on duty in or outside Shillong for the purposes of attending a meeting of the Legislature or a Committee meeting or a Conference appointed by Government, M.L.A's shall, during the period of their membership, be entitled to the same medical attendance and treatment as are laid down for Government servants.S.R.50A. - The Inspector General of Civil Hospitals is authorised to sanction the acceptance of fees of Rs.20 per mensem by a Government Assistant Surgeon at Mokochung for the periodical examination of the students of the educational institutions maintained by the American Baptist Mission at Impur ; provided that the work to be undertaken by the Medical Officer can be done without any interruption of his official duties.S.R.51. - The amount of an honorarium or fee must be fixed with due regard to the value of the service in return for which it is given.S.R.52. - When the service rendered falls within the scope of the ordinary duties of the Government servant performing it, test whether the service is material or is of special merit as prescribed in F.R. 46 must be very strictly applied.S.R.53. - No Government servant may undertake a work, whether with or without an honorarium or a fee, without the sanction of the competent authority, who, unless the Government servant is on leave, shall certify in the case of fees, that the work can be undertaken without detriment to his official duties and responsibilities.S.R.54. - When a honorarium or fee is paid for work done by a Government servant during time which would otherwise be spent in the performance of official duties the honorarium or fees must be credited to provincial revenues : provided that a competent authority may, for special reason which should be recorded, direct that the whole or part of it may be paid to the Government servant.S.R.55. - When a Government servant of an educational service is permitted to receive fees for private tuition, the financial limits of the power of sanction delegated to a competent authority shall be considered to apply to the total amount of the fees to be accepted by such Government servant during any particular scholastic terms or vacation.S.R.56. - No Government servant may act as an arbitrator in any case which is likely to come before him in any shape by virtue of any judicial or executive post which he may be holding.S.R.57. - A Government servant called upon by a court of law to act as commission to give evidence on technical matter may comply with the request; provided the case is not of such a nature as will be likely to come before him in the course of his official duties and any fee received by him should be credited to Government.S.R.58. - Civil Police below the rank of the Sub- Inspector when off-duty may, under the orders of the District Superintendent of Police and subject to any controlling instructions issued by the Deputy Commissioner or Political Officers, be employed in fatigue parties either by themselves or in conjunction with ordinary paid labour, to assist in the construction or repair of any Police buildings in places where labour is unprocurable or though procurable expensive. They may, with the specific sanction of the Inspector General of Police, be employed in similar circumstances and in special cases also in work required for the Police Department but the cost of which is debitable to the Public Works Department budget under the head "50-Civil Works"; provided that-(1)no recruit who has not passed in drill shall be so employed ;(2)such employment shall in no way interfere with the regular course of drill or instruction in musketry of the men employed or diminish the number of ordinary parades ;(3)subject to budget provision each constable shall receive four annas per diem, and each constable or Assistant

Sub-Inspector of Police employed as Overseer six annas per diem, as working allowance from the Police Department, subject to a maximum of Rs. 6 and Rs. 9 a month respectively;(4)the ordinary working hours shall be from 10 a.m. to 4 p.m. but undue exposure to heat or rain shall not be allowed, nor in any case shall the work commence before 10 a.m. or to be carried on after 4 p.m.(5)the charges will be classified, as the case may be, either under (a) "petty repairs" or (b) "petty construction" and a complete daily muster roll will be maintained by the Officer-in-charge, police station, outpost, reserve or beat house, and sent to the office of the Superintendent of Police for payment ;(6)this will in no way supersede the existing Rule III-54 of the Assam Police Manual.F.R.48. Any Government servant is eligible to receive and except as otherwise provided by a general or special order of the Governor of Assam, to retain without special permission-(a)the premium awarded for any essay or plan in public competitions;(b)any award offered for the arrest of a criminal or for information or special service in connection with the administration of justice ;(c)any reward payable in connection with the provisions of any Act or Regulation or rules framed thereunder;(d)any reward sanctioned for services in connection with the administration of the customs and exercise law ; and(e)any fees payable to a Government servant for duties which he is required to perform in his official capacity under any special or local law or by order of Government.F.R.48A. A Government servant whose duties involve the carrying out of scientific or technical research shall not apply for or obtain, or cause or permit any other person to apply for or obtain a patent for an invention made by such Government servant save with the permission of the State Government and in accordance with such conditions as the State Government may impose.F.R.48B. If a question arises whether a Government servant is a Government servant to whom Rule 48-A applies, the decision of the State Government shall be final.

Chapter VI

Combination of AppointmentsF.R.49. The State Government may appoint the Government servant to hold substantively, as a temporary measure, or to officiate in two or more independent posts at one time. In such cases his pay is regulated as follows:(a)where a Government servant is formally appointed to hold full charge of the duties of a higher post or posts which is or are in the same office as his own and in the same cadre/line of promotion, in addition to his ordinary duties, he shall be allowed the pay of the higher post, or the highest post of the holds full charge of more than one post, in addition to ten per cent of the presumptive pay of the additional post or posts, if the additional charge is held for a period exceeding 39 days:Provided that the concurrence of the Financial Department shall be obtained for making such arrangement and for payment of the additional pay;(b)where a Government servant is formally appointed to hold charge of higher post or posts which is or are not in the same office or which though, in the same office, is or are not in the same cadre/line of promotion, he shall be allowed the pay of the higher post or the highest post if he holds charge of more than one post, in addition to ten per cent of the presumptive pay of the additional post or posts, if the additional charge is held for a period exceeding 39 days:Provided that the concurrence of the Finance Department shall be obtained for making such arrangement and for payment of the additional pay;(c)no additional pay shall be admissible to a Government servant who is appointed to hold current charge of the routine duties of a higher post irrespective of the duration of the additional charge ;(d)where a Government servant is formally appointed to hold dual charge of two posts in the same cadre in the same office carrying identical scales of pay, no additional pay

shall be admissible irrespective of the period of dual charge :Provided that if the Government servant is appointed to an additional post which carries a special pay, he shall be allowed such special pay;(e)where a Government servant is allowed to perform duties of a lower post or posts no additional pay shall be allowed for performing the duties of the lower post or posts ;(f)if compensatory or sumptuary allowances are attached to one or more of the posts, the Government servant shall draw such compensatory or sumptuary allowances as the State Government may fix :Provided that such allowances shall not exceed the total of the compensatory and sumptuary allowances attached to all the posts.

Chapter VII

Deputation Out of India

F.R.50. The Governor may sanction the deputation out of India of one or more Government servants of the State for any duty connected with State affairs.Audit Instruction. - The period of the deputation runs from the the date on which the Government servant makes over charge of his office in India to the date on which he resumes it; or the Government servant is on leave out of India at the time he is placed on deputation, the period of the deputation is the time actually occupied by duty.Note. see the Secretary of State's Order (2) below F.R.50 in Section III. The State Government have decided to adopt a similar system for officers under their rule making control.Secretary of State's Orders. - (1) Under sub-Rule (2) of Fundamental Rule 50 the Secretary of State directs that the appointment of officers of the Indian Political Department on deputation for periods exceeding 12 months to posts under the control of the Foreign and Political Department outside India which are not included in the duty strength of the Political Department cadre, may notwithstanding the provisions of Fundamental Rule 50, be made by the President without prior reference to him.(2)The terms of this rule must be interpreted as applying to cases where Officers exercise the option of consuming leave and drawing an honorarium of 1/6th of pay during a period of duty out of India, i.e., this option can only be exercised by a Government servant whose deputation out of India, has been approved by the proper authority vide Secretary of State's Order (iii) under Fundamental Rule 51.Note. The Secretary of State has decided to adopt the following system in dealing with cases where Officers belonging to the All India Service who are on leave in United Kingdom attend Conferences/Congresses there, or on the contingent, whether an official representative of the President or of a Government, or as unofficial visitors-(1)officers who are nominated as official representatives of the President or of a State Government will be placed on deputation for the period involved and will receive the usual travelling expenses and subsistence allowance;(2)officers who are not so nominated will not be placed on deputation, but if it is thought desirable that they should attend as visitors, they may be offered travelling expenses and subsistence allowance as an inducement for them to do so. Further though the officer is not an official representative, the India Office, London, will be prepared to render him such service as recommending him as a visitor to the Congress Authorities.F.R.51. (i) The following rules regulate the pay and allowances of members of the State and Subordinate Services and of officers holding special posts when deputed to Europe or America.They do not apply to cases governed by special rule e.g. Study Leave, etc.Pay(1)The pay granted shall not exceed the pay which the officer would draw if he were on duty in India.Allowances(2)Compensatory, travelling and halting allowances will be governed by the rules

in force at the time regulating the grant of such allowances to officers serving under the Secretary of State, the Government of India or the High Commissioner for India, when on duty in Europe or America : Provided that the State Government may in special cases allow second grade officers to draw compensatory and halting allowances at such rates as they may deem suitable not exceeding those admissible for first grade officers. Note. The provisions of F.R. 51 will also apply to officers appointed on short term contract. (ii) The following rules shall regulate the deputation out of India of subordinate police officers. The State Government may depute a subordinate police officer to any country outside India, to accompany or take charge of criminals or lunatics, or on any other business which is part of his duty as a police officer ; and may grant to the officer so deputed- (a) full pay, for the entire period of absence from India ; (b) with actual travelling expenses, and a subsistence allowance not exceeding the following scale, while in any country outside India :

s. d.

For an officer of the Inspector class 22 6 a day

For an officer of the Sergeant class 15 0 a day

For an officer of the Constable class

The State Government may delegate its powers under this rule to officers of a rank not lower than the Deputy Inspector General of Police. Note. The words "an officer of the Inspector class" referred to in sub-Clause (b) include a Sub-Inspector. (iii) The grant of a return passage to India on conclusion of a deputation is conditional on an officer's return to duty forthwith on the conclusion of the deputation, unless an arrangement to the contrary effect should be specially permitted at the time the deputation closes, or about to close, and the proposed leave begun. * * * * (iv) Officer placed on deputation while leave out of India may, if average pay leave would otherwise be admissible, convert deputation into leave on average pay plus an honorarium of 1/6th of Indian pay on the condition that the cost of passage both from and to India borne by the officer. Periods of deputation converted into leave should count for pension as leave and not as deputation. (v) Officers subject to the leave rules in the Civil Service Regulation are eligible for the privilege of consuming leave during deputation, should they so desire, and of receiving an honorarium of 1/6th of their pay. In their case leave on full pay would take the place of leave on average pay. F.R. 51A. When a Government servant is with proper sanction deputed for duty out of India to hold a regularity constituted permanent or quasi permanent post, other than a post borne on the cadre of the service to which he belongs, his pay shall be regulated by the orders of the Governor.

Chapter VIII

Dismissal, Removal and Suspension

F.R. 52. The pay and allowances of a Government servant who is dismissed or removed from service cease from the date of such dismissal or removal. F.R. 53. (1) A Government servant under suspension shall be entitled to the following payments, namely : (i) in the case of a Commissioned Officer of the Indian Medical Department or a Warrant Officer in civil employ who is liable to revert to military duty, the pay and allowances to which he would have been entitled had he been suspended while in military employment : (ii) in the case of any other Government servant- (a) a subsistence allowance at an amount equal to the leave salary which the Government servant would

have drawn if he had been on leave or on half average pay or on half pay and in addition dearness allowance based on such leave salary :Provided that where the period of suspension exceeds three months, the authority which made or is deemed to have made the order of suspension shall be competent to vary the amount of subsistence allowance for any period subsequent to the period of the first three months as follows :(i)the amount of subsistence allowance may be increased by a suitable amount, not exceeding 50 per cent of the subsistence allowance admissible during the period of the first three months, if in the opinion of the said authority, the period of suspension has been prolonged for reasons to be recorded in writing, not directly attributable to the Government servant;(ii)the amount of subsistence allowance may be reduced by a suitable amount not exceeding 50 per cent of the subsistence allowance admissible during the period of first three months, if in the opinion of the said authority the period of suspension has been prolonged due to reasons, to be recorded in writing, directly attributable to the Government servant;(iii)the rate of dearness allowance will be based on the increased or, as the case may be, decreased amount of subsistence allowance admissible under sub-Clauses (i) and (ii) above;(b)any other compensatory allowances admissible from time to time on the basic pay of which Government servant was in receipt of on the date of suspension subject to fulfilment of other conditions laid down for drawal of such allowances :Provided that the Government servant shall be entitled to the compensatory allowance unless the said authority satisfied that the Government servant continues to meet the expenditure for which they are granted.(2)No payment under sub-Rule (1) shall be made unless the Government servant furnishes a certificate, that the Government servant is not engaged in any other employment, business, profession or vocation.Administrative Instruction. - The above rule is applicable in the case of both permanent and temporary Government servants. The subsistence allowance of work charged establishment will be regulated under separate orders.This takes effect from 30th November, 1961.State Government Memos Under F.R.53Grant of subsistence allowance to the suspended State Government employee is governed by F.R. 53 (1) (ii), (a) which should be equal to the amount which he would have got had he been on half average pay leave and in addition, dearness allowance is admissible on this entitled pay subject to a maximum of Rs.500 under the proviso (i), (ii), (iii), where there are provisions for reduction or increase in the subsistence allowance rate in case suspension period prolongs beyond 12 months with corresponding variations in dearness allowance rates. In its literal interpretation therefor the ad hoc dearness allowance will have to be computed with effect from 1-1-1967 irrespective of the fact of suspension faced by a particular employee from a date earlier to the, because had the employee been in service and working he would have been entitled to his ad hoc dearness allowance provided of course his case falls under admissible pay group i.e., maximum not exceeding Rs.750.[Refer to Notification No. BB (II-3/67/Part 1/132 (a), dated the 27th June, 1967].Under Clauses (a) and (b) of sub-Rule (1) of this rule a Government servant under suspension, draws dearness allowance and other compensatory allowances in addition to subsistence allowance. The amount of dearness allowance and other compensatory allowances is calculated on the amount of subsistence allowance actually drawn. In other words, the rate of all allowances will be the same as if the subsistence allowances were pay of the Government servants.If the question is as to whether it is open to the competent authority to make further revision(s) and to vary the amount of subsistence allowance, after the first review has been done in terms of the proviso to F.R.53 (1) (ii) (a) and if so, whether there is any restriction as to the period after which the second or subsequent review can be made, the answer in precise would be that although the proviso to F.R. 53 (1) (ii) (a) does not specifically provide for a second or

subsequent review, there is, however, no objection to such a review being made by the competent authority, who shall be competent to pass orders to increase or decrease the rate of subsistence allowance up to 50% of the amount of the subsistence allowance initially granted according to the circumstances of each case and hence a second or subsequent review can be made at any time at the discretion of the competent authority. It is also permissible to reduce the amount of subsistence allowance or increase it on the basis of the first review, up to 50% of the amount of subsistence allowance initially granted, if the period of the suspension has been prolonged for reasons directly attributable to the Government servant by his adopting delatory tactics. And similarly in a case where the amount of subsistence allowances has been reduced after the first review, the same can be increased up to 50% of the amount initially granted, if the period of suspension has been prolonged for reasons not directly attributable to the Government servant and the Government servant has given up delatory tactics.[Refer to Government Notification No. FEG.27/60/99, dated the 20th October, 1966].F.R.54. (1) When a Government servant who has been dismissed, removed or compulsorily retired is re-instated as a result of appeal or review or would have been so re-instated but for his retirement on superannuation while under suspension preceding the dismissal, removal or compulsory retirement, the authority competent to order re-instatement shall consider and make a specific order-(a)regarding the pay and allowances to be paid to the Government servant for the period of his absence from duty including the period of suspension preceding his dismissal, removal or compulsory retirement as the case may be ;(b)whether or not the said period shall be treated as a period spent on duty.(2)Where the authority competent to order re-instatement is of opinion that the Government servant who had been dismissed, removed or compulsorily retired has been fully exonerated, the Government servant shall, subject to the provisions of sub-Rule (6), be paid the full pay and allowances to which he would have been entitled had he not been dismissed, removed or compulsorily retired or suspended prior to such dismissal, removal or compulsory retirement, as the case may be:Provided that where such authority is of opinion that the termination of the proceedings instituted against the Government servant had been delayed due to reasons directly attributable to the Government servant, it may, after giving him an opportunity to make his representation and after considering the representation, if any, submitted by him direct, for reasons to be recorded in writing, that the Government servant shall, subject to the provisions of sub-Rule (7), be paid for the period of such delay, only such proportion of such pay and allowances as it may determine.(3)In the case falling under sub-Rule (2), the period of absence from duty including the period of suspension preceding dismissal, removal or compulsory retirement, as the case may be, shall be treated as the period spent on duty for all purposes.(4)In cases other than those covered by Sub-Rule (2), including cases where the order of dismissal, removal or compulsory retirement from service is set aside by the appellate or reviewing authority solely on the ground of non-compliance with the requirement of Clause (2) of Article 311 of the Constitution and no further inquiry is proposed to be held, the Government servant shall, subject to the provisions of sub-Rules (6) and (7) be paid such proportion of the full pay and allowances to which he would have been entitled had he not been dismissed, removed or compulsorily retired or suspended prior to such dismissal, removal or compulsory retirement, as the case may be, as the competent authority may determine, after giving notice to the Government servant of the quantum proposed and after considering the representation, if any, submitted by him in that connection within such period which in no case shall exceed sixty days from the date on which the notice has been served as may be specified in the notice :Provided that any payment under this sub-rule to a Government servant other than a

Government servant who is governed by the provisions of the Payment of Wages Act, 1936 (4 of 1936) shall be restricted to a period of three years immediately preceding the date on which orders for re-instatement of such Government servant are passed by the appellate authority or reviewing authority, or immediately preceding the date of retirement on superannuation of such Government servant as the case may be.(5)In a case falling under sub-Rule (4), the period of absence from duty including the period of suspension preceding his dismissal, removal or compulsory retirement, as the case may be, shall not be treated as a period spent on duty, unless the competent authority specifically direct that it shall be so treated for any specified purpose :Provided that if the Government servant so desires such authority may direct that the period of absence from duty including the period of suspension preceding his dismissal, removal or compulsory retirement, as the case may be, shall be converted into leave of any kind due and admissible to the Government servant.Note. The order of the competent authority under the preceding proviso shall be absolute and no higher sanction shall be necessary for the grant of-(a)extraordinary leave in excess of three months in the case of the temporary Government servant; and(b)leave of any kind in excess of five years in the case of permanent or quasi-permanent Government servant.Note 2. In the case falling under sub-Rr. (4) and (5) of F.R.54 the competent authority may pay such proportion of such pay and allowances as is admissible under F.R.53 read with sub-Rule (7) F.R. 54 with prior concurrence of Finance Department.(6)The payment of allowances under sub-Rule (2) or sub-Rule (4) shall be subject to all other conditions under which such allowances are admissible.(7)The proportion of the full pay and allowances determined under the proviso to sub-Rule (2) or under sub-Rule (1) shall not be less than the subsistence allowance and other allowances admissible under Rule 53.(8)Any payment made under this rule to Government servant on his re-instatement shall be subject to adjustment of the amount, if any, earned by him through an employment during the period between the date of removal, dismissal or compulsory retirement, as the case may be, and the date of re-instatement. Where the emoluments admissible under this rule are equal to or less than the amounts earned during the employment elsewhere, nothing shall be paid to the Government servant.F.R.54A. (1) Where the dismissal, removal or compulsory retirement of a Government servant is set aside by a Court of law and such Government servant is re-instated without holding any further inquiry, the period of absence from duty shall be regularised and the Government servant shall be paid pay and allowances in accordance with the provisions of sub-Rule (2) or (3) subject to the directions, if any, of the Court.(2)(i)Where the dismissal, removal or compulsory retirement of a Government servant is set aside by the Court solely on the ground of non-compliance with the requirements of Clause (2) of Article 311 of the Constitution, and where he is not exonerated on merits, the Government servant shall, subject to the provisions of sub-Rule (7) of Rule 54, be paid such proportion of the full pay and allowances as to which he would have been entitled had he not been dismissed, removed or compulsorily retired, or suspended prior to such dismissal, removal or compulsory retirement, as the case may be, as the competent authority may determine, after giving notice to the Government servant of the quantum proposed and after considering the representation, if any, submitted by him, in that connection within such period, as may be specified in the notice, which in no case shall exceed sixty days from the date on which the notice has been served :Provided that any payment under this sub-rule to a Government servant other than a Government servant who is governed by the provisions of the Payment of Wages Act, 1936 (4 of 1936) shall be restricted to a period of three years immediately preceding the date on which the judgement of the Court was passed, or the date of retirement on superannuation of such

Government servant, as the case may be.(ii)The period intervening between the date of dismissal, removal or compulsory retirement including the period of suspension preceding such dismissal, removal or compulsory retirement, as the case may be, and the date of judgement of the Court shall be regularised in accordance with the provisions contained in sub-Rule (5) Rule 54.(3)If the dismissal, removal or compulsory retirement of a Government servant is set aside by the Court on the merits of the cases, the period intervening between the date of dismissal, removal or compulsory retirement including the period of suspension preceding such dismissal, removal or compulsory retirement, as the case may be, and the date of re-instatement shall be treated as duty for all purposes and he shall be paid the full pay and allowances for the period to which he would have been entitled, had he not been dismissed, removed or compulsorily retired or suspended prior to such dismissal, removal or compulsory retirement as the case may be.(4)The payment of allowances under sub-Rule (2) or sub-Rule (3) shall be subject to all other conditions under which such allowances are admissible.(5)Any payment made under this rule to a Government servant on his re-instatement shall be subject to adjustment of the amount, if any, earned by him through an employment during the period between the date of dismissal, removal or compulsory retirement and the date of re-instatement. Where the emoluments admissible under this rule are equal to or less than those earned during the employment elsewhere, nothing shall be paid to the Government servant.F.R.54B. (1) When a Government servant who has been suspended is re-instated or would have been so re-instated but for his retirement on superannuation while under suspension, the authority competent to order re-instatement shall consider and make a specific order-(a)regarding the pay and allowances to be paid to the Government servant for the period of suspension ending with re-instatement or the date of his retirement on superannuation, as the case may be ; and(b)whether or not the said period shall be treated as a period spent on duty.(2)Notwithstanding anything contained in Rule 53, where a Government servant under suspension dies before the disciplinary or Court proceedings instituted against him are concluded, the period between the date of suspension and the date of death shall be treated as duty for all purposes and his family shall be paid the full pay and allowances for that period to which he would have been entitled had he not been suspended, subject to adjustment in respect of subsistence allowance already paid.(3)Where the authority competent to order re-instatement is of the opinion that the suspension was wholly unjustified, the Government servant shall, subject to the provisions of sub-Rule (8), be paid the full pay and allowances which he would have been entitled, had he not been suspended :Provided that where such authority is of the opinion that the termination of the proceedings instituted against the Government servant had been delayed due to reasons directly attributable to the Government servant, it may, after hearing the representation, if any, submitted by him, direct for reasons to be recorded in writing, that the Government servant shall be paid for the period of such delay only such proportion of such pay and allowances as it may determine.(4)In case a falling under sub-Rule (3) the period of suspension shall be treated as a period spent on duty for all purposes.(5)In cases other than those falling under sub-Rr. (2) and (3), the Government servant shall subject to the provisions of sub-Rr. (8) and (9) be paid such proportion of the full pay and allowances to which he would have been entitled had he not been suspended, as the competent authority may determine, after giving notice to the Government servant of the quantum proposed and after considering the representation, if any, submitted by him in that connection within such period which in no case shall exceed sixty days from the date of the notice which has been served as may be specified in the notice.(6)Where suspension is revoked pending finalisation of the disciplinary or Court proceeding,

any order passed under sub-Rule (1) before the conclusion of the proceedings against the Government servant shall be reviewed on its own motion after the conclusion of the proceedings by the authority mentioned in sub-Rule (2) who shall an order according to the provisions of sub-Rule (3) or (5), as the case may be.(7)In a case falling under sub-Rule (5), the period of suspension shall not be treated as period spent on duty, unless the competent authority specifically directs that it shall be treated for any specified purpose :Provided that if the Government servant so desires, such authority may order that the period of suspension shall be converted into leave of any kind due and admissible to the Government servant.Note 1. The order of the competent authority under the preceding proviso shall be absolute and no higher sanction shall be necessary for the grant of-(a)extraordinary leave in excess of three months in the case of temporary Government servant; and(b)leave of any kind in excess of five years in the case of permanent or quasi-permanent Government servant.Note 2. In a case falling under sub-Rr. (5) and (7) of F.R.54-B, the competent authority may pay such proportion of such pay and allowances as admissible under F.R.53 read with sub-Rule (9) of F.R.54-B with prior concurrence of Finance Department.(8)The payment of allowances under sub-Rule (3) or sub-Rule (5) shall be subject to all other conditions under which allowances are admissible.(9)The proportion of the full pay and allowances determined under the proviso to sub-Rule (3) or under sub-Rule (5) shall not be less than the subsistence allowance and other allowances admissible under Rule 53.This will take effect from the date of issue of this Notification i.e., 18th July, 1975.Administrative Instructions

1. A Government servant who is detained in custody under any law providing for preventive detention or as a result of a proceeding either on a criminal charge or for his arrest for debt shall if the period of detention exceeds 48 hours and unless he is already under suspension, be deemed to be under suspension from the date of detention until further orders.

A Government servant who is undergoing a sentence of imprisonment shall also be dealt with in the same manner pending a decision on the disciplinary action to be taken against him. In regard to his pay and allowances the provisions of F.Rr. 53 and 54 shall apply.

2. A Government servant should be dismissed on conviction by the lower Court, i.e., immediately on the termination of the first trial. The termination of trial does not mean a decision of all the various appeals which are open to the accused. Dismissal cannot be ordered retrospectively with effect from the date of arrest.

3. A Government servant against whom a criminal charge or a proceeding for arrest for debt is pending should also be placed under suspension by the issue of specific orders to this effect during periods when he is not actually detained in custody or imprisoned (e.g., while released on bail) if the charge made or proceedings taken against him is of such nature as is likely to

embarrass him in the discharge of his official duties or involves moral turpitude. In regard to his pay and allowances the provisions of F.Rr. 53 and 54 shall apply.

4. A Government servant against whom a proceeding has been taken for his arrest for debt but who is not actually detained in custody may be placed under suspension only if a disciplinary proceeding against him is contemplated.

5. When a Government servant who is deemed to be under suspension in the circumstances mentioned in Clause (1) or who is suspended in circumstances mentioned in Clause (3) is re-instated without taking disciplinary proceeding against him, his pay and allowances for the period of suspension will be regulated under F.R. 54 i.e, in the event of his being acquitted of blame or (if the proceeding taken against him was for his arrest for debt) or it being proved that his liability arose from circumstances beyond his control or the detention being held by any competent authority to be wholly unjustified, the case may be dealt with under F.R. 54-B (5).

6. It shall be the duty of a Government servant who may be arrested for any reason to intimate the fact of his arrest and the circumstances connected therewith to his official superiors promptly even though he might have subsequently been released on bail. On receipt of the information from the person concerned or from any other source the departmental authorities should decide whether the facts and circumstances leading to the arrest of the person call for his suspension. Failure on the part of any Government servant to so inform his official superiors will be regarded as suspension of material information and will render him liable to disciplinary action that may be called for on the outcome of the police case against him.

7. An Officer under suspension is regarded as subject to all other conditions of service applicable generally to Government servants and cannot leave the station without prior permission. As such, the headquarters of a Government servant should normally be assumed to be his last place of duty. Where an individual under suspension requests for a change of headquarters, there is, however, no objection to a competent authority changing the headquarters if it is satisfied that such a course will not put Government to any extra

expenditure like grant of Travelling Allowances etc. or other complications.

Government of Assam Finance Department : Establishment Branch

No. FEG.29/73/352 Dated Dispur, the 4th February, 1986

Office Memorandum Sub-Revocation of Suspension Order-date of effect. Government have had under consideration for quite some time past the question as to the date from which any order revoking the suspension of Government servant should be given effect to. After careful consideration of the matter in all its bearings, Government have decided as follows : (1) An order of revocation of suspension shall take effect from a prospective date to be specified in the order of revocation itself. (2) Such an order shall be served on the suspended Government servant in person or communicated to him by registered post. (3) If the suspended Government servant at the time of service of the order of revocation of suspension in person is residing in a station where he is required to resume his duties on the specified date fails to do so on the specified date, then he shall be deemed to be absent without authority within the meaning of F.R.17 from the specified date mentioned in the revocation order unless the authority competent to grant him leave decides otherwise. (4) If at the time of revocation of the suspension order, the suspended Government servant is residing at a station elsewhere than his headquarters with the permission of the appointing authority or he is transferred or posted at a new place/station then such joining time as is admissible to Government servant on transfer shall be allowed if he resumes his duties within such joining time from the date mentioned in the revocation order effecting revocation of suspension, otherwise he shall be deemed to be absent without authority from the specified date mentioned in the revocation order within the meaning of F.R.17 unless the authority competent to grant him leave decides otherwise. (5) An order of revocation of suspension should also indicate the station of posting of the Officer so that might go and assume charge of the office. If the order revoking suspension does not indicate the place of posting he would not be in a position to assume charge of any office though the suspension has been removed. (6) The date of revocation of suspension is to be specified in the revocation order, should be fixed taking into consideration the normal and usual time that will be required to reach the order in the hands of the Government servant and also the practicability of joining within the specified date. This takes effect from the date of issue of the orders and should be followed by all concerned scrupulously. Joint Secretary to the Government of Assam Finance Esstt. (A) Department F.R.55. Leave may not be granted to a Government servant under suspension. Note. Officiating arrangement is permissible in place of officers under suspension.

Chapter IX

Compulsory Retirement

F.R.56. (a) The date of compulsory retirement of a Government servant is the date on which he attains the age of 55 years. He may be retained in service after this age with the sanction of the State Government on public grounds which must be recorded in writing, and proposal for the retention of a Government servant in service after his age should not be made except in very special circumstances. The age of compulsory retirement of a Government servant has been raised to 58

years from 55 years vide Notification No. AAP/143/77/37, dated 18-7-1977. Notwithstanding anything contained above, the retirement of Government employees should take effect from the after-noon of the last day of the month in which the employee concerned attains the age of superannuation. (b) Notwithstanding anything contained in these rules the appropriate authority may, if he is of the opinion that it is in the public interest to do so, retire a Government servant by giving him notice of not less than three months in writing or three months pay and allowance in lieu of such notice after he has attained fifty years of age or has completed 25 years of service whichever is earlier. (c) Any Government servant may, by giving notice of not less than three months in writing to the appropriate authority, retire from service after he has attained the age of fifty years or has completed 25 years of service, whichever is earlier. Note. The term 'appropriate authority' referred to in the above clauses means the authority which has the power to make substantive appointments to the post or service from which the Government servant is required or wants to retire. Note 1. This rule does not apply to a Government servant who is appointed to be Chairman or a Member of the Public Service Commission whose tenure of office and conditions of service are determined by regulation made by Governor in his discretion in exercise of the powers conferred on him by sub-Section (2) Section 265 and sub-Section (3) of Section 266 of the Act (Appendix 10). Note 2. The grant, under F.R.86, of leave extending beyond the date on which a Government servant must compulsorily retire or beyond the date up to which a Government servant has been permitted to remain in service, shall not be treated as sanctioning an extension of service, and the Government servant shall not be permitted to retain a lien on his permanent post or any other post during the period of such leave. Note 3. The purpose of F.R.56 is not to confer upon Government servants any right to be retained in service up to a particular age, but to prescribe the age beyond which they may not be retained in service. Note 4. An inferior Government servant shall retire when he attains the age of 60 years : Provided that such a Government servant appointed before the 1st April, 1936, may continue in service until he ceases to be physically and mentally fit. Note 5. The term "appropriate authority" referred to in the above clauses means the authority which has the power to make substantive appointments to the post or service from which the Government servant is required or wants to retire. Note 6. The competent authority for drawal of advance pay and allowances in respect of Government employees both gazetted and non-gazetted to whom three months' pay is to be made available in lieu of three months' notice on being compulsorily retired as envisaged in F.R. 56 (d) of Assam Fundamental Rules and Subsidiary Rules shall be the controlling officer or the next higher officer when the officer involved is his own controlling officer in respect of T.A. etc. The 'pay' so allowed would be the pay he would have drawn had he continued in the post for the next three months and be drawn in the Establishment Bills. Any outstanding Government dues in respect of the officer shall be adjusted against this advance pay and from his/her gratuity as and when sanctioned and the existing practice of pre-auditing of last pay bill in respect of retiring Government employees shall not be applicable in respect of pay to be drawn in lieu of notice. The last pay certificate of the officer should invariably be attached to the pay bill to be prescribed to treasury as per aforesaid procedure. Audit Instruction. - When a Government servant is required to retire, revert or cease to be on leave on attaining a specified age, the day on which he attains that age is reckoned as a non-working day, and the Government servant must retire, revert or cease to be on leave, as the case may be, with effect from and including that day. This rule applies to all Government servants. F.R.57. [Deleted].

Part V – Chapter X

Section I-Extent of applicationF.R.58. Unless in any case it be otherwise distinctly provided in Section VI of this Chapter, the rule in Sections I to V of this Chapter shall apply to all Government servants to whom the Fundamental Rules as a whole apply ; provided that a Government servant who elected the leave rule of Civil Service Regulations as they stood whether before or after the 29th July, 1920 shall continue to be governed by those rules ; and provided further that the Leave Rules, 1934 (Appendix II) shall apply to the classes of persons specified therein.F.R.59. Leave is earned by a Government servant under Sections I to V of this Chapter if he holds a lien or on a permanent post in civil employ or would hold a lien on such a post had his lien not been suspended.S.R.59. - If an officer in permanent service to whom the leave rules in this Chapter or the Leave Rules, 1934 (Appendix II-Part I), are applicable, is temporarily transferred to a work-charged establishment, he does not forfeit any leave then at his credit, provided he retains a lien on a permanent appointment; but the work charged service does not count towards leave :Provided that in case where a permanent Government servant is transferred to a post in an identical scale of pay in the work-charged establishment, in the interest of public service, he may be allowed to count the services rendered in the work-charged establishment for the purpose of leave.F.R.60. Leave is earned by duty only. For the purpose of this rule a period spent in foreign service counts as duty if contribution towards leave salary is paid on account of such period.F.R.61. [Deleted].F.R.62. [Deleted],F.R.63. [Deleted].F.R.64. Unless in any case it be otherwise expressly provided by or under these rules, a Government servant transferred to a service or post to which these rules apply from a service or post to which they do not apply is not ordinarily entitled to leave under these rules in respect of duty performed before such transfer; but a Government servant reverting from duty as Judge of a High Court may count such duty for leave as though it were duty performed in a vacation department, all leave taken during the service concerned being treated as taken under these rules.Note. The previous service of men in the Assam Rifles will not count for leave on their re-enlistment in the civil police.F.R.65. (a) If a Government servant, who quits the public service on compensation or invalid pension or gratuity, is re-employed and if his gratuity is thereupon refunded or his pension held wholly in abeyance, his past service thereby becoming pensionable on ultimate retirement, he may, at the discretion of the authority sanctioning the re-employment to such an extent as that authority may decide, count his former service towards leave [See Article 138. (b), Assam Pension Manual].(b)A Government servant who is dismissed or removed from the public service, but is re-instated on appeal or revision, is entitled to count his former service for leave.Audit Instruction. - Treatment for the purpose of leave of the previous service of a Government servant who resigns one appointment to take up another appointment. - Resignation from the public service, even though it is followed immediately by re-employment, should entail forfeiture of past service for the purpose of leave under the Fundamental Rules and should therefore constitute an "interruption of duty" for the purpose of S.R. 18.**Section II-General conditions**F.R.66. The State Government may make rules specifying the authorities by whom leave may be granted.**Compensatory Leave to Local Auditors**S.R.60. - When a local auditor by attending office during holidays is enable to complete an audit before the due date, he may be granted compensatory leave by the Examiner, Local Accounts, to the extent of one day for every whole day thus spent.Authorities empowered to grant leaveS.R.61. - Any leave other than special disability leave and leave out of India, Ceylon, Nepal, Burma or Aden, admissible under the Fundamental Rules may be granted to a non-gazetted Government servant by

the authority whose duty it would be to fill up his post if it were vacant or by other competent authority. [Appendix 12].S.R.62. - No leave may be granted to gazetted Government servant until a report as to the admissibility of the leave has been obtained from the audit officer. On the receipt of such a report, and leave, other than special disability leave, admissible under the Fundamental Rules may be granted to a gazetted Government servant by a competent authority. Administrative Instruction. - Unless specially otherwise ordered, leave granted under S.Rr. 61 and 62 must begin within thirty- five days of the date on which it is sanctioned.F.R.67. Leave cannot be claimed as of right. When the exigencies of the public service so require, discretion to refuse or revoke leave of any description is reserved to the authority empowered to grant it.F.R.68. Leave ordinarily begins on the day on which transfer of charge is effected and ends on the day preceding that on which charge is resumed. When joining time is allowed to a Government servant returning from leave out of India, the last date of his leave is the day before the arrival of the vessel in which he returns at her moorings or anchorage in the port of disembarkation, if he returns by air, the day on which the aircraft in which he returns arrives at its first regular port in India. The State Government may, however, make rules defining the circumstances in, and the conditions on, which Sundays or other recognised holidays may be prefixed to leave or affixed to leave or jointing time.Audit Instruction. - The joining time of a Government servant who returns from leave out of India and disembarks, not at the first port of call in India, but at another such port, should be reckoned from the day of arrival of the vessel at the second or subsequent port at which he actually disembarks, whether the sea journey from the first port of call in India to the subsequent port of disembarkation is made in the same steamer which takes him to the first port of call or in some other steamer.Note. The provision in the second sentence of this rule applies only to cases falling under F.R. 105 (c) in which joining time is granted to Government servants returning from leave out of India more than four months duration.Combination of holidays with leave and joining timeS.R.63. - When the day immediately preceding the day on which a Government servant's leave begins or immediately following the day on which his leave or joining time expires is a holiday or one of a series of holidays, the Government servant may leave his station at the close of the day before, or return to it on the day following, such holiday or series of holidays : provided that-(a)his transfer for assumption of charge does not involve the handing or taking over of securities or of moneys other than a permanent advance;(b)his early departure does not entail a corresponding early transfer from another station of a Government servant to perform his duties;(c)the delay in his return does not involve a corresponding delay in the transfer to another station of the Government servant who was performing his duties during his absence or in the discharge from Government service of a person temporarily appointed to it.Note 1. The provisions of proviso (a) apply both to the responsible officer and to the officer in executive charge of Treasury.Note 2. The State should not be put to any extra expense in consequence of the absence of a Government servant during holidays on casual leave.State Government's decision. - Prefixing and suffixing holidays to leave, other than leave on Medical Certificate, shall be allowed automatically except in cases where administrative reasons permission for prefixing/suffixing holidays to leave is specifically withheld. In the case of leave on medical certified, if the day on which an employee is certificate medically fit for rejoining duty happens to be a holiday, he shall be automatically allowed to suffix such holiday(s) to his medical leave and such day(s) shall not be counted as leave.S.R.63A. - When holiday(s) follow(s) joining time, the normal joining time be deemed to have been extended to cover such holiday(s).S.R.64. - Compensatory leave granted by the Examiner, Local Accounts, may be combined with regular leave as if it were a holiday.S.R.65. - On

condition that the departing Government servant remains responsible for the moneys in his charge, a competent authority may declare that proviso (a) under S.R.63 is not applicable to any particular case.S.R.66. - Unless the competent authority in any case otherwise directs-(a)if holidays are prefixed to leave, the leave and any subsequent re-arrangement of pay and allowances take effect from the first day after the holidays ; and(b)if holidays are affixed to leave or joining time, the leave or joining time is treated as having terminated on, and any consequent re-arrangement of pay and allowances takes effect from, the day on which the leave or joining time would have ended if holidays had not been affixed.S.R.67. - In the case of District and Sessions Judges vacations will be treated as recognised holidays. Such officers may combine vacation with leave ; provided that-(1)no additional expense is incurred by the State for the period of vacation;(2)vacation is not both prefixed and affixed to leave ;(3)when a vacation is taken in conjunction with leave on average pay in combination with other leave, the total period of leave on average pay and vacation should not altogether exceed eight months in the case of officers under the special leave rules and four months in the case of officers under the ordinary leave rules.Note 1. District and Sessions Judges may avail themselves of the Court vacation and may combine them with regular leave whenever such a combination can be arranged so as to involve no additional expenditure, subject further to the conditions (i) that suitable arrangement should in each instance be proposed by the District and Sessions Judges concerned approved by the High Court, and made for the disposal during vacation of any criminal work requiring attention, and (ii) that a District and Sessions Judge should obtain the express permission of Government to avail himself without prejudice to his regular leave of so much of the vacation as is not needed for the disposal of criminal business.Note 2. In the case of Government servants not covered by this rule vacation cannot be treated as recognised holidays for the purpose of F.R.68.F.R.69. (1) A Government servant on leave may not take any service or accept any employment (including the setting up of a private professional practice as accountant, consultant, or legal or medical practitioner) whether in or out of India without obtaining the previous sanction of the State Government.(2)The leave salary of a Government servant who is permitted to take up employment under a Government or a private employer during leave shall be subject to such restrictions as the Governor of Assam may by order prescribe.Note 1. This rule does not apply to casual literary work to service as an examiner or similar employment nor does it apply to acceptance of foreign service, which is governed by Rule 110.Note 2. This rule does not apply where a Government servant has been allowed to take up a limited amount of private practice and service fees therefor as part of his conditions of service, e.g., where a right of private practice has been granted to a Medical Officer.Note 3. The grant of leave preparatory to retirement to an officer in foreign service may not be coupled with permission to continue in the service of the same employer during that leave.Note 4. Though grant of permission to take up private employment during the leave on medical certificate is technically covered by the provisions of F.R. 60, it is not the intention that the leave which can be obtained on the strength of the medical certificate should be allowed to a Government servant the state of whose health enables him to earn a competence by private employment. Fundamental Rule 69 should not be construed as permitting a Government servant who avails himself of leave on medical certificates to undertake regular employment during such leave.Government of India's decisions. - (1) Under the orders now in force, Government servants who are permitted to accept private employment during leave preparatory to retirement continue to get their leave salary, while those are employed by Government in a department other than their own and draw leave salary in addition to pay, have their leave salary restricted to the

anticipated amount of their pension ; and those who are employed in their own departments are treated as having been recalled from leave and thus forego their leave and leave salary except to the extent admissible under F.R.86. The question of removing these disparities to the extent possible, and suitably limiting the period for which a Government servant may be permitted to draw leave salary in addition to the pay of the post in which he is employed during leave preparatory to retirement has been under consideration for some time. The President has now decided that, in supersession of all previous orders on the subjects, such cases will be regulated in the following manner : (a) When a Government servant who has proceeded on leave preparatory to retirement before the date of compulsory retirement is required for employment during such leave in any post under the Central Government, in a outside India, and he is agreeable to return to duty, he will be recalled to duty and the unexpired portion of his leave from the date of re-joining duty will be cancelled. The leave so cancelled will be treated as refused and subject to the provisions of F.R.86, it may be granted from the date of compulsory retirement of the Government servant. Such recall will be treated as optional for the purpose of F.R.70. (b) When a Government servant is employed in any post under the Central Government, while he is on leave under F.R. 86, he may continue to enjoy his leave concurrently with such employment but his salary, which may be drawn in addition to pay of the post in which he is employed, will be restricted as follows : (i) in the case of Government servant eligible for pension, the amount of pension inclusive of pension equivalent of any retirement gratuity admissible under the new pension scheme which, it is anticipated will be admissible to him on retirement. No subsequent re-adjustment will be made on the basis of the actual amount of pension inclusive of gratuity finally sanctioned ; and (ii) in the case of a Government servant not eligible for pension, to the leave salary admissible in respect of leave on half average pay. In respect of the fresh employment during leave, the pay of the Government servant will be regulated as if he were a post-1931 entrant in temporary employ. No leave will be earned in respect of such period of employment during leave. During such employment, he may also be granted dearness and compensatory allowances, if any, admissible on the basis of pay. These allowances will neither be admissible on leave salary, nor will the leave salary be taken into account in calculating the allowances. (c) The leave salary of a Government servant who is permitted, during leave preparatory to retirement before attaining the age of superannuation, or during leave under F.R.86, to take up employment under a State Government, or under a private employer or employment payable from a Local Fund, will also be restricted during such employment as in (b) above. (2) These orders will also apply to officers who were initially appointed by the Secretary of State in Council by the Secretary State, and who may be employed during leave preparatory to retirement except that when any such officer accepts Crown employment outside India and Pakistan, the expression 'Crown employment' being taken to mean employment under the Government of the United Kingdom or under the Government of any of its Dominions, Colonies or Protectorates, the restrictions on leave salary will not apply. (3) Cases in which officers on leave preparatory to retirement may have already been permitted to accept employment on a basis different from that prescribed above will not be affected. (4) These orders will also apply mutatis mutandis to Government servant subject to leave rules other than those contained in the Fundamental Rules. Decision by the Government of Assam. - The Government of Assam have adopted the above decision in respect of Government servant under their rule making control. F.R.70. All orders recalling a Government servant to duty before the expiry of his leave should state whether the return to duty is optional or compulsory. If it is optional, the Government servant is entitled to no concession. If it is compulsory, he is entitled- (a) if the leave

from which he is recalled is out of India-(i)to receive a free passage to India ; and provided that he has not completed half of the period of his leave by the date of leaving for India's on recall of three months, whichever period is shorter, to receive a fund of the cost of his passage from India ;(ii)to count the time spent on the voyage to India as duty for purposes of calculating leave ; and(iii)to receive salary during the voyage to India, and for the period from the date of landing in India to the date of joining his post to be paid leave salary at the same rate at which he would have drawn it had he not been recalled but returned in the ordinary course on the termination of the leave, and for the latter period travelling allowance under the rules made in that behalf under Rule 44.Audit

Instruction. - The expression "on the termination of his leave" in Clause (a) (iii) of F.R.70 means "on the termination of the period of leave as determined by his recall as opposed to the whole of the leave he was originally granted". The effect of this interpretation will be to make the same leave salary admissible for the period of transit in India as would be admissible had the return to duty been voluntary and the period of voyage been leave proper and period of transit in India been leave proper or joining time under F.R. 105, as the case may be;(b)if the leave from which he is recalled in India, to be treated as on duty from the date on which he starts for the station to which he is ordered, and to draw travelling allowance under rules made in this behalf under Rule 44 for the journey, but to draw until he joins post leave salary only.Interpretation. - The 'concession' referred to in the second sentence of F.R. 70 is a concession of the category permitted by that rule. The concessions under F.R. 70 are clearly not intended to effect the privileges of Government servants which are admissible under other rules ; the concessions may be availed of when they happen to prove additional to, or better than the ordinary privileges.Note 1. In all cases of recalling an officer from leave out of India the orders should be communicated to him through the High Commissioner for India and should state whether return to duty is optional or compulsory as required by the rule.Note 2. For rules relating to travelling allowance admissible under this rule, see S.Rr. 269 and 270. .F.R.71. No Government servant who has been granted leave on medical certificate may return to duty without first producing a medical certificate of fitness in such form as the State Government may by order prescribe. The State Government may require a similar certificate in the case of any Government servant who has been granted leave for reasons of health, even though such leave was not actually granted on a medical certificate.Audit Instruction. [Omitted].Auditor General's decision. [Omitted].Note. The Government of Assam have decided that the provisions of F.R.71 being mandatory and not permissive, the production of a certificate of fitness is essential before a Government servant rejoins his duties on the expiry of leave on medical certificate.S.R.68. - A Government servant who has taken leave on a medical certificate out of Asia elsewhere than in Europe, North Africa, America or the West Indies, may not return to duty until he has produced a medical certificate of fitness from two medical practitioners in the following form : "We certify that we have carefully examined CD, of the Department..... and find that he is in good health and fit to return to his duty in India."Date.....Place....."If the certificate be signed by foreigners, it should be attested by Consular or other authority as bearing the signatures of qualified medical practitioners.S.R.69. - A Government servant who has taken leave in Asia on medical certificate may not return to duty until he has produced a medical certificate of fitness in the following form

:Signature of applicantWe the members of a Medical Board.....I..... Civil Surgeon of/registered medical practitioner of..... do hereby certify that we/I have carefully examined ABC of the department..... whose signature is given above, and find that he has recovered from his illness and is now fit to resume duties in Government service. We/I also certify that before

arriving at this decision we/I have examined the original medical certificate(s) and statement(s) of the case or certified copies thereof on which leave was granted or extended and have taken into consideration in arriving at our/my decision. If the Government servant on leave is a gazetted officer, such certificate should be signed by a Medical Board except (1) in cases in which the leave is for not more than three months ; or (2) in cases in which the leave is for more than three months, but the Medical Board granting the original certificate or the certificate for extension state at the time of granting such certificate that the Government servant need not appear before another Board for obtaining the certificate of fitness to return to duty. Note. A certificate under S.R. 88 is equivalent for all practical purposes to a certificate from a Medical Board and such cases are not excluded from the operation of the decision mentioned above. If the Government servant on leave is not a gazetted officer, a certificate from a Civil Surgeon or any lower medical authority or from a registered medical practitioner may, in its discretion, be accepted by the authority under which the Government servant will be employed on return from leave : but the certificate should invariably state that the officer signing the certificate has examined the medical certificate on which the leave was originally granted. F.R. 72. (1) A Government servant on leave may not return to duty before the expiry of the period of leave granted to him, unless he is permitted to do so by the authority which granted him leave. (2) Notwithstanding anything contained in sub-Rule (1) a Government servant on leave preparatory to retirement shall be precluded from withdrawing his request for permission to retire and from returning to duty, save with the consent of the authority empowered to appoint him. F.R. 73. A Government servant who remains absent after the end of his leave is entitled to no leave-salary for the period of such absence, and that period will be debited against his leave account as though it were leave on half average pay, unless his leave is extended by the authority competent to grant the leave (Serial 8 of Appendix 1). Wilful absence from duty after the expiry of leave may be treated as misbehaviour for the purpose of Rule 15. President's Decision In the case of Government servant, governed by the Revised Leave Rules, 1934 who remains absent after the end of his leave the period of such over-stayal of leave should, unless the leave is extended by the competent authority be treated as follows :-(a) If the officer is in superior service-(i) as leave on private affairs to the extent such leave is due, unless the over the-stayal is supported by a medical certificate ;(ii) as leave on medical certificate to the extent such leave is due, if the over-stayal is supported by medical certificate ;(iii) as extraordinary leave to the extent the period of leave due on private affairs and/or on medical certificate falls short of the period of over-stayal ;(b) if the officer is in inferior service-as in (a) (ii) and (iii) above mutatis mutandis. The Government servant is not entitled to leave salary during such over-stayal of leave not covered by an extension of leave by the competent authority. [The Government of Assam have adopted the above decision in the cases of their officers subject to the Revised Leave Rules, 1934]. F.R. 74. Subject to any directions which may be given by the Auditor-General of India in order to secure efficiency and uniformity of audit, the State Government may make rules prescribing the procedure to be followed by in and out of India-(i) in making application for leave and for permission to return from leave ;(ii) in granting leave ;(iii) in the payment of leave-salary ; and (iv) in the maintenance of record of service. Note. Appendices 13 and 14 contain respectively the rules made (1) by the Auditor-General of India ; and (2) by the President prescribing the procedure to be followed elsewhere than in India. The latter rules have also been adopted by the State Government as applicable to persons serving in connection with the affairs of the State. Leave Accounts S.R. 70. - The leave account required by F.R. 76 shall be maintained in such form as the Auditor-General of India may prescribe. Note. The form prescribed by the

Auditor-General of India for leave account of Government servant under the ordinary leave rules in Assam Fundamental Rules, Form No. 1.S.R.71. - The leave account of a gazetted Government servant shall be maintained by, or under the direction of the Accountant General, Assam.S.R.72. - The leave account of a non-gazetted Government servant shall be maintained by the head of the office in which he is employed.Explanation. - No leave account need be maintained for the members of the Coolie Corps establishments in the Sadia and Balipara Frontier Tracts.Application for leaveS.R.73. - Except is provided in S.Rr. 74 and 75 an application for leave or for an extension of leave shall be made to the authority competent to grant such leave or extension through the immediate superior, if any. Application for leave should be submitted in Assam Fundamental Rules, Form No. 2.S.R.74. - Where the authority competent to grant the leave is the Government, the application for leave shall be forwarded through the ordinary channel to the Commissioner of Divisions or the head of the Department, who after recording his recommendations will forward the application to the Comptroller for submission to Government with the report required under S.R. 62.S.R.75. - An application by a Commissioned Medical Officer in permanent or temporary civil employ for leave exceeding four months, other than leave on medical certificate, or for an extension of such leave, must be submitted to the local Administrative Medical Officer, by whom it will be forwarded to the Director General, Indian Medical Service. The Director General will countersign the application if the state of public service admits of the grant of the leave ; otherwise he will abstain from countersigning it. In either case he forward the application for disposal of the authority competent to grant the leave.S.R.76. - A Government servant transferred to foreign service must, before taking up his duties in foreign service, make himself acquainted with the rules or arrangements which will regulate his leave during such service.Medical CertificatesS.R.77. - Medical Officers must not recommend the grant of leave in any case in which there appears to be no reasonable prospects that the Government servant concerned will ever be fit to resume his duties. In such cases, the opinion that the Government servant is permanently unfit for Government service should be recorded in the medical certificate.S.R.78. - Every certificate of a Medical Committee or a Medical Officer recommending the grant of leave to a Government servant must contain a proviso that no recommendation contained in it shall be evidenced of a claim to any leave not admissible to the Government servant under the terms of his contract or of the rules to which he is subject.S.R.79. - Before a gazetted Government servant can be granted leave or an extension of leave on medical certificate, he must obtain a certificate in the following form from Civil Surgeon of the district in which he resides, or, if he is unable to travel for the purpose, from the Civil or Presidency Surgeon of the district where he is at the time. If in exceptional circumstances, the applicant cannot be examined by a Civil or Presidency Surgeon, the Civil Surgeon of the district in which he ordinarily resides may countersign a certificate granted by the medical attendant (if he is an approved registered medical practitioner) of the applicant, after satisfying himself that the conditions are fulfilled.Medical Certificate for Gazetted OfficersStatement of the case of.....Name (to be filled in by the applicant in the presence of the Civil Surgeon or official medical attendant).Appointment.....Age.....Total service.....Service in India.....Previous periods of leave of absence on medical certificate.....Habits.....Disease.....I,.....Civil Surgeon of/Medical Officer at or of.....after careful personal examination of the case hereby certify that..... is in a bad state of health and I solemnly and sincerely declare that according to the best of my judgement a period of absence from duty is absolutely necessary for the recovery of his health and recommend that he may be granted month leave with effect from.....Civil Surgeon or

Official Medical Attendant Dated the..... Note 1. This form should be adhered to as closely as possible and should be filled in after the signature of the applicant has been taken. The certifying officer is not at liberty to certify that the applicant requires a change from or to a particular locality, or that he is not fit to proceed to a particular locality. Such certificates should only be given at the explicit desire of the administrative authority concerned to whom it is open to decide when application on such ground has been made to him, whether the applicant should go before a Medical Board to decide the question of his fitness for his service. Note 2. The term "Approved Registered Medical Practitioner" mentioned in this rule includes approved registered Ayurvedic Physicians under the employment of the Government and who are diploma holders. We do hereby certify that according to the best of our professional judgement after careful personal examination of the case, we consider the health of..... to be such as to render him leave of absence for a period of..... absolutely necessary for his recovery. Dated..... The..... President Members The certificate which shall be prepared in duplicate should be accompanied by a separate statement, also in the duplicate, of the Government servant's case in approved form. One copy of the certificate and of the statement shall be made over to the Government servant concerned for presentation to the Medical Board which examines him for fitness for return to duty. S.R. 80. - A gazetted Government servant shall before applying for the certificate prescribed in Rule 79 from a Civil or Presidency Surgeon obtain the permission of the head of the office or department in which he is serving. When a certificate has been granted he shall, if the leave recommended is for a period exceeding two months, apply for the orders of the head of office or department to appear before a Medical Board, and present himself before such a Board when so directed. The head of the office or department shall forward to the Board the certificate and copies of the statement of case on receipt of orders for the assembling of the Board. The Board will be assembled under the order of the Administrative Medical Officer of the State in which the Government servant is serving, who will, where practicable, preside over it. The Board will be assembled either at the headquarters of the State or at such other place as the State Government may appoint. S.R. 81. - Before the head of the office or department may grant leave or extension of leave for a period exceeding two months he must obtain from the Board a certificate to the following effect, save as provided in Rule 83. Note. In the case of leave for a period not exceeding two months the certificate prescribed in S.R. 79 shall be considered sufficient. Form We do hereby certify that..... according to the best of our professional judgement, after careful personal examination of the case, we consider the health of CD to be such as to render leave of absence for a period of..... months absolutely necessary for his recovery. S.R. 82. - Before deciding whether to grant or refuse the certificate the committee may, in a doubtful case, detain the applicant under professional observation for a period not exceeding fourteen days. In this case it should grant to him a certificate to the following effect: "CD having applied to us for a medical certificate recommending the grant to him of leave, we consider it expedient, before granting or refusing such a certificate to detain CD under professional observation for..... days". S.R. 83. - If the state of the applicant's health is certified by a Commissioned Medical Officer of Government or by a Medical Officer-in-charge of a civil station to be such as to make it inconvenient for him to present himself to any place in which a committee can be assembled, the authority competent to grant the leave may accept, in lieu of the certificate prescribed in S.R. 81, either-(1)(a) a certificate signed after personal examination by the Civil Surgeon of the district; OR by the Sub-divisional Medical Officer of the sub-division and countersigned by the Civil Surgeon of the District, where the officer is serving; or (b) a certificate signed by a Civil or Presidency Surgeon or a Medical Officer-in-charge of a sub-division other than

the Civil Surgeon or Medical Officer of the district or sub-division where the officer is serving, and countersigned by the District Officer of the district where the officer is serving ;(c)notwithstanding anything contained in sub-Rule. (1) the authority competent to sanction leave may dispense with the procedure laid down in Rr. 80 and 81-(i)where the leave recommended by the authorised medical attendant is for a period exceeding two months and he certifies it in his opinion it is necessary for the applicant to appear before a Medical Committee; or(ii)the applicant is undergoing treatment in a hospital as an indoor patient and the leave is recommended by the Medical Officer-in-charge of the case in the hospital not below the rank of Civil Surgeon or Staff Surgeon for the period of hospitalisation or convalescence. [Sub-rule (2) not printed or inserted]S.R.84. - The grant of a certificate under S.R. 81 or 83 does not itself confer upon the Government servant concerned any right to leave. The certificate should be forwarded to the authority competent to grant the leave, and the orders of that authority should be awaited.S.R.85. - An application by a non-gazetted Government servant in superior service for leave or for an extension of leave on medical certificate must be accompanied by a certificate in the following form from the Civil Surgeon of the district where the applicant resides or from the Presidency Surgeon if the applicant is in a Presidency town, unless it is specially certified that the applicant is too ill to bear the journey, in which case the Civil Surgeon or Presidency Surgeon may exercise his discretion and countersign or refuse to countersign a medical certificate from an approved registered medical practitioner. In the event of the Civil or Presidency Surgeon refusing to countersign a medical certificate, they should arrange for the applicant to be examined at his residence by a Medical Officer of Government. Such certificate should distinctly state the nature of the illness, its symptoms, probable causes and duration, the period of absence from duty considered to be absolutely necessary for the restoration of the applicant's health. The certificate shall be prepared in a duplicate one copy made over to the Government concerned for presentation to the Medical Officer who examines him for fitness for return to duty. The authority competent to grant the leave may, however, in its discretion accept a certificate from the applicant's medical attendant without such countersignature ; if the applicant be a female, may either dispense with countersignature or accept the countersignature of any female medical practitioner. The authority competent to sanction leave may at its discretion call for a second medical opinion. In such cases too the certificate shall be prepared in duplicate and dealt with in the manner laid down in sub-paragraph 2 above. The possession of a certificate such as is prescribed in this rule does not in itself confer upon the Government servant concerned any right to leave. Form Medical certificate for non-Gazetted Officers recommended for leave or extension or commutation of leave

Signature of applicant.....I,..... after careful examination of.....the case hereby certify that.....whose signature is given above, is suffering from..... and I consider that a period of absence from duty of..... with effect from..... is absolutely necessary for the restoration of his health. Dated....The.....Government Medical attendant or other registered practitionerThe.....

Note 1. The nature and probable duration of the illness should be specified. Note 2. This form should be adhered to as closely as possible, and should be filled in after the signature of the applicant has been taken. The certifying officer is not at liberty to certify that the applicant requires a change to (or from) a particular locality, or that he is not fit to proceed to a particular locality. Such certificates should only be given at the explicit desire of the administrative authority concerned, to whom it is open to decide, when an application on such grounds has been made to him, whether the applicant should go before a Medical Board to decide the question of his fitness for service. Note 3. The term "Approved Registered Medical Practitioner" mentioned in this rule

includes approved registered Ayurvedic Medical Physicians under the employment of Government and who are diploma holders also. Second Medical Opinion (if called for by the authority competent to sanction leave) Agency or Civil Surgeon Note. Should a second medical opinion be required the leave sanctioning authority should arrange for the second medical examination to be made at the earliest possible date. The Agency or Civil Surgeon's opinion, both as to the facts of illness and the necessity of the amount of leave applied for, should be recorded. He may require the applicant to appear before him or before Medical Officer nominated by him. S.R.86. - No application should be made for a medical certificate to a Medical Officer of Government and no certificate should be submitted for his countersignature without the cognizance of the head of the office in which the applicant is serving. For this purpose the correct procedure is to play through the head of the office. S.R.87. - No application for extension of leave will ordinarily be considered by the head of the office in which the applicant is serving unless the application is received by him at least one week before the termination of the leave already granted. S.R.88. - In support of an application for leave, or for an extension of leave, on medical certificate from a non-gazetted Government servant in Class IV service, the authority competent to grant the leave may accept such certificate as it may deem sufficient. S.R.89. - Leave of absence cannot be claimed as of right. A competent authority may refuse, or revoke, leave of absence at any time according to the exigencies of the public service and may also refuse to the full amount of leave applied for in any case. S.R.90. - In case where all applications for leave cannot, in the interests of the public service be granted, an authority competent to grant leave should in deciding which application should be granted, take into account the following considerations: (a) the Government servants who can, for the time being, best be spared; (b) the amount of leave due to the various applicants; (c) the amount and the character of service rendered by each applicant since he last returned from leave; (d) the fact that any such applicant was compulsorily recalled from his last leave; (e) the fact that any such applicant has been refused leave in the public interest. S.R.91. - Where a Medical Committee in India has reported that there is no reasonable prospect that a particular Government servant will ever be fit to return to duty, leave should not necessarily be refused to such a Government servant. It may be granted, if due by a competent authority on the following conditions: (a) If the Medical Committee is unable to say with certainty that the Government servant will never be fit for service in India again, leave not exceeding twelve months in all may be granted. Such leave should not be extended without a further reference to a Medical Committee. Note. In the case of a Government servant who is granted leave under this rule and who subsequently returns to duty, the leave should be treated as leave on medical certificate for the purpose of the proviso to F.R. Rule 81 (b) (ii); (b) If the Medical Committee declares the Government servant to be completely and permanently incapacitated for further service the Government servant should, except as provided in Clause (c) below be invalidated for the service, either on the expiration of the leave already granted to him, if he is on leave, when examined by the committee, or if he is not leave, from the date of the committee's report; (c) A Government servant declared by a committee to be completely and permanently incapacitated may, in special cases, be granted leave, or an extension of leave not exceeding six months is debited against the account, if such leave be due to him. Special circumstances justifying such treatment may be held to exist when the Government servant's break down in health has been caused in and by Government service, or when the Government servant has taken a comparatively small amount of leave during his service, or will complete at an early date an additional year's service for pension. S.R.92. - Leave should not be granted to a Government servant who ought at once to be dismissed or removed from

Government service for misconduct or general incapacity.S.R.93. - If, in a case not covered by S.R. 92, an authority competent to remove a Government servant from service decides before such Government servant departs from India on leave, that he will not be permitted to return to duty in India it must inform him to that effect before he leaves India.S.R.94. - If, when a Government servant is about to depart from India on leave, it is necessary to consider the propriety of removing him for incapacity, whether mental or physical which is of such nature that it is impossible to decide, before he leaves India, whether it will be permanent or temporary-or if for any reason it is considered inexpedient that a Government servant on leave should return to India, full report of the circumstances must be made by the State Government to the India Office in time to enable the Secretary of State to take any necessary measures before the Government servant would, in the ordinary course, be permitted to return to duty. The report should in any case reach the India Office at least three months before the end of the Government servant's leave.S.R.95. - When leave on medical certificate has been granted to a Government servant or, in the case of a military officer in civil employ when the grant of such leave has appeared in orders, if such Government servant or military officer proposes to spend his leave in Europe, North Africa, America or the West Indies, State Government must without delay forward a copy of the medical statement of the case to the High Commissioner for India.S.R.96. - When a Government servant who has been granted leave for reasons of health proceeds to any of the localities named in S.R. 95 the authority which granted the leave shall inform the High Commissioner for India whether a medical certificate of fitness to return to duty is required under the second sentence of F.R. 71.Departure on leaveS.R.97. - Every Government servant proceeding on leave out of India should procure from the audit office and take with him a copy of the memorandum of information issued for the guidance of Government servants proceeding on leave out of India. If the leave has been granted on a medical certificate, he must take a copy of the medical statement of his case also.S.R.98. - A Gazetted Government servant taking leave out of India must report his embarkation, through the audit office, to the authority which granted his leave, in such form as the Auditor-General may prescribe.Return from leaveS.R.99. - A Government servant on return from leave, must report his return to the Government under which he is serving.S.R.100. - A Government servant returning from leave is not entitled, in the absence of specific orders to that effect, to resume as matter of course the post which he held before going on leave. He must report his return to duty and await orders.Payment of leave salaryS.R.101. - A Government servant on leave, who does not leave his district does not require a last pay certificate, nor does an officer who leaves his district on leave without allowances.Note. Other rules on the subject will be found in paragraphs 6-12 of the instructions issued by the Auditor-General of India under F.R. 74, vide Appendix 13.Record of serviceGazetted Government servantS.R.102. - A record of the service of gazetted Officers should be maintained by the audit officer who audits their pay. When an officer passes from one audit circle to another, a record of his past service should be passed on from the audit officer whose circle he leaves to the audit officer to whose circle he is transferred.S.R.103. - When a Gazetted Officer is transferred to foreign service a copy of his service register will be sent by the audit officer whose duty it was to keep it, to the audit officer who will account for the contribution and the latter will return the register (or an extract from it) duly written up-to-date when the officer is re-transferred.S.R.104. - With exception of (I) of non-Gazetted Government servants the particulars of whose service are recorded in the History of Service of Gazetted and other officers, maintained by the Audit Officer, (II) all Government servants in superior service on scales of pay the maximum of which does not exceed Rs.24, (III) inferior

servants of all sorts, (IV) Police Officers of and below the rank of Inspector, (V) Havildars of the Assam Rifles who are in receipt of pay in excess of Rs.20, (VI) Keepers of the Mental Hospital at Tezpur, (VII) Jail Wardens, and (VIII) Assistant Forest Officers and Forest Guards, a Service Book should be kept at the cost of Government for every non-Gazetted Government servant holding a substantive appointment on a permanent establishment in which every step in his official life should be recorded, each entry being attested by the head of his office. If the Government servant is himself the head of an office the attestation should be made by his immediate superior. The head of the office should see that all entries in the service book are duly made and attested. There should be no erasure or over-writing, all corrections being neatly made and properly attested.

Note 1. Circle Sub-Deputy Collectors are heads of offices for the custody of the service books of mandals or patwaris only.

Note 2. Annual establishment return should be submitted to the Audit Office in the case of police officers of the rank of Inspector and Sub-Inspector.

S.R.105. - Service book must be kept in the custody of the heads of offices in which the Government servants are serving and transferred with them from office to office. A certified copy of the service book may be supplied to the Government servants on payment of a copying fee of Rs. 5, on quitting Government service by retirement, discharge or resignation.

S.R.106. - It shall be the duty of every head of office to initiate action to show the service books to Government servants under this administrative control, every year and to obtain their signature therein in token of their having inspected the service book. A certificate to the effect that he has done so in respect of the financial year should be submitted by him to his next superior officer by the end of every September. The Government servant inter alia ensures before affixing his signature that his service books have been duly verified and certified as such. In case of a Government servant on foreign service, his signature shall be obtained in his service book after the Audit Officer has made therein necessary entries connected with his foreign service.

S.R.107. - Personal certificates of character should not, unless the Government so direct, be entered in the service book, but if the Government servant is reduced to a lower substantive appointment, the case of the reduction should always be briefly stated thus "Reduced for inefficiency", "Reduced owing to revision of establishment, etc."

S.R.108. - Every period of suspension from employment and every other interruption in service should be noted, with full details of its duration, by an entry written across the page and attested by the head of the office or other attesting officer. The head of the office should take efficient measures to see that these entries are made with regularity. The duty should not be left to the non-Gazetted Government servant concerned.

S.R.109. - When a non-Gazetted Government servant is transferred whether permanently or temporarily from the office to another, the necessary entry of the nature of the transfer should be made in his service book which after being duly verified to date and attested by the head of the office should be transmitted to the head of the office to which the Government servant has been transferred who will thenceforward have the book maintained in his office.

S.R.110. - When a non-Gazetted Government servant is officiating in a gazetted post, his service book should be kept by the head of office to which he permanently belongs, but when he takes leave while so officiating, his service book should be forwarded to the audit officer of reporting admissibility of the leave. When he is confirmed the service book should be permanently sent to the audit office.

S.R.111. - If the Government servant is transferred to foreign service the head of the office or department should send his service book to the audit officer who will return it after noting therein, under his signature, the order of Government sanctioning the transfer, the effect of the transfer in regard to leave admissible during foreign service and any other particular which the audit officer may consider to be

necessary in connection with the transfer. On the Government servant's re-transfer his service book should again be sent to the audit officer who will then note therein under his signature all necessary particulars connected with the Government servant's foreign service.S.R.112. - Service rolls should be maintained for all Government servants for whom service books are not kept, save those mentioned in Exception (I) in S.R. 104. This service rolls should be recorded the date of enrolment, caste, tribe, village, age, height, marks of indentification, when enrolled, rank, promotion, education or other punishment, absence from duty on leave or without leave, interruptions in service, and every other incident in service which may involve forfeiture of portions of service or affect the amount of pension. Every entry in them should be signed by the head of the office. Service rolls should invariably be submitted with the pension papers to the audit office.Explanation. - Service rolls need not be maintained for the members of the Collie Corps establishments in the Sadia and Balipara Frontier Tracts.Note 1. The Deputy Commissioner, Garo Hills, may delegate to the Deputy Inspector of Schools the power to sign the front page, and to make attestation in respect of entries made in subsequent pages, of the service rolls of the teachers of the vernacular schools of the district.Note 2. In the case of contingency materials who may be granted leave with or without allowance by the head of the office on the analogy of S.R. 127, a service roll should be kept in form specially prescribed for the purpose.Section III-Special and Ordinary Leave RulesF.R.75. (1) All Government servants who are not hereinafter declared to be subject to the special leave rules shall be subject to the ordinary leave rules.(2)Any Government servant having at the time of his appointment his domicile elsewhere than in Asia shall be subject to the special leave rules :Provided that no such Government servant shall be entitled to the benefits of the special leave rules, who prior to such appointment, has, for the purpose of his appointment to any office under the Government or of the conferment upon him by the Government of any scholarship, emoluments, or other privilege, claimed and has been deemed to be of Indian domicile.Audit Instructions. - (1) A Government servant who becomes eligible to the special leave rules while he is on leave under the ordinary leave rules may, from the date he becomes so eligible, change the balance of his leave under the special leave rules.(2)The expression "at the time of his appointment' occurring in F.R. 75 (2) means the date of an officer's appointment to a service or post to which the provisions of the Fundamental Rules apply.F.R.75A. For the purpose of F.R. 75 (2) the domicile of a person shall be determined in accordance with the provisions set out in the Schedule to these rules :Provided that a person who was born and has been educated exclusively in Asia and has not resided out of Asia for a total period exceeding six months shall be deemed to have his domicile in Asia unless, in the case of a person to whom the provision in Sub-Rule (2) of Rule 75 does not apply, it is proved to the satisfaction of the appointing authority that he did not have his domicile in Asia on that date.F.R.75B. No Government servant who, after his appointment to a service or post acquires a new domicile, shall thereby loose his right to, or become entitled to admission to the benefits of the special leave rules.F.R.75C. If any question arises as to the domicile of any Government servant at the time of his appointment, the decisions thereon of the State Government shall be final.Section IV-Grant of LeaveF.R.76. A leave account shall be maintained for each Government servants in terms of leave on average pay. A separate account should be kept of the leave earned by a Government servant serving under a Government and then transferred to another Government, and all leave taken after the date of transfer should be debited to his account so long as the balance under it is exhausted.S.R.113. - The rate of leave salary actually received by an absentee by the operation of the further proviso to F.R. 87 should not be taken into account in recording the leave

granted to inferior servants in their leave account but that the account should be debited with the kind of leave granted irrespective of the leave salary.F.R.77. In the leave account of a Government servant subject to these rules, shall be credited-(i)if he be under the special leave rules, five-twenty-seconds of the period spent on duty; and(ii)if he be under ordinary leave rules, two-elevenths of the period spent on duty.Audit Instructions. - (1) Fractions of a day should not appear in the leave accounts, fractions below half should be ignored and those of half or more should be reckoned as one day.(2)Five-twenty-seconds of the period spent on duty should be calculated thus-The amount of duty as expressed in terms of years, months and days should be multiplied by five and the product divided by twenty-two. In this process of multiplication and division a month should be reckoned as equal to 30 days.Two-elevenths of the period spent on duty should also be calculated similarly.F.R.78. The amount of leave to be debited against a Government servant's leave account is-(a)the actual period of leave on average pay, but excluding special disability leave on average pay under F.R. 83 (7); and(b)half tire period of leave on half average pay other than special disability leave or one quarter average pay or of special disability leave on average pay under F.R. 83 (7) (b).F.R.79. When a Government servant, who has previously been subject to ordinary leave rules, is admitted to the benefits of the special leave rules, no change shall be made in the amount of leave previously credited and debited to his account, but he shall be entitled to the maximum amount of leave prescribed in F.R. 81 (a) (i).F.R.80. This amount of leave due to a Government servant is the balance of leave at his credit in the leave account.F.R.81. Leave may be granted to a Government servant at the discretion of the authority entitled to grant the leave subject to the following restrictions :(a)The maximum amount of leave which may be granted, expressed in terms of leave on average pay is the privilege which it was permissible to grant to the Government servant in question, on the 1st January, 1922 under the rules applicable to him prior to that date; plusOne-eleventh of the period spent on duty subsequent to that date ; plus(i)in the case of Government servant under the special leave rules, three years; or(ii)in the case of Government servant under the ordinary leave rules, two and a half years :Provided that special disability leave on half average pay or on average pay under F.R. 83 (7) (a) shall not be taken into account in calculating the maximum prescribed by this clause, and in the case of such leave taken on average pay under F.R. 83 (7) (b) account shall be taken of only half the period thereof.(b)The maximum amount of leave on average pay including any furlough on average salary taken under rule in force prior to 1st January, 1922 but excluding special disability leave on average pay under F.R. 83 (7) (a) which may granted is-(i)to a Government servant under the special leave rules, eight months at any one time,and, in all-the privilege leave which it was permissible to grant to him on the 1st January, 1922 under the rules applicable to him prior to that date, plusone-eleventh of the period spent to duty subsequent to that date, plus one year,(ii)to a Government servant under the ordinary leave rules, four months at any one time,and, in all-the privilege leave which it was permissible to grant to him on the 1st January, 1922 under the rules in force prior to the date, plusone-eleventh of the period spent on duty subsequent to that date :Provided that in the case of a Government servant, other than a Class IV Government servant, subject to the ordinary leave rules, who either takes leave on medical certificate other than leave preparatory to retirement or spends his leave elsewhere than in India, Pakistan, Ceylon, Nepal or Burma the maximum prescribed in sub-Clause (i) of this clause shall apply.Note. (1) The expression "other than leave preparatory to retirement" in the proviso above has effect from the 10th August, 1937.(2)Officers subject to the ordinary leave rules who take advantage of the said proviso when applying for leave on average pay on medical certificate are

required to give an undertaking that they will refund the difference between average pay and half average pay for the period of leave on average pay which would not have been admissible had the proviso in F.R. 81 (b) I(ii) not been applied if they subsequently decide to retire at the end of the leave, or of an extension of that leave, but the question whether the officer concerned should be asked to refund the amount drawn in excess as leave salary should be decided on the merits of each case, i.e., if the retirement is voluntary, refund should be enforced, but if the retirement is compulsory thrust upon the officer by reason of ill-health incapacitating him for further service, no refund should be taken. (c) Save in the case of leave preparatory to retirement, leave not due may be granted subject to the following conditions : (i) on medical certificate without limit of amount; and (ii) otherwise than on medical certificate, for not more than three months at any one time and six months in all reckoned in the terms of leave on average pay. Note 1. In cases where a Government servant who has been granted leave not due under this clause for permission to retire voluntarily the leave not due shall, if the permission be granted, be cancelled and his retirement shall have effect from the date on which such leave commenced. Note 2. (i) Leave not due may in no case be granted unless the sanctioning authority is satisfied that, as far as can be reasonably for seen the officer will return to duty and earn it; and (ii) that, except as provided in the Note 1 to F.R. 81 (c), the leave when granted should in all cases subject to the Government servant's wishes be allowed to stand, including cases in which the officer fails to earn it by subsequent duty. (d) The maximum period of continuous absence from duty on leave granted otherwise than on medical certificate is twenty-eight months. This period shall in no circumstances be exceeded by a Government servant who is on leave preparatory to retirement. (e) When Government servant returns from leave which was not due and which was debited against his leave account, no leave will become due to him until the expiration of a fresh period spent on duty is sufficient to earn a credit of leave equal to the period of leave which he took before it was due. Audit Instructions. - (1) If leave on average pay is applied for after a Government servant has had leave on half-average pay in continuation of a period of leave on average pay either by the production of a medical certificate or by a Government proceeding out of India, Ceylon, Nepal, Burma or Aden, the period of leave on average pay that may then be granted should be similarly limited to the period actually covered by the medical certificate or spent elsewhere than in India, Ceylon, Nepal, Burma or Aden. The grant of the leave should also be so regulated that the total period of leave on average pay during that spell of leave does not exceed eight months in such case the total period of leave on average pay shall be treated as one continuous spell of leave on average pay in order to determine whether first four months of the leave should be treated as privilege leave for purposes of pension. (2) If under the operation of the proviso to F.R. 81 (b) (ii) the maximum amount of leave on average pay admissible at a time is increased, further leave on average pay may not be granted in continuation, unless such leave is taken on medical certificate or is spent elsewhere than in India, Ceylon, Nepal, Burma or Aden, but such leave on average pay which may be taken on medical certificate or outside India, Ceylon, Nepal, Burma or Aden up to maximum of 12 months in a Government servant's whole service, if due, does not consume the leave on average pay which may be taken without medical certificate. (3) Leave not due may in no case be granted unless the sanctioning authority is satisfied that, as far as can be reasonably foreseen, the Government servant will return to duty and earn it. When, however, such leave has once been granted, it should be allowed to stand, unless the Government servant otherwise desires, even if he proves unable to earn it by subsequent duty; [but see Notes to F.R. 81 (c)]. (4) The limit of 28 months of continuous absence prescribed in F.R. 81 (d) includes the period of vacation, if any, with which

leave is combined.(5)The expression "continuous absence from duty on leave" occurring in F.R. 81 (d) does not include absence on extraordinary leave.Government of Assam's decision. - Subject to the consideration of special cases, where an officer is placed on deputation in Europe or America while on leave out of India, the deputation shall be regarded as an interruption of the leave already granted. The expression "at any one time" in F.R. 81 (c) should be interpreted as meaning "in each separate period of leave granted". The effect of this ruling is that in ordinary circumstances the leave of such an officer will be extended by the period of the deputation but the deputation will not entitle him to a fresh grant of leave.The balance of the unenjoyed leave should be worked out before the deputation intervenes and the amount of leave to be enjoyed subsequently on the expiry of the deputation should be restricted to his available balance.F.R.82. The following provisions apply to vacation departments only :(a)The State Government may make rules specifying the department or parts of departments which should be treated as vacation department and the conditions in which a Government servant should be considered to have availed himself of a vacation.(b)Vacation counts as duty, the periods of total leave in F. Rr. 77, 81 (a) and 81 (b) should ordinarily be reduced by one month for each year of duty in which the Government servant has availed himself of the vacation. If a part only of the vacation has been in any year, the period to be deducted will be a fraction of a month equal to the proportion which the part of the vacation taken bears to the full period of the vacation.(c)In cases of urgent necessity, when a Government servant requires leave and no leave is due to him, the periods in F.Rr. 77 and 81 (a), as reduced by Cl.(b) of this rule, may be increased by one month for every two years of duty in a vacation department.(d)When a Government servant combines vacation with leave, the period of vacation shall be reckoned as leave in calculating the maximum amount of leave on average pay which may be included in the particular period of leave.Note 1. The implied basis and condition of variation are that a Government servant only gets vacation on condition that he can arrange to carry out the vacation duties of his post, and that a Government servant should be considered to have availed himself of a vacation or a portion of a vacation unless he has been required by general or special order of a higher authority to forego such a vacation or portion of a vacation. A Government servant, who has routine duties to discharge during the vacation, which does not require his presence at his place of duty and which can be performed either by himself at some other place or by some other Government servant, should be considered to have availed himself of a vacation or a part of it, while a Government servant who leaves his place of duty during a vacation is expected to arrange for, and is responsible for the performance, without any cost to Government, of such routine duties.A Government servant who leaves his place of duty during vacation is liable to be called thereto at his own expense.Note 2. Subject to the provision in the note below F.R. 71,it is permissible under F.R. 82 (d) to allow vacation to intervene between two periods of leave.Note 3. An officer of a vacation department may be granted the additional leave which is credited under F.R. 82 (c) even though he has a debit balance in his leave account due to the fact that leave not due has not been liquidated as required by F.R. 81 (c). The credit of one month under F.R. 82 (c) is for every completed two years of duty and no fractional credit for a period of less than two years is permissible.Note 4. In the case of a Government servant who, at the time of going on leave has not completed a full year of duty and has not for that reason enjoyed any portion of vacation but who enjoys the next vacation in continuation of the leave, it has been decided that, for the purpose of Clause (b) of this rule as explained in item (3) of Audit Instructions below a deduction of 1/12th may be made for the period for which 1/11th is credited. If subsequently it is found that the vacation has not been enjoyed, the deduction already

made can be suitably corrected. Audit Instructions. - (1) The reduction by one month for each year of duty in which the Government servant has availed himself of the vacation as required to be made under F.R. 82 (b) is intended to be made in respect of leave earned and vacation taken from 1st January, 1982. Thus, in the case of Government servants of vacation departments, the leave credited to their leave account under F.R. 77 will be - (i) privilege leave at their credit on 1st January, 1922, i.e., privilege leave earned under Article 272 or 275, Civil Service Regulations; plus (ii) one-eighth or one-twelfth of the period of spent on duty or vacation or privilege leave up to 31st December, 1921; plus (iii) five-twenty-seconds or two-eleventh of the period of spent on duty or vacation from 1st January, 1922. From this a reduction will be made of one month for each year of duty in which a Government servant avails himself of the vacation after 1st January, 1922. Similarly, the total leave admissible under F.R. 81 (a) and 81 (b) will be reduced by one month for each year of duty in which the vacation is taken after 1st January, 1922. (2) The amount credited to the leave account under F.R. 82 (c) as well as that added to the maximum under F.R. 81 (a) should be the actual amount of additional leave taken under F.R. 82 (c) and not the total amount theoretically permissible, viz, one month for every two years of duty. (3) The term "each year of duty" should be interpreted to mean, not a calendar year in which duty in a vacation department is performed but twelve months of actual duty. If the Government servant has enjoyed such vacation as falls within the period of twelve months beginning on the day on which he begins his duty on return from leave or otherwise, then one month should be deducted from his leave account. It does not matter whether the day on which this year ends falls in a vacation in the succeeding calendar year. The only question is whether the Government servant has enjoyed such vacation as fell within the period of one year as interpreted above. If, to take an example, a Government servant before going on leave has not completed a full year of duty including vacation during the course of the second calendar year, then the fraction of one month which should be deducted from the leave account, is the fraction which the period of duty, including vacation, bears to the whole year. If, to take a further complication, he has not enjoyed the whole of the vacation which fell during that period of less than a year, then the amount which should be deducted is the proportion of the period, which the proportion of vacation actually enjoyed bears to the whole period of vacation which fell within that period. In the case of Government servants who are allowed two vacations in the year instead of one, the periods of the two vacations should be regarded as combined into one. Conditions in which a vacation should be considered to have been availed of under Fundamental Rule 82 (a) S.R.114. - A vacation department is a department or part of a department to which regular vacations are allowed during which Government servants serving in the department are permitted to be absent from duty. In case of doubt a competent authority may decide whether or not a particular Government servant is serving in a vacation department to which these rules apply. The following are vacation departments for the purpose of F.R. 82 : (1) The High Court excluding the Chief Justice and the Judges and Civil and Sessions Courts, other than those under the control of Deputy Commissioners in the Assam Valley Division and Cachar District. (2) Educational institutions in the case of - (a) the teaching staff; (b) such Government servants, not being members of the teaching staff, as may be declared to be entitled to vacations by a competent authority. (3) (a) The Government Weaving Institute, Gauhati; (b) The Surma Valley Technical School, Sylhet; (c) His Royal Highness the Prince of Wales' Technical School, Jorhat; (d) The Fuller Technical School, Kohima. (e) Assam Civil Engineering School, Gauhati. (4) The Assam Survey School, Jhalukbari. (5) (a) The teaching staff of the Berry-White Medical School, Dibrugarh; (b) such Government servants, not being members of the teaching staff, as may be

declared to be entitled to vacation by a competent authority. Note 1. Fundamental Rule 82 does not apply to District and Sessions Judges. Note 2. A competent authority may by general or special order determine the periods of the vacation admissible to the staff of the Institutions referred to in Clauses (2) (b) and (3) above. Note 3. The teachers of Government Lower Primary Schools which do not enjoy a continuous vacation of a month in the year should not be regarded as belonging to a vacation department; provided that the holiday list of the school approved by the Deputy Inspector does not exceed 60 days. Note 4. Clerks in Government School and College in Assam should be treated as Government servants of a vacation department up to 31st December, 1921, and again from the 13th February, 1924, and of non-vacation department for the period from the 1st January, 1922 to the 12th February, 1924. S.R.115. - A Government servant serving in a vacation department shall be considered to have availed himself of a vacation or portion of a vacation unless he has been required by general or special order of a higher authority to forego such vacation or portion of a vacation; provided that if he has been prevented by such an order from enjoying more than fifteen days of the vacation, he shall be considered to have availed himself of no portion of the vacation. Note 1. The 15 days limit in the rule will be applied in respect of each vacation or of two vacations combined when there are two vacations in the year. Note 2. A period during which a Government servant on leave will not be considered a period of duty for the purposes of F.R. 82 (2). Note 3. The words "prevented by such an order from enjoying more than 15 days of the vacation" occurring in lines 5 and 6 of the rules, mean that the Government servant's absence from duty during the vacation did not exceed 15 days. S.R.116. - As soon as a vacation expires the head of the office will record in the service book of the officer whether or not he enjoyed vacation for more than fifteen days. If the period exceeded fifteen days the number of days should be specified. Special Disability Leave F.R.83. (1) Subject to the conditions hereinafter specified the State Government may grant special disability leave to a Government servant who is disabled by injury intentionally inflicted or caused in, or in consequence of the due performance of his official duties or in consequence of his official position. (2) Such leave shall not be granted unless the disability manifested itself within three months of the occurrence to which it is attributed, and the person disabled acted with due promptitude in bringing it to notice. But the State Government if it is satisfied as to the cause of the disability may permit leave to be granted in cases where the disability manifested itself more than three months after occurrence of its cause. (3) The period of leave granted shall be such as is certified by a medical board to be necessary. It shall not be extended except on the certificate of a medical board, and shall in no case exceed 24 months. (4) Such leave may be combined with leave of any other kind. (5) Such leave may be granted more than once if the disability is aggravated or reproduced in similar circumstances at a later date, but not more than 24 months of such leave shall be granted in consequence of any one disability. (6) Such Leave shall be counted as duty in calculating service for pension and shall not, except as provided in F.R. 78 (b), be debited against the leave account. (7) Leave salary during such leave shall be equal- (a) for the first 4 months of any period of such leave including a period of such leave granted under Clause (5) of this rule, to average pay; and (b) for remaining period of any such leave, to half average pay, or at Government servant's option, for a period not exceeding the period of average pay which would otherwise be admissible to him, to average pay: Provided that the maxima specified in the table in Sub-Rule (2) of Rule 89 shall notwithstanding anything contained in that rule, apply to the whole period of such leave and the minima specified in the table in Rule 90 shall apply when leave salary during such leave is equal to half average pay, subject to the conditions stated in that rule and in the Notes thereunder. (8) In the case of the person to whom the Workmen's

Compensation Act, 1923, [Now Employees' Compensation Act, 1923] applies the amount of leave salary payable under this rule shall be reduced by the amount of compensation payable under Section 4 (1) (d) of the said Act.(9)The provisions of this rule apply to a civil servant disabled in consequence of service with a military force, if he is discharged as unfit for further military service but he is not completely and permanently incapacitated for further civil service, and to a civil servant not so discharged who suffers a disability which is certified by a medical board to be directly attributable to his service with a military force ; but, in either case any period of leave granted to such a person a under military rules in respect of that disability shall be reckoned as leave granted under this rule for the purpose of calculating the period admissible.F.R.83A. The State Government may extend the application of the provisions of F.R. 83 to a Government servant who is disabled by injury incidentally incurred in or in consequence of the due performance of his official duties or in consequence of his official position, or by illness incurred in the performance of any particular duty which has the effect of increasing his liability to illness or injury beyond the ordinary risk attaching to the civil post which he holds. The grant of this concession is subject to the further conditions : (i) that the disability, if due to disease, must be certified by medical board to be directly due to the performance of particular duty ; and (ii) that, if the Government servant has contracted such disability during service otherwise than with a military force, in must be in the opinion of the State Government, so exceptional in character or in the circumstances of its occurrence as to justify such unusual treatment as the grant of his form of leave ; and (iii) that the period of absence recommended by the medical board may be covered in part, by leave under this rule and in part by other leave, and that the amount of special disability leave granted on average pay may be less than four months.Note 1. The grant of the concession contemplated in this rule is not admissible to a Government servant in the case of injuries resulting from an accident to which he may be liable under the ordinary conditions of civil life or in connection with the ordinary discharge of his duties.Note 2. The intention of F.R. 83-A (ii) is not that special disability leave should be given to cover any portion of an officer's military service but that it should be admissible only after the officer's discharge as unfit for further military service.State Government's decision. - A question was raised as to whether special disability leave under F.R. 83-A would be admissible to Police Department official for falling off a pony while returning from a place of duty. It was decided in consultation with Auditor General of India that the accident of falling off a pony may occur to anybody and constitutes ordinary risk of civil life.F.R.83B. (1) A Government servant who has been granted special disability leave under F.R. 83, and whose domicile is elsewhere than in Asia, may be granted by the State Government, free passage by sea for himself, his wife and children, to the United Kingdom, or any port in Europe or in a British colony, dominion or possession, and on the conclusion of such leave, return passage to India, unless he takes leave other than leave on medical certificate in continuation of special disability leave in which case return passage shall be granted save in exceptional circumstances : Provided that the cost of any passages granted under this rule shall not exceed the cost of passages between India and the United Kingdom.(2) Passages granted under this rule may include travel by land between port of embarkation and port of debarkation, and shall be of such class as the sanctioning authority in each case may determine.(3) The State Government may extend the application of the provisions of Clauses (1) and (2) to a Government servant who has been granted special disability leave under F.R. 83-A, and whose domicile is elsewhere than in Asia ; provided that it may, at its discretion, grant free passage to the Government servant only, or to the Government servant and his wife only.(4) For the purpose of this rule-(i) the

domicile of a Government servant is his domicile at the time of his appointment to Government service, as determined in accordance with the provisions of Clause (2) of Rule 75 and Rr. 75-A, 75-B and 75-C ;(ii)"child" means a legitimate child (including a step-child) residing with and wholly dependent on the Government servant, who, if a female, is unmarried or, if a male, is under the age of 16.

Study Leave F.R.84. Leave may be granted to the Government servants, on such terms as the State Government may by general order prescribe, to enable them to study scientific, technical or similar problems or to undergo special courses of instruction. Such leave is not debited against the leave account.

S.R.117. - The terms prescribed by the Secretary of State for officers under his rule-making control (Appendix 15) have been adopted by the State Government in respect of persons serving in connection with the affairs of the State.

Extraordinary Leave F.R.85. (a) Extraordinary leave may be granted in special circumstances (1) when no other leave is by rule admissible, or (2) when, other leave being admissible, the Government servant concerned applies in writing for the grant of extraordinary leave. Such leave is not debited against the leave account. No leave salary is admissible during such leave. (b) A Government servant abstaining from work for any reasons whatsoever without permission shall be deemed to be absent without leave during the period of such abstinence. (c) The authority which has the power to sanction leave may grant extraordinary leave as in Clause (a) in combination with or in continuation of, any leave that is admissible, and may commute retrospectively period of absence without leave into extraordinary leave. [For Administrative Instructions issued by the State Government regarding "casual leave" and "quarantine leave" see Rr. 246 and 268 of the Assam Executive Manual].

Note. The power of commuting retrospective periods of absence without leave into extraordinary leave under F.R. 85 (b) is absolute and not subject to the conditions mentioned in Cl. (a) of that rule ; in other words, such commutation is permissible even when other leave was admissible to the Government servant concerned at the time of his absence without leave commenced.

Audit Instructions. - "Leave not due" applied for by a Government servant with or without medical certificate is "leave admissible under rule", and in cases where "Leave not due" can be granted the grant of extraordinary leave under F.R. 85 will be irregular unless the latter kind of leave is specially applied for in writing.

Extension of leave at time of Retirement F.R.86. (a) Leave at the credit of a Government servant in his leave account shall lapse on the date of compulsory retirement: Provided that if in sufficient time before that date he has- (1) formally applied for leave due as preparatory to retirement and been refused it; or (2) ascertained in writing from the sanctioning authority that such leave if applied for would not be granted in either case the ground for refusal being the requirements of the public service ; then the Government servant may be granted, after the date of retirement, the amount of leave so refused subject to a maximum of a six months. Provided further that every Government servant- (a) who after having been under suspension, is re-instated within six months preceding the date of his compulsory retirement and was prevented by reason of having been under suspension from applying for leave preparatory to retirement, shall be allowed to avail of such leave as he was prevented from applying for, subject to a maximum of six months reduced by the period between the date of re-instatement and the date of compulsory retirement; (b) who retired from service on attaining the age of compulsory retirement while under suspension and was prevented from applying for leave preparatory to retirement on account of having been under suspension, shall be allowed to avail of the leave to his credit subject to a maximum of six months, after the termination of proceedings, as if he had been refused as aforesaid if, in the opinion of the authority competent to order reinstatement, he has been fully exonerated and the suspension was wholly unjustified. (b) A

Government servant retained in service after the date of compulsory retirement shall avail leave on average pay at the rate of 1/11th of duty performed after that date, and shall be allowed to add thereto any amount of leave which could have been granted to him under Clause (a) had he retired on that date. The total period which he may take on each occasion shall not exceed six months. When his duties finally cease, the Government servant may be granted leave preparatory to retirement, up to a maximum of 6 months as follows : (i) the balance after deducting the amounts of leave, if any, taken during the period of extension, from the amount of leave which could have been granted to him under Clause (a) had he retired on the date of compulsory retirement; plus (ii) the amount of leave earned under this clause which is due to the Government servant and which he has in sufficient time during the period of extension- (1) formally applied for a preparatory to final cessation of his duties and been refused ; or (2) ascertained in writing from the sanctioning authority that such leave would not be granted if applied for, in either case the ground of refusal being the requirements of the public service. Note 1. The proper test in applying the rule is whether it would be more convenient on general administrative grounds for a Government servant to take leave before or after the age of superannuation, and that all Government servants should be warned that the rule is intended to apply only in cases in which a Government servant with leave due to him has applied for leave in sufficient time before the date of retirement and his application has been refused owing to the exigencies of the public service and that it is not intended to apply so as to enable a Government servant at his own option to take leave after instead of before the date of retirement. Note 2. Fundamental Rule 86 does not apply to Military Assistant Surgeons in civil employ. Note 3. [Deleted]. Note 4. A deduction under F.R. 82 (b) on account of vacation enjoyed should also be made in the case of officers whose leave is regulated under F.R. 86 (b). Government of India's interpretation. - While the amount of the leave refused under F.R. 86 (a) or (b) is fixed, the quality of the leave (i.e., on average or half average pay), whether it is taken before or after the date of compulsory retirement or, as the case may be, the date of final cessation of duties, may be varied to the advantage of the Government servant concerned within the normal leave rules by the leave earned and standing to his credit on the date he proceeds on leave ; and on second application for leave in sufficient time and its refusal are necessary merely to ensure this variation. Audit Instruction. - (1) A Government servant retained in service after the age of compulsory retirement is entitled to earn leave under Clause (b) of F.R. 86 and a debit balance, if any, on the date he attained that age should be considered as wiped off. (2) The period of six months maintained in F.R. 86 (b) includes any period of vacation with which leave is combined. (3) The leave earned by the period of duty intervening between the refusal of leave pending retirement and the date of compulsory retirement is merged in the common pool in the leave account and forms an indistinguishable part of the total leave at credit the whole of which, with the exception only of the net amount of leave refused, lapses under Clause (a) of F.R. 86 on the date of compulsory retirement. The grant of any leave between the date from which the refusal of leave took effect and the date of superannuation should therefore be held to be a grant of leave against the amount originally refused. The amount of leave admissible under Clause (a) after superannuation in such a case is therefore the amount of leave originally refused minus the amount of the 'post refusal' leave enjoyed, and this difference is subject to a minimum of 6 months. The principle applies equally to leave available under Clause (b), including that earned in respect of duty during a period of refused leave. Auditor General's decisions. - The rule in Note 2 to F.R. 56 does not require that the authority sanctioning leave under F.R. 86 should necessarily be competent to sanction an extension of service also. State Government's

decision. - (1) An officer of the State Government who was due to retire on superannuation on 16th July, 1956, applied for leave preparatory to retirement with effect from 16th March, 1956 and the competent authority refused his leave from 16th March, 1956 to 15th April, 1956, in the interest of public service. Although the competent authority was willing to allow him to proceed on leave, preparatory to retirement from 16th April, 1956, the officer did not avail of the leave from that date but proceeded on leave from 7th July, 1956. On that day the officer requested that he might be sanctioned leave on average pay for nine days from 7th July, 1956 to 15th July, 1956 and in continuation refused leave for one month from 16th July, 1956 to 16th August, 1956. A doubt arose whether the officer was entitled to one month's leave from 16th July, 1956 previously refused in addition to nine days leave from 7th July, 1956 to 15th July, 1956. The position is that the officer applied for 4 months' leave carrying him to the date of superannuation out of which leave for one month was refused in the public interest and 3 months' leave was sanctioned to him. Thus one month's leave preparatory to retirement was actually refused to him which he was entitled to be granted after the date of superannuation. The mere fact that the officer did not avail of 3 months' leave granted to him did not change the character of the refused leave for one month and did not prejudice the officer's titles to its grant after the date of superannuation. State Government have, therefore, decided that refused leave under F.R. 86 for one month from 16th July, 1956 to 15th August, 1956 in addition to nine days leave from 7th July, 1956 to 15th July, 1956 is admissible to the officer. [Notification No. FE 234/60/9 (Dy), dated 23-4-1960].(2)The existing rules do not contemplate the grant of leave preparatory to retirement to a Government servant, coupled with permission to remain in service of the foreign employer. The Governor of Assam has now decided that such cases shall be regulated in the following manner : (i) Cases where a Government servant, who is already on foreign service in or out of India under a body corporate, owned or controlled by Government applies for leave preparatory to retirement. The leave applied for can be granted only if the body corporate, owned or controlled by Government is prepared to release him from their employment to enable him to enjoy the leave. If he is not so released he should be refused in the interests of public service and it may then be availed of by the Government servant to the extent admissible under F.R. 86 or Rule 7 of the Leave Rules, 1934 (as amended with effect from 1st October, 1956), as the case may be, from the date of his quitting the service. (ii) Cases where a Government servant who is on foreign service in or out of India other than under a body corporate, owned or controlled by Government applies for leave preparatory to retirement. In such cases leave will be admissible only where the Government servant quits duty under the foreign employer. In other words, he will not be permitted to continue in employment under the foreign employer while on leave preparatory to retirement. Non-eligibility for leave preparatory to retirement as a result of continuance in service under the foreign employer will not be treated as refusal of leave for the purpose of F.R. 86 or Rule 7 of the Leave Rules, 1934 (as amended with effect from 1st October, 1956), as the case may be. If he is allowed to continue in employ of the foreign organisation after the date of superannuation, he will be treated purely as on private employment. (iii) Cases where the Government servant seeks employment under a body corporate while on refused leave. If while on refused leave Government servant is offered re-employment under a body corporate, owned or controlled by Government the authority by whom the leave was sanctioned may cancel the unutilised portion of leave and allow it to be enjoyed on termination of the period of re-employment. If, however, re-employment is permitted under an organisation in or out of India other than a body corporate, owned or controlled by Government, he cannot be allowed the benefit of availing himself

of the utilised portion of refused leave on conclusion of the re-employment. He may either have the option of retiring forthwith or to remain on refused leave concurrently with re-employment under such as a private organisation on the condition that the leave salary will be restricted to that admissible during leave on half average pay or half pay leave, as the case may be.

Section V-Leave Salary F.R. 87. Subject to the conditions in Rr. 81, 88, 89, 90 and 91 Government servant on leave shall, during leave, draw leave- salary as follows : (a) if the leave is due, leave-salary equal to average pay or to half average pay, or to average pay during a portion of the leave and half average pay during the remainder, as he may elect; and (b) if the leave is not due, leave-salary equal to half average pay : Provided that when a non-gazetted Government servant, who was in service on the 24th day of August, 1927, takes leave, and (i) his pay is less than Rs. 300 ; or (ii) the leave taken does not exceed one month, his average pay for the purpose of this rule may be taken to the pay which he would draw in the permanent post held substantively by him at the time of taking leave, if his pay be more than the average pay : Provided further that the leave-salary of a Class IV Government servant shall not exceed what remains from his pay after providing for the efficient discharge of duties of the post during his absence, except when, in the resultant officiating arrangements, a Government servant who has no substantive post is given more than half the pay of the post in which he officiates, in which case the excess over half pay granted to him to the discretion of the authority sanctioning the leave be disregarded in calculating the amount of leave-salary.

Note 1. In a case in which an outsider entitled to draw pay on the revised scale is appointed to officiate in place of an absence inferior servant drawing the old scale of pay, old scale of pay of the post should be taken to be "the pay of post" for the purpose of calculating the rate of the absentee allowance.

Note 2. Under F.R. 87 (a) the nature of the leave due and applied for by a Government servant cannot be altered at the option of the sanctioning authority and under F.R. 67, while it is open to the sanctioning authority to refuse or revoke the leave due and applied for, it is not open to him to alter the nature of such leave.

Note 3. Fundamental Rule 87 (a) provides that a Government servant on leave, shall, during leave, if the leave is due, draw leave-salary equal to average pay, or to half average pay, or to average pay during a portion of the leave and half average pay during the remainder, as he may elect. The election given by the rule is the election between the three different forms of leave salary mentioned therein and the rule is not intended to give any choice as to the period during which average pay or half average pay can be drawn if the officer elects the third form. In that case the intention is that the period on average pay should be taken first and should be succeeded by the period on behalf average pay.

Note 4. The words "as he may elect" in F.R. 87 (a) imply election once for all and, therefore, debar a Government servant from claiming commutation of leave as of right. Though under the Fundamental Rules the authority which granted leave can (if so disposed) commute it retrospectively into leave of a different kind yet a Government servant does not possess any right to insist that it should be as commuted.

Note 5. A Government servant who was only temporary or officiating and was not holding substantively a permanent post on the 24th August, 1927 has clearly no claim under the proviso to F.R. 87 (b).

Note 6. A Government servant who was in permanent Government service on or before the 24th August, 1927, and who was, therefore, entitled to the privilege under the proviso to F.R. 87 (b) will retain that privilege if re-appointed after resignation or discharge or if re-instated after dismissal; provided that he is allowed to count his post service for leave under F.R. 65 (a) or (b).

Note 7. A Government servant who was holding, on probation, a permanent post on 24th August, 1927, and had no lien on any other post, is not entitled to the concessions admissible under the above proviso, since his leave is absolutely governed by F.R.

104 not by the rules in Ss. I to V of Chapter X of the Fundamental Rules (Cf. F.R. 58). Audit Instructions. - (1) A Government servant who holds substantively a non-gazetted permanent post, but proceeds on leave from a gazetted post, should be regarded as a gazetted officer for the purposes of F.R. 87.(2)The term "pay" occurring in the expression "the pay which he would draw in the permanent post held substantively by him " contained in the proviso should be interpreted as including "special pay" whether attached to a post or personnel to particular Government servant, since in either case he would draw it in the post which he holds substantively.(3)The term "permanent post" occurring in the expression "the pay which he would draw in the permanent post" contained in the proviso may be a post on other permanent post. President's decision. - (i) For the purpose of the first proviso to F.R. 87 the status of a Government servant while on foreign service, i.e., gazetted or non-gazetted should be determined with reference to the permanent post under Government on which he holds a lien or would hold a lien had his lien not been suspended or, if during his absence on foreign service he is given any promotion under the F.R. 113, with reference to the post under the Government to which he is so promoted.(ii)In the case of such a Government servant, the term "his pay" occurring in term (i) of this proviso should be construed to mean what is prescribed under F.R. 117 (b) for counting his pay for the purpose of F.R.9 (2) i.e., the pay drawn in foreign service at the time leave is taken less, in the case of a Government servant paying his own contribution for leave salary and pension such part of the pay as may be paid as contribution. The expression "the pay he would draw in the permanent post held substantively by him at the time of taking leave" occurring in this proviso should, in its application to a Government servant on foreign service, be taken to mean the pay which he would draw in the permanent post under Government on which he holds a lien or would hold a lien had his lien not been suspended at the time of taking leave. The Government of Assam has accepted this decision. F.R.88. After continuous absence from duty on leave for a period of 28 months, a Government servant will draw leave salary equal to quarter average pay, subject to the maximum and minimum prescribed in F.R. 89 and 90. Audit Instructions. - (1) The expression "continuous absence from duty on leave" occurring in this rule does not include absence or extraordinary leave.(2)The period of 28 months includes the period of vacation, if any, with which the leave is combined. F.R.89. (1) During the first four months of any period of leave on average pay, leave-salary is subject to an absolute maximum of Rs. 2,000 per mensem.(2)Except during the first four months of any period of leave on average pay, leave-salary is subject to the monthly maxima shown in the following table :

	Average	Half average	Quarter average		
Outside Asia	In Asia	Outside Asia	In Asia	Outside Asia	In Asia
£	Rs.	£	Rs.	£	Rs.
Government servant subject to the special leave rules	200	2,000	100	1,000	60 600
Government servant subject to the ordinary leave rules	150	1,500	75	750	60 600

Note. The maximum of average pay does not apply to Government servant serving in a vacation department during period of leave on average pay equivalent to one month for each year since his

last leave during which he has not availed himself of the vacation and to a proportionate fraction of a month during which he has taken a part only of vacation : provided that in the case of a Government servant who is transferred which leave is to his credit from a non-vacation department, the State Government shall decide on the first occasion on which he takes leave after such transfer, the period not exceeding for which the maximum limit of leave salary shall not be applied to him. The above is not meant to give any additional advantage but is intended to be a restrictive exception to the main rule in F.R. 89 (2). A Government servant is not entitled to the concession mentioned in this not in addition to the concession granted in the main rule itself but only to the drawing of full pay for a period equivalent to one month for a year since the last leave taken during which vacation has not been enjoyed. Audit Instruction. - The intention is that vacation should be treated as the equivalent of the leave on average pay for the purposes of this rule. F.R. 90. Subject to the condition that the leave salary of a Government servant shall in no case exceed his average pay, leave-salary is subject to the monthly minima shown in the following table :

Outside Asia	Half average		Quarter average	
	In Asia	Outside Asia	In Asia	
£	Rs.	£	Rs.	
Government servants subject to the special leave rules	33	333	16 1/2	166
Government servants subject to the ordinary leave rules	25	250	12 1/2	125

Note. The minima specified above apply only when leave is taken or extended out of India elsewhere than in Pakistan, Ceylone, Nepal, Burma. Audit Instruction. - The term 'average pay' used in F.R. 90 should be interpreted in terms of F.R. 9 (2) and need not be taken as the pay which a non-gazetted Government servant would draw in the permanent post held substantively by him at the time of taking leave, if this pay be more than the average pay under the proviso to F.R. 87. F.R. 91. (1) Unless the Governor with the prior approval of the President by general or special order otherwise directs, leave-salary shall be drawn in India. (2) Subject to the provisions of sub-Rule (1) leave-salary shall be drawn in rupees, but leave-salary in respect of leave spent out of Asia may, at the option of the Government servant be drawn in sterling : Provided that - (a) in the case of leave on average pay not exceeding four months, or of the first four months of such leave if it exceeds four months' leave salary due one in respect of an initial period of such leave spent in Asia may if the officer proceeds out of Asia during the currency of such leave, or within one month of its termination, be drawn in sterling; (b) in the case of leave of any other description or of periods of leave on average pay after the first four months of such leave, if the amount of such leave spent in Asia prior to embarkation does not in all exceed one month, leave-salary in respect of the whole of such leave may be drawn in sterling. (c) in the case of an attachment order having been issued by a Court in India in accordance with Rule 48, Order XXI, First Schedule, Code of Civil Procedure, 1908 (Act 5 of 1908), that part of leave-salary which is attached shall be remitted to the Court in rupees by the accounts authority in India. The balance of leave-salary if payable in sterling, may, then be drawn reducing the maximum and minimum rates of leave-salary prescribed in Rr. 89 and 90 by the amount specified in the attachment order, covered into sterling at the rates of exchange prescribed under sub-Rule (5) of this rule. Note 1. For the purposes of this rule Cyprus shall be regarded as outside Asia. Note 2. See Audit Instruction below F.R. 99. Note 3. Since in the case of an officer placed on deputation in interruption of leave out of India, leave is treated as one spell of leave, the leave before and the deputations should be treated as "initial period" for the purposes of proviso (a) to F.R. 91 (2) and the

Government servant allowed to draw, if he so desires, leave salary in India for the portion of leave immediately following the deputation. As deputation is duty for all purposes it should not be taken into account in calculating the maximum period of four months prescribed in F.R.

91.(3) Leave-salary drawn in rupees shall be drawn in India, or in the case of a Government servant who spends his leave in Ceylon Burma or Aden, as the case may be.(4) Leave-salary drawn in sterling shall be drawn in London, or at the Government servant's option, in any British dominion or colony which the Secretary of State may by order prescribe for the purpose ; provided that the officer spends his leave in the dominion or colony in which he has elected to draw his leave- salary. But if leave-salary due in respect of any portion of leave out of Asia and payable to the Government servant in sterling remains undrawn for a no fault on his part, the State Government may authorised the undrawn to be paid in the India at such rate of exchange as the Secretary of State may by order prescribe.Note 1. For the rate of exchange see Secretary of States' Order below sub-Rule (5).Note 2. If leave-salary due in respect of any portion of leave out of Asia and payable to a Government servant in sterling remains undrawn due to the late arrival of a steamer, it may be held to be non-drawn though no fault of the Government servant concerned and the drawal in India permitted in such cases as a matter of course.Note 3. Payment of leave-salary in a colony shall be subject to such restrictions in the matter of foreign exchange as the Government of India may, from time to time, impose.[For a list of British Dominions and Colonies in which leave-salary may be drawn in sterling, see Appendix 16].(5) Leave salary shall be converted into sterling at such rate of exchange as the Secretary of State may by order prescribe.Secretary of State's Order. - The Secretary of State has decided that the rate of exchange shall, until further orders, be 1 s. 6 d.(6) Any leave-salary drawn outside India shall be subject to deduction of Indian income-tax and super-tax and at the rates which would have been applicable if that leave-salary had been drawn in India.Government of Assam's decision. - For the purposes of the application of F.R. 91 the period of voyage to or from India is treated as leave out of Asia during which leave-salary is payable in sterling. These orders are intended to apply to all direct (i.e., unbroken) voyages between India and a port outside Asia irrespective of the route followed and the time spent in Asia on the voyage including stoppages incidental thereto (e.g. for the purpose of transshipment). They are not, however, intended to make leave-salary payable in sterling when the voyage is broken in Asia at the violation of the officer or when he spends a portion of his leave in Asia before proceeding to another continent or resuming his duties in India.Audit Instructions. - Vacation should be treated as equivalent of leave on average pay for the purpose of proviso (a) to F.R. 91 (2).F.R.92. The rupee and sterling maxima and minima prescribed in F.R. 89 and 90 shall be applied to leave-salaries paid respectively in rupees and in sterling.Audit Instruction. - Under F.R. 91 (2) (b) read with F.R. 92, a Government servant who spends not more than one month of his leave in Asia prior to embarkation to spend the balance elsewhere is entitled to draw leave-salary in respect of the entire period of a leave at the privileged rate and subject to the sterling minima prescribed in F. R. 90.F.R.93. A compensatory allowance should ordinarily be drawn only by a Government servant actually on duty, but the State Government may make rules specifying the conditions under which a Government servant on leave may continue to draw a compensatory allowance, or a portion thereof in addition to leave-salary. One of these conditions should be that the whole or a considerable part of the expense to meet which the allowance was given continue during leave.S.R.118. - (1) A compensatory allowance other than a house-rent allowance and a conveyance allowance may be drawn up to a maximum period of four months by a Government servant who takes leave on average pay from the post to which the

allowance is attached, or is transferred therefrom for not more than one month to another post, as well as by the Government servant performing the duties of the post to which the allowance is attached : Provided that-(a) the authority sanctioning the leave or transfer, as the case may be, certifies that Government servant is likely to return on the expiry of his leave or his temporary duty to the post to which the allowance is attached or to another post carrying similar allowance ; and (b) the Government servant certifies that he continues to incur the whole or a considerable part of the expense to meet which the allowance was granted. (2) The following are the forms of the certificate prescribed in provisos (a) and (b) above : Certificate by the authority sanctioning the Leave or Transfer There is every expectation of his returning to the post from which he proceeds on leave/temporary transfer. Signature..... Designation..... Date..... These certificates should be included in the original orders sanctioning the leave or transfer. Certificate by the Government servant proceeding on Leave or Transfer Certified that for reasons furnished below I continue necessarily to incur during the period of the..... leave..... the..... whole..... temporary transfer approximately..... per cent of the expenses to meet which the..... allowance was given. Signature..... Designation..... Date Reasons. - Examples of such reasons would be-(1) that the leave was spent in..... (2) that the family was left in..... (3) that the Government servant was obliged to continue paying rent for his house or to maintain establishment during absence from..... Certified by a Medical Officer on receipt of non-practising allowance proceeding on leave or transfer. "Certified that I did not undertake any private practice during the period of leave/temporary transfer from..... to..... Date Signature Designation of Medical Officer

Note 1. The expression "period of four months" in S.R. 118 (1) should be interpreted as the period on leave on average pay whether taken alone or in combination with other leave and the allowance is not admissible during any period of leave which is not leave on average pay. Note 2. The term "conveyance allowance" in this rule does not include horse allowance. Note 3. In regard to the certificate prescribed in proviso (a) above, the authority competent to control the Government servant's posting should satisfy that there is reasonable expectation that the Government servant is, on the expiry of his leave of temporary transfer, likely to return to the post from which he is being relieved or to another post carrying a similar allowance. A mere hope or unsupported expectation on the part of the Government servant should not form the basis of the certificate. The authority sanctioning the leave or transfer should, in cases in which the above rule operates, invariably embody in the sanctioning orders a certificate regarding such likelihood of the Government servant's return. Note 4. [Deleted]. S.R. 119. - A house-rent allowance may be drawn by a Government servant on leave or transfer, in the circumstances specified in S.R. 118 ; provided that he certifies that his previous rate of expenditure for a house continues during his absence and that he places his house free of rent at the disposal of the Government servant, if any, who officiates in his post. The officiating Government servant cannot in such case draw the house-rent allowance attached to the post. If, however, the officiating Government servant, for a reason which a competent authority considers to be sufficient, refuses the accommodation placed at his disposal, he, and not the absent Government servant will draw the allowance. Note. The condition prescribed in proviso (a) to S.R. 118 (1) is not applicable to a case falling under S.R. 119. F.R. 93A. Except as provided by Rule 64, a Government servant transferred to a service or post to which the rules in Sections I to V of this Chapter apply, from a service or post to which they do not apply remains under the leave rules to which he was subject prior to his transfer : provided that it shall be open to him at time of the transfer or any time thereafter to exercise the option of coming under the rules in Sections I to V of

this Chapter, subject to the conditions that all leave at his credit on the date on which he comes under these rules shall lapse. The intention exercising this option must be specifically declared to the State Government, and the date of such declaration shall be the date of coming under these rules. The option once exercised is final.

Note 1. Government of India's Interpretation. - (1) It has been decided with the concurrence of the Secretary of States that F.R. 93-A should not be given retrospective effect, and that it applies only to those persons who are transferred from one service to another on or after the 13th of April, 1958, the date on which the rule was issued. (2) Where the leave rules to which an officer was subject before his promotion are identical with those in the Fundamental Rules, he gains no advantage by electing the latter. All Accounts Officers should bring this fact to the notice of an officer when asking him to exercise his option under F.R. 93-A. [See also the Interpretation below F.R. 77 in Section III].

Interpretation of Government of India below F.R. 77 in Section III of Fundamental Rules and Subsidiary Rules, 1939, is reproduced below :

Government of India's Interpretation. - Fundamental Rule 77 permits leave earned under the Civil Service Regulations and the Military Leave Rules to be carried forward, but it does not contemplate cases in which the leave rules applicable to an officer before his transfer are identical with those in the Fundamental Rules which become applicable to him after the transfer. The change of leave rules in such cases is purely nominal and the intention was that the balance of leave standing the credit of the officer on the date of his transfer should be allowed to stand, although the intention was not strictly covered by the provisions of the rule [F.R. 77]. The President now makes this intention clear by this interpretation under F.R. 8. [Government of India, Finance Department letter No. F. 7 (3)-R-1/40, dated the 22nd February, 1940, Dy. Fin. (A)/109 of 1940].

Note 2. The principle of F.R. 93-A should apply by analogy to persons who entered Government service on or after 1st March, 1934, and were transferred to service or post to which the Leave Rules, 1934 (Appendix 11) apply from a service or a post to which they do not apply from the date F.R. 93-A came into operation, viz., 13th April, 1938.

Government of India's decision-Leave Rules applicable to "agency" staff. - The Government of India have divided the staff employed on "agency" work into the following categories for the purpose of determining the leave rules, i.e., of the Central or State Government which should apply in the case of such staff :

- (a) Personnel recruited for and employed in agency Department whose pay, leave salary, allowances and pensions are charged direct to the Central Government, i.e., personnel who are paid direct by the Central Government but who are technically under the administrative control of State Government;
- (b) Personnel recruited and employed in connection with the affairs of the States whose pay, leave salary, allowances and pensions are charged to States' revenues, but whom the State Government employ temporarily on agency work. For their services the Central Government pays the State Governments an agreed sum and the entire pensionary charge borne by the latter ;
- (c) Personnel as in category (b) above whose services employed by the State Governments part-time or casually, on performing Central Agency duties, for their services of the Central Government usually pays an agreed sum to the State Government, which includes pensionary liability;
- (d) Personnel falling in either of the three categories given above who have now come under the direct control of the Central Government on resumption by them of the administrative control over certain agency functions.

Category (a). - Those officers belonging to this category who entered the service of a State Government on or before the 31st March, 1937, would remain under the State rules and the Central Government would meet their share of leave and pensionary charges as calculated under those rules. Officer recruited on or after the 1st April, 1937 for employment in agency Departments will be governed by the leave rules of the Central

Government. In the case of such officers, however, who were on the date of issue of the Government of India's decision, viz., 6th January, 1914, governed by the leave rules of the State Government, it shall be open to them to exercise the option of remaining under State Government's leave rules or of coming under the Central Government's leave rules on the principles and conditions laid down in F.R. 93-A. Categories (b) and (c). - Officers falling under those two categories (irrespective of dates of recruitment) will remain under the State Government's leave rules. Category (d). - Officers belonging to this category will be given an option of remaining under the State Government's leave rules or of coming under the Central Government's leave rules on the principles and conditions laid down in F.R. 93-A. Section VI-Exceptions and Special Concessions F.R.94. The rules in Sections I to V of this Chapter are not applicable to the Chairman or a Member of the Public Service Commission whose leave is governed by regulations made by the Governor in his discretion under Clause (a) of sub-Section (2) of Section 265 of the Act [Appendix 10]. F.R.94A. [Deleted]. F.R.94B.

[Deleted]. F.R.95. [Deleted]. F.R.96. [Deleted]. F.R.97. [Deleted]. F.R.98. [Deleted]. F.R.99.

[Deleted]. F.R.100. [Deleted]. F.R.100A. The following provisions apply to Government servants placed on deputations out of India under conditions declared by the State Government to be quasi-European if the period of the deputation exceeds one year : (a) The period of deputation shall not count as duty for the purposes of this Chapter; (b) The amount of leave which can be earned by the deputation shall be determined by the State Government. Such leave can only be taken during the period of deputation and will not be credited or debited in the Government servant's leave account; (c) Leave-salary during such leave shall be equal to the rate of deputation pay: Provided that where a deputation originally sanctioned for one year or less is subsequently extended so that the total period exceed one year, these provisions shall apply in respect of the period in excess of one year. F.R.101. The State Government may make rules regulating the grant to Government servants under its control of- (a) maternity leave to female Government servants ; and (b) leave on account of ill-health to members of subordinate services specified in such rules duties expose them to special risk of accident or illness. Such leave is not debited against the leave account. Maternity

Leave S.R.120. - A competent authority may grant to a female Government servant maternity leave on full pay for a period which may extend up to the end of three months from the date of its commencement, or the end of six weeks from the date of confinement, whichever be earlier. Note. Maternity leave under this rule may be granted in cases of miscarriage, including abortion, subject to the following conditions : (i) that the woman Government servant if temporary has been in service for not less than one year before the commencement of the leave ; and (ii) that the leave does not exceed six weeks and the application is supported by a certificate from the authorised Medical Attendant. Government of Assam's decision. - (1) Maternity leave under this rule also is admissible to temporary female Government servants who have completed one year's continuous service. (2) A female Government servant having three children will not be entitled to any maternity leave after 20th September, 1977. Government of Assam Finance Establishment (A) Department

No. FEG 23/78/323 Dated Dispur, the 4th March, 1986

Office Memorandum After considering aspects of the matter it has been decided that the maternity leave granted to a female Government servant under S.R.120 of Fundamental Rules and Subsidiary Rules shall be for a period of 90 days from the date of its commencement in all cases, i.e., it shall not be restricted to six weeks from the date of confinement as at present. This takes effect from 1-1-1986, i.e., this benefit will also be extended to those female Government servants who were on maternity leave on 1-1-1986. Necessary amendment to the Revised Leave Rules, 1934 will follow. Joint

Secretary to the Government of Assam Finance Department S.R.121. - (a) Maternity leave may be combined with leave of any other kind. (b) Notwithstanding the provisions contained in Rule 13 (c) of the Leave Rules, 1934 any leave (including commuted leave) for a period not exceeding 60 days, applied for in continuation of Maternity leave may be granted without production of medical certificate. (c) Leave in further continuation of leave granted under Clause (b) above may be granted on production of a material certificate for the illness of the female Government servant. Such leave may also be granted in case of illness of a newly born baby, subject to production of medical certificate to the effect that the condition of the ailing baby warrants mother's personal attention and that her presence by the baby's side is absolutely necessary. Hospital Leave on Account of Ill-Health S.R.122. - A police officer of or below the rank of Assistant Sub-Inspector or head constable, a head warder or warder of the Jail Department, a head warder or a warder of a lunatic asylum, a subordinate employed in a Government Laboratory, a subordinate of the Excise Department on pay not exceeding Rs.200 or a forest subordinate (not being clerk) whose pay does not exceed Rs.200 a month, while sick in hospital or while receiving medical aid as out-door patient from the hospital or dispensary of the station at which he is employed, may be allowed at the discretion of the sanctioning authority leave of absence from duty for six months altogether in any period of three years. Such leave may be taken in one period or by instalments and may be followed by or taken in continuation of, any other leave admissible under the rules. For the first three months of such leave the officer may receive full pay and for the remaining three months half pay, without the restriction that no extra cost shall be imposed upon the State. This concession shall be confined strictly to cases in which illness shall be certified not to have been caused by irregular or intemperate habits. This rule so far as it relates to head warders or warders of the Jail Department or of a Lunatic Asylum includes both male and female warders. Note 1. When the illness is one caused by irregular or intemperate habits, such as venereal disease, the period spent in hospital by the patient and any subsequent leave granted in continuation for convalescence should be treated as leave on medical certificate on half or quarter average pay as may be found standing at the credit of the person concerned. Such periods will not count towards approved service increment of pay. Note 2. The expression "a subordinate employed in a Government laboratory" occurring in this rule includes the sweepers attached to the Pasteur Institute, Shillong. Note 3. The expression "leave of absence from duty for six months altogether in any period of three years" used in this rule shall be interpreted to mean that not more than six months' leave may be granted to an entitled Government servant during each spell of three years of service. S.R.123. - A Government servant may be allowed for the first three months of such leave during which full pay is admissible to retain any compensatory allowance or special pay attached to his appointment; provided that in the case of a compensatory allowance there is no locum tenens drawing the allowance. S.R.124. - A man employed in the Secretariat Press otherwise than as a permanent or temporary piece-worker in superior service of the Shillong Drawing Office, syce whether permanent or temporary employed in the Civil Veterinary Department and a mohout or grass-cutter in charge of a Government elephant may, during absence from work on account of injuries received in the execution of his duty, be allowed full pay for one month and thereafter half pay for three months. S.R.125. - Hospital leave is not debited against the leave account and may be combined with any other leave which may be admissible ; provided that the total period of leave, after such combination, shall not exceed 28 months. F.R.102. [Deleted]. F.R.103. The State Government may make rules regulating the leave which may be earned by - (a) temporary and officiating service ; (b) service which is continuous ;

and(c)part time service, or service which is remunerated wholly or partially by the payment of honoraia or daily wages :Provided that the such rule shall not grant more favourable terms than would be admissible if the services were substantive, permanent and continuous.[For model terms regulating the grant of leave to Government officials engaged on contract, see Appendix 17].Leave Earned by Temporary and Officiating ServiceS.R.126. - A competent authority may grant to a temporary engineer of the Public Works leave on such terms and such leave salary as it may think fit; provided that the leave and leave-salary are not in excess of those admissible to a Government servant subject to the ordinary leave rules.S.R.127. - Leave may be granted to any other Government servant without a lien on a permanent post while officiating in a post or holding a temporary post; provided that the grant of the leave involves no expenses to Government. On this condition such a Government servant may be granted-(a)leave on leave-salary equivalent to average pay up to one-eleventh of the period spent on duty, subject to a maximum of four months at a time; or(b)on medical certificate, leave on leave-salary equivalent to half-average pay to two-eleventh of the period spent on duty, subject to maximum of three months at a time ; or(c)extraordinary leave for three months at any time.Note 1. Leave under any one clause may be combined with leave under any other clauses subject to the general condition that no additional expense to Government is involved.Note 2. When supernumerary officers in excess of the actual working strength are provided in a temporary cadre for the purposes of filling temporary vacancies, leave may be granted under this rule to a member of the temporary cadre notwithstanding the fact that expenditure by way of travelling allowance is incurred in relieving him.Note 3. The provisions of this rule will apply to officers of Asiatic domicile recruited in the United Kingdom or in India for service on contract, but in their case the condition that the grant of leave should involve no expenses to Government does not apply.Exception. - In the case of Government servants who have rendered five or more years' continuous temporary service, a competent authority may dispense with the condition laid down in this rule that the grant of leave should involve no expense to Government but in the case of Government servants in inferior service, the leave-salary should in no case exceed what is admissible under S.R. 135.S.R.128. - If such a Government servant is, without interruption of duty appointed substantively to a permanent post, his leave account will be credited with the amount of leave which he would have earned by his previous duty if he had performed it while holding permanent post substantively, and debited with the amount of leave actually taken under Rule 127. Leave taken under Rule 127, is not an interruption of duty for the purpose of this rule.S.R.129. - Temporary and officiating service rendered under another Government whether Central or Provincial will, if followed by confirmation under the Government of Assam, be taken into account for the purpose of the leave account maintained under F.R. 77 (b); provided that rules laid down by the other Government such service would have counted had the Government servant in question continued in the service of that Government without a break till confirmation.Leave Earned by Non-Continuous and Part-Time ServiceS.R.130. - A Government servant employed in an establishment the duties of which are not continuous but are restricted to certain fixed periods in each year, or who belongs to a part-time service, is not entitled to leave with allowance.Exception. - A part-time teacher of an educational institution may, during leave, be allowed leave salary subject to the condition that it shall exceed what remains from his pay after provision has been made for the efficient discharge of the duties of the post during his absence ; where, however, such provision is made the leave-salary shall be limited to half of the absentee's pay at the time of taking leave.Note 1. Government Pleaders and Public Prosecutors who receive retainers may keep the retainer during

leave allowance by the Legal Remembrancer ; provided that he makes arrangements that no extra cost to Government is entitled. Note 2. The Advocate-General may keep his retainer during have allowed by Government; provided that he makes such arrangements that no extra cost to Government is involved. Leave Admissible to Government Servants Remunerated by Honoraria or Daily Wages S.R.131. - A Government servant remunerated by honoraria may be granted leave at the discretion of the appointing authority ; provided that he makes satisfactory arrangements for the performance of his duties that no extra expense is caused to Government and that during leave the whole of the honoraria or allowance are paid to the person who officiates in his post. Note. Government Pleaders remunerated by honoraria are allowed leave by the Legal Remembrancer; provided arrangements can be made for their work and their honoraria are paid to the person who officiates. Leave Rules Applicable to Permanent Piece Workers Employed in the Assam Government Press who are not Classed as "Inferior" N.B. - See Appendix 18 as regards Leave Rules for Press Employees entering service on or after the 1st March, 1934. S.R.132. - (1) (a) Leave on average pay will be granted to piece workers according to their service as shown below :

Length of service	Leave admissible
Less than 10 years	16 days in each calendar year
Ten years but less than 15 years	23 days ditto.
Fifteen years and above	31 days ditto.

Note. In calculating the length of service, the period of continuous temporary service rendered by a piece-worker up to the date of his being brought on the permanent establishment as well as continuous inferior service rendered up to the date of his promotion to superior service shall be taken into account. (b) This leave will be non-cumulative i.e., any leave not taken during the year will lapse without any monetary compensation. (c) Gazetted holidays actually enjoyed may at the option of the piece-worker, be counted against any leave admissible to him under sub-Rule (a) and if so counted, will be paid for. (d) The grant of leave under these rules cannot be claimed as a right, and can be refused by the Superintendent of the Press on administrative grounds. It may also be withheld from piece-workers who have been irregular in attendance. (2) Leave on medical certificate on half-average pay will be earned at the rate of one month's leave for every complete period of eleven months' duty, and as regards incomplete periods one day's leave for every eleven days' duty. It will be cumulative and will be granted only when no average pay leave is admissible. (3) Leave without pay may be granted when no other leave is admissible. (4) No continuous period of leave with pay shall exceed one year ; an extension over one year shall be leave without pay. (5) Injury leave at half pay rates may be granted to a piece-worker who is injured in circumstances which would have given rise to a claim for compensation under the Workmen's Compensation Act, 1923 (8 of 1923), [Now the Employees' Compensation Act, 1923] if he had been a workman as defined therein, whether or not proviso (a) to sub-Section (1) of Section 3 of that Act is applicable. Such leave shall not be deemed to be leave on medical certificate for the purposes of sub-Rr. (2) and (4). It shall be granted from the commencement of the disablement so long as is necessary, subject to a limit of two years for any one disability and a limit of five years during a piece-worker's total service. The salary payable in respect of a period of leave granted under this rule shall, in the case of a piece-worker to whom the provisions of the Workmen's Compensation Act, 1923 (8 of 1923) [Now the Employees' Compensation Act, 1923] apply, be reduced by the amount of compensation paid under Clause (d) of sub-Section (1) of Section 4 of the Act. Note 1. Pay for average pay means remuneration at class rates

at the time of taking leave. The calculating is : Class rate multiplied by 7, to get the daily rate, multiplied by the number of days' leave. Thus, if a piece- worker whose class rate is 2 annas per hour applies for leave for 10 days he will be entitled to Rs. 8-12-0 and Rs. 4-6-0 as leave salary during leave on average pay and half average pay respectively. For calculating the class pay of a piece-worker who is promoted to a post on a time-scale of pay, a month is taken to be 175 hours. Note 2. For the purposes of determining the classification of service of a piece-worker who may be in superior service in one month and in inferior service in another month on account of fluctuations in his earnings, the monthly emoluments shall be taken as equivalent to two hundred times his hour by class rate. Note 3. The above rules shall also apply to temporary piece- workers in superior service who have rendered three years' continuous service. Note 4. (a) Leave for 16 days each year at class rates may be given to temporary piece-workers, in superior service with less than three years' continuous service and to piece-workers in inferior service whether permanent or temporary to cover absences on account of holidays, sickness or leave; provided that the worker has been in regular employment for the previous twelve months. (b) The term "regular employment" shall be interpreted as not less than 90 per cent of the required working hours; regarded should be had to absence in the case of sickness. (c) The leave shall be non-cumulative, i.e., any leave not taken during the years shall lapse. Note 5. When a piece-worker after working for certain periods on a working day goes on leave for the remaining hours of the day, he will be treated as on leave for the whole day and will receive leave-salary admissible to him under the rules in addition to the payment for the value of work done before leave office. F.R. 104. During their period of probation or apprenticeship, probationers and apprentices may be granted leave as follows : (a) If appointed under contract with a view to permanent service, or if appointed to posts created temporarily with the prospect, more or less definite of becoming permanent-to such leave as is prescribed in their contract, or when no such prescription is made, to leave in accordance with the model leave terms in Part I, I or III of Appendix 17, as the case may be ; (b) if appointed otherwise-to such leave as is admissible under rules framed in this behalf by the State Government, subject to the proviso in F.R. 103. Grant of Leave to Probationers and Apprentices S.R. 133. - Leave may be granted to a probationer if it is admissible under the leave rules would be applicable to him if he held his post substantively, otherwise than on probation. S.R. 134. - Leave of the following kinds may be granted to an apprentice : (a) on medical certificate-leave on leave-salary equivalent to half pay for a period of not exceeding one month in any year of apprenticeship ; (b) Extraordinary leave under F.R. 85. Leave Rules of Government Servants in Inferior Service S.R. 135. - (a) Leave may be granted to a Government servant in inferior service so far as it can be done without imposing any cost upon the State. The absentee allowance of the substantive incumbent shall be regulated in accordance with F.R. 87. (b) In cases where no absence allowance is admissible under Clause (a) a Government servant in superior service may be given extraordinary leave without allowance even though other leave is admissible. Similarly, where the absentee allowance admissible amounts to less than half pay an officer in inferior service may at his own option be given extraordinary leave without allowances instead of other leave. Note. In deciding whether to grant extraordinary or ordinary leave officers should bear in mind that provisions of F.R. 26 (b). S.R. 136. - (1) The following rules govern the grant of leave to Government servants of the following clauses serving in the Assam State Survey Department and not being members of the upper subordinate service or of the establishment of the headquarter office in Shillong : (a) Subordinates not being Class IV Government servants ; (b) Menials attached to parties or offices. (2) In addition to leave under Chapter X of the Fundamental Rules

departmental leave any be granted in the circumstances and on the conditions prescribed in sub-Rr. (3) to (7) below.

(3)(a) Departmental leave may not be granted except of a Government servant whose services are temporarily not required. (b) It may be granted with the previous approval of the Deputy Director Assam (Surveys) during the recess by the head of the party or officer to which the Government servant belongs ; provided, in the case of a menial, that the officer granting the leave consider it desirable to re-employ the menial in the ensuing sessions. (c) It may be granted at times other than the recess, for not more than six months at a time, by the Director of Survey, Assam ; provided that the leave is granted in the interests of Government and not at the Government servant's own request; and leave so granted may in special cases be extended by the Director of Surveys, Assam up to a maximum of one year in all. Leave on medical certificate should never be regarded as granted in the interest of Government. (4) A Government servant while on departmental leave shall be paid leave salary not exceeding half pay but not less than 10 (ten) per cent of pay on duty at the end of each month and thereafter it shall be paid when the Government servant returns to duty. If, however, a Government servant dies while on departmental leave, his leave salary up to the date of his death will be paid to his heirs. The departmental leave does not count as duty and such leave shall not be debited to leave account. This takes effect from the date of order. (5) Departmental leave may be granted when no leave is due. Departmental leave granted shall not be taken into account when calculating the maximum amount of leave admissible under F.R. 81 (a). (6) Departmental leave may be combined with any other kind of leave which may be due. (7) When a Government servant subject to these rules holds a post in which the Director of Survey, Assam, considers that he is unlikely to be eligible for departmental leave in future, the Director of Survey, Assam, may, by special order in writing, declare that, with effect from such date, not being earlier than the Government servant's last return from departmental leave as the Director of Surveys, Assam may fix, any balance of leave at debit in the Government servant's leave account shall be cancelled. All leave earned, after such date will be credited as due in the Government servant's leave account, and all leave taken after such date, including departmental leave, if any, will be debited in it.

Part V – Chapter XI

Joining Time F.R. 105. Joining time may be granted to a Government servant to enable him- (a) to join a new post either at the same or a new station without availing himself of any leave on relinquishing charge of his old post ; (b) to join in new station on return from- (i) leave of not more than six month's duration ; (ii) leave other than that specified in sub-Clause (i) when he has not had sufficient notice of his appointment to new post; (c) (i) to proceed on transfer or on the expiry of leave from a specified station on join a post in a remote locality which is not easy of access; (ii) to proceed on relinquishing charge of a post, on transfer or leave, in place in remote locality which is not easy of access to a specified station. **Note.** If a State Government servant who is appointed to a post under the Central Government while on duty in his old post but who joins his new post after termination of his employment under the State Government by resignation or otherwise, neither travelling allowance nor joining time or joining time pay should be granted except when the employment of a particular Government servant is in the wider public interest. **Audit Instructions.** - (1) If a Government servant is authorised to make over charge of an office elsewhere than at his headquarters, any joining time to which he may be entitled shall be reckoned from the place at

which he actually makes over charge.(2)The intention of sub-Clause (1) of F.R. 105 (b) is that joining time should be allowed to those Government servants who are granted privilege leave or leave on average pay for not more than four months, and who are transferred to new section on the termination of such leave.(3)If vacation is combined with leave, joining time should be regulated under Clause (b) (i) of F.R. 105, if the total period of leave and vacation combined is of not more than four months' duration and under Clause (c) if the leave out of India and vacation combined is more than four months.(4)In the case of a Government servant who is appointed while on leave of not more than four months' duration to a post other than that from which he took leave, the full joining time calculated under Subsidiary Rule 145 is admissible irrespective of the date on the which the orders of transfer were received by the Government servant concerned. Should the Government servant join his new appointment before the expiry of such leave plus the joining time admissible, the period short taken should be considered as leave not enjoyed and a corresponding portion of the leave sanctioned should be cancelled without any reference to the authority which granted the leave. If in any case, the Government servant desires not to avail himself the full period of joining time admissible, the period of leave and joining time should be adjusted with reference to such option.(5)Joining time under F.R. 105 (c) is reckoned from the date of disembarkation at an Indian Port. Colombo is not regarded as an Indian Port for this purpose.(6)Joining time under F.R. 105 (c) is admissible to a Government servant for organising his domestic establishment even if he does not make any journey from the port of disembarkation.(7)If a Government servant returns from leave out of India for a period exceeding four months' duration, the termination of his leave is governed by F.R. 68 and the joining time for the journey (a) from the port of disembarkation to the "fixed point" and (b) from the "fixed point" onwards is governed by the Subsidiary Rules framed under F.R. 105 (c) and F.R. 105 (d) respectively. The Government servant should be paid under F.R. 107 (b) for the portion of the joining time registered under F.R. 105 (c) and under F.R. 107 (c) for the portion regulated under F.R. 105 (d).F.R.106. The State Government may make rules regulating the joining time admissible in each of the cases mentioned in F.R. 105 and specifying the places and stations to which Clause (d) of that rule shall apply. Such rules should be framed with due regard to the time required for actual transit and for the organization of domestic establishment.S.R.137. -

Government servants posted at the places named in Col. (1) of the following table are entitled to joining time under F.R. 105 (d) during journey as made while proceeding on or returning from leave, between any such place and the station named against it in Col. 2 of the table. The amount of joining time admissible between such places and stations is either the actual time spent on the journey or the period shown for the journey in Col. 3 of the table, whichever is less : provided that the journey shall be held to commence on the day following either the handing over of the charge of the Government servant's post or arrival at the station named in Col. 2 of the table, according as the Government servant is departing on or returning from leave :

Journey between Place	Period Station	
1	2	3
Naga Hills		
Poekrokejama	Kohima	6 days
Henema	Do	6 days

Workha	Merapani	4 days
Mokochung	Charali	4 days
Wokha	Do	4 days
United Khasi and Jaintia Hills		
Nongstoin	Shillong	4 days
Nongtalang	Do	4 days
Umpanai	Do	5 days
Kuliang	Do	5 days
Jeliakhola	Do	4 days
		7 days (8 days
Moheskhola	Do	in rainy season)
		6 days (7 days
Kairabari	Do	in rainy season)
		5 days (6 days
Borsora	Do	in rainy season)
Bolabheta	Do	4 days
Tilligaon	Do	3 days
		3 days (4 days
Balat	Do	in rainy season)
		3 days (4
Sonatola	Do	(days in rainy season)
Lilong	Do	3 days
Donna	Do	4 days
Sonapur	Do	3 days
Sadia Frontier Tract		
Denning	Sadiya	5 days
Rotung	Do	5 days
Yembung	Do	6 days
Majum	Do	3 days
Mizo District		
	Kukichhera	
Aijal	(Cachar) via Sairang	7 days

Fundamental Rules and Subsidiary Rules

Siaisuk	Do	10 days
Chamaphai	Do	15 days
North Vanlaiphai	Do	14 days
Lungleh	Do	15 days
Demagiri	Do	19 days
Tuipang	Do	22 days
Saicha	Do	20 days
Bualpui (Lungleh) Sub-Division	Kukichhera (Cachar) via Lungleh	21 days
Buarpui (Lungleh Sub-division)	Do	19 days
Vahai	Do	25 days
Sairang	Kukichhera (Cachar)	6 days
Aijal	Bhaga Bazar (Cachar)	2 days

Sairag	Bhaga Bazar (Cachar) via Aijal	3 days
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The Controlling Officer may allow an additional period up to a limit of 4 days in all these cases for the journey between Aijal and Bhaga Bazar for delay in getting motor conveyance, break down of motor conveyance on way or journey on foot, subject to production of satisfactory evidence.

Siaisuk	Do	5 days
Chamaphai	Do	10 days
North Vanlaiphai	Do	9 days
Lungleh	Do	10 days
Demagiri	Do	14 days
Tuipang	Do	18 days
Saicha	Bhaga Bazar (Cachar) via Lungleh and Aijal	16 days
Bualpui (Lungleh Sub-division)	Aijal	17 days
Buarpui	Do	Do 15 days
Vahai	Do	Do 21 days
Kolasib		21 days

Bhaga Bazar
(Cachar)

The Controlling Officer may allow an additional period up to a limit of 2 days for the journey between Bhaga Bazar and Kolasibon above mentioned ground and term.

Note 1. If the Government servant arrives at the station on the forenoon of the day following the day on which his leave expires and proceeds forthwith to the next stage he may be held to have arrived at the station within the period of his leave. Note 2. The scope of this rule is also extended to case of transfer or to a station in a remote locality which is not easy of access. Note 3. The route to Lungleh Sub-division through Aijal either via Kukichherra, or Dwarband is a recognised one for Government servants performing journeys on duty to and from Lungleh Sub- Division. Joining Time S.R.138. - Not more than one day is allowed to a Government servant in order to join a new post when the appointment to such post does not necessarily involve a change of residence from one station to another. A holiday counts as a day for the purpose of this rule. S.R.139. - In cases involving necessary change of station the joining time allowed to a Government servant is subject to a maximum of 30 days. Six days are allowed for preparation and in addition, a period to cover the actual journey calculated as follows : (a) A Government servant is allowed-

- (i) For the portion of the journey which he travels by aircraft. Actual time occupied in the journey.
- (ii) For the portion of the journey which he travels or might travel. One day for each.

By railway	500 Km.	Or any longer time actually occupied in the journey.
By ocean steamer	350 Km.	
By river steamer	150 Km.	
By motor-car, horse-drawn conveyance plying for public hire	150 Km.	
In any other way	25 Km.	

(b) For any fractional portion of any distance prescribed in (a) an extra day is allowed; (c) When part of the journey is by steamer, for the limit of six days for preparation may be extended to cover any period unavoidably spent in awaiting the departure of the steamer; (d) Travel by road not exceeding 8 kms. to or from railway station at the beginning or end of a journey does not count for joining time; (e) A Government servant whose pay does not exceed Rs. 100 is not ordinarily expected to travel by motor-car or horse-drawn conveyance plying for public hire, and his joining time is calculated accordingly; (f) A Sunday does not count as day for the purpose of the calculations in this rule, but Sundays are included in the maximum period of 30 days. S.R.140. - When a Government servant, returning from leave out of India exceeding four months, takes joining time before joining his post, his joining time shall be calculated as prescribed in Subsidiary Rule 139 : provided that it shall, if he so desires, be subject to minimum ten days. S.R.141. - By whatever route a Government servant actually travels, his joining time shall, under a competent authority for special reasons otherwise orders, be calculated by the route which travellers ordinarily use. S.R.142. - If a Government servant is authorized to make over charge of post elsewhere than at its headquarters, his joining time be calculated from the place at which he makes over charge. S.R.143. - If a Government servant is

appointed to a new post while in transit from one post to another, his joining time begins on the day following that on which he receives the order of appointment.S.R.144. - If a Government servant takes leave while in transit from one post to another, the period which has elapsed since he handed over charge of his old post must be included in his leave. On the expiry of the leave, the Government servant may, however, be allowed normal joining time :Provided that in cases where leave on medical grounds is taken after availing of normal joining time, the split up of the spell of absence allowing time first and leave afterwards may be allowed to stand.S.R.145. - If a Government servant is appointed to a new post while on leave (whether spent in or out of India) on average pay of not more than four months' duration, his joining time will be calculated from his old station or from the place in which he received the order of appointment, whichever calculation will entail him to lessen the joining time.S.R.146. - A competent authority may in any case extend the joining time admissible under these rules; provided that the general spirit of the rules is observed.Note. If a Government servant is transferred from one post to another but the transfer order is subsequently cancelled, after he has handed over charge of his old post but before he could take charge of the new post, the period intervening the date of handing over charge of the old post and taking over charge of the same post or any other post later on account of cancellation of transfer orders should be treated as joining time.This takes effect from the date of issue of orders.S.R.147. - Within the prescribed maximum of 30 days, a competent authority may, on such conditions as it thinks fit, grant to a Government servant a longer period of joining time than is admissible under the rule in the following circumstances :(a)when the Government servant has been unable to use ordinary mode of travelling or, notwithstanding due diligence on his part has spent more time on the journey than is allowed by the rules ; or(b)when such extension is considered necessary for the public convenience, or for the saving of such public expenditure as is caused by unnecessary or purely formal transfer ; or(c)when the rules have in any particular case operated harshly ; as for example, when a Government servant has through no fault on his part missed a steamer or fallen sick on the journey.S.R.148. - When a Government servant under the administrative control of the Government of Assam is transferred to the control of a Government, which has made rules prescribing amounts of joining time, his joining time for journey to join his post under that Government and for the return journey will be governed by those rules.F.R.107. A Government servant on joining time shall be regard as on duty and shall be entitled to be paid as follows :(a)where joining time granted under Clause (a) of Rule 105-the pay which he would have drawn if he had continued in the old post or the pay which he will draw on taking charge of the new post, whichever is less.[See Audit Instructions under F.R. 20].Note. A temporary Government servant is entitled to joining time pay when his transfer is arranged in the interests of the public service and while he still holds a temporary post. This concession is not, however, admissible to him if the transfer takes place after the term of the temporary post has ended,-(b)where the joining time is granted under Clause (b) of Rule 105-(i)if it is in continuation of leave which included a period of leave on average pay-pay equal to the leave salary which he last drew during such leave on average pay at the rate prescribed for payment of leave salary in India ; and(ii)if it is in continuation of leave with did not include a period of leave on average pay-pay equal to the leave salary which the Government servant would have drawn under the leave rules applicable to him as if he had been on leave on average pay in India for the period of joining time ;(c)where joining time is granted under Clause (c) of Rule 105-the pay which he would draw in his post in the remote locality :Provided that-(i)a Government servant on transfer shall not be entitled to any pay for the period of joining time unless his transfer is in the interests of public

service;(ii)no joining time pay shall be granted to a Government servant who does not hold a permanent post under Government in a substantive capacity or a post under the Central Government in a quasi-permanent capacity, when he is appointed to a new post on the result of a competitive examination or interview which is open to both Government servants and others.State Government's decisions. - The pay of Government servant, transferred to a post on return from leave should, during the period of taking over charge, be regulated as follows:If he went on leave while working in a post in an officiating capacity the officiating pay of that post or the pay which will be admissible to him in the new post after taking over charge, whichever is less.F.R.108. A Government servant who does not join his post within his joining time is entitled to no pay or leave-salary after the end of the joining time. Wilful absence from duty after the expiry of joining time may be treated as misbehaviour for the purpose of F.R. 15.F.R.108A. A person in employment other than Government service or on leave granted from such employment, if in the interest of Government he is appointed to a post under the State Government, may, at the discretion of the State Government, be treated as on joining time while he prepares for and makes the journeys to join the post under Government, and while he prepares for and makes the journey on reversion from the post under Government to return to his original employment. During such joining time he shall receive pay equal to the pay, or, in the case of joining time immediately following leave granted from the private employment, to the leave-salary, paid to him by his private employer prior to his appointment to Government service, or pay equal to the pay of the post in Government service, whichever is less.

Part VI – Chapter XII

Foreign ServiceF.R.109. The rules in this Chapter apply to those Government servants only who are transferred to foreign service after the 1st January, 1922.F.R.110. (a) No Government servant may be transferred to foreign service against his will; provided that this sub-rule shall not apply to the transfer of a Government servant in the service of-(i)a body, incorporated or not, which is wholly or substantively owned or controlled by the Government, and(ii)an Autonomous District Council.(b)A transfer to foreign service in or outside India including transfer to the service of Indian State may be sanctioned by the State Government.Audit Instruction. - The Government which would be entitled to recover pension contribution on half of a Government servant lent to foreign service should be regarded as the State Government competent to sanction his transfer to foreign service.Government of India's orders. - The Government of India and the Crown Representative will be glad to be consulted before hand in regard to any request for the loan of the services of State officers from a foreign country outside the British Empire and from an Indian State respectively, in order that they may have an opportunity of considering the proposal from the point of view of their respective responsibilities. The State Government will doubtless give full weight to any views which the Government of India or the Crown Representative may express on such consultation.Note. The Government of India in consultation with the Crown Representative have decided that the latter need only be consulted before hand in case of officers belonging to the State and All India Services on their transfers to foreign service in the Indian State.F.R.111. A transfer to foreign service is not admissible unless-(a)the duties to be performed after the transfer are such as should, for public reasons, be rendered by a Government servant, and(b)the Government servant transferred holds, at the time of transfer, a post paid from the revenues of the State or holds a lien on a permanent post,

or would hold a lien on such a post had his lien not been suspended. Note. The transfer of a temporary Government servant to foreign service is permissible. F.R. 112. If a Government servant is transferred to foreign service while on leave, he ceases from the date of such transfer, to be on leave and to draw leave-salary. Note 1. In the case of an officer who takes up employment in an Indian State during leave preparatory to retirement, the concession of drawing leave-salary during such leave in addition to pay from the Indian State should not be granted. In such cases he should be required either to retire or go on foreign service terms subject to the fulfilment of the condition in Clause (a) of F.R. 111. Note 2. The concession of treating employment in an Indian State during leave preparatory to retirement as private employment should not be granted to an officer who is in foreign service at the time he applies for such leave and proposes to continue on duty in the service of the same employer during the leave. Note 3. The decision referred to above should apply to all foreign service, and not only to service in an Indian State. F.R. 113. (i) A Government servant transferred to foreign service shall remain in the cadres or cadre in which he was included in a substantive or officiating capacity immediately before his transfer, and may be given, subject to conditions prescribed under the second proviso to F.R. 30 (1), such substantive or officiating promotion in those cadres as the authority competent to order promotion may decide. In giving promotion such authority shall also take into account the nature of the work performed in foreign service. (ii) Nothing in this rule shall prevent a member of a subordinate service from receiving such other promotion in Government service as the authority who would have been competent to grant the promotion, had he remained in Government service, may decide. F.R. 114. A Government servant in foreign service will draw pay from the foreign employer from the date on which he relinquishes charge of his post in Government service. Subject to the observance of the principle laid down in Appendix 19, the amount of his pay, the amount of joining time admissible to him and his pay during such joining time will be fixed by the authority sanctioning the transfer in consultation with the foreign employer. Government of India's decisions. - 1. The Government of India have decided that in the case of an officer transferred to foreign service in India, who is at the time of such transfer holding in an officiating capacity a post from which he is unlikely to revert, his pay in foreign service may be fixed on the basis of his officiating pay. The authorities to whom power in this respect has been delegated should therefore take into account for the purpose of fixation of pay in foreign service officer's substantive pay or in the case mentioned above, his officiating pay in Government service. The Government of India have also decided that special pay, personal pay or emoluments classed as pay under F.R. 9 (21) (a) (iii) should, in no case, be taken into account in regulating foreign service pay. The above decision will apply to transfer to foreign service in India or extension of the period thereof sanctioned on or after the date of issue of this letter.

2. (a) The question of fixing the liability of the foreign employer was raised in regard to the payment of-

(1) leave-salary during disability leave granted to Government servants sustaining war injuries, and (2) increased pension contribution on account of such disability leave. The President has, after careful consideration, decided that foreign employers should, in the case of Government servants transferred to foreign service in future or on renewal of existing foreign service agreements, accept liability for leave-salary in respect of disability leave granted on account of a disability incurred in and through foreign service, even though such disability manifests itself after the termination of

foreign service. The leave-salary charges for such leave should be recovered direct from foreign employers, a condition to this effect being inserted in the terms of transfer to foreign service. In present conditions no additional pension contributions need be recovered in respect of the period of disability leave.(b)In the case of permanent State Government servant lent to the Central Defence Services, the Defence Service estimates will bear the leave salary charges in respect of disability leave granted to them while in such services, on account of disabilities incurred in and through such service, in addition to the ordinary leave contributions at foreign service rates payable during such service, excluding periods of leave. As regards the pensionary liability in respect of periods of disability leave in such cases, it is hoped that the State Government will, as a practical solution and in view of the very small amounts involved, not insist on extra contribution. This course is in line with the Central Government's decision regarding pension contributions from foreign employers in respect of their own servants.Decision by the Government of Assam. - The Government of Assam have decided not to insist on extra contribution towards pensionary liability in respect of periods of disability leave granted to their own servants while employed in the Defence Services.Audit Instruction. - When any Government servant lent on foreign service conditions retires from British service without, at the same time, retiring from the service of his foreign employer, the Audit Officer shall communicate to the foreign employer through the usual authorities a statement showing the date of retirement and the amount of pension drawn from the British Government so as to give that employer the opportunity if he be so inclined, of revising the existing terms of employment.Note. No Government servant shall be transferred to foreign service unless the foreign employer undertakes to afford to him at the employer's own expense privileges as regards medical attendance not inferior to those which he would have enjoyed if he had been employed in the service of the Government of Assam or reimburse the cost incurred by that Government for the provision of such privileges.F.R.115. (a) While a Government servant is in foreign service, contributions towards the cost of his pension must be paid to the revenues of the State on his behalf.(b)If the foreign service is in India, contributions must be paid on account of the cost leave-salary also.(c)Contributions due under Clauses (a) and (b) above shall be paid by the Government servant himself, unless the foreign employer consents to pay them. They shall not be payable during taken while in foreign service.(d)By special arrangement made under Rule 23 (b), contributions on account of leave-salary may be required in the case of foreign service out of India, also the contributions being paid by the foreign employer.Note 1. Pension, throughout this Chapter, includes Government contributions, if any, payable to a Government servant's credit in a Provident Fund.Note 2. In the case of Government servant lent to His Majesty's Government or to British colonies or protectorates, the contribution is payable by the employer, except in the case of Government servants lent to the War Office whose contributions are paid in accordance with special arrangements with the War Office.State Government's decision. - In the case of Government servant in foreign service in India, a contribution on account of leave salary is recoverable from the foreign employer or the Government servant himself when the foreign employer does not consent to pay, and in return for the contribution, Government accepts to charge leave-salary. As the rates prescribed for such contribution have been calculated on the basis of the leave on full and half pay normally taken by Government servant during the total period of his service, and do not take into account any compensatory allowance, which may form part of leave salary as defined in F.R.9 (12), the Government of Assam has decided that the whole expenditure in respect of any compensatory allowance for periods of leave in or at the end of foreign service shall be borne by the foreign

employer or the Government servant himself, as the case may be. In order to avoid any misunderstanding, it is desirable that as condition to this effect should be inserted in the terms of transfer to foreign service.

S.R.149. - A copy of the orders sanctioning a Government servant's transfer to foreign service must always be communicated to the Accounts Officer (referred to in the next rule, by the authority by whom the transfer is sanctioned). The Government servant himself should, without delay, communicate a copy to officer who audits his pay, and take his instructions as to the officer to whom he is to account for the contribution : report to the latter officer the time and date of all transfers of charge to which he is a party when proceeding on, while in and on return from foreign service, and furnish from time to time particulars regarding his pay in foreign service, leave taken by him, his postal address and any other information which that officer may require.

S.R.150. - (a) In the case of foreign service out of India, the "Accounts Officer" is the Accountant General, Central Revenues. (b) In the case of foreign service in India- (i) if pay in foreign service is paid from a Government Treasury and is subject to audit by an audit officer of Government, the Accounts Officer is such audit officer ; (ii) otherwise, the Accounts Officer is the Accountant General of the State in which the Municipality, Port Trust or other body concerned is situated or in the case of service under an Indian State, the Accountant General of the Government under whose administration the State is.

F.R.116. The rate of contribution payable on account of pension and leave-salary shall be such as the State Government may by general order prescribe. **Note.** The rates of contributions prescribed by the President (Appendix 20) have been adopted by the State Government as applicable to persons serving in connection with the affairs of the State. These rates take effect from 1st January, 1939.

Audit Instruction. - The leave-salary contribution for the period of joining time taken by a Government servant in continuation of leave under Clause (b) F.R. 105 before reversion from foreign service should be calculated on the pay he was getting immediately before he proceeded on leave.

F.R.117. (a) The rate of pension contribution prescribed under Rule 116 will be designed to secure to the Government servant the pension that he would have earned by service under Government if he had not been transferred of foreign service. (b) The rates of contribution for leave-salary will be designed to secure to the Government servant leave-salary on the scale and under the condition applicable to him. In calculating the rate of leave-salary admissible, the pay drawn in foreign service, less in the case of Government servants paying their own contributions, such part of pay as may be paid as contribution, will count as pay for the purpose of F.R. 9 (2). **Note.** The rates of contributions prescribed by the President in respect of military officers and other ranks in permanent civil employ are given in Appendix 21.

MSS not available.

F.R.118. [Deleted].

F.R.119. The State Government's sanction of a transfer to service may- (a) remit the contribution due in any specified case or class of cases, and (b) make rules prescribing the rate of interest, if any, to be levied on overdue contributions.

Rate on Interest to be Levied on Overdue Foreign Service Contributions

S.R.150. - Contribution for leave salary or pension, due in respect of a Government servant a foreign service may be paid annually within fifteen days from the end of each financial year or at the end of the foreign service, if the deputation on foreign service expire before the end of a financial year, and if the payment is not made within the said period, interest must be paid to Government on the unpaid contribution, unless it is specifically remitted by the State Government, at the rate of two paise per day per Rs. 100 from the date of expiry of the period aforesaid up to the date on which the contribution is finally paid. The interest shall be paid by the Government servant or the foreign employer according as the contribution is paid by the former or the latter.

F.R.120. A Government servant in foreign service may not elect to

withhold contribution and to forfeit the right to count as duty in Government service the time spent in foreign employ. The contribution paid on his behalf maintains his claim to pension or to pension and leave-salary, as the case may be, in accordance with the rules of the service of which he is a member. Neither he nor the foreign employer has any right of property in a contribution paid, and no claim for refund can be entertained.F.R.121. A Government servant transferred to foreign service may not, without the sanction of the State Government, accept a pension or gratuity from the foreign employer in respect of such service.F.R.122. A Government servant in foreign service in India may not be granted leave otherwise than in accordance with the rules applicable to the service of which he is member, may not take leave or receive leave-salary from Government unless he actually quits and goes on leave.Note 1. A Government servant on foreign service in India is himself personally responsible for the observance of the rule contained in F.R. 122, by accepting leave to which he is not entitled under the rules he renders himself liable to refund leave-salary drawn, and in the event of his refusing to refund, to forfeit his previous service under Government, and to cease to have may claim on Government in respect of either pension or leave-salary.Note 2. The grant of leave preparatory to retirement to an officer in foreign service may not be coupled with permission to continue in the service of the same employer during that leave.F.R.123. (a) A Government servant in foreign service out of India may be granted leave by his employer on such conditions as the employer may determine. In any individual case the State Government may determine before hand in consultation with the employer, the conditions on which leave will be granted by the employer. The leave-salary in respect of leave granted by the employer will be paid by the employer and the leave will not be debited against the Government servant's leave account.(b)In special circumstances, the authority sanctioning a transfer to foreign service out of India may make an arrangement with foreign employer under which leave may make an arrangement with the foreign employer under which leave may be granted to the Government servant in accordance with the rules applicable to him as a Government servant, if the foreign employer pays to the revenues of the State leave contribution at the rates prescribed under F.R. 116.Note. For purpose of pension the period of leave granted by foreign employers out of India to Government servants, lent to them under Fundamental Rule 123 (a) should be treated as 'leave' and not as 'duty'. Any such leave, if taken on full or half average pay or equivalent terms should, up to a limit of four months on nay one occasion, be treated as privilege leave for the purposes of Art. 65 of the Assam Pension Manual, and all other leave with leave allowance should be dealt with as in Art. 56 of the Assam Pension Manual.F.R.124. A Government servant in foreign service if appointed to officiate in a post in Government service, will draw pay calculated on the pay of the post in Government service on which he holds a lien or would hold a lien had his lien not been suspended and that of the post in which he officiates. His pay in foreign service will not be taken into account in fixing his pay.F.R.125. A Government servant reverts from foreign service to Government Service on the date on which he takes charge his post in Government service ; provided that, if he takes leave on the conclusion of his foreign service before re-joining his post, his reversion shall take effect from such date as the State Government on whose establishment he is borne may decide.F.R.126. When a Government servant reverts from foreign service to Government service, his pay will cease to be paid by the foreign employer, and his continuation will be discontinued with effect from the date of reversion.F.R.127. When an addition is made to a regular establishment on the condition that its cost or a definite portion of its cost shall be recovered from the persons for whose benefit the additional establishment is created, recoveries shall be made under the following rules :(a)The amount to be recovered shall be the gross

sanctioned cost of the service, or the portion of the service, as the case may be, and shall not vary with the actual expenditure of any month ;(b)The cost of the service shall include contributions at such rates as may be laid down under F.R. 116, and the contributions shall be calculated on the sanctioned rates of pay of the members of the establishment.(c)A contribution for passages also should be levied in respect of Government servants, entitled to passage concessions at the same rates as are applicable to Government servants entitled to passage concessions who are transferred to foreign service, viz., Rs. 50 per mensem in the case of superior officers and Rs. 60 per mensem in the case of non-superior officers. The contributions should be levied the whole period of service in the additional post except that it should not be charged during leave where-(i)the leave taken is leave preparatory to retirement; or(ii)the Government concerned will, on return from leave, be given different duties and return to the additional post; or(iii)the substitute in the additional post, for the Government servant on leave, is entitled to passage concessions and contribution for passages is recovered on his behalf.(d)The State Government may reduce the amount of recoveries or may entirely forego them.Audit Instruction. - Principle for the calculation of contributions for leave-salary and pension. - The words "its costs" in line 2 of F.R. 127 refer to an "addition" in the line 1 of the that rule. The underlying intention of the rule is to recover the cost of the additional establishment sanctioned. Contributions for leave-salary and pension leviable under Cl. (b) of this rule should, therefore, be based on the rates of pay, old and/or revised, as the case may be, on which that establishment is actually sanctioned, irrespective of whether the person employed on the work which it is sanctioned is an old or a new entrant.

Chapter XIII

Service Under Local Funds

F.R.128. Government servants paid from local funds which are administered by Government are subject to the provisions of Chapter I to XI of these rules.Audit Instructions. - (1) Employers of local funds administration by Government who are not Government servants are subject to the provisions of Chapter I to XI of the Fundamental Rules.(2)The expression "local funds which are administered by Government" means funds administered by bodies which by law or rule having the force of law come under the control of Government in regard to proceedings generally and not merely in regard to specific matters, such as the sanctioning of the budget or sanction to the creation or filling up of particular posts or the enactment of leave, pension or similar rules ; in other words, it means funds over whose expenditure Government retains complete and direct control.F.R.129. The transfer of Government servants to service under local funds which are not administrative by Government will be regulated by the rules in Chapter XII.F.R.130. Persons transferred by Government service from a local fund which is not administered by Government will be treated as joining a first post under Government and their previous service will not count as duty performed. The State Government may, however, allow previous service in such cases to count as duty performed on such terms as it thinks fit.The Schedule referred to Fundamental Rule 75-AProvisions for the determination of domicile

1. A person can only have one domicile.

2. The domicile of origin of every person of legitimate birth is in the country in which at the time of his birth his father was domiciled, or, if he is a posthumous child, in the country in which his father was domicile at the time of the father's death.

3. The domicile of origin of an illegitimate child in the country in which at the time of his birth his mother was domiciled.

4. The domicile of origin prevails until a new domicile has been acquired, and a new domicile continuous until the former domicile has been resumed or another has been acquired.

5.

(1)A person acquires a new domicile by taking up his fixed habitation in a country which is not that of his domicile of origin.(2)Any person may, if the law of any country so provide and subject to any such provisions, acquire a domicile in that country by making, in accordance, with the said provisions, a declaration of his desire a acquire such domicile.Explanation 1. - A person is not to be considered as having taken his fixed I habitation in a country merely by reason of his residing there is His Majesty' civil or military service or in the exercise of any profession or calling.Explanation 2. - A person does not acquire a new domicile in any country merely by reason of residing as part of the family or as a servant country merely by reason of residing as part of the family or as a servant of any ambassador, consul or other representative of the Government of another country.

6. The domicile of a minor follows the domicile of the parent from whom he derives his domicile of origin :

Provided that the domicile of a minor does not change with that of his parent if the minor is married or holds any office or employment in the service of His Majesty or has set up with the consent of the parent in any distinct business.

7. After marriage a woman acquires the domicile of her husband if she had not the same domicile before and her domicile during the marriage follows the domicile of her husband :

Provided that if the husband and wife are separated by the order of a competent court or if the husband is undergoing a sentence of transportation, the wife becomes capable of acquiring an independent domicile.

8. Save as otherwise provided above a person cannot during minority acquire a new domicile.

9. An insane person cannot acquire a new domicile in any other way than by his domicile following the domicile of another person.

Section III Fundamental Rules (Applicable to Services and Under the Rule-Making Control of the Secretary of State)[Not Printed]Section IV Travelling Allowance Rules[Vide F.R.44]Division I Definitions S.R.152. Unless there is something repugnant in the subject or context, the terms defined in this division are used in the Travelling Allowance Rules in the sense here explained :

(1)"Actual travelling expenses" means the actual cost of transporting a Government servant with his servants and personal luggage, including charges for ferry and other tolls and for carriage of camp equipment, if necessary. It does not include charges for hotels, traveller's' bungalows or refreshment or for the carriage of stores or conveyances or for presents to coachment and the like ; or any allowance for such incidental losses or expenses as the breakage of crockery, wear and tear of furniture and the employment of additional servants.(2)"Camp equipage" means the apparatus for moving a camp.(3)"Camp equipment" means tents and the requisites for pitching and furnishing them or, where tents are carried, such articles of camp furniture as it may be necessary, in the interest of the public service, for a Government servant to take with him on tour.(4)"Day" means a calendar day beginning and ending at midnight; but absence from headquarters which does not exceed twenty-four hours shall be reckoned for the purpose of daily allowance as one day at whatever hours the absence begins and ends.(5)"Family" means a Government servant's wife, legitimate children and step children, residing and wholly dependent upon him. Except in S.R. 243 it includes in addition his parents (not adoptive or step-parents), sister and minor brothers if residing with and wholly dependent upon him. Not more than one wife is included in a family for the purpose of these rules. Travelling allowance may not be drawn on account of husband dependent on a female Government servant without the orders of Government.Note. An adopted child shall be considered to be a legitimate child, ii under the personal law of the Government servant, adoption is legally recognised as conferring on it the status of a natural child.(6)"Hill station" means any place which the State Government may declare to be a Hill station.(7)"Pay" for the purpose of Travelling Allowance Rules means the monthly pay as defined in F.R. 9 (21) (a) (i).(8)"Public conveyance" means a train, steamer of other conveyance which plies regularly for the conveyance of passengers. It does not include a car.(9)"Transfer" means the movement of a Government servant from one headquarters station in which he is employed to another such station either (a) to take up duties of a new post, or (b) in consequence of a change of his headquarter.Note. The definition of "family" as given in S.R. 152 (5) will apply mutatis mutandis to female Government servants.Division II Grades of Government servants/distribution of grades S.R.153. (1) For the purpose of calculating travelling allowance,. Government servants are divided into five grades as shown in the Schedule below.(2)A Government servant officiating in, or appointed to perform all the duties of, a post specified in a higher grade or to which a particular rate of daily allowance is attached, draws the travelling allowance of that post. That does not cover the case of a Government servant merely placed in charge of the office attached to another post in addition to his own duties.(3)An Inspector of Police placed in charge of the office of a Superintendent, Assistant

Superintendent or Deputy Superintendent of Police draws the travelling allowance of a Deputy Superintendent of Police.

Schedule

Grade of Officers	Pay rangeRs.	Revised ratesRs.
1. Senior Grade	1675 and above	45.00
2. First Grade	1250 and above but below 1675	38.00
3. Second Grade	750 and above but below 1250	30.00
4. Third Grade	490 and above but below 750	24.00
5. Fourth Grade	Employees drawing pay below 490	15.00

Government employees belonging to all grades will be entitled to daily allowance outside the State except Meghalaya, at double the above while travelling outside the State. In the case of travelling Bangladesh on Government duty the rates of daily allowance will be double of the above rates. Note 1. All India Service Officers in the senior scale shall be treated as Senior Grade Officers irrespective of their pay. Note 2. All India Service Officers or the Junior Officers of the Assam Civil Service Class I in the junior scale and Assam Judicial Service Officers in Grade III viz, Judicial Magistrates, Munsiffs and Sub-divisional Magistrates shall be treated as First Grade Officers irrespective of their pay till they reach the senior grade pay range. Note 3. The existing rules and orders relating to admissibility of daily allowance for different types of journey within and outside the State shall continue until further orders. Note 4. Pending finalisation of pay in the revised scale, Government servants now belonging to a particular grade will draw the corresponding enhanced rate of daily allowance prescribed for that grade. S.R.154. The State Government may, for reasons which should be recorded, order that any Government servant or class of Government servants shall be included in a grade higher than that prescribed in Rule 153. S.R.155. A Government servant in transit from one post to another rank in the grade to which the lower of the two posts would entitle him. S.R.156. A Government servant whose whole time is not retained for the public service, or who is remunerated wholly or partly by fees, ranks in such grade as a competent authority may declare. Note 1. A Public prosecutor is not entitled to any halting allowance when away from his headquarters, but is recognised as a Government servant of the 2nd grade for the purpose of drawing travelling expenses only. Note 2. The Legal Remembrancer is authorised to grant travelling expenses to legal practitioners (e.g., Pleaders and Mukhtars), who are engaged in the interest of public service, to conduct cases, elsewhere than in their own station, provided such charges do not exceed what would be admissible, under the parallel circumstances, to a Government servant of the 2nd grade referred to in S.R. 153. Subject to the same conditions the District Officers of the Hill Districts (except the D.C. Mizo District) are authorised to grant such expenses to legal practitioners engaged by them to defend persons accused of murder. Note 3. [Deleted] Division II Different Kinds of Travelling Allowances S.R.157. The following are the different kinds of travelling allowances which may be drawn in different circumstances by Government servants : (a) Permanent travelling allowance ; (b) Conveyance or Horse allowance ; (c) Mileage allowance ; (d) Daily allowance ; (e) The actual cost of travelling. The Rules in Division IV to VIII explain the nature of these allowances and the method of calculating them. The circumstances in which they can be drawn for particular journey are described in Division IX to XXIV. Division IV Permanent Travelling Allowance S.R.158. A

permanent monthly travelling allowance may be granted by a competent authority to any Government servant whose duties require him to travel extensively. Such an allowance is granted in lieu of all other forms of travelling allowance for journeys within the Government servant's sphere of duty and is drawn all the year round whether the Government servant is absent from his headquarters or not. State Government's decision. - (1) Government have after careful consideration decided to increase further the rates of travelling allowance as detailed below in view of the present abnormal conditions prevailing in the Province, viz.: All permanent travelling and conveyance allowance up to Rs. 50 are increased by 40 per cent exclusive of cycle allowance which should remain at Rs. 5 before. The orders take effect from the 1st December, 1942 and will remain in force till conditions of touring justify reversion to the old rates. (2) The present position with regard to the rates of monthly permanent travelling allowance and conveyance allowance admissible to the Government servants has been reviewed and the Governor of Assam is pleased to decide that, as the present condition of touring do not justify reversion to the old rates, the "ad hoc" increase of 40 per cent may be merged with the rates of all permanent travelling allowance and conveyance allowance up to Rs. 50 per month now admissible to certain Government servants vide Government's decision (1) above. It is also further clarified that 40 per cent increase will not be admissible over the revised rates of fixed travelling allowance as recommended by the Pay Committee for the following officers with effect from the date these rates come into force, viz. - (1) Auditors, (2) Assistant Auditors, (3) Sub-Inspectors of Schools and Assistant Sub-Inspectors of Schools, and (3) Gram Sevaks and Sevaks. These orders will take immediate effect. S.R. 159. A permanent travelling allowance cannot be drawn during joining time or, unless in any case it be otherwise expressly provided in these rules, during any period for which travelling allowance of any other kind is drawn. Its drawal during leave is governed by S.R. 118. S.R. 160. When a Government servant holds either substantively or an officiating capacity, two or more posts to each of which a permanent travelling allowance is attached, he may be granted such permanent travelling allowance not exceeding the total of all the allowances, as the competent authority may consider to be necessary in order to cover the travelling expenses which he has to incur. S.R. 161. Permanent Travelling Allowance. - The rates of Permanent Travelling Allowance will be as follows :

Sl. No.	Designation of Officers with Departments	Rate of Permanent T.A.	Remarks
1.	2.	3.	4.
Agriculture:			
1.	Agril. Demonstrators	25.00 P.M.	The Agril. Demonstrators posted in C.D.
2.	Irrigation Demonstrators	25.00 P.M.	Blocks to discharge the duties like that of Gram Sevaks will get fixed T.A. at the rate of Rs. 30 P.M.
Develop (P. & C.D.) :			
3.	Gram Sevaks	30.00 P.M.	
4.	Gram Sevaks	30.00 P.M.	

Education:

- | | | |
|----|---------------------------------|-------------|
| 5. | Sub-Inspector of Schools | 125.00 P.M. |
| 6. | Asstt. Sub-Inspector of Schools | 75.00 P.M. |

Excise:

- | | | |
|----|------------------------|------------|
| 7. | Prohibition Organisers | 30.00 P.M. |
| 8. | Prohibition Officers | 20.00 P.M. |

Gen. Admin:

- | | | |
|-----|---|----------------------------|
| 9. | Inspectors (Gazetted) | 100.00 P.M. |
| 10. | Inspectors (non-gazetted) Office of the T.A. & D.M. Calcutta | 100.00 P.M. |
| 11. | Receptionist, Assam House, New Delhi
Nazir-Cum-Receptionist, Assam House, Calcutta | 100.00 P.M.
150.00 P.M. |

Health:

- | | | |
|-----|---|------------|
| 12. | Rural Health Inspectors | 30.00 P.M. |
| 13. | Health Assistants | 25.00 P.M. |
| 14. | Vaccinators of N.S.E.P. | 25.00 P.M. |
| 15. | Grade IV Employees attached to mobile team of the N.S.E.P. team | 20.00 P.M. |

Local

Accounts:

- | | | |
|-----|----------------------------|-------------|
| 16. | Auditors | 150.00 P.M. |
| 17. | Asstt. Auditors | 125.00 P.M. |
| 18. | Peons attached to Auditors | 75.00 P.M. |

Police

- | | | |
|-----|--|-------------|
| 19. | Hony. Adviser, V.D.O./State Home Guard Organiser | 625.00 P.M. |
| 20. | Dy. Hony. Adviser, V.D.O. in Mikir and N.C. Hill | 200.00 P.M. |
| 21. | Circle Organiser, V.D.O. | 20.00 P.M. |

Subject to the conditions that at least 30 days' tour in a month are performed and that all expenditure on P.O.L. and minor repairs of Government vehicles at their disposal are borne by themselves.

Sericulture and Weaving:

- | | | |
|-----|--------------------------------|------------|
| 22. | Organiser of Boakata Societies | 50.00 P.M. |
|-----|--------------------------------|------------|

23.	Weaving Demonstrators	35.00 P.M.
24.	Sericulture Demonstrators	25.00 P.M.

Veterinary:

25.	Veterinary Field Assistants	25.00 P.M.
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Note. Unless otherwise stated in the remarks column, the minimum number of days to be spent on tour per month by the categories of Government shall not be less than 15 days, or such higher number of days as may be prescribed by their respective Appointing Authority in consideration of the nature of duties to be performed. Division V Conveyance and Horse Allowance S.R. 162. A competent authority may grant on such conditions as it thinks fit to impose, a monthly conveyance or horse allowance to any Government servant who is required to travel extensively at or within a short distance from his headquarter under condition which do not render him eligible for daily allowance. State Government's decision. - (1) 1. The present position with regard to the grant of conveyance allowance and conditions for its drawal by Government servants has been reviewed in the existing provisions under S.R. 162 and 163, and the Government of Assam is pleased to prescribe the following conditions. These will apply to Government servants who are granted conveyance allowance specifically for the up-keep of a motor-cycle/motor car, and also to Government servants who are granted conveyance allowance for maintenance of other modes of conveyance other than bicycle, under the above rules.

2. The conveyance allowance for maintenance of motor-car/motor- cycle, etc. shall continue to be admissible at the existing rates to Government servants concerned subject to the following conditions and till such times as and when Government decide to revise the allowance in respect of such Government servants in accordance with these orders.

3. (i) No conveyance allowance shall be admissible during-

(a) joining time, leave or any period of temporary transfer. The allowance shall also not be admissible during holidays prefixed to leave, holidays suffixed to leave and joining time. (b) any period more than 15 days at a time during which a Government servant does not maintain a motor-car/cycle or the motor-car/motor-cycle maintained by him remains out of order and is not used for official journeys for which the allowance is granted. (ii) The conveyance allowance shall henceforth be granted under the above rules to cover all journey by road on official duty within the local jurisdiction of Government servants for which no daily allowance/mileage allowance is admissible, irrespective of whether the points of duty reached lie within or beyond a radius of 8 Kms. from his usual place of work ; provided that daily allowance/mileage allowance will be admissible as under for journeys beyond and outside a radius of 8 Kms. from his usual place of work - (a) if the journey is performed by rail or steamer or air the allowance may be drawn in addition to the T.A., i.e., daily allowance/mileage allowance under the rules ; (b) if the journey is performed by road, only the conveyance allowance would be admissible but if on any day a Government servant travels beyond 16 Kms. from his usual place of work, he may at his option exchange his conveyance allowance at the rate of 1/30th for any T.A., i.e., daily allowance and/or mileage allowance that may

be admissible to him under the rules ;(c)if the journey is performed partly by rail or steamer or air and partly by road, conveyance allowance may be drawn in addition to the T.A. admissible for the portion of the journey performed by rail or steamer or air and the officer may at his option exchange his conveyance allowance at the rate of 1/30th for each day, for any T.A. that may be admissible for the portion of the journey by road on any day on which the journey by road exceeds 16 Kms.

4. The grant of horse allowance and bicycle allowance will continue to be granted by the present rules and orders.

These orders will have effect from 1st September, 1967.(2)With reference to para 3 (i) (b) of the State Government's decision (1) above it is clarified that the conveyance allowance now admissible to Government servants for the maintenance of motor-car/motor-cycle under the existing provisions of S.Rr. 162 and 163 will not be admissible for any period of more than 15 days at a time during which on account of their absence from headquarters on tour, or for any reason whatsoever, the motor-car/motor-cycle maintained by them are not used for official journeys. These orders will have effect from 1st January, 1968.S.R.163. Except as otherwise provided in these rules, and unless the authority sanctioning it otherwise directs, a conveyance or horse allowance drawn all the year round is not forfeited during absence from headquarters and may be drawn in addition to any other travelling allowance admissible under these rules: Provided that the Government servant, who is in receipt of a conveyance allowance specifically granted for the up-keep of a motor-car or motor-cycle, shall not draw mileage or daily allowance for a journey by the sanctions the conveyance allowance may prescribe.S.R.164. A conveyance or horse allowance may not be drawn during joining time. Its drawal during leave is governed by S.R. 118. Subordinate Police Officers may, however, draw during joining time the conveyance or horse allowance drawn by them while on duty, subject to the condition that no extra cost is thereby caused to Government.S.R.165. Conveyance allowance. - (i) The rates of conveyance allowance for certain categories of Government servants who are required to perform journeys regularly in or near their headquarters for short distances which do not qualify for travelling allowance will be as follows :

Sl. No.	Designation of Officers	Rates of Conveyance Allowance	Remarks
(1)	(2)	(3)	(4)
Gen. Admin.			
1.	Private Secretaries/ Personal Assistants to Ministers/Ministers of State/Deputy Ministers	75.00 P.M.	Subject to the condition that a serviceable motor car/motor cycle is maintained and as certified by Hon'ble Ministers under whom they work. The conditions prescribed vide the State Government's decisions (1) and (2) below S.R. 162 shall also be applicable.
Police			

	Sub-Inspectors of the Armed Branch, TownPolice, Reserve Police Rider		
2.	Sub-Inspectors and the CriminalInvestigation Deptt Sub-Inspector attached to Govt. House.	Bicycle allowance of Rs. 7.00 p.m.	If a serviceable bicycle is maintained
3.	Sub-Inspectors and Asstt. Sub-Inspectors ofPolice in the Criminal Investigation Department	7.00 P.M.	Subject to the conditions that a serviceablebicycle is maintained and the Deputy Inspector General of Policecertifies that its maintenance is necessary.
4.	Police Constables Unarmed Branch	7.00 P.M.	If a serviceable bicycle is maintained.
			In case where the Supdt. of Police certifiesthat a pony is necessary Otherwise a bicycle allowance of Rs.7.00 P.M. for maintenance of the same. A Sub-Inspector of Policeon temporary deputation to the Finger Print Bureau for trainingmay draw a horse allowance on the sanctioned scale; provided hemaintained a horse in the District in which he was stationedprior to his deputation and continues to maintain a horse duringthe period of training, a certificate to that effect beingfurnished monthly. The post will not, however, be held to be onein which the conveyance of a horse if advantageous from thepoint of view of the officer's efficiency so as to entitle himto draw transport charges under Assam Subsidiary Rule 243-1(iv).
5.	Sub-Inspectors attached to Police Stationsexcept Sub-Inspectors of the Railway and River Police	Pony allowance of Rs. 28.00 P.M.	
6.	Sub-Inspectors of Village Defence Organisation	Bicycle Allowance of Rs. 7.00 P.M.	If a serviceable bicycle is maintained.
7.			

	Sub-Inspectors attached to Police Stations except Sub-Inspectors of the Railway and River Police	Motor cycle allowance of Rs. 35.00 P.M.	In case where the Supdt. of Police certifiesthat a motor cycle is necessary for efficient discharge of duties and a serviceable motor-cycle is maintained. The conditions prescribed vide the State Govt.'s decisions (1) and (2) below S.R.162. shall also be applicable.
8.	Assistant Sub-Inspectors in-charge of Police Stations of the Orang Out-post in Darrang	Pony Allowance of Rs. 28.00 P.M.	In case where the Supdt. of Police certifiesthat a pony is necessary. Otherwise bicycle allowance of Rs.7.00 P.M.
9.	Assistant Sub-Inspectors Rs.7.00 per mensem of Police of the District Executive Force and Head Constables of the Town Police (Executive Force)	Rs.7.00	Subject to the condition that a serviceable bicycle is maintained.
Agriculture			
10.	Mycological Field-man	Rs.7.00	If a serviceable bicycle is maintained.
11.	Chemical Field-man	Rs.7.00	If a serviceable bicycle is maintained.
12.	Botanical Asstt., Jorhat	Rs.7.00	If a serviceable bicycle is maintained.
13.	Scientific Asstt.	Rs.7.00	Subject to the condition that a serviceable bicycle is maintained. The Scientific Asstts. who are provided with quarter at the farm will not draw the allowance.
Public Works Department			
14.	Members of the Lower Subordinate Establishment	Rs. 10.00 except in the case of officers whose jurisdiction is confined to Urban areas, i.e., district	The Divisional Officer when so authorised by the Chief Engineer, can sanction the allowance, provided the subordinate maintains a means of conveyance

or sub-divisional towns and a radius of 8 Kms. therefrom. In the case of the latter the rate will be Rs. 7.00

suited to his work and that he draws no other travelling allowance for journey on tour except mileage under the special orders of the Divisional Officers.

Note. A certificate of actual maintenance of suitable means of conveyance duly signed by the Divisional Officer, should be attached to each bill in which the conveyance allowance is drawn.

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|-----|---|--|--|
| 15. | Students who are placed for practical training in the Public Works Department | Rs. 10.00 except in the case of students whose jurisdiction is confined to Urban areas, i.e., district or sub-divisional towns and a radius of 8 Kms. therefrom. In the case of latter the rate will be Rs. 7.00 | The allowance may be granted by the Chief Engineer, Assam on a certificate that a serviceable conveyance is maintained. |
| 16. | Member of the Sub-Engineering Service when not in charge of sub-divisions and temporary subordinates employed in regular P.W.D. As district from the Estt. under Civil Works Disbursers | Rs. 10.00 a month for maintenance of a bicycle except in the case of officers whose jurisdiction is confined to Urban areas i.e. Distt. or Sub-divisional towns and a radius of 8 Kms. therefrom. | Will also draw daily allowance of Rs. 2.00 in addition when on tour beyond the radius of 8 Kms. from headquarters. When employed in Hill Districts the D.A. will be raised to Rs. 2.50 Subordinates who have performed railway and steamer journeys with the respective jurisdiction may be allowed railway and steamer fare |

In the case of the latter the rate will be Rs.7.00 a month to which they are entitled under the rules in lieu of this fixed allowance for those days.

Note.- A certificate of actual maintenance of a suitable conveyance duly signed by the Executive Engineer should be attached to each bill in which C.A. is drawn.

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| 17. | Overseers Grade III (Temporary) employed in irregular Public Works Department | Rs. 10.00 a month for the maintenance of a bicycle except in the case of officers whose jurisdiction is confined to urban areas, i.e., Distt. or Sub-divisional towns and a radius of 8 Kms. therefrom. In the case of the latter the rate will be Rs. 7.00 a month | As above. Only one of the two allowances specified in Co.3 shall be drawn at a time. |
| 18. | Overseers Grade III (Temporary) employed in irregular Public Works Department | Rs. 10.00 a month for the maintenance of a bicycle except in the case of officers whose jurisdiction is confined to urban areas i.e., District or Sub-Divisional towns and a radius of 8 Kms. therefrom. In the case of the latter the rate will be Rs. 7.00 a month | Will also draw D.A. at Rs. 2.00 in addition when on tour beyond the radius of 8 Kms. from head quarters. When employed in Hills Districts the D.A. will be raised to Rs.2.50. Subordinates who have to perform railway or steamer journeys within the respective jurisdiction may be allowed railway and steamer fare to which they are entitled under the rules in lieu of C.A. for those days. |

Note.A
certificate of
actual maintenance
of a suitable
conveyance duly
signed by
the Executive
Engineer should
be attached to
each bill in
which the C.A. is
drawn.

19.	Overseers (including temporary Overseers) in the Civil Works Estt.	(I) Rs. 10.00 a month for maintenance of bicycle	Will also draw D.A. at Rs. 2.50 when on tour beyond a radius of 8 Kms. from headquarters.
	(II) Rs. 21.00 a month for maintenance of pony	Only one of the two allowances specified in Col. 3 shall be drawn at a time.	

Note.A
certificate of
actual maintenance
of suitable
conveyance duly
signed by the
Public Works
Disbursers
should be
attached to each
bill in which
the C.A. is
drawn.

20.	Overseers Grade III (temporary in the Civil Works Estt.	Rs. 10.00 a month for maintenance of a bicycle.	Will also draw daily allowance at Rs. 2.50 when on tour beyond a radius of 8 Kms. from headquarters.
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Note.A
certificate of
actual maintenance
of a suitable
conveyance duly
signed by the

Public Works
Disbursers
should be
attached to each
bill in which
the C.A. is drawn.

21.	Divisional Mechanics	Rs. 7.00 a month.	Subject to the condition that a serviceable bicycle is maintained.
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Power
(Electricity,
Mines &
Minerals)

22.	Electric Testers	Rs. 7.00 a month.	If a serviceable bicycle is maintained.
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Taxation

23.	Inspector of Taxes	Rs. 30.00 a month.
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(ii) The rates of monthly conveyance allowance admissible to certain other categories of Government servants whose nature of duties requires to undertake frequent journeys within 8 Kms. from their Headquarters for which no other T.A. is admissible and who are allotted Government vehicles for such journeys with the obligation to bear the propulsion charges will be as follows :

Sl. No.	Designation of Officers	Rates of Conveyance Allowance
1.	D.C./S.P. of all other districts except Kamrup	Rs. 75.00
2.	D.C./S.P. Kamrup	Rs. 100.00
3.	S.D.O./S.P.O./Addl. S.P., Civil Surgeon/Executive Engineer/S.D.O., P.W.D. in charge of Government building in District Headquarters	Rs. 50.00
4.	Estate Officer, P.W.D.	Rs. 150.00

Division VI Mileage Allowance (i) General S.R. 166. A mileage allowance is an allowance calculated on the distance travelled which is given to meet the cost of a particular journey. S.R. 167. (a) For the purpose of calculating mileage allowance, a journey between two places is held to have been performed by the shortest of two or more practicable routes, or by the cheapest of such routes as may be equally short, provided that there are alternatively railway routes and difference between them in point of time and cost is not great. Mileage allowance should be calculated on the route actually used. (b) The shortest route is that by which traveller can most speedily reach his destination by the ordinary modes of travelling. In case of doubt a competent authority may decide which shall be regarded as the shortest of two or more routes. Note 1. [Deleted]. Note 2. [Deleted]. Note 3. Tura-Man Kachar-Kaunia route is the most practicable and shortest route for journey between Tura and Golakganj during rainy season. Note 4. The route between Goalpara and Lakhimpur via Agia is the proper route for the purpose of travelling allowance. Note 5. Tura-Mankachar Rowmari route is the most practicable and the shortest route for journeys between Tura and Dhubri and vice versa, but due to the irregularities of steamer service in the dry season officers are allowed to perform

journeys between Mankachar and Dhubri and vice versa, either by taking the steamer at Rowmari for Dhubri or by travelling by road to Fakirganj and then by ferry to Dhubri and vice versa. Note 6. An all India route (i.e., route which passes exclusively through the territories of the Indian Union) is the shortest route for journeys between Assam and the rest of India and within Assam; provided (i) the journey is actually performed by that route, and (ii) the route adopted is the shortest of the available all India routes. (c) If a Government servant travels by a route which is the shortest but is cheaper than the shortest, his mileage allowance should be calculated on the route actually used. S.R. 168. (a) A competent authority may permit mileage allowance to be calculated on a route other than the shortest and the cheapest, when he is satisfied that the journey is performed by such route in the interest of public service. (b) Controlling officers may allow journeys from Gauhati to Pandu and vice versa to be performed either by road or rail and from Goalpara to Gauhati and vice versa to be performed either by road or steamer/according to the convenience of officers. (c) The absence in a train of class of accommodation to which a Government servant is entitled under S.R. 171, may be taken as a special reason for allowing mileage allowance by road, and consequently the competent authority may on such occasions grant, to an officer travelling by road, road mileage limited to the amount which would have been admissible had the journey been performed by train by the class of accommodation to which he is ordinarily entitled. When the fare of the requisite class for the journey in question is not specifically published, it should be calculated according to the appropriate data in the Railway Time and Fare Tables. Note 1. The Political Officer and the Assistant Political Officer, Balipara Frontier Tract, are permitted to perform journeys between Charduar and Tezpur by road direct instead of by road and rail whenever it is found expedient. Note 2. The Civil Surgeon, Darrang and Balipara Frontier Tract, is permitted to perform journeys between Lokra-Charduar and Tezpur by road direct instead of by road and rail, whenever it is found expedient. Note 3. The Civil Surgeon of Cachar is permitted to travel from Silchar to Hailakandi and back by road instead of by rail on the occasion of his visits of inspection. S.R. 169. The point in any station at which a journey is held to commence or end is Chief Public Office, or such other point as may be fixed for the purpose by a competent authority. S.R. 170. Mileage allowance is differently calculated as shown in the following rules, according as the journey is, or could be made by railway, by sea or river steamer, or by road. (ii) Mileage Allowances for journeys by Railways S.R. 171. For the purposes of calculating mileage allowance, Government servants when travelling by railways are considered to be entitled to class of accommodation according to the following scale : (a) A Government servant of the Senior, and 1st Grade- Accommodation of the highest class, by whatever name it may be called provided on, the railway by which he travels. (b) A Government servant of the 2nd Grade- Accommodation of the 1st class. (c) A Government servant of the 3rd Grade- Accommodation of the 2nd class. (d) A Government servant of the 4th Grade- The lowest class whether it be called lower, third or fourth. Note. All officers who were entitled to travel by 1st class in Railways prior to 2nd July, 1964, will continue to enjoy the privilege. S.R. 172. (a) A competent authority may, for special reason which should be recorded, declare any particular Government servant or class of Government servants to be entitled to accommodation of higher class than that prescribed for his grade in Clause (b), (c) or (d) of S.R. 171. (b) All female officers of the 3rd grade in receipt of pay of Rs. 50.00 and upward may travel in 2nd class by rail (or 1st class of the N.F. Railway) and when they do so may draw a single Railway fair of that class pins an allowance for incidental expenses at the rate prescribed under S.R. 173 for their grade. This concession does not apply to journeys by motor service. S.R. 173. Except in the case of journey on transfer, the mileage

allowance admissible to a Government servant of the Senior, 1st, 2nd, 3rd and 4th Grades is a single fare of the class in which, he is entitled to accommodation, plus an allowance for incidental expenses calculated as follows :

Grade of Government servants	Rate of allowance of incidental expenses
(1)	(2)
Senior Grade	0.04 p. per k.m.
1st Grade	0.03 p. per k.m.
2nd Grade	0.025 p. per k.m.
3rd Grade	0.0125 p. per k.m.
4th Grade	0.006 p. per k.m.

Note 1. Mileage allowance for journey on the Gauhati-Shillong Road performed by service car shall be calculated according to the following rates :For journeys from Gauhati to Shillong or vice versa-

Government servants of senior Grade	1 1/2 fares of the 1st class.
Government servants 1st senior Grade	-Do-
Government servants 2nd senior Grade	1 1/2 fares of the 2nd class.
Government servants 3rd senior Grade	1 1/2 fares of the Upper class.
Government servants 4th senior Grade	1 1/2 fares of the Lower class.

State Government's decision. - (1) In view of the revised classification of passenger traffic on Railways it is decided that, with effect from 1st April, 1955, Government servants, when travelling by rail, will be entitled to accommodation and travelling allowance as follows :

1. (a) Government servants of the 1st and 2nd Grade..... New 1st Class

(b)Government servants of the 3rd Grade..... New 2nd Class(c)Government servants of the 4th Grade..... Third Class.

2. The rate of mileage allowance on tour-

(a)a single fare of the class in which a Government servant is entitled to accommodation, plus,(b)an allowance for incidental expenses calculated as follows at the existing rate.The existing rate-(i)For a Government servant of the 1st Grade..... Half of old 1st class fare.(ii)For a Government servant of the 2nd Grade..... Half of old 2nd class fare.(iii)For a Government servant of the 3rd Grade....³/₄ of old Inter class fare.(iv)For a Government servant of the 4th Grade....One daily allowance.

3. The rate of mileage allowance on transfer-a single fare of the class to which a Government servant is now entitled plus 2 fares of old classification including the allowances as prescribed under S.R. 243-1 of Fundamental Rules and Assam Subsidiary Rules.

(2) It has been decided that the Secretaries to the Government and other officers of the 1st Grade who are in receipt of a pay of 1,000 and above may travel by air conditioned accommodation, a recovery of 1 paisa per K.M. will be made from them for such journeys. (3) A question has arisen regarding the eligibility of Government servants to travel at the public expense in Deluxe trains in which only two classes of accommodation namely, air-conditioned class and air-conditioned third class are provided. It has been decided that in so far as travel in air-conditioned class of accommodation of the Deluxe trains is concerned, the orders contained in Government's decision (2) above will apply. Government servants who are otherwise entitled to travel in first or second class in other trains may travel at the public expense in air-conditioned third class accommodation only. The entitlement of travel in air-conditioned third class accommodation in the case of the latter category of officers will extend to journeys on transfer also. Government servants are entitled to travel in third class in other trains will not be eligible to travel in the third class air-conditioned accommodation of the Deluxe train at the public expense. For each journey, they will be eligible to claim only ordinary third class fare. (4) The facility of travel by air-conditioned accommodation on recovery of 1 paisa, per Km. allowed to certain officers vide Government decision (2) above will be restricted to journeys for which travelling allowance is admissible as for journey on tour. For journeys on transfer, the entitlement of all officers regarding class of travel in cases where travelling allowance is granted is to be determined according to the provision in paragraph 1 of the Government's decision (1) above. (5) Consequent upon the decision of the Government of India to abolish gradually second class accommodation from the Railways so as to provide eventually only two classes of rail accommodation, the 1st class and the 3rd class, the Governor of Assam is pleased to decide in modification of paragraph 1 (b) of item (1) of the Government's decision (1) that Government servants of the 3rd grade, on railway lines on which 2nd class has been abolished be entitled to travel on tour or transfer by the 3rd class. It has further been decided that the following additional concessions shall be admissible to such Government servants : (i) charges for reservation of seats and for reservation of sleeping berths in the 3rd class, where such facilities are available shall be borne by the Government; (ii) the Government servants concerned shall be entitled to travel by 3rd class in Deluxe air-conditioned trains, wherever such trains run. The surcharge levied for travel by that class in such trains shall be met by the Government. The decision mentioned above does not affect the incidental allowance admissible at present to Government servants of the 3rd grade nor does it affect the entitlement of a 3rd grade Government servant to travel by the 2nd class for so long as that class continues to exist on certain lines. The entitlement of a 3rd grade Government servant to travel by the air-conditioned 3rd class in Deluxe trains on such lines will continue to be granted according to the sub-paragraph of the Government's decision (3) above. (6) It is decided that when a Government servant who is entitled to travel in a higher class by rail travels in 3rd class and pays the extra charges for sleeping accommodation provided by the Railways for 3rd class passengers during night journeys, the controlling officer may in such cases allow the fare of the accommodation actually used inclusive of the charges for the sleeping accommodation ; provided it does not exceed the fare of the class in which the Government servant is entitled to travel. The concession will apply to journey on tour as well as transfer. (7) Since the railway authorities entertain claims for refund of cancellation charges on unused railway tickets (including A.C.C. tickets) only from the passengers concerned, the Governor of Assam has been pleased to decide that where the rail journey is cancelled solely due to official reasons, the Government servant should prefer to the appropriate railway authority, his claim for refund of cancellation charges (excluding reservation

charges) on unused tickets) including A.C.C. tickets), duly supported by a certificate from his controlling officer that the journey had to be cancelled for official reasons. The Government servant who is his own controlling officer for travelling allowance purposes may furnish such a certificate in his official capacity. The claim for the refund preferred on the railway should, however, be restricted to what it would be, had the officer booked and cancelled the journey by the shortest route, save in exceptional cases where the route actually by the Government servant is certified by the controlling officer or by the Government servant himself, if he is his own controlling officer for travelling allowance purposes to be in the interest of public service. The Governor of Assam is also pleased to decide that the ordinary reservation fee in such cases may be reimbursed to the Government servant without waiting for the acceptance of his claim for refund or cancellation charges by the railway authorities. The amount of reservation fee reimbursed to a Government servant is debitable to the same head to which his F.A. is charged. No refund of "Agency Charges" is, however, admissible as Government servant who books his journey through a "Travel Agent" does so for his own convenience. S.R.174. If a Government servant of 2nd or 3rd grade actually travels by a train which does not provide the class of accommodation to which he is entitled under these rules, he may be allowed to draw the mileage allowance of the next higher class ; provided that the controlling officer attaches to his travelling allowance bill, a certificate that it was necessary in the public interest that he should travel by that train. This concession does not apply to Government servant of the 3rd grade whose pay is less than Rs. 50 and who travels on a line which provides intermediate class accommodation on one or more of its trains but not on the particular train on which he travels, if there be 3rd class accommodation on the train, such a Government servant is restricted to mileage allowance calculated for intermediate class accommodation. S.R.175. When through booking involves the payment for a part of journey of rates for accommodation of a class higher than that to which Government servant concerned is entitled, the Government servant may draw mileage allowance based on the higher rates for that part of the journey. (iii) Mileage allowance for journeys by sea or by river steamer S.R.176. For the purpose of calculating mileage allowance, Government servants are considered to be entitled to class of accommodation according to the following scale :

- (a) A Government servant of the Senior Grade Higher class
- (b) A Government servant of the 1st Grade Do
- (c) A Government servant of the 2nd Grade 2nd or, if there be no 2nd class accommodation on any steamer by which he travels, highest class.
- (d) A Government servant of the 3rd Grade If there be two classes only on the steamer, the lower class ; if there be three classes, middle or 2nd class, if there be four classes, third :
Provided that a competent authority may direct that any Government servant whose pay not exceed Rs. 30 is entitled, for journeys generally or for particular journeys to accommodation in the lowest class only.
- (e) A Government servant of the 4th Grade Lower class

S.R.177. Except in the case of journeys on transfer the mileage allowance admissible to a Government servant of Senior, 1st and 2nd grade is one and a half time of fare of the class in which he is entitled to accommodation. The mileage allowance admissible to a 3rd grade Government

servant is one and three quarters of the fare of the class in which he is entitled to accommodation. The mileage allowance admissible to a 4th grade Government servant is the fare of the lowest class, and in addition the allowance admissible under S.R. 196. Note. [Deleted]. S.R. 178. In cases of doubt or in which owing to the arrangement of class on a steamer, the provisions of S.R. 176, if strictly construed, involve hardship, a competent authority may decide, for journey generally or for particular journeys, to what class of accommodation a Government servant is entitled, and whether, if a concession is sanctioned, he would be granted the full allowance admissible for the higher class in which he is permitted to travel. Note. The Assistant Inspectors of Schools may travel as a 1st grade Government servant by steamer. S.R. 179. If suitable accommodation on a Government vessel is offered to a Government servant, he is entitled to T.A. under S.R. 302 and not to mileage allowance. It is not open to him to refuse to accept such accommodation and to draw mileage allowance. S.R. 180. The rules in this sub-division apply to Government servants who cross a river by a steamer in the course of journey, unless such crossing occurs during a railway journey and the fare for it is included in the railway fare. In the latter case, the crossing is treated as part of the railway journey. (iv) Mileage allowance for journeys by road S.R. 181. For the purpose of these rules, travelling by road includes travelling by sea or river in a steam launch, or in any vessel other than a steamer, and travelling by canal. S.R. 182. For journeys by road within the State, mileage allowance for different kinds of journeys is calculated at the following rates of each k.m. travelled in respect of journeys other than State Transport. (v) Mileage allowance admissible to Government servants for journeys by own car and scooter/motor cycle, private transport, public vehicles and State Transport

Grades of Government servants	Journey by own car (petrol driven)	Journey by scooter/motor cycle (petrol driven)	Mileage for				
			Mileage for journey by private transport	Mileage for journey by public transport including State Transport			
Maruti Cars	Maruti Van	Fiat, Standard and Maruti Gipsy	Other vehicles				
1	2	3	4	5	6	7	8
Senior Grade	0.90	1.10	1.42	1.64	48 Paise	Same rates as prescribed in the case of allotted Govt, vehicle of the corresponding categories	Actual rate
1st Grade	do	do	do	do	do	do	do
2nd Grade	do	do	do	do	do	do	do
3rd Grade	do	do	do	do	do	do	do
4th Grade	do	do	do	do	do	do	do

2. Petrol driven/Allotted vehicle.

		In Plains District	In Hills District								
Maruti car	Maruti van	Fiat and Standard cars including wagon built on Fiat chassis and Maruti Gipsy	Ambassador cars including wagon built on Ambassador chassis	All other vehicles viz. Jeep, station wagons and other big vehicles like Plymouth and Desota, etc.	Maruti car	Maruti van	Fiat and Standard cars including wagons built on Fiat Chassis and Maruti Gipsy	Ambassador car including wagon built on Ambassador chassis	All other vehicles viz. Jeep, Station Wagons, and other big vehicles like Plymouth and Desota, etc.		
1	2	3	4	5	6	7	8	9	10	11	
1. For the first two years after purchase of the vehicles (new)	0.60 per km.	0.73 per km.	0.94 per km.	1.20 per km.	1.55 per km.	0.65 per km.	0.79 per km.	1.02 per km.	1.33 per km.	1.80 per km.	
2. For the next two years	0.65 per km.	0.79 per km.	1.02 per km.	1.26 per km.	1.64 per km.	0.67 per km.	0.82 per km.	1.06 per km.	1.38 per km.	1.90 per km.	
3. After four years	0.66 per km.	0.80 per km.	1.03 per km.	1.30 per km.	1.69 per km.	0.71 per km.	0.86 per km.	1.11 per km.	1.42 per km.	2.00 per km.	

The Officers concerned shall be responsible for bearing the cost of petrol only. The cost of oil and lubricants will, as usual, be borne by Government.

3. Diesel driven allotted vehicles	Standard 20, van, Jeep including van, etc.	Jeep including van, etc.	Standard 20, van, Mini Bus, Matador, etc
In Plains District	In Hills District		
0.38 per km.	0.39 per km.	0.48 per km.	0.51 per km.

The Officers concerned shall be responsible for the cost of diesel only. The cost of oil and lubricants, will, as usual, be borne by Government.

4. The Government servants who are entitled to travel by allotted vehicle will be eligible to the drawal of empty haulage charges at the same rates of mileage prescribed for allotted vehicles for the returns journey from Airport or outward journey to the Airport, when the vehicles have to propelled to drop or to receive the Government servant concerned.

5. Mileage allowance will be allowed to the officers residing in Guwahati for coming to attend official duties at Dispur with a call from their respective Ministers or other Ministers or a Superior Officer on Sunday/holidays and also at off-office hours. The rate of mileage for this purpose will be at the same rates as admissible for travels between Guwahati and Dispur as embodied in O.M. No. FM 46/74/56, dated 22-3-1980. No mileage allowance, however, will be admissible for attending office in the normal course.

6. The above revised rates of mileage allowance will come into force from 9-1-1988. [FM 9/88/4, dated 23-2-1988]. The cases already settled prior to issue of this O.M. will not be opened.

State Government's decision. - The road mileage will be admissible on normal road journeys whether on foot or by any other kind of transport, subject to Note 1 under S.R. 182, as below :

Senior Grade Government servants

First Grade Government servants } 48 (forty-eight) paise per K.m.

Second Grade Government servants

Third Grade Government servants } 35 (thirty five) paise per K.m.

Fourth Grade Government servants

Note 1. For allotted vehicles the officers concerned shall be responsible for bearing the cost of petrol only with effect for 1st December, 1973. The cost of oil and lubricants will be borne by Government. Note 2. In the case of road journeys without involving night halt away from headquarters, one daily allowance will be admissible where the total journey performed by road is not less than 80 Km. and half daily allowance will be admissible where the total journey performed by road is not less than 40 Km. and the absence from headquarters is not less than six hours. Note 3. In case of road journeys performed by public transport including State Transport involving night halt away from headquarters, the Government servant will be entitled to incidentals at half the daily allowance where the distance travelled is not less than 40 Km. and one daily allowance where the distance travelled is not less than 80 Km. and shall in addition be entitled to half the daily allowance for night halt away from headquarters at the end of the journey. In the case of road journeys by own car, allotted vehicles, private transport and scooter/motor cycle only one daily allowance will be admissible for the night halt away from headquarters at the end of the journey and there will be no incidental. For journey on transfer by roads. - For journey on transfer by road except between

Gauhati and Shillong a Government servant shall be entitled to 4 times fare of the class of accommodation to which he is entitled and one single fare for each adult member and half single fare for each minor member of his family of the same class of accommodation by public transport including State Transport. For journey on transfer by road between Gauhati and Shillong 3 times fare of the class of accommodation to which he is entitled and one single fare for each adult member and half the single fare for each minor member of his family of the same class of accommodation will be allowed. As regards transportation of the private motor car and motor cycle by road and also travel by such transport on transfer the existing provisions laid down under Notes 5 and 6 below S.R. 243 (i) (iv) may continue. The limits for transportation of personal effect on transfer as laid down under S.R. 243 for different grades of Government servants and the existing provisions for transportation will continue. S.R. 183. When a Government servant travels within the territories administered by another Government which has fixed special rates for Government servants under its administrative control, he must draw the mileage allowance at the rates so fixed for his grade. Note. When travelling in Delhi a Government servant may draw mileage allowance in accordance with the Government of India Supplementary Rules. S.R. 184. (a) A competent authority may, for special reasons to be recorded, allow to a particular Government servant or class of Government servants mileage allowance at a higher rate than is prescribed in R. 182 or 183. (b) [Deleted], S.R. 185. In calculating mileage allowance for journeys by road, fraction of a Kilometer should be omitted from the total of a bill for any one journey but not from the various items which make up the bills. Mileage Allowance for Travel by Air S.R. 185A. Travel by air is permissible on tour—(i) in the case of the Parliamentary Secretaries to Minister's Secretaries to Government, all A.I.S. Officers in the senior scale, and officers in receipt of the basic pay of Rs. 1,000 or above per mensem, and (ii) in the case of an officer to whom sub- Clause (i) does not apply, whenever Secretaries to Government, with the approval of the Hon'ble Ministers under whom they are working, certify that air travel is urgent and necessary in the public interest: Provided that the State Government may grant general permission to any Government servant or class of Government servants to travel by air as a matter of routine in connection with a special journey or journeys. S.R. 185B. A Government servant of the senior grade authorised to travel by air on tour is entitled to mileage allowance equal to one-standard air fare for the journey plus an allowance for incidental expenses at one-fifth of the standard air fare limited to a maximum of Rs. 20 for each journey. A Government servant of grade lower than the senior authorised to travel by air on tour is entitled to one standard air fare for the journey, plus the allowance for incidental expenses in respect of a journey by rail, or by sea, as the case may be, and half the mileage by road in the case of a journey between stations concerned by road, to which he would have been entitled had he travelled by the surface route or one-fifth of the standard air fare limited a maximum of Rs. 20 for each journey, whichever is less. S.R. 185C. A Government servant who is not authorised to travel by air but who performs a journey by air on tour can draw only the travelling allowance to which he would have been entitled if he had travelled by rail, road or steamer. S.R. 185D. If available, return tickets at reduced rates should always be purchased when an officer expects to perform the journey by air within the period during which a return ticket is available. The mileage allowance for the forward and return journey when such return tickets are available, will, however, be the actual cost of the return ticket plus an allowance for incidental expenses calculated under S.R. 185-B as for a single journey each way. State Government's decision. - (1) The Governor of Assam has been pleased to decide that the refund of cancellation charges on unused air tickets may be allowed, if the

cancellation of such air tickets purchased by Government servants for journeys by air on tour is due to circumstances which are unavoidable and beyond the control of Government servants. This re-imbursement may, however, be limited to such officers as are eligible for journeys by air and as have been authorised by competent authority to travel by air, but the amount may be limited to the net deduction made by the air transport company concerned. No refund of the "Agency Service" should be made as a Government servant who books his journey through a "Travel Agent" does so for his own convenience. The Governor of Assam has been further pleased to decide that the Secretary or an officer not below the rank of Deputy Secretary of the Department concerned may exercise the power of sanction of such claims after due scrutiny. In respect of any claim made by Secretary/Additional Secretary, he will record a certificate to the effect that the cancellation of the official journey was due to unavoidable circumstances. The claim of a Deputy Secretary himself may be scrutinised by a joint Secretary in the Department. Heads of Departments may exercise a similar power in respect of officers and staff under their administrative control ; provided that the amount of cancellation charges does not exceed Rs. 10. In respect of their own claim, not exceeding Rs. 10, Heads of Departments will record a certificate to the effect that the cancellation of the official journey was due to unavoidable circumstances. Administrative Department may obtain from "Heads of Departments" under them quarterly statements of re-imbursement allowed by them. These returns may be substituted to the Secretary of the Department for his review.(2)The Governor of Assam is pleased to decide that for the purpose of air travel ex-India State Governments servants drawing a basic pay of Rs. 1,800 p.m. and above, may be allowed to travel by the standard (first) class and others by Tourist class. For the purpose of travelling allowance for such journey on tour, only actual fare of the class to which the officer is entitled to travel may be allowed. No incidentals will, however, be admissible.(3)A question has been raised that, in journeys by 1st grade officers of the State between Gauhati and Calcutta, travel by air is cheaper in both money and time. Government after due consideration have therefore decided that as travelling allowance by air less than rail 1st grade officers may be allowed to perform the journeys between Gauhati and Calcutta by air pending revising of the rates of incidentals for train journeys. This applies to journeys on tour only.(4)It has been clarified following the Government of India, that the ceiling of Rs. 20 prescribed in S.R. 185-B shall be admissible to the total air journey between the starting station and the destination required to be, even if the journey by air between these stations is performed by more than one service. However, if any official duty is performed by the touring officer at the place of termination of the one service before he avails himself of another service, each of the journeys from the starting station to the intermediate station and from the latter to the destination station should be treated as a separate journey for the purpose of the aforesaid limit of Rs. 20, provided such official duty at the intermediate station involves night and that both services are not on the same day.(5)The Indian Air Lines Corporation have introduced a new air service by Boeing between Bombay and Delhi with effect from 1st October, 1962 which provides two classes of travel viz, 1st class and tourist (economy) class. A question has been raised as to which grade of officers will be eligible to travel by 1st class by this service. The Governor of Assam is pleased to decide that Ministers, Ministers of State, Deputy Ministers and Officers drawing a pay of Rs. 2, 250 p.m. and above will be entitled to travel by 1st class between Delhi and Bombay by the above service when travelling on tour.S.R.185E. A Government servant is entitled to the daily allowance ordinarily admissible under S.R. 188. Where, however, on the same day the air journey is preceded or followed by-(1) a journey by rail on public steamer, or (2) a journey by road, the amount admissible will be as

follows :In the case of (1) the daily allowance under S.R. 188 plus the Railway or steamer fare admissible under S.Rr. 171-179.In the case of (2) the daily allowance admissible under S.R. 188, unless the journey by road exceeds 32 Kms., if the journey by road exceeds 32 Kms. mileage allowance under S.R. 182 in addition to daily allowance.In neither of the cases under (1) and (2) above will, any extra daily allowance, be admissible for the journey by air.S.R.185F. A Government servant, when making a journey by air in a Government machine or in a machine chartered by Government for the purpose, shall pay a first class full or half Railway fare, as the case may be, to Government on behalf of each person not entitled to travel in that machine who may accompany him.Note. If a Government servant wishes to take with him any "non-entitled person" in a Government machine or in a machine chartered by Government, he should obtain the sanction of the Head of the Department or if he himself is the Head of the Department, of the Government administratively concerned ; provided first class full fare for each of such person is paid to Government. The sanctioning authority in giving such sanction should satisfy itself that no extra expenditure is used to Government thereby.Note. (1) Government servants other than those serving under the Government of Assam shall have to pay the actual fare prescribed by the Transport Department in consultation with Finance Department if and when they travel in Government machine or in a machine chartered by the Government.Note. (2) The above rules will govern the grant of travelling allowance to Parliamentary Secretaries to Hon'ble Ministers except that the rates of daily allowance will be as admissible to Hon'ble Ministers.Division VII

Daily AllowanceS.R.186. A daily allowance is a uniform allowance for each day of absence from headquarters, which is intended to cover the ordinary daily charges incurred by a Government servant in consequence of such absence.S.R.187. Unless in any case it be otherwise expressly provided in these rules, a daily allowance may be drawn while on tour by every' Government servant whose duties require that the should travel, and may not be drawn except while on tour :Provided that a Government servant, who while on tour, inside or outside the State of Assam, is allowed free board and lodging at the expense of the Central Government or a State Government or an autonomous industrial or commercial undertaking or corporation, or a statutory body or a local authority, in which Government funds have been invested or in which Government have any other interest, may draw only one-fourth of the daily allowance admissible to him at the station concerned ; if either board or lodging is allowed free to such a Government servant he may draw daily allowance at one-half of the admissible rate.This includes also cases of deputation abroad where a Government servant is provided with free board and/or lodging.Note. Government servant who stays during tours in Circuit House/Inspection Bungalows/Rest Houses, etc., without having to pay any charges for accommodation may also draw daily allowance at one-half of the approximate rate. Where, however, a Government servant is required to pay any charges on account of his stay at such places, even though it may not cover the entire cost of facilities, provided no reduction in his daily allowance may be made.State Government's decision. - The Governor of Assam is pleased to decide that in cases of forced halts occurring enroute on tour journeys necessitated by breakdown of communication due to blockade of roads on account of flood, rains, heavy snow fall, land slide, etc., or delayed sailings of ships the Administrative Departments of Government may, in respect of Government servants under them, treat the period such halts as on duty. They may grant to Government servant concerned daily allowance at three-fourth of rate applicable to him at the station in which the forced halt takes place, for the period of forced halt after excluding the first day of such halt for which no daily allowance should be allowed.S.R.188. (a) Daily allowance for journey in Assam are drawn by

Government servants of all grades at the rates specified for the service or the officer in the Schedule under S.R.153.(b)The rate of daily allowance for all grades of Government servants for halts at places outside the State will be double over the rates admissible to them for halts within the State.Note. This will not be admissible for halts in Manipur and Tripura.(c)[Deleted].State Government's decision. - Under the Note below S.R.188 of Fundamental Rules and Subsidiary Rules as inserted by C.S. No. 460, daily allowance at double the rate is not admissible to officers for halts in Manipur and Tripura, although these places are outside Assam.As Naga Hills Tuensang Area is not geographically outside Assam, it has since been decided that daily allowance at double the rate should not also be allowed to officers for halts in that area while on tour, etc.S.R.189. The State Government may, for reasons which would be recorded and on such conditions as it may think fit to impose, sanction for any Government servant or class of Government servants a daily allowance higher or lower than that prescribed in Rule 188.Note. For special rule of daily allowance admissible in certain localities see Appendix 22.Division VIIIActual expensesS.R.190. Unless in any case it be otherwise expressly provided in these rules, no Government servant is entitled to be provided with means of conveyance by or at the expenses of Government, or to draw as travelling allowance the actual cost of or part of actual cost of travelling.State Government's decision. - (1) It has been decided, with the concurrence of Finance Department, that the State Government officers touring in the districts of Mizo Hills and Naga Hills will henceforth draw travelling allowances admissible to them and use Government porters free of charge as below ; but should a long tour necessitate employment of porters exceeding the scale sanctioned herein, Deputy Commissioner may authorise the engagement of minimum extra number of Government porters free of charge after recording the reasons in writing :

1st Grade Officers 6 (six) porters.

2nd Grade Officers 3 (three) porters.

3rd Grade Officers 2 (two) porters.

Government also further observe in this connection that the Inspection/Dak Bungalows situated in the interior should gradually be furnished and equipped better so that officers need not carry a lot of stuff with them unless when they are camping in tents or temporary bashas.(2)It has been decided with the concurrence of Finance Department, that with immediate effect the State Government officers touring in the Districts of Mizo Hills, United Khasi and Jaintia Hills, Garo Hills and United Mikir and North Cachar Hills who do not have the facility of using Government porters in accordance with the scales sanctioned for officers touring in Mizo Hills vide Government decision (i) above, but are required to use carriers in the course of their tours in these districts, shall draw extra travelling allowance, in addition to usual daily allowance, up to the extent of actual expenses incurred for hiring porters, but subject to the maximum of Rs. 9 in the case of 1st Grade Government servants; Rs. 4.50 in the case of the 2nd Grade Government servants; and Rs. 3.20 in the case of 3rd Grade Government servants, per diem.S.R.191.(a) [Deleted].(b)[Deleted].Division IXTravelling allowance admissible for different classes of journeysS.R.192. A Government servant appointed as Director or Member of the Board of Management or in any similar capacity in any Corporation or statutory Body shall draw Travelling Allowance as well as sitting fees or other remuneration of a like nature from such Corporation or Statutory Body at such rates as may be applicable to the other Directors or Members of that Board ; provided that where there are no non-official Directors or Members, the Government servant shall draw only Travelling Allowance at the rate applicable to him while on tour.S.R.193. Unless in any case it be otherwise expressly

provided in these rules a Government servant making a journey for any purpose is not entitled to recover from Government the cost of transporting his family or his personal luggage, conveyances, camp equipage or equipment.S.R.194. The State Government may, by general or special order, direct that the ordinary rates of daily allowance or mileage allowance or both shall be increased, either in definite ratio or in any other suitable manner, for any or all Government servants travelling in any specified locality in which travelling is unusually expensive. A list of special rates of travelling allowance sanctioned for special localities is given in Appendix 23.S.R.195. When a Government servant of a grade lower than the 1st grade is required by the order of the superior authority to travel by special means of conveyance, the cost of which exceeds the amount of the daily allowance or mileage allowance admissible to him under the ordinary rules he may draw the actual cost of travelling in lieu of such daily or mileage allowance. The bill for the actual cost must be supported by a certificate signed by the superior authority and countersigned by the controlling officer, that the use of special means of conveyance was desirable in the public interest and specifying the circumstances which rendered it desirable.Note. (i) The term "special means of conveyance" does not include boats (except between the stations of Silchar and Changsil and between Silchar and Sairang) or bullock carts which are ordinary means of conveyance but it includes accelerated carts where there is an accelerated service.(ii)The term "actual cost of travelling" includes the cost of moving baggage which an officer cannot take with him when travelling by a pony and for which he is compelled to hire a coolie.(iii)Boat shall be regarded as a special means of conveyance in the case of all subordinate officers of the Forest Department, and in the case of all third and fourth grade officers serving in Sadiya Frontier Tract.S.R.196. A Government servant of the 4th grade, when travelling by rail, may draw mileage allowance under S.R. 173 and when travelling by sea or river steamer addition to mileage allowance, daily allowance at double the rate ordinarily admissible to him ; provided that whatever be the nature of other journey which may be combined with the steamer journeys, no further allowance may be drawn for any day for which his double allowance is drawn.Division XJourney on tour(i)General rulesS.R.197. The State Government may define the limits of the sphere of duty of any Government servant.(1)The jurisdiction of Deputy Rangers and Forester not in charge of Rangers and Forest guards is the Range to which they are attached.(2)The ordinary jurisdiction of a Circle Inspector of Police (except Reserve or Court Inspector) is the Circle in which he is employed. The jurisdiction of Reserve and Court Inspectors and Court Sub-Inspectors, Court Assistant Sub-Inspectors and Constables is their headquarters station. The jurisdiction of Reserve Head Constables and Constables and also of Inspectors, Sub-Inspectors and Havildars of the Armed Branch is their headquarters station. The jurisdiction of Sub-Inspectors, Assistant Sub-Inspectors, Head Constables and the Constables of the Unarmed Branch is the Police Station to which they are attached. The jurisdiction of the Sub-Inspectors, Assistant Sub-Inspectors and Constables and of the Circle Inspector's headquarters staff is their headquarters Police Station. The jurisdiction of the Sub-Inspectors, Head Constable and Constables of Town Police is the municipal limit of the town to which they are posted.(3)The sphere of duty of all records during re-settlement operations is the circle in which they work and then travelling allowance will be governed by S.R. 202.(4)The sphere of duty of all personnel of the Government Railway Police is the whole of Government Railway Police District.S.R.198. A Government servant is on tour when absent on duty from his headquarters either within or with proper sanction, beyond his sphere of duty.Note 1. Government servants attending meeting of the Court of Executive Council of the Gauhati University and those, who, though not members of the Board of Agriculture, attend the meetings at

Pusa as visitors, are on duty and will draw travelling allowance accordingly. Note 2. The Principal of a Government College or a professor authorised by him in that behalf who attends the annual convocation of the Gauhati University in order to identify the graduates from his college is on duty and will draw travelling allowance accordingly. Note 3. Civil Surgeons appointed to conduct the examination held by the Assam Medical Examination Board are on duty and will draw travelling allowance accordingly. Note 4. Officers of the Assam Educational Service appointed as outside Examiner in connection with examinations held by the Assam Medical Examination Board at Dibrugarh are on duty and will draw travelling allowance accordingly. Note 5. Educational Officers who are required to perform journeys on scouting work are on duty and will be allowed by competent authority to draw travelling allowance accordingly. S.R.199. In case of doubt a competent authority may decide whether a particular absence is absence on duty for the purpose of S.R. 198 subject to the following restrictions : (a) A Government servant summoned to answer a civil or criminal case in respect of his official act, should not without the orders of Government be treated as on duty under this rule unless Government have undertaken his defence at the public cost. (b) Government servants summoned for inspection before selection as candidates for a post may be treated as on duty and draw travelling allowance under the ordinary rules ; provided the Head of the Department certifies that the journey was in the interest of the public service. Expenses of private individuals are contingent charge, and can only be paid with the sanction of Government, which will be very sparingly granted. S.R.200. A competent authority may impose such restrictions as it may think fit upon the frequency and duration of journeys to be made on tour by any Government servant or class of Government servants. S.R.201. If a competent authority declares that the pay of a particular Government servant or class of Government servants has been so fixed as to compensate for the cost of all journeys other than journeys by rail or steamer, within the Government servant's sphere of duty, such a Government servant may draw no travelling allowance for such journeys though he may draw mileage allowance or, if he be in inferior service, travelling allowance under S.R. 218 for journeys by rail or steamer. When travelling on duty, with proper sanction, beyond his sphere of duty, he may draw travelling allowance calculated under the ordinary rules for the entire journey, including such part of it as is within his sphere of duty. Note 1. Ferry and other tolls may be recovered unless the Government servant is exempt from these. Note 2. In the case of police furnished under Ss. 13,14 and 15 of the Police Act 5 of 1861 , daily allowance up to 30 days will be allowed for halts performed during such duty both within and without their jurisdiction. S.R.202. The following is the list of officers not entitled to travelling allowance for journeys on tour :

1. Serial No.

2. Designation of Officers

3. Limitations and exceptions

Land Revenue

1.	Clerks to S.D. C's. in the Assam Valley Division	Entitled to travelling allowance when they travel on duty with the sanction of the D.C.
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2. Menials attached to survey parties in the field

When travelling on duty in connection with fieldwork, they may be provided with hired conveyance at the expense of Government when considered necessary by the Director of Surveys, and the expenditure met from contingency.

(a) For journeys in a boat, or by road, or partly by boat and partly by road, they are entitled to travelling allowance under the ordinary rules except for the road journey up to 16 Kms. from the starting point in a day. For halts made in the course of a journey by boat, they are entitled to halting allowance on production of a certificate from the controlling officer that the hire of the boat had to be paid for the period of halt. For journeys in a public conveyance, or for journeys performed partly in a public conveyance and partly by road or boat, they may draw mileage for the whole distance except for the road journey up to 16 Kms. from the starting point. In other words, they are entitled to travelling allowance under the ordinary rules from the starting point of the journey if it exceeds 16 Kms. but no travelling allowance if the journey is limited to 16 Kms. Whenever any journey is made in a public conveyance or for more than 16 Kms. in a day, travelling allowance can only be drawn on a certificate from the controlling officer that it was necessary to travel by such means of conveyance or at so paid a rate, as the case may be.

(b) [Deleted.]

(c) Supervisor Kanungos on the staff of the Colonisation Officer at Rarpeta, Nowgong and Mangaldai are allowed to draw travelling allowance under the ordinary rules.

(d) The temporary Supervisor Kanungos in the Balipara Frontier Tract is entitled to draw travelling allowance admissible to 3rd Grade Government Officers while visiting the three villages of Karibil, Dhansiri and Newly on duty.
4. Khanapuri Kanungos temporarily appointed for settlement duty

Entitled to no travelling allowance except actual railway fare of their class when travelling on duty by rail.
5. Recorders

(1) Entitled to travelling allowance at the rates admissible to their grades as per Schedule below S.R. 153 and single fare of the entitled class for their railway and steamer journeys on duty. The rates of halting allowances for a period of eight weeks in the year for recess at circle headquarters shall be 50 paise per Km. a day when there are no barracks and 25 paise per Km. a day when there are barracks. Halting allowance at the usual rate for the period of halt in excess of eight weeks for recess work at circle headquarters is admissible in individual cases where the halt or detention was in public interest and was necessitated by causes beyond the Recorder's control and is certified as such by the Sub-Deputy Collector, in-charge. Recorders living within 3 Kms. of recess headquarters are not entitled to halting allowance. The 3rd class rate of mileage and halting allowance (other than for recess) referred to above apply to journeys and halt outside the Recorder's lots.

(2) They may also draw actual expenses for conveyance of records to and from their lots.

(3) [Deleted].

(4) The Mandals in the Balipara Frontier Tract are entitled to draw travelling allowance admissible to 3rd Grade Government servants while visiting the three villages of Karibil, Dhansiri and Newly on duty.

Forest

6. Deputy Ranger not in-charge of Ranges, Foresters not in-charge of Ranges, and Forest guards within their sphere of duty

(a) All Deputy Rangers and Foresters whose duties necessitate the keeping of a horse or pony or the maintenance of other carriage may draw travelling allowance at the ordinary rate.

(b) All officers of the Forest Department whose pay does not exceed Rs. 100 a month may draw actual expenses for journeys by boat where this is the ordinary mode of travelling, irrespective of the fact that the journey does not exceed 8 Kms. from headquarters.

(c) For purpose of Travelling Allowance the sphere of duty of these officers in the Mizo District is

		<p>limited to a radius of 8 Kms. In the Khasi and Jaintia Hills the sphere of duty of Head Guard and Forest Guards is limited to a radius of 8 Kms.</p> <p>(d) In the Sadiya Forest Division the sphere of duty of the Forest Guards who are required to carry official dak and maintain serviceable bicycle is limited to a radius of 8 Kilometers for the purposes of travelling allowance.</p> <p>(e) Forest guards when travelling on duty by motor bus along routes of regular motor service on a journey traversed by exceeding 8 Kms. from the headquarters and entitled to draw actual motor fare subject to a maximum of 4 paise per Km.; provided the Divisional Forest Officer certifies that the journey by motor bus was actually performed.</p> <p>Note. The District Officer will declare what routes are traversed by regular motor services in his district. A list of such routes, corrected from time to time, should be supplied to each range office within his jurisdiction by the Divisional Forest Officer.</p> <p>For journeys by rail, boat, steamer or in urgent cases, by motor lorry they are allowed to draw actual fares.</p>
7.	Dak-runners in the Forest Department	
General Administration		
8.	Mahouts and grass-cutters attached to elephant establishments maintained by head of Departments and District Officers	<p>The mahouts and grass-cutters of the Conservator of Forests are allowed travelling allowance at the rate of 31 paise a day when touring on duty outside the limits of Kamrup Forest Division.</p>
Administration of Justice		
9.	Process-servers and Bailiffs of Civil, Criminal and Revenue Courts	<p>Process serving peons throughout the State are allowed to travel by motor bus along routes traversed by regular motor services when the journey is more than 8 Kms. from headquarters and the officers in charge of the Nazarat certify that the journey by motor bus was actually performed. The cost in each case will be limited to actual motor fare subject to a maximum of 4 paise</p>

per Km.

Note 1. The District Officer will declare what routes are traversed by regular motor services in his district. A list of such routes, corrected from time to time, should be kept by the officer ordering the issue of process.

Note 2. Fares for journeys made by process serving peons by rail and steamer will be paid from process-serving contingencies. These peons should not be directed to travel invariably by rail or steamer, but should do so only in cases where this will result again in time of emergency.

Police

10.	Police officers and men of all grades below the rank of Inspectors, with the undermentioned exception :	Entitled to have their necessary baggage including utensils, conveyed at Government expense when employed on escort duty and entitled to ordinary travelling allowance under the ordinary rule when travelling on escort or other duty outside jurisdiction in Hill Districts, entitled to conveyance of baggage on all journeys when certified to be necessary when no other travelling allowance is drawn.
(i)	Sub-Inspector (except River Police)-	Entitled to draw daily allowance at the ordinary rates for all journeys on duty of more than 24 Kms. from their headquarters; provided the place to which they travel is beyond the limits of the Police Station.
(ii)	Assistant Sub-Inspectors, Head Constables and Constables (except River Police) may draw actual expenses for journeys by boat where this is the ordinary mode of travelling	When travelling on duty by motor bus along routes traversed by regular motor services on a journey exceeding 8 kilometers from the headquarters entitled to draw actual motor fare subject to maximum of 4 paise per Km., provided the Superintendent of Police certifies that the journey by motor bus was actually performed.
(iii)	Constables of the River Police when deputed to travel on Inland passenger steamers are entitled to draw a daily allowance of 37 paise in addition to a free pass or the amount of the fare for every day on which they are absent from headquarters for more	

	than 8 hours	
(iv)	Officers and men below the rank of Inspector attached to the Criminal Investigation Department and FingerPrint Bureau.	
(v)	Police Officers and men below the ranks of Inspector	In the River Police a compensatory allowance is drawn in lieu of travelling allowance. Note. The District Officer will declare what routes are traversed by regular motor services in his district. A list of such routes, corrected from time to time, should be supplied to each Police Station within his jurisdiction by the Superintendent of Police.
(vi)	[Deleted]	
Public Works Department		
11.	Petty establishment expressly engaged for service in the field	The Government in case of doubt may decide whether any particular officer or class of officers comes within this term or not.
12.	Sub-overseers (at present members of the Lower Subordinate establishment)	May be granted conveyance allowance under S.R. 162 ; also mileage under the special orders of the Executive or Assistant Executive Engineer under whom they are employed.
13.	Field and Survey Establishment of special Land Acquisition Officers	Entitled to no travelling allowance (except for journeys by rail or steamer) within their spheres of duty.
14.	Surveyors	When travelling on duty in connection with field works, they may be provided with Government vehicles. In case no Government vehicle is available, they will be entitled to draw actual Bus fare subject to a maximum of 6 paise per Km. on a journey, exceeding 8 Kms. from the Headquarters, provided Zonal/Unit Officers certify that the journey by Motor Bus was actually performed. For halt at any place beyond their jurisdiction, they will be entitled to daily allowance at the rates admissible to their grades as per Schedule below S.R. 153.
15.	(a) Superior field Workers Malaria Organisation	
	(b) Field Workers, Malaria Organisation	

(c) Surveillance Workers,
(Employees of
Malaria Organisation)

S.R.203. The travelling allowance drawn by a Government servant on tour ordinarily takes the shape of either permanent travelling allowance or daily allowance, if either of these is admissible to him. Permanent travelling allowance and daily allowance may, however, in certain circumstances, be exchanged for mileage allowance or for the whole or part of the actual cost of travelling. In certain other circumstances actual cost may be drawn in addition to daily allowance, or for journeys for which no daily allowance is admissible.

S.R.204. (a) A competent authority may prescribe the scale of Government tents to be supplied to any Government servant or class of Government servants for office, or, if it thinks fit, for personal use. (b) When Such tents are used by a Government servant on tour for office purposes, they may be carried at Government expense. (c) When used partly for office and partly for private purposes the Government servant, must except as provided in S.R. 221, pay half the cost of carriage. When used wholly for private purposes, Government servant must, except as provided in S.R. 221, pay the entire cost of carriage.

Note. The traversers of the Assam Survey Department will pay one-fourth of the freight charges for carriage of tents used partly for keeping office papers and instruments and partly for sleeping in. (ii) Government servants in receipt of permanent travelling allowance

S.R.205. Permanent travelling allowance is intended to cover the cost of all journeys within the sphere of duty of the Government servant who draws it, and such Government servant may not draw any other travelling allowance in place of or in addition to permanent travelling allowance for such journeys : Provided that-(1) a Government servant of the 4th grade and any other class of Government servant to which a competent authority may extend this concession, may draw in addition to permanent travelling allowance, single fare for journey by rail; and (2) a competent authority may, by general or special order, permit a Government servant whose sphere of duty extend beyond the limits of a single district to draw, in addition to a permanent travelling allowance whenever his actual travelling expenses for a duly authorised journey by public conveyance exceed double the amount of his permanent travelling allowance for the period occupied in such journey, the difference between such double permanent travelling allowance and the mileage allowance calculated for the journey.

S.R.206. When a Government servant in receipt of permanent travelling allowance travels of duty, with proper sanction, beyond his sphere of duty, he may draw mileage allowance for the entire journey, including such part of it as is within his sphere of duty, and may draw, in addition, permanent travelling allowance for any day of his absence for which he does not draw mileage allowance. This rule does not apply to a Government servant who travels beyond his sphere of duty in the course of a journey from one place within that sphere to another such place, or to the Government servant who makes, by road alone, a journey not exceeding 32 kilometers.

Note. In calculating permanent allowance for a portion of a month in this and the preceding rule, a month will be taken as 30 days.

S.R.207. (a) When a competent authority is satisfied that it is in the interest of the public service that a particular Government servant on tour should send his horses, motor cars, motor cycles, bicycles or camp equipment by railway or steamer, or by country craft where no steamer service exists capable of conveying the goods or animals or when no such means of carriage is cheaper or more expeditious, it may, by special order in each case, permit him to recover, in addition to mileage allowance or permanent travelling allowance or both, the actual cost or part of the actual cost of transporting them.

Note 1. In the case of a motor car, the cost of transporting a chauffeur or cleaner and for each horse the cost of transporting one syce

and one grass-cutter may be drawn. Note 2. The object of the rule is to meet an extraordinary case in which a Government servant, has in the discharge of the official duties, to make use of his horse or camp equipment in one place immediately or very shortly after having had to use them in the public service in another, and is, therefore, in the exigencies of the service, compelled to convey them by rail or steamer. The term "in the Public service" includes economy of a Government servant's time. Note 3. Incidental expenditure may be admitted under this rule, for carriage of camp equipment and conveyance from steamer to quay, but no charges on shore. Note 4. A competent authority may allow transport of bicycles by motor bust along routes traversed by regular motor services. (b) A competent authority may, by general or special order, prescribe limitations on the weight of camp equipment and the number of conveyances and animals to be carried at Government expense under Clause (a) of this rule by a particular Government servant or class of Government servants. (iii) Government servants not in receipt of permanent travelling allowance to draw daily allowance S.R.208. Except where otherwise expressly provided in these rules a Government servant not in receipt of permanent travelling allowance draws travelling allowance for journeys on tour in the shape of daily allowance. S.R.209. Daily allowance may not be drawn except during absence from headquarters on duty. A period of absence from headquarters begins when a Government servant actually leaves his headquarters and ends when he actually return to the place in which headquarters are situated whether he halts there or not. Note 1. The examiner, Local Accounts may permit a local auditor to draw daily allowance during compensation leave, even if such leave is spent at a station other than that at which it was earned ; provided that daily allowance shall not be drawn for such leave taken at headquarters or earned at headquarters. Daily allowance may not be drawn for a period of compensation leave combined with regular leave. The expression "local auditor" in this Note includes "an assistant local auditor". Note 2. The Extra Assistant Commissioners and Munsiffs when away from their headquarters, on duty within the district, and subordinate Judges when temporarily transferred on duty from one district to another, may draw daily allowance at full rates for the first month of the halt and at half rate for the second and the third month. After the third month the allowance will cease altogether. The allowance is not admissible during leave but may be drawn during a vacation. It will not be allowed to Munsiffs in case in which they join their duties at the station to which they are deputed before joining the station to which they are permanently attached, i.e., unless the deputation involves an actual change of station and the expenses of a double establishment. Claims not covered by this principle should be referred to Government for orders. Note 3. The establishment accompanying these officers will also be entitled to the daily allowance at full rates for the first month and at half rates for the second and third months after which the allowance will cease. Note 4. Halting allowance may be drawn by an officer for halt at headquarters if he is summoned there to give evidence while on leave elsewhere. S.R.210. Daily allowance may not be drawn for any day on which a Government servant does not reach a point outside a radius of 8 Kilometers from his headquarters or returns to his headquarters from a similar point. Note 1. The provisions of this rule do not apply in the case of Government servants (i.e., officers of the Indian Administrative Service, Assam Civil Services Class I and II) deputed to undergo a course of instruction in Survey and Settlement at the Assam Survey School, Jhalukbari, serial 14 of Appendix 28 and serial 2 of Appendix 24 being absolute in their case. Note 2. In cases where a village is less than 8 Kilometers from headquarters in a straight line but more than 8 Kilometers by the only practicable route, travelling allowance may be admitted by that route, but the allowance cannot be granted simply on the ground that a journey exceeding 8 Kilometers was

performed in visiting several villages, none of which was more than 8 Kilometers from headquarters by the ordinary direct route.S.R.211. Subject to the conditions laid down in Rr. 212 and 213 daily allowance may be drawn during a halt on tour or on a holiday occurring during a tour :(a)a Government servant, who takes casual leave while on tour is not entitled to draw daily allowance during such leave ;(b)a Government servant who during the course of his tours returns temporarily to headquarters on a Sunday or public holiday to attend to his private business, is not entitled to draw daily allowance for any day whether Sunday or holiday unless he is actually, and not merely constructively, in camp ;(c)when a Government servant on tour leaves his station to enjoy holidays, he may be allowed to draw daily allowance for the day on which he leaves and for the day on which he returns to the place of halt, provided he leaves it after the regular working hours begin.S.R.212. (1) Daily allowance may not be drawn for a continuous halt for more than 10 days at any one place provided that a competent authority may grant general or individual exemptions from the operation of this rule on such condition as it thinks fit, it is satisfied-(a)that prolonged halts are necessary in the interest of the public service, and(b)that such halts necessitate the maintenance of camp equipage or where no camp equipage is maintained, continue after the first 10 days, to entail extra expenses upon the halting Government servant.(2)A list of Government servants exempted from the operation of this rule is given in Appendix 24.Note 1. When a competent authority exempts any officer from the operation of the above rule, the rate of daily allowance drawn by the officer will be reduced to $\frac{3}{4}$ th after the first 10 days and to $\frac{1}{2}$ after the first 30 days except where otherwise provided in Appendix 24 [See also para 7 of the "Executive Instructions" below S.R. 225-A as inserted by C.S. No. 228].Note 2. The District and Sessions Judges, Additional District and Sessions Judges, Assistant and Subordinate Judges and Munsiffs and the establishment travelling with them, the Working Plans Officers and the Forest Veterinary Surgeon, may draw daily allowance at $\frac{3}{4}$ th rates after 30 days' halt, if the controlling officers certify that the prolonged halt was necessary.The expression "Working Plan Officers" occurring in this Note includes in its scope Gazetted Officers and Forest Subordinates attached to a Working Plan Division.S.R.213. For the purpose of S.Rr. 210 and 212-(a)after a continuous halt of 10 days' duration, the halting place shall be regarded as the Government servant's temporary headquarters ;(b)a halt is continuous unless terminated by an absence on duty at a distance from the halting place exceeding 8 Kilometers for a period including not less than 3 nights ;(c)in calculating the duration of a halt, any day on which the Government servant travels or halts at a distance from the halting place exceeding 8 Kilometers, shall be excluded. On such a day the Government servant may draw daily allowance or exchange it for mileage allowance if admissible.Mileage Allowance and Actual Expenses in Place of or in Addition to Daily AllowanceS.R.214. A competent authority may, by general or special order and on such conditions as it thinks fit to impose, permit any Government servant or class of Government servants to draw mileage allowance instead of daily allowance for the whole period of any absence from headquarters, if it considers that nature of Government servant's duty is such that daily allowance is not sufficient to cover his travelling expenses.S.R.215. A competent authority may, by general or special order and on such conditions as it thinks fit to impose, permit any Government servant or class of Government servants to draw mileage allowance instead of daily allowance for journeys involving exceptional expenditure.Note. Heads of Departments are allowed to draw mileage allowance instead of daily allowance for journeys on the Dimapur-Imphal Road.S.R.216. (a) Subject to any conditions which a competent authority may, by general or special order impose, a Government servant of the Senior, 1st, 2nd, and 3rd grades may exchange his daily allowance for mileage allowance on any day on

which he travels by railway or steamer or both and on any day on which he travels more than 32 Kms., by road except as mentioned in Clause (c) ; provided that, if a continuous journey extends over more than one day, the exchange must be made for all such days and not for a part of them.(b)When a journey by road is combined with a journey by railway or steamer under Clause (a) of this rule-(i)mileage allowance may be drawn on account of such journey by road, but such mileage is limited to the amount of daily allowance, unless the journey by road exceeds 32 Kms. ;(ii)unless such journey by road be a journey to or from the Government servant's headquarters, mileage allowance shall be calculated on the distance actually travelled, without reward to the points fixed by or under S.R. 169.Note. The road journey must be in continuation of the rail or steamer journey [See also Note 1 under S.R. 182].(c)Officers travelling on the Shillong-Cherra and Imphal-Dimapur roads shall, subject to the exceptions noted below, draw the following allowances for journey in excess of 32 Kms. performed on these roads in lieu of mileage allowance under S.R. 182 or 206 : (i)the daily allowance to which they are entitled minus the proportionate permanent T.A., if any ;(ii)in addition a single fare of the class noted below ; as fixed from time to time for journeys by omnibus-

Officers of the Senior, 1st and 2nd grades Upper Class.

Officers of the 3rd and 4th grades Lower Class.

S.R.216A. As partial exception to S.R.216, in the case of halts on tour, half the daily allowances ordinarily admissible under the rules may be drawn in addition to mileage allowances on the day of arrival of the Government servant at the place of halt; provided it involves staying the night at that place.Note. The expression "place of halt" in the above rule does not include a temporary halt at a Railway Station in the course of a journey except at Gauhati and Calcutta. The halt at these two stations in the course of a journey will entitle an Officer to draw half daily allowance in addition to mileage where admissible if it involves staying the night there.These orders take effect from the 1st June, 1945.Executive InstructionsThe following principles are laid down for the guidance of all touring officers in the matter of the drawal of half daily allowance while on tour.

1. For the purpose of the travelling allowance rules the word 'halt' means a pause in the course of a journey on tour necessitated by the performance of official duty at an out-station. No half daily allowance can, therefore, be claimed by a Government servant who stops at out-station merely for the purpose of breaking the journey for the night, or spends the night at such out-station in order to catch the next available means of conveyance on the following morning, or to resume his forward journey in continuation of the previous day's journey, subject to the special exception accorded in the note to halts at Gauhati and Calcutta necessitated by timing regulation.

Note. 'Journey' means journey by Road, Air, Railway or Steamer.

2. No half daily allowance is admissible for anyone unless the halt is preceded by a journey in respect of which an officer actually draws mileage allowance under S.R. 216.

3. Half daily allowance is intended to cover the expenses to halting for the night on tour; it follows that it is not admissible for the day on which an officer returns to his headquarters even he has drawn mileage for that day except in the case when a Government servant, who, while returning to headquarters, performs a journey of not less than 240 Kilometers on the day of return. The rate of allowance to be drawn for this purpose will be half the daily allowance admissible within the State if the journey commences within the State ; and if the journey commences outside the State, the allowance to be drawn will be half the daily allowance admissible outside the State.

4. In case of an officer whose absence from his headquarters does not exceed 24 hours but falls on two calendar days, half daily allowance will be admissible for the first calendar day of the halt; provided mileage allowance is drawn under S.R. 216 for the journey to the place of halt. The drawal of half daily allowance in such a case will be subject to the condition that the officer had to halt at the out-station for the night for the performance of the official duty.

5. In view of 2 above no half daily allowance can be drawn by an officer on any day on which he uses for his travel-a means of locomotion, provided at the expense of Government, since for such a journey he is not entitled to draw mileage allowance under S.R. 216. He will, however, be eligible to the half daily allowance , if otherwise admissible if a part of the journey is made by other means of locomotion for which he is entitled to claim mileage allowance under S.R. 301.

6. As a result of these interpretations it is also necessary to lay clearly the principle governing the drawal of daily allowance by a Government servant after the first ten days halt at out-station including the day of arrival. For a halt exceeding ten days including the day of arrival, the Government servant will be entitled to only 9-½ full daily allowance and thereafter at reduced rates as laid down in Note 1 to S.R. 212; if he is exempted from the operation of S.R. 212 (1). Where, however, the officer concerned does not apply for and

obtain the order of exemption from the competent authority, he can draw for a halt exceeding ten days including the day of arrival ten full daily allowance.

7. All Controlling Officers are expected to see that no improper claim is passed under these rules.

S.R.217. Subject to any conditions which a competent authority may, by general or special order impose, a non-Gazetted ministerial or menial Government servant may, for any day on which he travels by public or hired conveyance under a certificate from the Head of his Office that he is required to do so, exchange daily allowance for mileage allowance. Note 1. "Hired conveyance" includes a bullock cart, but only one cart should be allowed. Note 2. The mileage allowance shall be limited to actual expenses when drawn under this rule. S.R.218. The following conditions are applicable to a Government servant of the 4th grade : (a) for a journey by railway or sea or river steamer, he may draw T.A. under S.R. 196; (b) for a journey by road, he may exchange daily allowance for mileage allowance if the journey exceeds 32 Kms. or the condition of S.R. 217 is fulfilled; (c) for a journey by road combined with a journey by rail or by sea or river steamer, he may draw mileage allowance limited as in S.R. 216 (b) (i) except as provided in S.R. 217 for the road journey, in addition to the allowance admissible under Clause (a) of this rule. Note. Police constable to whom advances are made for railway, steamer and road expenses may draw, in addition, if otherwise entitled to it, the daily allowance admissible under this rule. S.R.219. A competent authority may permit any Government servant, who is compelled by a sudden emergency to leave his camp and travel rapidly on duty to a place more than 32 Kms. distant, to draw in addition to mileage allowance, the actual cost of maintaining his camp, whether the camp be moved or not; provided that the amount of actual cost drawn shall not exceed the daily allowance of his grade. S.R.220. A Government servant entitled to daily allowance whose duty sphere extends over a whole State, may, when making a journey of more than 161 Kms. to the 1st or from the last camp of an extensive tour, recover in lieu of the daily allowance admissible for the days occupied by such journey, the whole necessary cost of the journey, including the cost of transportation of camp equipment and of servants, horses motor cars, motor-cycles, or private baggage on such scale as a competent authority may prescribe. S.R.221. When a competent authority is satisfied that it is in the interest of the public service that a particular Government servant on tour should send his horses, motor cars, motor-cycles, bicycle, or camp equipment by railway or steamer or by country craft when no steamer service exists capable of conveying the goods or animals or when such means of carriage is cheaper or more expeditious, it may, by special order in each case, permit him to recover, in addition to mileage allowance or daily allowance or both the actual cost or part of the actual cost of transporting them. Note 1. In the case of a motor car, the cost of transporting a chauffeur or cleaner and for each horse the cost of transporting one syce and one grass-cutter may be drawn. Note 2. The object of the rule is to meet an extraordinary case in which a Government servant has, in the discharge of his official duties, to make use of his horses or camp equipment in one place immediately or very shortly after having had to use them in the public service in another and is, therefore, in the exigencies of the service compelled to convey them by rail or steamer. The term "in the public service" includes the economy of a Government servant's time. Note 3. Incidental expenditure may be admitted under this rule for carriage of camp equipment and conveyances from

steamer to quay but no charges on shore. Note 4. (a) A competent authority may allow transport of bicycles by motor bus along routes traversed by regular motor services. (b) An competent authority may, by general or special order, prescribe limitations on the weight of camp equipment and the number of conveyances and animals to be carried at Government expenses under Clause (a) of this rule by a particular Government servant or class of Government servants. S.R.222. (a) The following provisions are applicable to-(i) officers of the Railway Police above the rank of Sub-Inspector ;(ii) any other Government servant or class of Government servants whose duties involve travelling by Railway to whom a competent authority may declare them to be applicable. (b) When such as a Government servant makes a journey by Railway on tour-(i) he is entitled either to a free pass under the free pass rules of the railway or to the fares for himself and the servants and baggage accompanying him which a free pass would cover ;(ii) he may draw daily allowance for any day on which he is absent from his headquarters for more than eight consecutive hours ;(iii) he may not exchange for mileage allowance the allowances admissible under sub-Clauses (i) and (ii) of this rule ;(iv) if he combines with a railway journey, a journey by steamer or road he may, if he travels to a place distant at least 8 Kms. from the point where he leaves the railway or returns to the railway from a place similarly distant draw mileage allowance, for the journey by steamer or road, in addition to daily allowance, if any, admissible under this rule or under S.R. 126 ; provided that the time spent on the journey by steamer or road shall be deducted in calculating the duration of his absence from his headquarters. Note. No allowance may be drawn under this rule for a journey within 8 Kms. of headquarters. Travelling Allowance Admissible for Journeys Within 8 Kms. of Headquarters S.R.223. A competent authority may, by general or special order, permit any Government servant or class of Government servants to draw the actual cost of hiring a conveyance on a journey for which no travelling allowance is admissible under these rules. S.R.224. A Government servant travelling on duty within 8 Kms. of his headquarters is entitled to recover the actual amounts which he may spend in payment of boat hire, ferry and other tolls and fares in journeys by railways or other public conveyance. S.R.225. On the following conditions or any other conditions which it may think fit to impose, a competent authority may, by general or special order, permit any Government servant or class of Government servants to recover the actual cost of maintaining camp equipage a halt at headquarters or within 8 Kms. of headquarters, or during the interval between the Government servant's departure from or arrival at headquarters and that of his camp equipage : (a) the amount drawn, together with any amounts recovered under S.R. 224, should not exceed the daily allowance of his grade ; (b) the period of the halt or interval for which it is granted should not exceed ten days. An absence on duty from the halting place for less than three nights should not be treated as interrupting the halt or interval ; (c) the Government servant must satisfy that he has maintained the whole or part of his camp equipage during the halt or interval and that the expense of maintenance has been not less than the amount drawn. In the case of a non-Gazetted or menial servant, the head of the office must satisfy that such maintenance was necessary. Note. The actual expense is the difference between the actual outlay incurred, e.g., monthly hire and what would be incurred if the equipage were to be discharged until wanted again. It does not include the cost of maintaining private conveyances. (iv) Special Rules For High Officials S.R.226 to 234. [Deleted]. Division XI Journey of a newly appointed Government servant to join his first post S.R.235. Except as otherwise provided in this Division travelling allowance is not admissible to any person for the journey to join his first post in Government service. S.R.236. A competent authority may, by general or special order, permit any person, whether appointed to a

temporary or a permanent post to draw travelling allowance for the journey to join his first post in Government service. Note 1. Officiating Munsiffs on their joining a first appointment and on termination of appointment may be allowed by the District and Sessions Judges-(a) one second class fare by rail; (b) one second class fare by steamer and table money; (c) actual expenses not exceeding 6 paise per Km. by road. No travelling allowance is admissible to a Munsiff on probation for the journey he undertakes to join his first appointment as probation. Note 2. The following classes of Government servants are entitled to draw travelling allowance under this rule: (i) Trained Compositors from other States; (ii) Sub-Assistant Surgeons and Veterinary Assistants from their usual place of residence to the place to which they are posted. S.R. 237. When a pensioner, or a Government servant who has been thrown out of employment owing to a reduction of establishment or the abolition of his post, is re-appointed to Government service, the authority which sanctions his reappointment may permit him to draw travelling allowance for so much of his journey to join his new post as falls within India. S.R. 238. [Deleted]. S.R. 239. Travelling allowance under S.R. 236 and 237 should be calculated as for journey on tour, but no allowance may be drawn for halts on the journeys. S.R. 240. When mileage allowance is drawn under S.R. 236, 237 and 238, the rate admissible is that of the grade to which the Government servant will belong after joining his post. Division XII Journeys on Transfer S.R. 241. (1) Travelling allowance may not be drawn under this Division by a Government servant on transfer from one station to another unless the transfer is made for the public convenience and the officer is entitled to pay during the period occupied by the journey. A transfer, at his own request should not be treated as a transfer for the public convenience, unless the authority sanctioning the transfer, for special reasons, which should be recorded, otherwise direct. (2) A Government servant under suspension may draw travelling allowance on account of a journey on transfer when the controlling authority certifies that the transfer is necessary in public interest, even though he is not entitled to pay during the period occupied by the journey. Note. An officer who, on transfer to another appointment, keeps a lien on his own appointment, may be allowed on reversion, travelling allowance under S.R. 243 by the controlling officer if the latter is satisfied that such reversion serves public interest. S.R. 242. A Government servant may draw mileage allowance for a journey on transfer, including transfer from Military to Civil employment. S.R. 243. Unless in any case it be otherwise expressly provided in these rules or in rules made under other sections of the Act, a Government servant in superior service is entitled for a journey on transfer, to the following concessions: I. For journeys by rail or steamer (i) he may draw actual fare by rail or steamer not exceeding the fare of the entitled class plus an allowance for incidental expenses at four times the rate prescribed for journeys on tour by rail in respect of journeys by rail and at the rate of three steamer fare of the entitled class in respect of the journeys by steamer; (ii) he may draw one extra fare for each adult member of his family who accompanies him and for whom full fare is actually paid and one half fare for each child for whom such fare is actually paid; (iii) he may draw the actual cost of transporting at owner's risk rate by goods train, steamer or other craft personal effects up to the following maxima:

Grade of Government servant	If not possessing family	If possessing family
Senior Grade	1,500 Kg.	2,250 Kg.
1st Grade	1,500 Kg.	2,250 Kg.
2nd Grade	750 Kg.	1,125 Kg.

3rd Grade

450 Kg.

562 Kg.

Provided that the competent authority may prescribe lower maxima in the case of any specified class of Government servants. Note 1. If a Government servant carries his personal effects by passenger, instead of by goods train, he may draw the actual cost of carriage up to a limit of the amount which would have been admissible had he taken the maximum number of Kilometers by goods train. Note 2. Subject to the prescribed maximum number of Kilograms, a Government servant may draw the actual cost of transporting personal effects to his new station from a place within the State other than his old station (e.g., from a place where they have been left on the occasion of a previous transfer) or from old station to a place within the State other than his new station ; provided that the total amount drawn, including the cost of transporting these personal effects shall not exceed that admissible had all his personal effects been transported from the old to the new station direct. Note 3. The term "other craft" includes a country boat. Note 4. A Government servant who carries his personal effects by road or boat between station connected by rail or steamer may draw actual expenses upon the limit of the amount which would have been admissible had he taken the same quantity by goods train or steamer subject to the production of the payee's receipt for the amount claimed : (iv) Provided that - (1) the distance travelled exceeds 130 Kms.; (2) the Government servant is travelling to join a post in which the possession of a conveyance or horse is advantageous from the point of view of his efficiency ; and (3) conveyances or horses are actually carried by rail, steamer or other craft. He may draw the actual cost of transporting at owner's risk rate conveyances and horses on the following scale :

Grade of Government servant	Scale allowed
Senior Grade	Two horses and a carriage or motor car or motor cycle
1st Grade	Two horses and a carriage or motor car or motor cycle
2nd Grade	One horse and a carriage or motor car or motor cycle
3rd Grade	One horse or a motor cycle or ordinary cycle

Note 1. In the case of motor car, the cost of transporting a chauffeur or cleaner, and for each horse the cost of transporting one syce and one grass-cutter may be drawn. Note 2. In the case of motor cars, motor cycles, and ordinary cycles, freight by passenger train is to be taken as "actual cost" if such train is actually used. Note 3. Incidental charges e.g., unloading and loading and wharfage, are allowances only in the case of carriage by steamer. No charge on shore may be allowed. Note 4. The full scale of conveyance provided in Clause (iv) above may be drawn by all officers on transfer according to their respective grades on production of a certificate from the controlling officer to the effect required by Clause (iv) (2). The concession is not ordinarily admissible in cases of temporary transfer. Exception. - Commissioner, Head of Department, District Officers (including the Deputy Commissioner, Mizo District, the Political Officers, Sadiya and Balipara Frontier Tracts), Settlement Officers, Divisional Forest Officers, Civil Surgeons, Superintendent of Police, Executive Engineers, Inspectors of Schools and the Director of Veterinary Department, need not furnish such certificates. Note 5. If a Government servant possessed a conveyance or a horse at the station from which he is transferred, he may draw the actual cost of transporting a conveyance or a horse respectively from a place other than his former station ; provided that the amount so drawn shall

not exceed that admissible had it been from the old to the new station direct; and provided further that the conveyance or horse is actually transported to the new station within a reasonable time before or after the officer is transferred. Note 6. When a Government servant transports his motor-car or motor cycle by road under his own power between stations connected by rail or steamer or partly by rail and partly by steamer, he may draw an allowance of 8 paise per Km. in respect of the motor-car and 4 paise per Km. in respect of the motor cycle, the distance to be reckoned for the purpose of this concession being limited to the distance between the stations by rail or steamer or both combined, as the case may be. If the Government servant himself travels by the car or motor cycle, he may draw the fares admissible under Clause 1 (ii). For any member of his family who travels by the car or motor cycle, the Government servant may draw the extra fare or half fare which would have been admissible under Clause 1 (ii) if the member had travelled by rail or steamer : (v) A Government servant who travels by Government steamer or by a Government motor vehicle is not entitled for the journey by steamer or a motor vehicle, either to a mileage allowance under S.R. 242 or to the concession allowance by Clause (iv) of S.R. 243-1. He is entitled to free transport of himself, his family, servants and their bona fide personal effects and of conveyances and horses subject to the limits prescribed in Clause (iv) ; and may draw in addition the daily allowance of his grade. II. For journeys by road (i) He may draw mileage allowance at twice the rate applicable to him under S.R. 182 or 194, or any rate applicable to him, which has been fixed under S.R. 184 as the case may be. (ii) He may draw additional mileage allowance at the rate applicable to him under S.R. 182 or 194, or any rate, applicable to him which has been fixed under S.R. 184, as the case may be, if two members of his family accompany him, and at twice the rate if more than two members accompany him. Note. An Officer travelling on transfer by the Shillong- Gauhati road is entitled to travelling allowance at the following rates, viz: Journeys by State Transport Services. - (i) A Government servant will be entitled to draw three fares of the class to which his grade entitles him. (ii) He may draw one extra fare for each adult member of his family who accompanies him and for whom full fare is actually paid and half fare for each child for whom such fare is actually paid. Journeys by other modes of transport. - A Government servant will be entitled to mileage under S.R. 243-11 and at the rates laid down in S.R. 182 for journeys on transfer. The Government servants will be entitled to re-imburement of the cost of transportation of personal effects upon the limits prescribed under S.R. 244-1 (ii) as per the rates of the State Transport. (iii) For the transportation of personal effects within the limits prescribed in Sub-Clause 1 (iii) of this rule, he may draw mileage allowance at the rate to be fixed by a competent authority. This rate will be calculated on the average cost of conveying goods by the cheapest method of conveyance. Note 1. Within the following maxima rates the controlling officer may allow free transport of goods by road for journeys on transfer up to the maundage limits given in Clause 1 (iii) of this rule :

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| (1) Maximum limit of 16 paise per 37 Kgs. in | North Cachar Hills. |
| (2) Maximum limit of 8 paise per 37 Kgs. Per Km. in | Karimganj Sub-division, the Mizo District except between Aijaland Sairang, and- Silchar and Rangamati and Demagiri, Manipur and the Garo Hills. |
| (3) From Sadia up to Payan | Four paise per 37 Kgs. per Km. subject to a maximum of Rs. 15. |
| (4) From Payan upwards and in the | Actual expenditure on carriage of luggage or 16 paise per |

Tirap Frontier Tract and
Sadiya Frontier Tract

37 Kgs. per Km. whichever is less.

(5) All other places Maximum limit of 4 paise per 37 Kgs. per Km.

Note 2. The cheapest method of conveyance of goods on the Shillong Dawki and Imphal-Dimapur roads is by motor omnibus. The normal cost of such transportation will be declared half-yearly by the Deputy Commissioner, Khasi and Jaintia Hills, in the case of the Shillong-Dawki road and the Deputy Commissioner, Naga Hills, in the case of the Imphal Dimapur road. State Government's decision. - A question has been raised as to what would be the entitlement of a Government servant who, on transfer from one station to another, transports his motor car loaded on a truck either between the stations connected by road. After careful consideration of the matter, the Governor of Assam is pleased to decide that a Government servant who, on transfer from one place to another is travelling to join a post in which the possession of a car is advantageous from the point of view of efficiency and in whose case the distance between the two stations by rail or by road, as the case may be, exceeds 130 Kms. may, in the event of a car loaded on a truck, be allowed the actual transportation charges thereof limited to the freight charges which would have been payable had the car been transported by passenger train in respect of places connected by rail and an allowance calculated at the rate of 8 paise per Km. in respect of places connected by road. S.R. 244. The following explanations are given of the terms employed in S.R. 243 : (i) The term "personal effects" is not subject to definition but the controlling officer must satisfy himself that a claim to reimbursement on account of their transportation is reasonable. Note. Private conveyances can be admitted as "personal effect" only if the Government servant is not entitled to their transport under S.R. 243-1 (iv). (ii) The term "motor cycle" includes a side-car. (iii) A member of a Government servant's family who follows him within six months from the date of his transfer or precedes him by not more than one month may be treated as accompanying him. If such member travels to the new station from a place other than the Government servant's old station, the Government servant may draw either the actual fare for the journey made or the fare admissible for the journey from the old to the new station, whichever is less. Note 1. When a Government servant who was residing with his family is obliged to move them in consequence of his transfer to another station, he may be reimbursed the cost, even though they may not proceed to his new station ; but the travelling allowance drawn must be limited to actual expenses not exceeding the amount which would have been admissible if the family had proceeded to the officer's new station. Note 2. A Government servant, whose family was not residing with him at the time of his transfer, may draw family travelling allowance for the family's journey to his new station ; provided that the amount of such allowance is limited to that admissible for the journey between the officer's old and new stations. Note 3. To entitle an officer to travelling allowance under this clause on account of any member of his family subsequently joining him, the journeys should commence within six months of the officer's handing over charge at the old station and end within six months of his taking charge at the new station ; provided that in the case of an officer's transfer during leave the journey need not commence but must end within the aforesaid periods. (iv) A Government servant who claims higher travelling allowance on the ground that members of his family accompanied him on transfer must support his claim by a certificate showing the numbers and relationship of the said members. (v) A Government servant claiming the cost of transporting personal effects, conveyances or horses by railway or steamer or road must substantiate his claim by the production of the payee's receipts for the amount claimed. S.R. 245. Tents supplied by Government are transported at the expenses of

Government. Tents purchased and maintained by Government servant himself may be transported at the expense of Government ; provided that they do not exceed a scale to be prescribed in this behalf by a competent authority as suitable to a particular Government servant or class of Government servants. If they exceed this scale, the excess may be treated as a part of personal effects.S.R.246. [Deleted].S.R.247. A Government servant in superior service whose headquarters are changed while he is on tour, and who proceeds to this new headquarters without returning to his old, is entitled to-(1)travelling allowance as on tour for his journey to the new headquarters;(2)the rates of mileage allowance to which his grade entitles him on tour from his old to his new headquarters ;(3)all further concessions admissible under Rule 243 direct from the old to new headquarters, excluding those in Clause I (i) thereof and the mileage referred to in Clause II (i).S.R.248. A Government servant in superior service transferred from one post to another who, under the orders of competent authority is permitted to hand over charge of his old post or take over charge of the new post at a place other than the headquarters is entitled to-(1)travelling allowance as on tour from the place of handing over charge to the place of taking over ;(2)the rates of mileage allowance to which his grade entitles him on tour from his old to his new headquarters ;(3)all the further concessions admissible under Rule 243 direct from the old to the new headquarters, excluding those in Clause I (i) thereof and the mileage referred to in Clause II (i).For the journeys from his old headquarters to the place of handing over charge or from the place of taking over charge to his new headquarters he will draw travelling allowance as for journey on tour.S.R.249. The Government servants specified in S.R. 222 may draw travelling allowance under that rule for journey on transfer within the limits of the railway to which they are attached, and, are entitled, in addition, to a free pass or fares for their families; provided that they must not draw daily allowance for halts in the course of the journey unless such halts are made in connection with their duty. When transferred from one railway to another they are entitled to travelling allowance under S.Rr. 241 to 243.S.R.250. (a) A Government servant of the 4th grade (including Police Constables and Jail Warders) is entitled for a journey on transfer, to mileage allowance at the following rates :For journey by rail or steamer-(i)he may draw actual fare by rail not exceeding the fare of the entitled class plus an allowance for the incidental expenses at four times the rate prescribed for journeys on tour by rail in respect of journeys by rail and two fares of the entitled class in respect of journeys by steamer;(ii)he may draw one extra fare for each adult member of his family who accompanies him and for whom such fare is actually paid and one-half for each child for whom such fare is actually paid ;(iii)he may draw the actual cost of transporting at owner's risk rate by goods train or steamer or other craft to the following maxima.If travelling alone-115 Kg. If accompanied by family-192 Kg.For journeys by boat or road(b)For journey by boat they are entitled to the actual expenses including the cost of transporting their baggage on the scale laid down above, on production of a certificate from the highest district authority of the Department to which the officer belongs.(c)For journeys by road they are entitled to 8 paise for each Km. travelled and in the case of those accompanied by their families 12 paise per Km. In addition, they will draw the actual cost of transporting their baggage on the condition laid down in (b) above.S.R.251 to 252. [Deleted].S.R.253. A Government servant appointed to a new post while in transit from one post to another is entitled to draw travelling allowance under this Division for so much of the journey on transfer as he has accomplished when he receives the fresh orders and for the journey from the place at which he receives such order to his new station.S.R.254. A Government servant who takes leave not exceeding 6 months after he has given over charge of his old post and before he has taken charge

of his new post is entitled, whether the order of the transfer is received before or after the commencement of his leave, to travelling allowance under the Division.S.R.255. A Government servant who takes leave exceeding 6 months while in transit from one post to another may draw travelling allowance under S.R. 253 (i) and (ii) and II (i) and (ii) for so much of the journey to join the new post as he had accomplished before the order granting his leave is received, in addition to any allowance admissible under S.R. 256.S.R.256. When on return from leave exceeding 6 months a Government servant is posted to a station other than at which he was posted when he went on leave, the controlling officer may permit him to recover the travelling allowance under Clause 1 (ii) and (vi) and II (iii) of S.R. 243, for a journey from his old to his new station.Note. A military officer, when required to join an appointment on His Excellency the Governor's staff direct from the Military Department on the expiry of leave exceeding 6 months will be entitled to draw travelling allowances as on transfer from the station from which he proceeded on leave to his new station. Travelling allowance may be drawn for the return journey in similar circumstances on reversion to the Military Department.Audit instruction. Treatment of special disability leave on average pay for the purpose of travelling allowance. - Special disability leave on average pay, whether it be granted by itself or in combination with ordinary leave on average pay, should not be treated as "leave on average pay" for the purpose of S.R. 254 but as "leave other than leave on average pay" not exceeding 6 months for the purposes of S.Rr. 255 and 256.S.R.257. When a Government servant under the administrative control of the Government of Assam is transferred to the control of Government which has made rules prescribing amounts and conditions of travelling allowance, his travelling allowance for the journey to join his post under that Government and for the return journey will be governed by the rules of that Government regulating travelling allowance on transfer.Division XIII Journeys to Hills StationsS.R.258. Government servant who travels on duty to a hill station within his sphere of duty, or is required by the order of a superior authority to travel to hill station on duty may draw travelling allowance during his absence as for a journey on tour. Such a Government servant will, however, forfeit all claims to travelling allowance, for journey and halt, other than permanent travelling allowance, if he prolongs his stay at the hill station beyond a period of 10 days or the period necessary for the performance of the duty on which the journey is made, whichever is less ; provided that a competent authority may preserve the Government servant's claim to travelling allowance by-(a)sanctioning a halt in excess of ten days ; and(b)officially intimating that his presence was required on duty throughout the period or that he was permitted to extend his stay during holidays immediately following his period of duty.Note 1. The operation of this rule is not affected by exemption under S.R. 212.Note 2. Shillong is a hill station for the purpose of these rules.S.R.259. When a Government servant is permitted for his own convenience to perform his duties at hill station, he is not entitled to daily allowance or mileage allowance for the journey to or from such station or for the period during which he halts at it. The following officers are permitted to recess in Shillong subject to the conditions-(a)that their work will not suffer in consequence of their absence from headquarters ;(b)that any expenditure on account of travelling allowance for clerks, peons, etc. who may be brought up to Shillong, is defrayed by the officer themselves.

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| (i) | Inspectors of Schools | Between 15th May and 16th June of each year, after finishing their annual reports and with the previous sanction of the Director of Public Instruction. |
| (ii) | Gazetted Officer of the Forest Department | With the previous sanction of the Conservator of Forest for a period not exceeding six weeks in each year. |

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| (iii) | Director, Veterinary Department | For a period of one month and a half, during August and September each year. Shillong will be his headquarters for the period. He will continue to do his office work at that station and be available for any sudden call necessitating his presence in any other district. |
| (iv) | Assistant Directors of Public Health | For a period of one month each year with the previous sanction of the Director of Public Health, but in the event of the outbreak of an epidemic they will, if required, immediately proceed to the affected area. |
| (v) | Settlement Officers | For a period of two months each year in the rains with the previous sanction of the Director of Land Record. |
| (vi) | Gazetted Officers of the Public Works Department | With the previous sanction of the Chief Engineer on the recommendation of their Superintending Engineer for a period or periods not exceeding three weeks in each year. |

S.R.260. A Government servant who proceeds to the hills for his own convenience must go to the hills and back to his place of duty, wherever they may be, without expense to Government. The competent authority in case of dispute or doubt may decide what should be considered to be the place of duty.

S.R.261. When a Government servant in the course of an ordinary tour visits, for the purpose of inspection or the like, a place within his ordinary jurisdiction, the fact that the place is a hill station does not take the case out of the Travelling Allowance Rules applicable to tours or being within the operation of S.R. 259.

S.R.262. Shillong being within the jurisdiction of the Commissioner of Divisions, the case of the establishment accompanying him to the hill station should be governed by S.R. 256.

Division XIV Journeys to attend an examination

S.R.263. A Government servant is entitled to draw travelling allowance for the journey to and from the place at which he appears for an examination of any the following kinds : (a) An obligatory departmental or language examination ; (b) An examination held under any rules in force in the vernacular language of a frontier or hill tribe ; (c) In the case of Military officer in civil employ, an examination for promotion in military rank ; (d) In the case of a Civil Assistant Surgeon or Sub- Assistant Surgeon, an examination designed to test his fitness to rise above an efficiency bar in a time-scale ; (e) In the case of Constables, Head Constables, and officiating Assistant Sub-Inspectors an examination for promotion to the rank of Assistant Sub-Inspector of Police : Provided that—(1) travelling allowance shall not be drawn under this rule more than twice for any particular examination or standard of examination ; and (2) a competent authority may disallow travelling allowance under this rule to any candidate who, in the opinion—(i) has culpably neglected the duty of preparing himself for an obligatory examination, or (ii) does not display a reasonable standard of proficiency in an examination which is not obligatory.

Note. Travelling allowance for journeys to attend an obligatory examination is admitted upon a certificate that the Government servant has not previously drawn travelling allowance twice for obligatory appearance in the same standard or for the same examination there is no standard. Travelling allowance for an extra journey or journeys may be allowed to a Government servant if he is temporarily exempted from passing in either Assamese or Bengali or both by the higher standard till he is posted to a district in which that language is spoken. If an S.D.C. voluntarily appears at an accounts examination he will be entitled to travelling allowance for two occasions. If a ranger is permitted to appear at the departmental examination prescribed for Forest Officers he will

be entitled to actual travelling expenses only.N.B. - "Examination" in the expression "the same examination" does not mean an examination in one of several subjects in which an officer is required to appear at a given examination.S.R.264. A Government servant who obtains a reward for a success in an oriental language, or who for the first time obtains a degree of honour in any language in the second division, is entitled to draw mileage allowance for the journey to and from the place of examination.S.R.265. A competent authority may permit a Government servant to draw travelling allowance for the journey to and from the place at which he appears for any examination other than those specified in S.Rr. 263 and 264.Note. Travelling allowance is admissible to permanent compounders sent for the compounder's examination at Dibrugarh.S.R.266. Travelling allowance under S.Rr. 263 and 265 should be calculated as for a journey on tour, but no allowance may be drawn for halts on the journey.Exception. - Probationary Assistant and Deputy Superintendent of Police while under training at the Sardah Police Training College will draw daily allowance at Bengal rates for halts at Calcutta in connection with examinations which they have to take there during their course of training at the college.Division XVJourney when proceeding on or returning from leaveS.R.267. Except as otherwise provided in these rules a Government servant is not entitled to any travelling allowance for a journey made during leave or while proceeding on or returning from leave.S.R.268. A competent authority may, for special reasons which should be recorded, permit any Government servant to draw, for a journey of the kind specified in S.R. 267, travelling allowance as for a journey on tour.Head constables and constables of both the armed and unarmed branches of the Civil Police Force, Head Warders and Warders of the Jail Department, and Head Keepers and Keepers of the Mental Hospital may be granted free return passages of the class admissible under S.R. 153 for journey on tour, by rail or steamer or by road motor on the Dimapur Kohima Gauhati-Shillong road, and also Shillong-Dawki road while proceeding on leave to their homes irrespective of the nature and period of the leave, on the following conditions :(i)in the case of leave on full pay the concession shall not be granted more than once after every thirty-three months spent on duty, each period counting from the date which the officer last enjoyed the privilege, i.e. from the actual date of officer's resumption of duty ;Note. A certificate should be attached to the travelling allowance bills by the controlling officer concerned that a free passage has not been granted during the preceding thirty-three months in the case of leave on full pay;(ii)the concession shall not be given more than eight times in an officer's service; and(iii)the concession cannot be claimed as a matter of right and will be dependent on the good work and conduct of the officer during the previous thirty-three months ;(iv)the restriction that free passages shall not be granted more than once after every thirty-three months spent on duty shall not apply when leave is taken on medical certificate:Provided-(a)the Civil Surgeon or Assistant Surgeon at District headquarters or the Assistant Surgeon at Sub-divisional headquarters has after personal examination, recommended leave for one month or upwards;(b)the free passage shall be granted to an officer who goes on ordinary leave and afterwards obtains a medical certificate ;(c)an officer returning from sick leave for which he has obtained free passages shall not again receive the concession (except in cases of sickness) until a period of thirty-three months has elapsed from the date of his return to duty ;(d)the grant of leave on medical certificate shall not entitle any officer to exceed the maximum prescribed in sub- Clause (ii) ; and(e)head constables and constables of both the armed and unarmed branches of the Civil Police Force who are recruited from outside the State may be allowed free passages whom it invalidated from service on medical grounds.S.R.269. (a) When a Government servant is compulorily recalled to duty before the expiry of his leave, he is

entitled to travelling allowance as follows : (i) If the leave for which he is recalled is in India and the leave thereby curtailed be not less than one month, he is entitled to draw mileage allowance for the journey from the place at which the order of recall reaches him. (ii) If the leave from which he is recalled is out of India and if the Government servant recalled has not completed by the date of leaving for India, either half the period of his leave or three months, whichever period is shorter, he is entitled to travelling allowance from the part or at which he lands in India to the station to which he is recalled. If the period by which the leave is curtailed is less than the minimum period referred to in Clauses (i) and (ii), above, mileage allowance may be allowed at the discretion of the authority recalling the Government servant. (b) If the Government servant recalled to duty is entitled to travelling allowance under S.R. 254, he may not draw mileage allowance under Cl. (a) unless he abandons his claims to the mileage allowance specified in S.Rr. 242 and 243-1 (i) and (II)

(i). S.R. 270. If a non-Gazetted Government servant, on compulsory recall from leave exceeding four months, is posted to station other than that from which he went on leave, he may, if his pay after transfer does not exceed Rs. 400 and if his new station is distant more than 20 Kms. from his old station, draw in addition to his allowance admissible under S.R. 256 travelling allowance for his family under S.R. 243 for the journey from the place at which the order of recall reaches him to the new station ; provided that the amount so drawn shall not exceed the amount admissible under S.R. 243 for the journey from the old to the new station. S.R. 271. A Government servant on joining time under F.R. 105 (d) may draw travelling allowance for the journeys as for a journey on transfer. S.R. 271A. Officers of vacation Departments stationed in places mentioned in the Schedule to S.R. 137, are allowed travelling allowance as on tour for journeys to their homes and back during vacation once in every three years. Division XVI Journeys on retirement, dismissal or termination of employment S.R. 272. Unless in any case it be otherwise expressly provided in this Division, no person is entitled to any travelling allowance for journey made after retirement or dismissal from Government service or after the termination of such service. S.R. 273. A competent authority may, for a special reason, which should be recorded, permit any Government servant to draw travelling allowance for a journey of the kind mentioned in S.R. 272. S.R. 274. A person temporarily employed in Government service who has received travelling allowance for the journey to join his post, may on the termination of his employment, be allowed to draw travelling allowance for the journey to any place ; provided that such allowance does not exceed the travelling allowance calculated for the journey to the place at which he was engaged, that claim to draw travelling allowance is preferred within three months of the termination of his employment and that the officer under whom he is employed is satisfied that he intends to make the journey. S.R. 275. Travelling allowance under S.Rr. 272 and 273 should be calculated as for a journey on tour, but no allowance may be drawn for halts on the journeys. Division XVII Journeys to give evidence S.R. 276. The following provisions apply to a Government servant who is summoned to give evidence : (a) in a criminal case, a case before a court-martial, a civil case to which Government is a party or a departmental inquiry held by a properly constituted authority in India ; or (b) before a court in an Indian State or in foreign territory : Provided that the facts as to which he is to give evidence have come to his knowledge of his public duties : (i) he may draw travelling allowance as for a journey on tour attaching to his bill a certificate of attendance given by the court or other authority which summons him ; (ii) when he draws travelling allowance, he may not accept any payment of his expenses from the court or authority. Any fees which may be deposited in the court for the travelling and subsistence allowance of the witness must be credited to Government ; (iii) if the court in which he gives evidence is situated

within 8 Kms. of his headquarters and no T.A. is therefor admissible for the journey, he may, if he be not in receipt of permanent travelling allowance, accept such payment of actual travelling allowance expenses as the court may make. Note 1. A Government servant summoned to give evidence while on leave is entitled to the concession described in this rule. Note 2. [Deleted.] State Government's decision. - (1) A question has arisen whether T.A. should be allowed to Government servants in the following two types of cases and if so, at what rates : (i) when a Government servant, whether he is under suspension or not, performs journeys to attend police/special police establishment enquiry in connection with a case in which he is suspected to be involved : (ii) where a Government servant undertakes journeys during suspension for appearing in a court of law, as an accused, and is later on acquitted by the court and reinstated in service or would have been reinstated in service but for death or his having attained the age of compulsory retirement or being allowed to retire voluntarily. As regards case of the first type, it has been decided that travelling allowance as for a journey on tour may be allowed to a Government servant for such journey ; provided that they are performed under the direction of, or with the approval of the head of office in which he is for the time being employed or was employed before suspension. (2) As regards cases of second type, it has been decided in consultation with the Assam Public Service Commission that no travelling allowance as such, will be admissible for the journeys performed by a Government servant in such circumstances but that it would be open to him to include his travelling expenses in any claim that he might prefer under Art. 320 (3) (d) of the Constitution, for reimbursement of the costs incurred by him in defending the legal proceedings against him. Reimbursement on this account, not exceeding the amount admissible as travelling allowance as for journey on tour, may be allowed in such cases in accordance with each advice as the Assam Public Service Commission may tender. These orders take effect from the date of issue of this letter. S.R. 276A. A Government servant, whether under suspension or not, who is required to perform a journey to attend a departmental enquiry (other than Police enquiry) may be allowed travelling allowance as for a journey on tour from his headquarters to the place where the departmental enquiry is held or from the place at which he has been permitted to reside during suspension to the place of enquiry, whichever is less. No travelling allowance will, however, be admissible if the enquiry is held at the outstation at his own request. State Government's decision. - (1) The above rule will apply also in the case of an oral enquiry under departmental proceedings when a Government servant is required to proceed from one station to another to appear before the officer conducting the enquiry. (2) A question has arisen whether and if so, at what rates, travelling allowance should be allowed to Government servants who undertake journeys to out-stations to peruse official records for the preparation of their defence in connection with the disciplinary proceedings instituted against them. The Governor of Assam is pleased to decide that travelling allowance as for a journey or tour without any allowance for halts on journeys or at the out-stations may be allowed to the Government servants, whether on duty or on leave or under suspension, for journeys undertaken by them to the stations where official records are made available. The travelling allowance will be allowed from the headquarters of the Government servant or from any other places where the Government servant may be spending His leave or where the suspended officer has permitted on his own request to reside, but not exceeding what would be admissible had the journey been undertaken from the headquarters of the Government servants. The grant of travelling allowance will be subject to the following further conditions : (i) the enquiring officer certifies that the official records to be consulted are relevant and essential for the preparation of the defence statement; (ii) the competent authority certifies that the

original records could not be sent to the headquarters station of the Government servant or the bulk of the documents rules out the possibility of copies being made out, and sent; and (iii) the Head of office under whose administrative control the Government servant is, certifies that the journey was performed with his approval. It has also been decided that, in the case of officers not under suspension at the time of undertaking the journey, the period spent in transit to and from and the minimum period of any of stay required at the place where official records are made available for perusal should be treated as duty or leave, according as the officer is on duty or on leave at that time. In case of officers under suspension, who are subsequently re-instated in service, the period will be treated as duty, leave or otherwise in accordance with the orders passed by the competent authority under F.R. 54. The above orders will be applicable in case of all Government servants under the rule making control of the Governor of Assam. S.R. 277. A Government servant summoned to give evidence in circumstances other than those described in S.R. 276 is not entitled by reason of his position as Government servant, to any payment other than those admissible by the rules of the court. If the court pays him any sum as subsistence allowance or compensation, apart from payment for travelling expenses he must credit that sum to the Government before drawing full pay for the day or days of absence. S.R. 278. When Government servants, other than experts of the Finger Print Bureau of the Criminal Investigation Department are summoned to appear as witnesses in civil cases to which Government is not a party, all sums received under Chapter VI of High Court's General Rules and Circular Orders (Civil) on account of their travelling and other expenses shall be paid in full to them, a certificate in the form prescribed for the purpose in Volume II of High Court's General Rules and Circular Orders (Civil) being at the same time granted : provided that Government servants whose pay exceeds Rs. 1000 p.m. or whose headquarters are situated more than 8 Kms. from the Court, shall be granted only on the certificate referred to above, when they are summoned to appear as witnesses in their official capacity in cases to which Government is a party ; provided also that when such Government servants are summoned to appear as witnesses in private suits, no costs on account of salary shall be realised from the party at whose instance they are summoned. N.B. - The rule has statutory force and applies only to Government servants summoned to give evidence in an official capacity and not to Government servants to give evidence in a private capacity in a private suit. Division XVIII Journeys to obtain medical advice S.R. 279. If a Government servant is compelled to leave a station at which he is posted and travel to another station, in order to obtain the advice of the Medical Officer to whose services he is entitled, or who may under departmental rules be consulted on his case, he may, on production of a certificate from the Medical Officer consulted that the journey was, in his opinion absolutely necessary, draw travelling allowance for the journey. Note 1. Travelling allowance is not admissible for a journey undertaking to produce a health certificate on first appointment to Government service. Note 2. The rule allows the grant of travelling allowance only to an officer who is compelled to make a journey in order to procure medical advice of the character which Government undertakes to provide for its servants. The Government does not undertake to provide officers with the services of specialist e.g., dentist. If a journey not covered by this rule is unavoidable and if the expense thereof is altogether disproportionate to the pay of the officer concerned, the case should be referred to the Government for orders together with a certificate signed or countersigned by the Civil Surgeon that the journey is absolutely necessary. Except in cases of real emergency, such reference should be made before the journey is undertaken. S.R. 280 to 281. [Deleted.] S.R. 282. If a Government servant, being stationed where there is no Medical Officer of Government, is required to obtain a medical certificate from a

Medical Officer of Government in support of an application for an original grant of leave, he may draw travelling allowance for the journey undertaken to obtain that certificate. Note. Travelling allowance is not admissible for journey to obtain a medical certificate in support of an application for an extension of leave. S.R. 283. If a Government servant, having obtained a medical certificate in support of an application for an original grant of leave, is required to appear before a Medical Board or to appear before a nominated Medical Officer of Government for further opinion as to the necessity for the leave recommended in that certificate, he may draw travelling allowance for the journey undertaken to obtain that opinion. Note. Travelling allowance is not admissible for journey to obtain a second medical opinion in support of an application for an extension of leave. S.R. 284. The journeys contemplated by S.Rr. 279 and 282 should not be undertaken without the previous permission of the controlling officer, if such permission can be obtained without risk to the Government servant requiring medical advice. S.R. 285. (a) A Government servant who is directed by his official superior, in the interest of public service, to apply for an invalid pension, may, if he is required to make a journey in order to appear before a Medical Board draw his actual expenses, subject to a maximum of the amount of travelling allowance calculated for the journey. If it be necessary for him to return to his headquarters after appearing before the Medical Board, he may draw his actual expenses subject to the same maximum. In both cases his travelling allowance bill must be supported by a certificate that he was directed to apply for an invalid pension in the interest of the public service and he did not voluntarily ask to retire. (b) A competent authority may allow actual expenses, as limited by Clause (a) of this rule to be drawn by a Government servant who voluntarily applies for an invalid pension ; provided that the authority is satisfied that the circumstances of the applicant are such as to justify the concession. S.R. 285A. A Government servant who has been invalidated from service by a Medical Board of the State but has been permitted by Government, on appeal, to appear before the Bengal Medical Appeal Board will draw the actual travelling expenses : provided he is declared fit on re-examination. No travelling allowance is admissible to an unsuccessful appellant. S.R. 286. Except as provided in S.Rr. 283, 285 and 285-A no travelling allowance is admissible for a journey undertaken in order to appear before a Medical Board or Committee. S.R. 287. Travelling allowance under S.Rr. 279, 282, 283 and 285-A should be calculated as for a journey on tour, but allowance may be drawn for halts on the journeys. State Government's decision. - (1) The Government servants are generally entitled to travelling allowance as on tour (except daily allowance) for journeys undertaken to receive medical attendance/treatment under the existing rules and orders. Though travelling allowance for the above purposes is admissible as for a journey on tour, it is clarified, following the Government of India, that travelling allowance by air will not be generally admissible for such journeys irrespective of whether or not the Government servants concerned is otherwise entitled to travel by air at his discretion on official duty. (2) The facility of travel by air-conditioned accommodation, as admissible under item (2) of the State Government's decision below S.R. 173, will not be generally admissible to such Government servants while undertaking journeys for the purpose of receiving medical attendance/treatment. Division XIX Journeys in attendance on an incapacitated Government servant S.R. 288. If a Government servant, under the advice of a Civil Surgeon, or other Medical Officer of Government whose duty it is to attend him professionally, is required to travel to a Presidency town or elsewhere, either when proceeding on leave or in order to obtain further medical advice, and the Medical Officer considers that it would be unsafe for him to make the journey unattached, the Medical Officer may either himself accompany the patient to his destination or

arrange that some other person shall do so. In that case, the attendant, if a Government servant, shall be deemed to have been travelling on duty and may draw travelling allowance for the outward and return journey as for a journey on tour ; if not a Government servant, he shall be entitled to actual expenses.

Division XX Journeys on a course of training S.R.289. When a Government servant or a student not already in Government service is selected to undergo a course of training, a competent authority may decide the scale, if any, on which he shall draw-

- (a) travelling allowance for the original journey to and the last journey from the place of training and for halts at such place ;
- (b) in the case of training at a school, college or similar institutions travelling allowance for similar journeys on the occasion of holidays and vacations ; and
- (c) travelling allowance for journeys during the course of training : Provided that the scale so fixed shall not exceed that admissible to Government servants of similar status on a day at the place of training.

Division XXII. Journeys to attend a Darbar or a Leave S.R.290. A Government servant on duty who is permitted to attend a darbar or a levee elsewhere than at his headquarters may draw travelling allowance for the journey as for a journey on tour.

II. Journeys in connection with the business of local bodies and Medical Attendance on their employees S.R.291. An official member of a local Board who is required, to attend a meeting of the Board elsewhere than at his headquarters may draw travelling allowance for the journey as for a journey on tour.

S.R.292. Government servants will draw travelling allowance for journeys to conduct elections of local Boards as for journeys on tour. When a special journey has to be made solely for the purpose of conducting a local Board election the travelling allowance will be paid by the Board concerned. In other cases the travelling allowance will be paid from State Funds.

S.R.293. Medical Officers of Government are required to render gratuitous medical attendance on servants of a local body whether on duty, on leave or retired on the same terms and conditions as are to be observed in the case of Government servants. When travelling allowance is due under these rules it will be payable by Government. In the case of retired employees of local bodies the privilege is conferred on persons who have retired from the service of those bodies under circumstances which, if they were in Government service, would have enabled them to get a pension.

III. Journeys of Government servants as members of the Auxiliary Force S.R.294. A competent authority may authorise Government servants who are members of the Auxiliary Force and who, while undergoing training in the Force, have performed a substantial amount of civil work in addition to the military duties prescribed by the Officer Commanding, to draw travelling allowance according to the scale prescribed by these rules. The charges on this account will be met from State revenues.

Division XXII Travelling allowance admissible when the whole or part of the means of conveyance is supplied without charge (i) Journeys by Railway S.R.295. [Deleted]. S.R.296. When a Government servant is entitled to or is allowed free transit by railway otherwise than in accommodation reserved by requisition, whether on a free pass or otherwise, the mileage allowance which he draws for the journey must, except in cases covered by S.R. 222, be reduced by the amount of the fare which, but for such free transit, he would have paid. This rule applies to cases in which a free pass issued on any railway, whether worked by Government or not. The reduction made must include the full number of fares covered by the pass, unless the Government servant certifies that he did not use the pass in respect of any fare or fares for which no reduction is made.

Note 1. The Superintendent of Police, Sibsagar, and Inspector of Police, Jorhat Sub-division, are granted free passes when travelling by rail on the Jorhat Railway.

Note 2. When a journey is made by trolley on fixed fares on the Jorhat Railway, three quarters railway fare plus the amount of the fixed charges may be drawn.

S.R.297. When a Government servant in receipt of permanent travelling allowance

uses a free pass on a railway or public steamer within his sphere of duty, he must deduct from his permanent travelling allowance for the month the amount of the railway or steamer fares which he would have paid if he had not travelled on a pass.S.R.298. When a Government servant is permitted to travel by railway in a higher class on payment of a lower fare his mileage allowance must be reduced by the amount by which the fare of the class in which he travels exceeds the fare actually paid.S.R.299. A Government servant travelling with a free pass on an unopened line of railway is entitled to the travelling allowance prescribed in S.R. 301 as limited by S.R. 303.(ii)Journeys by Sea or River SteamerS.R.300. When a Government servant is allowed free transit by sea or river steamer, otherwise than in a Government vessel, the mileage allowance which he draws for the journey must be reduced by the amount of the fare which, but for such fare transit, he would have paid. If he travels on a free pass, the reduction made must include the full number of fares covered by the pass, unless the Government servant certifies that he did not use the pass in respect of any fare for which no reduction is made.This rule does not apply to cases in which a Government servant is allowed a free pass by a steamship company without cost to Government; unless the free pass is issued in connection with his official status of duties or as part of a regular arrangement with Government for the conveyance of mails, etc.Note. The term "vessel" includes a motor boat.(iii)Other journeysS.R.301. (a) Except where otherwise expressly provided in these rules, a Government servant who uses a means of locomotion provided free of charge and does not pay the cost of its use or propulsion may draw one daily allowance for each day of travel, except on the day of return to headquarters, when the journeys involve spending one or more nights away from headquarters. He may draw, on the day of return to headquarters one daily allowance only when the total distance travelled on that day is not below 80 Kms.In the case of journeys which do not involve spending a night away from Headquarters, one daily allowance may be drawn by him when the total distance travelled in a day is not below 80 Kms.State Government's decision. - In determining the total distance travelled in Government vehicles for a day for drawal of a daily allowance under S.R. 301 (a) all journeys performed from the headquarters of Government servants in that day shall be calculated. Those journeys only for which a Government servant is entitled to mileage allowance had he travelled in his own car or by other means, shall be counted for the purpose of determining the limit of 80 Kms. ; other journeys performed within a short distance from headquarters, i.e., within a radius of 80 Kms. from headquarters shall not be calculated for the purpose of the total journeys performed in a day.(b)If a journey by such means of locomotion is combined with a road journey by ordinary conveyance and extends beyond 80 Kms. the Government servant so travelling may, at his option, draw either (1) the full daily allowance admissible under S.R. 188 or (2) if the journey by ordinary conveyance exceeds 32 Kms. the mileage allowance admissible under S.R. 182. No Extra allowance will in either case be drawn on account of the journey by means of locomotion provided by Government.(c)If a journey by such means of locomotion is combined with a journey by rail or public steamer, the Government servants so travelling may draw either the full daily allowance admissible under S.R. 188 or the allowance admissible for the journey by rail or public steamer under S.Rr. 171-175 or 176-179 respectively. No additional allowance on account of the journey by the means of locomotion provided by Government will be admissible.(d)In the case of Sadiya and Balipara Frontier Tracts, no charge need be made for the supply of Government transport to Government servants of the Senior, 1st and 2nd grades on tour but when such transport is supplied they will draw only daily allowance admissible under the rules. For journeys on which free transport is not supplied they will draw the ordinary travelling allowance.State Government' decision. - (1)

When a Government transport is placed at the disposal of an official he will be entitled to draw only daily allowance and not mileage, even if he happens to possess a personal car and uses it in place of the Government vehicles or because the latter is out of commission for the time being. In case the Government vehicle is under repair or not available for use for bona fide reasons, mileage allowance would be admissible for tours made by personal car subject to the sanction of the Commissioner in the case of Deputy Commissioners and the S.D.O's. and the Heads of Departments in other cases.(2)It is decided that a certificate in the following form should be furnished with the travelling allowance bills in which mileage allowance is drawn for performing journeys in the personal cars of officers when the Government vehicle is under repair or not available for use for bonafide reasons : "Certified that the journey has been performed by the personal car of the officer and that the mileage allowance in lieu of daily allowance has been in this bill as the Government vehicle placed at his disposal was under repair/not available for use for bona fide reasons and that approval of the Commissioner/Heads of Departments has been obtained."S.R.302. When a Government servant is provided with means of locomotion as in S.R. 301 but pays all the costs of its use or propulsion, he may draw travelling allowance under the ordinary rule subject to the deduction of such fixed hire or charge as the Government may fix.Note. For elephants and boats see hire rates in Appendix 29.S.R.303. The provisions of S.R. 301 and 302 do not apply to Government servant of the fourth grade or to any other Government servant or class of Government servants to whom a competent authority may declare them to be inapplicable.Division XXIIJournies on transfer to or reverting from foreign serviceS.R.304. Travelling allowance of a Government servant both when proceeding on transfer to foreign service and when reverting to duty under Government shall be borne by the foreign employer.Division XXIVJournies of Government servant in Military employS.R.305. Except as provided in S.R. 306, the travelling allowance admissible to Government servants in Military employ is governed by Military Regulations.S.R.306. When a Commissioned Indian Military Officer of the regular forces, the military police or the militia whether on the active or the retired, list is invited to attend a Darbar or Levee at a place other than that at which he is stationed or has his residence, a competent authority may grant him travelling allowance for the the journey subject to the following limits :(a)For the journey from his station or place of residence to the place at which the Darbar or Levee is held and hence back to his starting point, single railway and steamer fares, actually paid and actual travelling expenses for journeys by road subject to the maximum admissible to a Government servant of the first grade.(b)For halt at the place at which the Darbar or Levee is held a daily allowance of Rs. 3.50.Division XXVJournies of other personsS.R.307. A Honorary Magistrate, not being a Government servant may, when employed on Government work under the order of a District Magistrate or Sub-divisional Officer at a distance exceeding 8 Kms. from his headquarters, or when the bench which he attends is situated at a similar distance from his residence, draw for journeys by railway one and half second class fare and journeys by road 12 paise for each Km. travelled. During halts when similarly employed, he may draw daily allowance of Rs. 3.50 subject to the conditions applicable to halts of Government servants on tour.S.R.308. Mohammadan Marriage Registrar who may be directed by Magistrate to conduct local enquiries under Section 202 of the Code of Criminal Procedure, 1898, [Now Code of Criminal Procedure, 1973 (2 of 1974)] in connection with complaints of offences relating to marriage when the parties are Mohammadans, may draw travelling allowance on the terms on which it is granted to Honorary Magistrate under S.R. 307 ; save that in their case daily allowance for halts will be limited to Rs. 1.25.S.R.309. (a) When any non-officials are required to attend any meeting of a commission of

inquiry or of a Board, conference, committee or departmental inquiry convened under proper authority, or are required to perform any public duty in an honorary capacity, they may be allowed by a competent authority convening such committee, conference or commission of inquiry or by the authority calling for honorary public service, travelling allowance and daily allowance at the rates admissible to Government servants of the senior grade irrespective of the place of tour or halt. The members of the Legislature are entitled to travelling allowance/daily allowance at the rates admissible to them under the Assam Legislative Assembly Members' Salaries and Allowances Rules, 1964. The Members of Parliament shall also be entitled to the same rates of T.A. and D.A. as admissible to them as per their own set of rules as Members of Parliament. For the cases indicated in item 56 of Appendix 4 the same may be governed by the rates shown therein. (b) In the case of the kind contemplated by Clause (a) of this rule, a competent authority may, in its discretion, grant to the person concerned his actual travelling, hotel and carriage expenses instead of travelling allowance under that clause. (c) A competent authority may delegate the power conferred upon it by Clause (a) of this rule to the Government servant presiding over the meeting of the commission or other body which the person concerned is required to attend. (d) Non-officials including Members of Legislature appointed to honorary offices, may be allowed by a competent authority or by the authority appointing them to offices, to draw conveyance allowance while performing the duties of the said honorary offices, at rates to be determined by such authority. The grant of such allowance is contingent upon keeping a serviceable conveyance. Note 1. Non-official members attending the Assam Railway and Steamer Communication Advisory Board are entitled to draw travelling allowance admissible to a Government servant of the first grade with daily allowance of Rs. 5. Note 2. Non-Official members of the Assam Medical Examination Board may be allowed travelling allowance as first Grade Government servants at rates admissible for journey on tour. Note 3. [Deleted]. Note 4. The travelling allowance/daily allowance or actual travelling, hotel and carriage expenses referred to in Clauses (a) and (b) of this rule will be admissible on production of a certificate by the non-official members to the effect that they have not drawn any such allowances for the same journeys and halts from any other Government source. State Government's decision. - (1) The travelling allowance bills of the non-official members appointed to Committee, Board, etc., set up by Government, being subject to pre-audit by the Accountant General, the non-official members do not get payment in time which causes considerable inconvenience to them. The question of simplification of the procedure for payment of travelling allowance to avoid such delay in payment, has been under consideration for sometime. The Governor of Assam is now pleased to decide that the procedure outlined below should henceforth be followed : (a) The payment of the entire amount due, including travelling allowance for the return journey, may be made on presentation of the bills at the Treasury after necessary countersignature of the controlling officer without sending the bills to the Accountant General, Assam, for pre-audit, it is, however, considered necessary to secure an undertaking from the members concerned to the effect that any over-payment of travelling allowance detected would be repaid by them in cash or loan in subsequent bills or other claims they may have on Government. In case any member does not give the undertaking there will be no alternative but to defer the payment until his travelling allowance bill is pre-audited in the normal course. After the money is drawn and disbursed according to this procedure the drawing and disbursing officer will have to furnish a certificate to audit within a month of drawal showing that the return journey has been duly performed. (b) In the case of committees, etc., convened by Government the Secretary of the Administrative Department

concerned should be declared as the drawing and disbursing officer of non-official members' travelling allowance bills. But as the Administrative Department have no separate allocation, the expenditure will have to be met out of the general provision controlled by the Chief Secretary who may remain the controlling officer and all such travelling allowance bills have to be countersigned! by him or by such other officer as may be authorised by him.(c)The bills should be drawn in the travelling allowance bill form. The drawing and disbursing officers will be responsible for the correct preparation of the bill and it will be the duty of the controlling officer to see that the bill is in order and to fill up the allotment column, etc.(d)The procedure will apply in the case of all non-official members of such Committees, Board, etc. including the Members of Legislative Assembly.(2)It has been decided that the expenditure in respect of travelling allowance and daily allowance of the non-official members of Boards/Committees convened by the Administrative Department should be debited to "25 G.A., etc." and those convened by the Heads of Departments should be debited to their respective budget head. The claims in the bill which are more than six months' old should also be sent to the Accountant General, Assam for pre-audit.Division XXVIControlling Officers' signature on travelling allowance billsS.R.310. A list of controlling authorities as declared by Government for travelling allowance purposes in respect of each Government servant or class of Government servants is given in Appendix 30. Government may amend the list from time to time and may, where they think fit, declare that any particular Government servant shall be his own controlling officer.S.R.311. Except where expressly permitted by a competent authority a controlling officer may not delegate to a subordinate his duty of countersignature.S.R.311A. The right of a Government servant to travelling allowance, including daily allowance, is forfeited or deemed to have been relinquished if the claim for it is not preferred within one year from the date on which it fell due.Note. The provision of this rule shall not be applicable in the cases where the Government servant prefers the claim for his T.A. including D.A. to the head of office or the controlling officer within one year from the date on which it becomes due.S.R.312. Except as provided in S.R. 313 no bill for travelling allowance other than permanent travelling allowance, shall be paid unless it be signed or countersigned by the controlling officer or the Government servant who presents it.S.R.313. Non-Gazetted Government servants may, provided that detailed and countersigned bills are subsequently submitted to the audit officer for adjustment, present bill for travelling allowance without the countersignature of the controlling officer.S.R.314. It is the duty of controlling officer, before signing or countersigning a travelling allowance bill-(a)to scrutinise the necessity, frequency and duration of journeys and halts for which travelling allowance is claimed and to disallow the whole or any part of the travelling allowance claimed for any journey or halt if he considers that a journey was unnecessary or unduly protracted or that halt was of excessive duration ;(b)to scrutinise carefully the distances entered in travelling allowance bill;(c)to satisfy himself that the actual cost of transporting servant, personal effects, etc., is claimed under these rules, the scale on which such servants, effects, etc., were transported was reasonable, to see that receipts of the railway and steamer companies or other carries in respect of claims for transportation of personal effects, conveyances or horses accompany the travelling allowance bills, and to disallow any claim which, in his opinion, does not fulfil that condition ;(d)to check any tendency to abuse the option of exchanging daily allowance for mileage allowance ; and(e)to observe any rules which a competent authority may make for his guidance.State Government's decisions. - (1) Following the Government of India, it is decided that henceforward prior to countersigning Travelling Allowance Bills of non-Gazetted staff, the particulars journeys involved may be certified by the gazetted officer under

whose orders. the journeys were undertaken.(2)It has been decided that the following certificate in the travelling allowance bills of non-Gazetted officers, particularly of Stenographers, Personal Assistants (non-Gazetted and Class IV Government servants will be necessary : "Certified that the particulars of the journeys performed by the non-gazetted officers have¹, been verified and that the Gazetted Officer under whose instructions the journeys were undertaken has certified that the journeys had actually been performed". Prior to countersigning travelling allowance bills the certificate shown above is to be furnished invariably as required to audit.(3)According to Rule 1 at page 1 of the Assam Audit Manual, Second Edition (Compiled by the Comptroller, Assam) the copies of the travelling allowance bills are necessary to be kept by the Gazetted Officers and by the office in case of non-Gazetted Officer. The number of touring officers has greatly increased resulting in greater number of irregularities in drawal of travelling allowance, etc. The copies of tour diaries alone do not reveal the full particulars as how an officer had drawn travelling allowance and whether the bill was drawn correctly, etc. From practical experience it is found that Investigating Officers get much difficulty while making enquiry in such cases of irregular drawal of travelling allowance in the absence of the copies of the relevant travelling allowance bills. The matter was referred to the Accountant General, Assam who has since amended the aforesaid rule [vide C.S. No.106/1]. The duplicate copies of all the travelling allowance bills of the officers and staff should henceforward be kept by all the officers and the offices. Finance (A.P.F.) Department (Misc. Branch) Office

Memorandum Subject: Travel concession to Government servants during regular leave. Ref: The 28th September, 1966 [No. FM. 2/65/86]. In pursuance of the recommendations of the Pay Committee, the Governor of Assam is pleased to grant to travel concession to Government servants as indicated below : (1) The concession will be admissible to Government servants whose homes are within the State of Assam once in a period of two calendar years for visiting their homes. It will cover Government servants and their families as defined in Clause (5) below. The families need not necessarily accompany the Government servants but may proceed or follow them during the same calendar year. For purpose of deciding the number of occasions the qualifying journeys made by a Government servant and his family will be viewed as one. (2) Government servants whose 'homes' are within a distance of 200 Kms., from their headquarters will not be allowed the concession. (3) Those whose 'homes' are beyond 200 Kms., from their headquarters shall themselves meet the entire cost of fares or mileage allowance for the initial 200 Kms., on each of the outward and return journeys. For the remaining distance (over the initial 200 Kms.), the Government will meet 100 per cent of the actual fares or mileage allowance. In every case the journeys should be to the 'home' and back but it need not necessarily commence from or end at the headquarters of the Government servant either in his own case or in the case of the family. But the assistance admissible will be the amount admissible for the actual distance travelled, limited to the amount that would have been admissible had the journey been performed between the headquarters and the 'home' of the officer. (Amended vide Notification No. FM. 52/74/1, dated 10-12-1974, to take effect from 1-12-1974). (4) The term 'home' referred to in the office memorandum shall be the permanent home town or village as entered in Service Book or other appropriate official record of the officer concerned, or such other place as declared by him, duly supported by reasons (such as, ownership of immovable property, permanent residence of near relatives, for example, parents, brothers, etc.) as the place where he would normally reside but for his absence from such as station for service in Government. Persons "displaced" from territories now part of Pakistan or those who have recently acquired an Indian domicile or those who have not so far declared their homes for any purposes in

correspondence with Government, for example, service records, applications for house building advances, etc., should now make a formal declaration. In every case the declaration should be made to the authority who has been declared to be the controlling officer in respect of the officer for purposes of T.A. claims. It should reach that authority not later than six months from the date of issue of these orders. In the case of an officer in foreign service, the period of six months should be reckoned from the date of his reversion to Government service, unless the concession is extended to him during his foreign service, in which case a declaration shall be made within six months of the date on which it is decided to extend the concession to him. Officers appointed to Government service in future should make such a declaration before the expiry of six months from the date of their entry into service. The declaration will be subject in each case to the acceptance of the controlling officer who shall satisfy himself about the correctness thereof, after calling for such evidence as he may consider necessary. The controlling officer shall forward the declaration after the verification to the Accounts Officer who shall keep them with the officer's history of service. An officer who shall be his own controlling officer for purpose of T.A. should make to his next superior administrative authority the initial or any subsequent declarations of his home town. In the case of non-gazetted Government servants, the declaration will be kept on their service books or other appropriate service records. A declaration of 'home' once made shall ordinarily be treated as final, but in exceptional circumstances, Government may make a change in such declaration which shall, however, not be made more than once during the service of a Government servant. (5) The term 'family' shall have the same meaning as given in the rule applicable to the Government servant for the purpose of T.A. on transfer. Where the wife is also a Government servant the concession will be admissible to the family on the scale admissible to the husband or the wife and not both. (6) The concession is not admissible to a Government servant who has not completed one year of continuous service on the date of journey performed by him or his family, as the case may be. (7) A Government servant who has a family as defined for the purposes of leave travel concession, living away from the place of work, may instead of having the concession for his family as well as for himself once in a block of two years, avail of the concession for himself alone once every year for visiting his home town. (8) The Government servants and their families who are unable to avail themselves of the concession in a block of two years, may be permitted to count the next block period from the end of first year. Thus, in the case where the Government servant and his family could not avail themselves of the concession in the 1964-65 block, they should be eligible to count the next block with effect from the first January, 1965. The concession due for the 1964-65 block must, however, be availed of by them before 31st December, 1966. In case they fail to avail themselves of the concession before that date they are entitled to concession for that block, the block should be treated as having lapsed. (9) The concession will be admissible to the Government servant during any kind of leave including casual leave and no minimum period of leave need be insisted upon to qualify for the concession. In case of a Government servant serving in a vacation Department vacation will be treated as regular leave for the purpose of this concession. (Amended vide Notification No. FM.52/74/1, dated 10-12-1974 to be effective from 1-12-1974). (10) In the case of the return journey falling in the succeeding calendar year, the concession should be counted against the year in which the outward journeys commenced. (11) If the leave applied for the Government servant is refused in writing by the authority competent to sanction the same, in the public interest, and if, also certified by that authority that leave cannot be granted at any time during that calendar year, the concession may be granted in respect of the family of the Government

servant during that year. In that case the concession will be deemed to have lapsed for that occasion so far as the Government servant is concerned.(12)The concession is admissible for journeys within the State as follows :(i)Railway journey. - The class of railway accommodation to which the Government servant and his family will be entitled, will be the class to which he is entitled under the normal rules at the time the journeys are undertaken. It will be permissible for the Government servant and/or his family to travel in a class higher or lower than that to which he is entitled in the former cases the Government's liability will be 100 per cent of the fare for the excess distance by the class to which he is entitled and in the latter case, 100 per cent of the fare for the excess distance by the class in which he or his family actually travelled.Government's liability for the cost railway fare between the Government servant's headquarters and his home shall be limited to the share of the fare by the shortest route.(ii)Journeys by the State Transport. - For the journey which is performed by the State Transport Services the concession will be admissible on the basis of 100 per cent of the fare for the excess distance by the class of accommodation to which the Government servant and his family are entitled. When there are no recognised classes of accommodation, the fare of the class actually used will be admissible.(iii)Journeys by public vehicles other than State Transport Services. - A Government servant shall be entitled to one mileage allowance plus one additional mileage each, for each entitled member of his family at the rate applicable to his grade up to 100 per cent of such mileage allowance for the excess distance.(iv)For the portion of the journey which is not connected by a recognised public transport system, Government assistance will be 100 per cent of the road mileage as prescribed for journeys by own car and private transport under the rules at single rate irrespective of the number of members of the family.In either of the cases mentioned in (i), (ii) and (iii) above, the amount of Government's assistance should be calculated on the basis of actual fares or mileage allowance at single rate, as the case may be, for the Government servant himself and each entitled member of his family for whom full fares are payable and at half the rates of actual fare or at half of mileage rate for children between the age 3 to 12 years for whom half fares are payable.No incidental expenses will be payable for the journeys performed under the Leave Travel Concession Scheme.(13)Government servant will be reimbursed 100 per cent of the rail/State transport fares of the road mileage mentioned in the preceding para of the journeys beyond the first 200 Kms. on presentation of claim in T.A. bill form on the usual certificates that they actually performed such journeys.(14)A certificate in the form enclosed should be submitted by Government servants with their T.A. bills for travel concession.(15)Government servants should inform the controlling officer before journeys for which assistance under this Scheme will be claimed, are undertaken.(16)A record of all assistance granted under these rules shall be suitably maintained. In the case of Gazetted Officers, the record shall be maintained by the Accounts Officer concerned. In the case of non-Gazetted staff, the record should be in the form of entries in the Service Book or other appropriate service records and should indicate the date or dates on which the journey or journeys to "Home" commenced. The authority responsible for the maintenance of service record shall ensure that on every occasion a Government servant proceeds on leave which is entered in his service records, the fact as to whether or not he availed of the travel assistance under these orders, is entered on that record.(As amended vide Notification No. FM/52/74/1, dated 10-12- 1974 to be effective from 1-12-1974).(17)In the case of A.I.S., Officers, the concession will be admissible to them as per Appointment's O.M. No. A.B.I. 32/56/75, dated 14th December, 1957 and subsequent amendments issued from time to time.(18)These orders will not apply to persons who are-(i)not in the whole time employment of Government,(ii)paid from contingencies,(iii)eligible for any other

form of travel concession,(iv)staff borne on work-charged establishment.(19)These orders, will take effect from 1st April, 1964.Certificate to be given by a Government servant

1. I have not submitted any other claim so far for leave travel concession in respect of myself or my family members in respect of the block of two years 20 and 20....

2. I have already drawn T.A. for leave travel concession in respect of a journey performed by me/my wife with children. This claim is in respect of the journey performed with the party on the earlier occasion.

3. The journey has been performed by me/my wife with..... children to the declared 'home-town', viz...

Signature of the Government servantThe term 'once in a period of two calendar years' should be taken to mean once in each block of two calendar years starting from the year 1964. Thus, the concession on the first occasion is admissible during the block of two consecutive calendar years 1964 and 1965. The concession of subsequent occasions will be admissible at any time during the calendar years 1966 and 1967, 1968 and 1969 and so on.Finance (A.P.F.) Department (Misc. Branch)Notification No. FM. 2/65/95-Part I, dated 19th March, 1968Office MemorandumSubject: Travel concession to Government servants during regular leave.Ref: This Department's O.M. No. FM. 2/65/86, dated 28/9/1966 and No. FM. 2/65/58-P. 1, dated, 14/8/1967.The undersigned is directed to invite a reference to this Department's O.M. referred to above and to say that it has since been decided that in addition to the certificate prescribed in the O.M. dated 28/9/1966 the following certificate may also be furnished along with the T.A. bills for leave travel concession by Government servants, viz."That my husband/wife is not employed in Government service. That my husband/wife is employed in Government service and the concession has not been availed of by him/her separately for himself/herself or for any of the family members for the concerned block of two years".These orders will have effect from the date of issue of this Memorandum.Finance (A.P.F.) Department (Misc. Branch)Notification No. FM. 2/65/58, Part I, dated 14th August, 1967Office MemorandumSubject: Travel concession to Government servants during regular leave.With reference to this Department's Office Memorandum No. FM. 2/65/86, dated 28-9-1966 on the above subject, the following clarification in regard to the provisions of the said O.M. may be noted :(1)In para (8) of the above O.M. it is laid down that the concession due for the Block 1964-65 must be availed of by Government servants before 31st December, 1966. It follows that the claims for the travel concession submitted after 31st December, 1966 by Government servants are no longer valid in so far as the Block 1964-65 is concerned. No claim for travel concessions submitted 31st December, 1966 in respect of the Block 1964-65 should therefor be entertained.(2)In paras (13) and (14) of the above O.M. it has been specifically provided that Government servants submitting claims for the travel concessions shall have to submit the certificates in support of their claims for concessions. The certificates alone are not sufficient to establish the genuineness of a claim for travel concession before the controlling officers. It is, therefore, decided that Government servants submitting T.A. bills for the concession should henceforth furnish the Serial Nos. of Railways/State

Transport tickets, cash receipts, etc. along with their T.A. bills, for the concession. All controlling officers must see that these Serial Nos. of Railways/S.T. tickets, cash receipts, etc. are furnished invariably in the T.A. bills of travel concessions, before countersigning such bills. These orders will have immediate effect. Finance (A.P.F.) Department (Misc. Branch) Notification No. F.M. 156/57/7, dated the 11th September, 1975 From : Secretary to the Government of Assam, Finance Department. To : All Secretaries to the Government of Assam, and all the Heads of Departments, etc. etc. Subject: Economy Measure during Emergency. Sir, The Government of Assam, after careful consideration of the recommendations made by the Committee set up for suggesting economy measures during emergency, is pleased to order as follows :

1. Honorarium. Honorarium should not be allowed to Government employees above the rank of Under-Secretaries and officers of equivalent rank and status. While sanctioning honorarium due care should be taken to justify the specific work or performance for which the amount was considered. Under no circumstances should more than 10 per cent of the employees in an office be entitled to receive honorarium. Honorarium for extra work should be decided before the work is entrusted to an officer/employee and it should not be sanctioned as a recurring allowance.

2. Sitting Fees. The practice of drawal of sitting fees by Official Directors for attending meetings of the Board of Directors of different companies should be discontinued henceforth.

3. Travelling Allowance. The Departments should enforce economy on tours by officers and others by proper planning and readjustment. Supervisory Officers should not be furnished with a comprehensive questionnaire by the Administrative Department/Heads of Departments for the purpose of inspecting different officers in course of the same tour.

4. (a) Office contingencies and hospitality charges. There should be utmost economy on expenditure on telegrams, telephone calls including trunk calls and any other items of contingent expenditure. Utmost economy should also be effected on the use of Pol in pool vehicles.

Similarly, with a view to effect economy non hospitality charges, it would be necessary to restrict expenditure on State guests and ensure that official receptions are invariably organised at Circuit Houses. (b) Repair and maintenance of vehicles. To ensure economy on expenditure on repair and maintenance of Government vehicles, all repairing works should be carried out in Government and semi-Government workshops, where available.

5. These orders shall take immediate effect.

Finance (A.P.F.) Department (Misc. Branch) Notification No. F.M. 69/74/13, dated 4th May, 1976 Office Memorandum Subject: Remuneration to Government servants nominated to Boards of management of public sector undertaking and Statutory Bodies. Reference. Government Notification No. FM. 69/74/1, dated 13th June, 1974 and No. FM. 156/75/7, dated 11th September, 1975. In supersession of Government Notification No. FM. 69/74/1, dated 13th June, 1974, the Governor of Assam is pleased to order that in respect of fee, travelling allowance, etc. of the State Government employees appointed as Directors or Members or nominated to the Corporations and Statutory Bodies, the decision and procedure outlined in Government of India's O.M. No. 5 (47) E- IV (B)/63, dated 5th July, 1965 and No. 7 (1) E-II (B)/71, dated 16th April, 1971 (copies enclosed) shall apply mutatis mutandis. These orders shall take effect immediately. Copy of O.M. No. (5) (47)-E-IV (B)/63, dated 5th, July, 1965, addressed to all Ministers of the Government of India, etc. Subject: Fees, travelling allowance, etc. of Government servants appointed as Directors, representatives or nominees of Government on the various Industrial undertakings, etc. The undersigned is directed to say that, in supersession of this Ministry's, orders noted in the margin, the President is pleased to decide that the grant of travelling allowance, fees, etc. to the Government servants appointed in the official capacity as Directors, representatives, or nominees of Government on the various Industrial undertakings, institutions will henceforth be regulated in the manner laid down in the following paragraphs.

2. Fees or other remuneration. - Fees in respect of Government servants attending meetings or for doing other works in connection with the affairs of Statutory organisations, Corporate bodies, industrial and commercial undertakings (not departmentally run) will be recoverable only if these are not wholly owned by the Central Government in which Central Government funds are invested or which are financed partly by such funds. The cases of semi-Government/non-Government institutions receiving grants from the Central Government should, however, be considered on merits, in consultation with the Associate Finance. No fees or other remuneration should be directly accepted by Government servants unless they are specially permitted to receive such fees under F.R. 46 and S. Rr. 111 and 112.

3. Travelling and daily allowance. - (i) Travelling and daily allowance of the Government servants for journeys performed in connection with the affairs of the organisations, institutions, etc, mentioned in para 2 above will be regulated under Government rules applicable to them and should be drawn from the source from which their pay is drawn. No part of the expenses on travelling or halts should be accepted by them from the undertakings, direct.

(ii) If the journey is solely or mainly in connection with the affairs of the undertakings, etc. the whole expenditure on the travelling and daily allowance of the Government servant, which is initially borne by the Ministry/Department concerned, should be recovered from the undertakings, etc. In case, however, the journeys of and halts are mainly connected with the affairs of Government, and only partly for the work of the undertakings, etc., no part of such expenditure should be recovered from the undertakings, etc. (iii) The authority controlling the allotment of funds for the travelling and daily allowance of the Government servants concerned shall be the sole judge for determining whether recovery should be made or not from the undertakings etc.

4. Mode of recovery of T.A./D.A., fees or other remuneration. - The claims in regard to T.A./D.A. fees or other remuneration referred to in paragraphs 2 and 3 above, should be referred against the undertakings etc. by an officer not below the rank of an Under-Secretary to the Ministry/Department hereinafter referred to as "unauthorised officer". The claims shall be preferred by the authorised officer against the undertakings, etc. "for and on behalf of" the Government servants concerned, for which purpose the latter shall execute in favour of the former a power of attorney authorising the claim and receipt of the amount from the undertakings, etc. The amount recovered shall be credited to the revenues of the Ministry/Department concerned by the authorised officer, who shall also at the time of preferring claims, endorse a copy thereof to the Audit Officer concerned to enable him to watch the actual recovery from the undertakings, etc. and its credit to Government. Further the travelling allowance bills preferred by Government servants attending the meetings etc. of the organisations mentioned in para 3 above should be supported by a certificate to the effect that no travelling expenses, fee or other remuneration has been claimed or drawn by them from the said organisations.

5. In so far as the persons working in the Indian Audit and Accounts Department are concerned, these orders issue after consultation with the Comptroller and Auditor General.

Copy of O.M. No. 7 (I)-E-II (B)/71, from the Ministry of Finance Department of Expenditure, dated the 16th April, 1971, addressed to all Ministries/Departments of the Government of India. Subject: Fees, travelling allowance, etc., of Government servants, appointed as Directors, representatives or nominees of Government or private companies etc. The undersigned is directed to refer to this Ministry's Office Memorandum No. F. 5 (47) E-IV (B)/63, dated the 5th July, 1965 on the subject mentioned above, which lays down the manner in which the grant of Travelling Allowance, fees etc. to the Government servants, appointed in their official capacity as Directors etc. on the various industrial undertakings/institutions is required to be regulated. A question has now been raised

whether a Government servant appointed in a similar capacity in connection with the affairs of a private company, which does not receive any financial assistance from the Central Government or in which the Central Government funds are not invested, can receive and retain fee for attending meetings, etc. of the Board of Directors of that company. It is hereby clarified that even in such case, the intention is that such a Government servant shall draw only Travelling Allowance under the rules applicable to him and from the source from which he draws his pay and he should credit to Government whatever fees, travelling allowance or other remuneration which may be received by him from such bodies under their rules and regulations. Such credits will be treated as the revenue of the Department concerned.

2. In cases in which Government officers already on foreign service are required to work in some capacity for a third party and receive fees from that party, such fees less the amount of expenditure incurred on them by the foreign employer by way of Travelling allowance which should be reimbursed to the foreign employer should be credited to Government.

3. Cases already decided otherwise need not be reopened.

4. In so far as the persons working in the Indian Audit and Accounts Department are concerned, these orders issue after consultation with the Comptroller and Auditor General.

Notification No. FM. 46/74/15, dated 22nd July, 1975
Office Memorandum
Subject: Admissibility of mileage, etc. between Gauhati and Dispur.
In view of the shifting of temporary Capital from Shillong to Dispur/Gauhati a question has arisen as to whether mileage allowance etc. will be admissible for travels between Dispur and Gauhati by Government officials on duty. The Governor of Assam is pleased to decide that the existing provisions will continue to be operative as usual for travels between Gauhati and Dispur and vice-versa by Government officials on duty and no other mileage allowance etc. will be admissible in such cases.
Government of Assam
Finance (A.P.F.) Department:
Misc. Branch

No. FM. 46/74/56 Dated Dispur, the 22nd March, 1980

Office Memorandum
Subject:-Admissibility of mileage etc. between Dispur and any other place in Greater Gauhati.
In supersession of this Department O.M. No. FM. 46/74/21, dated 10-12-1975 and in continuation of this Department O.M. No. FM. 23/77/5, dated 22-6-1977 (copy enclosed), the Governor of Assam is pleased to allow usual rates of mileage/T.A. on the basis of actual distance travelled by a Government servant when he is required to travel on duty between any two places within Greater Gauhati and it need not necessarily be limited to 8 kms only as was contemplated in the above mentioned O.M. dated 10-12-1975.
Secretary to the Government of Assam, Finance Department.
Government of Assam
Finance (A.P.F.) Department: Misc. Branch

No. FM. 21/83/6 Dated Dispur, the 2nd May, 1983

Office Memorandum Subject:-Drawal of D.A. for journey between Dispur/Gauhati and Barjhar Airport. A confusion has arisen in certain quarters as to the drawal of incidental in the form of daily allowance for travels between Dispur/Gauhati and Barjhar airport on official duty. The Governor of Assam is pleased to clarify that incidental at the rate of ½ daily allowance may be drawn for travels between Gauhati/ Dispur and Barjhar airport the distance of which is more than 40 Kms. (both ways). This is, however, subject to six hours' absence from H.Q. in terms of Note 2 of Para 5 of O.M.No. FM. 87/73/1, dated 6-12-1973. Under-Secretary to the Government of Assam Dated Dispur, the 2nd May, 1983 Section V Special Rules Relating to Assam Rifles [Not printed] Appendices Appendix 1 [F.R. 6 and S.R. 1 in Section II] Delegations made by the Government of Assam under Fundamental Rules

Serial No.	No. of Fundamental Rule	Nature of power	Authority to which the power is delegated	Extent of power delegated
1	2	3	4	5
1.	F.R. 9 (19)	Power to appoint a Government servant to officiate in a vacant post	(1) Any authority which has power to make a substantive appointment to the post (2) Registrar, Co-operative Societies	Full power. To appoint substitutes temporarily in place of Inspectors on leave.
2.	F.R. 22 (a) (i) and 30	Power to determine whether the appointment of a Government servant to a new post involves the assumption of duties or responsibilities of greater importance	(1) Head of the office	To decide the relative importance in cases where the two posts are in the same office and are under his control.
	(2) Head of the Department		To decide the relative importance in cases where the two posts belong to different offices	

			within the samedepartment.	
	(3) Departments of the Government of Assam		To decide the relative importance in all othercases.	
3.	F.R. 24	Power to withhold increments	(1) Any authority which has power to make asubstantive appointment to the post which the Government servantholds (2) Any other authority whom the Governor may,by general or special order authorise in this behalf	Full power.
				In respect of Sub-Inspector of Police undertheir control whose conduct is not good or whose work is notsatisfactory.
3-A.	F.R. 27	Power to grant an advance increment for eachfive good service marks to subordinate Police Officers	(3) Superintendent of Police Inspectors General of Police, Assam	Full power subject to the conditions laid downin Rule 44, Part III of the Assam Police Manual.
4.	F.R.35	Power to reduce the pay of an officiatingGovernment servant	Any Authority which has power to make anofficiating appointment to	Full power.

			post concerned	
5.	F.R.40	Power to fix the pay of a temporary post which will probably be filled by a Government servant	Any Authority which has power to create a temporary post on the pay fixed	Full power.
6.	F.R.49	Power to appoint Government servant to hold temporarily or to officiate in more than one post	Department of the Government of Assam	With concurrence of the Finance Department.
7.	F.R.71	Power to require a medical certificate of fitness before return from leave	Authority granting the leave	Full power. In the case of non-Gazetted Government servant a certificate of fitness signed by a registered medical practitioner may be accepted.
8.	F.R.73	Power to extend leave of a Government servant who remains absent after the end of his leave	Authority granting the leave	Full power ; provided that the Government servant on leave will on his return be under the authority's administrative control.
9.	F.R.100(b)	Power to sanction transfer to foreign service in India	Heads of Departments	Full power in the case of non-Gazetted Subordinate only, subject to observance of the principles laid down in Appendix 19 in case of transfer

				to the service of an Indian State.
10.	F.R. 114	Power to fix pay in foreign service, the amount of joining time admissible and pay during joining time	(i) Departments of the Government of Assam	With the concurrence of Finance Department.
	(ii) Heads of Departments		Full power on the case of non-Gazetted Subordinates only, subject to the observance of the principles laid down in Appendix 19 in the case of transfers to the service of an Indian State.	

Appendix 2 [S.R.2] Cases in which the assent of the Finance Department may be presumed to have been given to the exercise of powers by Departments of Government

Serial No.	No. of Fundamental Rule or Subsidiary Rule	Nature of power	Authority empowered	Extent of power conveyed
1	2	3	4	5
1.	F.R.10	Power to dispense with a medical certificate of fitness before appointment to Government service in individual cases	Departments of the Government of Assam	Full power.
2.	F.Rr. 14 and 14-B	Power to suspend a lien or to transfer a lien	Do	Do
3.	F.R.54-A	Power to fix the standard rent of a building occupied as residence	Public Works Department in the case of residences borne on their books and the Administrative Department in charge of the residence in other cases	Do
4.	F.R.100	Power to grant leave to a military officers subject to the military leave rules	Departments of the Government of Assam	Do

5.	F.R. 100(a)	Power to sanction transfer to foreign service	Departments of the Government of Assam	Subject to the observance of the principles laid down in Appendix 19.
6.	F.R.125	Power to decide the date of reversion of a Government servant returning after leave from foreign service	Departments of the Government of Assam	Full power
7.	S.R.10	Power to prescribe a Government servant's headquarters	Do	Do.
8.	S.R.54	Power to direct that the whole or any part of an honorarium of fee paid from an outside source for work done during office time may be paid to the Government servant who did the work	Do	Do.
9.	S.R.62	Power to grant leave to Gazetted Government servant not in foreign service	Do	Do.
10.	S.R.91	Power to grant leave to a Government servant in respect of whom a Medical Committee has reported that there is no reasonable prospect that he will ever be fit to return to duty	Do	Do
11.	S.R.114	Power to decide in a case of doubt whether a particular Government servant is serving in a vacation Department	Do	Do
12.	S.R.119	Power to accept as sufficient the reasons alleged by an officiating Government servant for refusing to occupy the residence placed at his disposal by the permanent holder of the post	Do	Do
13.	S.R.126	Power to grant leave to a temporary Engineer of the Public Works Department	Public Works Department of the Government	Do
14.	S.R.146	Power to extend joining time	Departments of the	Full power

			Government of Assam	subject to the prescribed maximum of 30 days.
15.	S.R.204	Power to prescribe the scale of Government tents to be supplied	Do.	Full power
16.	S.R.306	Power to grant travelling allowance to military officers attending Darbars or levees	Governor's Secretary	Do.

Appendix 3[F.R.9 (20) in Section III of Fundamental Rules and Assam Subsidiary Rules (Second Edition), 1939]Rules Regarding Grant of Overseas Pay[Not Printed]Appendix 4[S.R.4(3)]Authorities which will exercise the power to a "Competent Authority" under the various Subsidiary Rules

Serial No.	No. of Subsidiary Rule	Nature of power	Authority to whom power is delegated
1	2	3	4

1.	10	Power to prescribe a Government servant's headquarters	(1) Heads of Departments
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(2) The Hon'ble

(3) Registrar,
Co-operative Societies
and the Director
Industries

			(4) Director, Veterinary and Animal Husbandry Department
			(5) Deputy Director, Agriculture
2.	23	Power to allot a building or part of a building to a specified post	Administrative Department in concurrence with the residence with concurrence of the Department to which intended belongs
3.	24	Powers to direct that an officer on leave shall be considered to be in occupation of a residence	Do
4.	25(1)	Power to suspend the allotment of a residence	Administrative Department in concurrence with the residence with concurrence of the Finance Department
5.	25(4)	Power to allot residence of which the allotment has been suspended	Executive Engineer, the residence is of the Public Works Department (Housing Departments in cases) In consultation with District Officer
6.	26 (a)	Power to approve sub-tenant	Do
7.	26 (e)	Power to permit rent paid by a sub-tenant	Administrative Department in concurrence with the residence

		to exceed that paid by lessor of a Government residence	the residence with concurrence of the Finance Department
8.	28	Power to permit an officer to store furniture, etc., in a residence during temporary absence	Executive Engineer the residence is of the Public Works Department (Head Departments in cases)
9.	30	Power to nominate Public Works Officer to estimate the present value of residences and power to determine the present value	Chief Engineer residence is in the Public Works Department. In cases Heads of Departments consultation with Engineer With the concurrence Finance Department
10.	33 (a)	Power to estimate probable cost of maintenance and repairs of residences	Superintending when the residence charge of Public Works Department. In cases the Head of Department consultation with Superintending
11.	33 (b)	Power to estimate amount to be included for capital expenditure on additions and alterations in rents of leased residences	Superintending when the residence charge of the Public Works Department. In cases, the Head of Department consultation with the Superintending Engineer With the concurrence of the Finance Department
12.	34 (1) (a)	Power to estimate probable cost of maintenance and repairs of Government residences	Superintending when the residence charge of the Public Works Department other cases, the

13.	34 (1) (b)	Power to fix percentage to be adopted for calculation of cost of maintenance and repairs to Government residences	the Department concerned in co with the Superin Engineer Superintending when tire reside charge of the Pu Works Departm other cases, the the Department concerned in co with the Superin Engineer
14.	34 (8)	Power to revise amount or percentage referred to in S.R. 34	Do
15.	37 (1)	Powers to determine rent for certain premises and to estimate capital cost	When the reside charge of the Public Works De Secretary, Publi Department. In other cases, the Administrative Department con consultation wit Public Works D
16.	37 (2)	Power to determine charges for electric energy, water and meters	Do
17.	37 (2)	Power to fix the amount of profit that may accrue to Government from charges for electric energy and water supplied	When the reside charge of the Public Works De Secretary, Publi Department. In other cases, the Administrative Department con consultation wit Public Works Department Wit concurrence of the Finance Dep

18. 37 (2) Power to fix charges for electric energy and water where no meters are provided

19. 37 (2) Power to estimate the capital cost mentioned in Clauses (a) (i) and (c) (i)

20. 37 (2) Power to group a number of residences for purposes of assessment of charges for electric energy, water and meters

21. 38 Remission of rent when a portion of a residence is utilised as an office

22. 39 Remission or reduction of rent when a residence is rendered uninhabitable by reason of extensive repairs in progress or from any other cause

23. 41 Power to sanction the grant or acceptance of an honorarium or the acceptance of a fee

When the residence is in the charge of the Public Works Department. In other cases, the Administrative Department consulted with the Public Works Department.

When the residence is in the charge of the Public Works Department. In other cases, the Administrative Department consulted with the Public Works Department.

Do

Administrative Department in concurrence of the Finance Department.

Do

Heads of Department

Chief Secretary to the
Government of Assam
is incompetent to sanction
honorary up to
Rs.1000, in
each individual case in
respect of the
non-Gazetted and
Gazetted Government
servants of the
Secretariat

Superintendent
Secretariat Pres

Inspectors of Sc

Director of Publ
Instruction

Duty Commission
Naga Hills

Director, Veterinary
Department

Examiner, Local

Commissioner

Deputy Commis

Inspector-General
Police

Superintendent

Inspector-General
Police and
Superintendent

Director of Public
Instruction

Deputy Commis

Director of Publ

			Director of Industries
			Honoraria to Principal Director, Department of Historical and Antiquarian Studies
24.	53	Power to sanction the undertaking of a work whether with or without an honorarium or a fee	(1) Heads of Departments
	(2) Director, Veterinary Department		Where, however, permission is given to undertake a work on remuneration, the amount of the honorarium or the fee proposed must be within the competence of the authority specified in column 4 to authorise its grant or acceptance.
	(3) Examiner, Local Accounts		
25.	54	(i) Power to grant leave to menial servants and to make acting arrangements in the absentee's place	(1) Superintendent of Normal Schools Inspectors of Schools Head Masters, and (4) Head Master of Government High Schools
		(ii) Power to grant leave to directly appointed Inspectors of Co-operative Societies	Registrar, Co-operative Societies
			Weaving Superintendent

(iii) Power to grant leave to the Weaving Demonstrators and to make acting arrangements in their place

(iv) Power to grant leave to the ministerial and menial establishments of his own office as well as the non-Gazetted staff including apprentices and below the farm managers of cattle farms at Khanapara and Upper-Shillong

(v) Power to grant leave to [Class II] [Amended vide Correction Slip No. 117 to Fundamental Rules and Assam Subsidiary Rules, Memo. No. F.A. 71/48/44, dated 30th May, 1950.] officers of the Assam Schools Service, and to make acting arrangements in their place

(vi) (a) Power to grant leave to members of the Subordinate Forest Service above the lowest grade of Foresters

Deputy Director
Agriculture, Livestock and Fisheries

[Inspectors] [Amended vide Correction Slip No. 117 to Assam Subsidiary Rules.] and Inspectors of Schools

Officers in-charge of Forest Divisions, the Deputy Commissioner, Jaintia Hills and Superintendent of Jaintia Hills

(b) Power to grant leave to members of the electrical establishment

Officers in-charge
Forest Division

(vii) Power to grant leave to Divisional Compiler, Draftsman and Tracers

Divisional Officer

(viii) [] [Added vide Correction Slip No. 78 to Assam Subsidiary Rules.] Power to grant leave to Supervisors, Overseers and Sub-Overseers under Civil Public Works Disbursers

Civil Public Works
Disbursers

(ix) [] [Added vide Correction Slip No. 105 to Assam Subsidiary Rules.] Power to grant leave to teachers of Government Primary Schools under the control of the Divisional Inspectors of Schools excluding the teachers of such schools in the Garo, Naga and

Deputy Inspectors
Schools

Lushai Hills Districts
and the Frontier Tracts
and to make acting
arrangements in the
leave vacancies thus
caused

(x) [] [Added vide
Correction Slip No. 120
to Fundamental Rules
and Assam Subsidiary
Rules, dated 14th June,
1950.] Power to grant
leave to Inspector
of Taxes and to make
officiating
arrangements in their
places

Commissioner of

(xi) [] [Added vide
Correction Slip No. 295
to Assam Subsidiary
Rules.] Power to grant
leave and to make
acting arrangements in
their places to the
ministerial and
menial establishments
of his own office as well
as non-Gazetted
staff, including
stipendiaries, below the
rank of Lecturers

Principal, Assam
Agricultural College

(xii) [] [Added vide
Correction Slip No. 323
to Assam Subsidiary
Rules, dated 7th March,
1949.] Power to grant
leave and to make
acting arrangements in
their places to the
ministerial and
menial establishments
of his own office as well
as non-gazetted

Principal, Assam
Veterinary College

staffincluding
stipendiaries, below the
rank of lecturers.

(xiii) [] [Added vide
Correction Slip No. 468
to Assam Subsidiary
Rules, dated 18th
December, 1957.]Power
to grant leave to
Overseers(Grades II
and III) under Civil
Public Works
Disbursers

Civil Public Wor
Disbursers

26.

62

Power to grant leave to
Gazetted
Government servant not
in foreign service

(1) Commission
Divisions

(2) Director of
Agriculture

(3) Director of P
Instruction

(4) Conservator

(5) Inspector-G
Registration

(6) Commission
Excise

(7) [Commission
Taxes] [Added v
Correction Slip
to Assam Subsid
Rules, dated 23
December, 1953

27.	61 and 62	(a) Power to grant leave to a Gazetted Government servant in foreign service (b) Power to grant leave to a Gazetted Government servant in foreign service out of India if the foreign employer	Authority sanction transfer Foreign employ
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		pays to provincial revenues leave contribution under sub-Rule (b) of Rule 123 of the Fundamental Rules.	
		(c) Power to grant leave to a non-Gazetted Government servant in foreign service	(i) Foreign emp
	(ii) Authority sanctioning the transfer	Any other leave, also on average pay when the condition mentioned against (i) above is not fulfilled.	
28.	63	Power to waive proviso (a) in S.R. 63	Heads of Depart
29.	89	Power to refuse or revoke, leave of absence at any time and also the power to refuse to grant the full amount of leave applied for	The Authority c to grant leave under Subsidiar non-Gazetted an Gazetted officers, respecti
30.	91	Power to grant leave to a Government servant in respect of whom a medical committee has reported that there is no reasonable prospect that he will ever be fit to return to duty	(1) Head of Dep
	(2) Director, Veterinary Department under him	Full power in the case of non-Gazetted officers.	
31.	114	Powers to determine what Government servants are entitled to vacation, and the periods admissible in each case	(1) Director of Institutions

		(2) The Head of an office in the Education Department	Power to the extent permitted under orders of the Director of Public Instruction.	
		(3) Director of Industries	Full power as regards the institution under his control.	
		(4) [Inspector-General of Civil Hospital [Added vide Correction Slip No. 159 to Assam Subsidiary Rules.]	Full power in the case of Government servants not being member of the teaching staff of the Berry-White Medical School, Dibrugarh.	
32.	120	Power to grant maternity leave		Authority competent to grant leave under Subsidiary Rules.
33.	127 (Exception)	Power to dispense with the condition that the grant of leave should involve no expense to Government in the case of Government servants who have rendered five or more years' continuous temporary service		Authority competent to grant the leave
34.	141	Power to permit the calculation of joining time by a route other than that which travellers ordinarily use		(1) Head of Department
		(2) Director, Veterinary Department	Do	
35.	147	Power to grant a longer period of joining time than is admissible under the rules in any case		(1) Heads of Department
36.	167 (b)	Power to decide the shortest of two or more routes		(1) Heads of Department
		(2) Director,	Full power in respect of	

Veterinary Department

journeys between stations on the Jorhat Railway and the Furkating-Badulipara-Jorhat branch of the Assam Bengal Railway (Special reasons for the grant of the concession should be recorded in the bill itself).

(3) All Controlling Officers

Power to allow mileage allowance to be calculated by a route other than the shortest or cheapest

37.

168

(1) Heads of Dep

(2) Director, Veterinary Department

Full power in respect of journeys between stations on the Jorhat Railway and the Furkating-Badulipara-Jorhat branch Railway of the Assam-Bengal Railway (Special reasons for the grant of the concession should be recorded on the bill itself).

(3) All Controlling Officers

38.

169

		Power to decide the point in a station at which journeys begin or end	Commissioner of Divisions
39.	176	Power to declare that a Government servant whose pay does not exceed Rs. 30 is entitled for journeys by steamer to lowest class accommodation	All heads of office
40.	178	Power to decide in cases of doubt or hardship, the class of steamer accommodation to which a Government servant is entitled	(1) Heads of Departments (2) Director, Veterinary Department
[40-A.] [Added vide Correction Slip No. 152 to Assam Subsidiary Rules and Notification No. F.A. 42/42/Part 11/49, dated the 23rd September, 1942.]		Power to grant travelling allowances to educational officers who are required to perform journeys on scouting work	Director of Public Instruction
41.	200	Power to restrict the frequency and duration of journeys on tour	Controlling Officer countersigning travelling allowance
42.	201	Power to declare that the pay of a particular Government servant has been so fixed as to compensate for all journeys by road within his sphere of	Departments of Government of

		duty	
		(a) Power to permit by a special order in eachcase, the recovery of the actual cost in addition to mileage orpermanent travelling allowance or both of transport of horses,camels, motor-cars, etc, or camp equipment	
43.	207		Heads of Depar

For officers subordinate to them.

Camp
Equipment Vehicle

1st grade 20 1 motor car, or 20
maunds horses or 1 horse and 1
bicycle.

2nd grade 1 horse or1 bicycle or 1
10 maunds motor car.

3rd grade 5 --
maunds

| - ||||| All controlling Officers||

For themselves or their subordinates....1 bicycle.

| - ||||| Note 1.- The term "bicycle"includes a motor bicycle or motorcycle and side car.Note

2.

- An annual statement of sanctions given except forbicycles must be sent to the Finance Department.| -| 44.| 207| (b) To prescribe limitations on the weight ofcamp equipment and the number of conveyances, etc., to becarried at Government expenses|| Heads of Departments|| For officers subordinate to them within thelimits of items 43 above.| -| 45.| 212| Power to grant exemption from the rule limiting a halt tour to ten days|| (1) Commissioner of Divisions(2) Head ofDepartment(3) Director, Veterinary Department(4) ChiefInspector of Factories and Electrical Adviser to Government[(5)Chief Inspector of Boilers] [Added vide Correction Slip No. 508 lo Assam Subsidiary Rules.]|| Full power up to a limit of 30 days.| -||| (6) [I.G.C.H., Assam] [Added vide Correction Slip No. 175 to Assam Subsidiary Rules.]|| Full power up to a limit of 90 days in respectof civilian compounders attached to Assam Rifles Hospitals only.| -||| (7) [Chief Secretary, Assam] [Added vide Correction Slip No. 393 to Assam Subsidiary Rules.]|| Full power up to a limit of 30 days in respectof Gazetted and non-gazetted officers of the Assam CivilSecretariat, Shillong.| -|||

(8) [Added vide Correction Slip No. 512 to Assam Subsidiary Rules.] Chief Secretary to the Government of Assam Joint Secretary to the Government of Assam in Appointment Department || Full power up to limit of 30 days in respect of Chairman, Assam Public Service Commission. -| 46. | 214 | To impose restriction on the exchange of daily allowance for mileage allowance || Controlling Officers || Full power for Government servants of the 3rd and 4th grades subordinate to them in respect of journeys by road. -| 47. | 215 | To impose restrictions on the exchange of daily allowance for mileage allowance for journeys by public or hired conveyance || Controlling Officers || Full powers as regards Government servants subordinate to them. -| 48. | 216 | Power to impose restrictions on the exchange of daily allowance for mileage allowance by non-Gazetted ministerial or menial servants travelling in a public or hired conveyance || (1) Heads of Departments (2) Director, Veterinary Department (3) Chief Inspector of Factories and Electrical Adviser to Government ||

Full power

Camp Equipment Vehicles

For themselves-

35 maunds 3 horses, or 2 horses and 1 bicycle.

-| 49. | 221 (a) | Power to permit by a special order in each case the recovery of the actual cost of conveying camp equipments, horses, motor cars, etc. || Heads of Departments ||

For officers subordinate to them-

1st grade 20 maunds 1 motor car, or 20 horses or 1 horse and 1 bicycle.

2nd grade 10 maunds 1 horse or 1 bicycle or 1 motor, car.

3rd grade 5 maunds -----

-| || || || All Controlling Officers ||

For themselves or their subordinates-

----- 1 bicycle

-| || || || || Note 1.- The term "bicycle" includes a motor bicycle and side car. Note 2.- An annual statement of sanctions given except for bicycle must be sent to the Finance Department. -| 50. | 221 (b) | To prescribe limitations on the weight of camp equipment and the number of conveyances, etc., to be carried at Government expense || Heads of Departments || For officers subordinate to them within the limits in item 89 above. -| 51. | 236 | Power to allow travelling allowance for a journey to a first post || (1) [(a) Inspector General of Police] [Added vide Correction Slip No. 190 to Assam Subsidiary Rules.] || Actual expenses in respect of recruits from outside the State enlisted for the Police Force. -| || (1) [(b) Superintendents of Police] [Added vide Correction Slip No. 190 to Assam Subsidiary Rules.] || Actual travelling expenses in respect of recruits from outside the district enlisted for the District Police Force. -| || (2) Director of Public Instruction || (i) In respect of a female teacher recruited from outside the State after she is confirmed in her post. (ii) All members of the staff of Prince Mount School in superior service whether employed on teaching or other work, on condition that the person is recruited from outside the State and that the payment is not made until she has been confirmed. -| || || || (3) Director of Surveys || In case of persons recruited from outside the State for an appointment in Survey Department requiring technical skill or knowledge. -| || || || (4) Chief Engineer || To Subordinates under his control in the Public Works and Posts and pilotage Departments. -| || || || (5) Inspector General of Prisons || For warders recruited from in or outside

the State on pay not exceeding Rs. 20, actual expenses for their journey from the place of recruitment to the circle jail for which they are requisitioned.|-| (6) Conservator|| Subordinates appointed by him from Forest Schools.|-| (7) Inspector-General of Civil Hospital|| Compounders, [Nurses] [Added vide Correction Slip No. 310 to Assam Subsidiary Rules.] and midwives, when (i) the journey from their usual place of residence or from the place of training to the place where they take up their appointment involves a journey from one district to another, or (ii) when such journey if performed within the same district, involves an expenditure of Rs. 20 or over.|-| 52. | 263 Proviso (2) (i) and (ii) | Power to disallow travelling allowance (1) to the officer who has culpably neglected the duty of preparing for an obligatory examination, (2) or who does not display reasonable standard of proficiency in an examination which is not obligatory || Heads of Departments || Full powers.|-| 53. | 268 | Power to grant travelling allowance for journeys when proceeding on or returning from leave || Director of Surveys || (1) To khalsis and other menials, such rail and steamer fares as he may consider necessary to and from the place of recruitment when proceeding on or returning from leave of any kind, including Departmental leave. (2) Such travelling expenses as he may consider necessary to Surveyors and other subordinates when proceeding on or rejoining from leave if their homes are situated in another Province.|-| 54. | 285 (b) | Power to allow the actual cost of a journey to appear before a Medical Board preliminary to voluntary retirement on invalid pension || (1) Heads of Departments (2) Director, Veterinary Department || Full power.|-| 55. | 289 | Power to decide the rate of travelling allowance admissible to a Government servant deputed to undergo a course of training (vide Appendix 28 as to rates fixed in certain cases) || Departments of the Government of Assam || With the concurrence of the Finance Department.|-| 56. [] [Substituted vide Correction Slip No. 59 to Assam Subsidiary Rules, to take effect from 1st May, 1941.] | 309 | Power to grant travelling allowance to persons not being Government servants who are required to attend meeting or any commission of inquiry, etc. || (1) Director of Public Instruction || (i) In the cases of non-official members of the Board for Sanskrit, Toll Examinations for the Assam, Final Madrasa Examinations, and for the Normal and Training School Examinations.|-| (ii) Non-official examiners appointed by the Calcutta University for conducting the "practical examinations in science subjects for the B.A. and B.Sc. degrees, B.B. Examinations and I.A. and I.Sc. examinations at centres in this Province according to the grades fixed by him. Daily allowance will be Rs. 4 for those corresponding to Second Grade Government servants and Rs. 7-8-0 for those whose status correspond to the Indian Educational Service.|-| (2) Commissioner of Divisions || To the Presiding Officer and clerks, non-officials attending polling booths in connection with the election of members of the Central or Legislative Assembly.|-| (3) President, Medical Examination Board || Power to grant travelling allowance to examiners on the same conditions as in the case of the Educational Examiners.|-| (4) Secretary or President of the Medical Council of India || To non-official members of the Medical Council of India for attending meetings of the Council and of the Executive Committee at the following rates :|-| (a) Mileage allowance (railway fares)-1 1/2 first class railway fares to and from the place at which the Council or Executive Committee meets any other business is transacted.|-| (b) Mileage allowance (Steamer fares) 1-3/5 of the fare at the lowest rate of the class in which Government servant of the First Grade is entitled to accommodation.|-| In cases where the Steamer Company has two rates of fares, one inclusive and one exclusive of diet, the word "fare" shall be held to mean fares exclusive of diet.|-| (c) Road mileage 6 annas (8 annas for Simla) per mile for such part of the journey as cannot be made by rail or steamer, including the journey from and to railway station or place of embarkation and

disembarkation to the place where the Council or the Executive Committee meets or any other business is transacted.|-||||| (d) Daily allowance-Rs. 15 for each day of residence at the place where the Council or the Executive Committee meets or any other business is transacted.|-||||| Daily allowance at the rate of Rs. 7-8-0 for the day of arrival and departure from the place where the Council or the Executive Committee meets or where any other business is transacted. Such allowance will not, however, be admissible in respect of a place from which a non-official member departs on the same day on which he arrived at it.|-||||| (To official member of the Medical Council of India for attending meetings of the Council and of the Executive Committee, travelling and daily allowances under the Supplementary Rules framed by the President).|-|||| (5) Superintendent, Berry-White Medical School|| In the cases of non-official members of the committee for selection of candidates for admission to the Berry-White Medical School, Dibrugarh, the classification of the members for the purpose of travelling allowance will be made by the Inspector General of Civil hospital, who may allow daily allowance not exceeding Rs. 5 per diem for halts at Dibrugarh when a journey over [5 miles] [Substituted vide Correction Slip No. 211 to Assam Subsidiary Rules.] is involved in attending the meeting. No travelling allowance will be allowed to members resident at or within [5 miles] [Substituted vide Correction Slip No. 211 to Assam Subsidiary Rules.] of Dibrugarh.|-|||| (6) Chief Engineer|| To non-official members of the Assam [Roads] [Substituted vide Correction Slip No 394 to Assam Subsidiary Rules, dated the 6th May, 1953.] Communication Board including the representative of the Indian Road and Transport Development Association.|-|||| (7) Deputy Commissioners|| (a) [] [Substituted vide Correction Slip No. 194 to Assam Subsidiary Rules, to take effect from 1st September, 1943.] The Chairman of a Board, if a non-official, shall be paid an allowance of Rs. 5 a day for attending the meetings of the Board, and of Rs. 3 a day with a limitation of Rs. 20 per mensem as honorarium for transacting other business of the Board on days when no meeting takes place. No travelling allowance should be drawn on any day for which honorarium is drawn.|-||||| For the purposes of travelling allowance-|-||||| (1) Chairman of the Boards who are entitled to travelling allowance in any officer capacity will get travelling allowance admissible to them in that capacity.|-||||| Explanation.- This includes members of the Legislature.|-||||| (2) Chairmen who are ex-Government officers will draw travelling allowance of the grade to which they were entitled while in Government service.|-||||| (3) Chairmen other than those mentioned in (1) and (2) above will get travelling allowance as admissible under S.R. 309 of the Fundamental Rules and Subsidiary Rules.|-||||| (b) [] [Substituted vide Correction Slip No. 92 to Assam Subsidiary Rules, to take effect from 1st November, 1941] A member of a Board, if a non-official, who is not a resident of the station where the meetings of the Board are held, shall be paid an allowance of Rs. 3 a day for attending the meetings or for journeys to transact the business of the Board and shall not be entitled to daily allowance. Those who are residents of the station will get Rs. 2 a day.|-||||| Explanation.- For the purposes of this rule, a person residing within a radius of 5 miles from the place of meeting shall be deemed to be a resident of the station.|-|||| (8) Secretary, Provincial Transport Authority|| To non-official members of the Provincial Transport Authority travelling and halting allowance at the scale and on the conditions admissible to the members of the Legislatures for all meetings of the Authority, and any such members performing any journey, other than to attend a meeting of the Authority, in connection with the business of the authority shall with the sanction of the Chairman be entitled to receive travelling and halting allowance likewise.|-|||| (9) Secretary, Regions and Regional Transport Authority|| To non-official members of the Regional Transport Authority travelling and

halting allowance at the scale and on the conditions admissible to the members of the Legislatures for all meetings of the Authority, any such member performing any journey other than to attend a meeting of the Authority in connection with the business of the Authority shall with the sanction of the Chairman be entitled to receive travelling and halting allowance likewise. (Official members of the Authorities may countersign their own travelling allowance bills). } Appendix 5 [S.R. 4(4)] Heads of Departments under the Government of Assam The following officers have been declared to be Heads of Departments : (1) Commissioners of Divisions. (2) Director of Land Records and Inspector-General of Registration. (3) Registrar of Co-operative Societies and Director of Industries. (4) Conservator of Forests. (5) Director of Surveys. (6) Superintendent and Remembrancer of Legal Affairs, Administrator-General and Official Trustee. (7) Inspector-General of Police. (8) Director of Public Instruction. (9) Inspector-General of Civil Hospitals and Prisons. (10) Director of Public Health. (11) District and Sessions Judges. (12) Chief Engineer, Public Works Department. (13) Commissioner of Excise. (14) Director of Agriculture. (15) [Member, Assam Board of Agricultural Income-tax.] [Added vide Correction Slip No. 187 to Assam Subsidiary Rules.] The following officers have been authorised to exercise the financial powers of a Head of Department given in the various financial rules and manuals of the Government including the Fundamental Rules and the Subsidiary Rules : (1) Chairman, Assam Board of Revenue. (2) Secretary, Legislative Assembly. (3) Secretary, Legislative Council. (4) Secretary, Public Service Commission. (5) [Labour Commissioner, Assam.] [Added vide Correction Slip No. 232 to Assam Subsidiary Rules and Reference No. GCN 97/44, and FAA, 1/44.] (6) [Director, Assam Transport.] [Added vide Correction Slip No. 235 to Assam Subsidiary Rules and Reference No. HMV 52/43/23, dated the 2nd August, 1944.] (7) Provincial Motor Transport Controller. (8) [Director of Information and Publicity.] [Added vide Correction Slip No., 397 to Assam Subsidiary Rules and Reference No. EIP 23/41 and Memo No. FE. 6854/53, dated the 30th July, 1953.] (9) [Advocate General, Assam.] [Added vide Correction Slip No. 409 to Assam Subsidiary Rules and Reference No. JJD 177/53 and Memo No. FE 2267/54, dated the 12th April, 1954.] (10) [The Trade Adviser and Director of Movements, Government of Assam, Calcutta.] [Added vide Correction Slip No. 578 to Assam Subsidiary Rules and Reference No. FE 394/62, dated the 20th February, 1962.] Appendix 6 [S.R. 10] List of places declared to be Headquarters Note. Heads of Departments have been authorised to fix the headquarters of officers whom they appoint.

Sl. No.	Government servant	Place	Remarks
(1)	(2)	(3)	(4)
1.	Assistant to the Director of Land Records	Gauhati	
2.	Additional District and Sessions Judge, Sylhet and Cachar	Sylhet	
3.	Superintendent, Railway, Police	Haflong	
4.	Assistant Inspectress of Schools	Shillong	
5.	Inspector of Schools, Surma valley and Hill Division.	Sylhet	

6.	Director, Veterinary Department	Gauhati	In the recess season.N.B.- The headcamp of each survey party should be declared its headquarters inthe field seasons, it being left to the Director of Surveys todetermine from time to time the headquarters of the head camps aswell as to fix the dates for opening and closing the field andrecess seasons.
7.	All Survey Parties in Assam	Shillong	
8.	Deputy Superintendent of Police, Criminal InvestigationDepartment	Shillong	
9.	Agricultural Chemist	Jorhat	
10.	Superintendent of Agriculture Assam Valley Lower	Gauhati	
11.	Superintendent of Agriculture, Valley Surma	Sylhet	
12.	Superintendent of Agriculture, Assam Valley Upper	Jorhat	
13.	Economic Botanist	Borbheta	
14.	Personal Assistant and Stenographer to the Hon'ble Speaker ofthe Legislative Assembly	Town of Sylhet	
15. [] [Added vide Correction Slip No. 73 to Assam Subsidiary Rules.]	Assistant Commissioner (Appellate) and Secretary to the Boardof Agricultural Income-tax	Shillong	
16. [] [Added vide Correction Slip No. 221 to Assam Subsidiary Rules.]	Stamp Checking Officer, Assam	Sylhet	
17. [] [Added vide Correction Slip No. 296 to Assam Subsidiary Rules.]	Principal, Professors, Lecturers and other staff of the AssamAgricultural College	Borbheta	
18. [] [Added vide Correction Slip No.346 to Assam Subsidiary Rules	Commandant of the Assam Police Battalion	Dergaon	

and Memo No. FA
11/50, dated 3rd
March, 1950.]

Appendix 7[S.R. 15 (3)]List of stations to proceed outside jurisdiction

Serial No.	Designation	Place or Places	Purpose	Remarks
1.	2.	3.	4.	5.
1.	Superintendents of Police	Within or outside Assam	To attend Co-operative meetings	The Inspector-General should countersign the bill.
2.	Director of Public Instruction	Calcutta	For any bona fide purpose connected with education	
3.	[* * * *] [Deleted vide Correction Slip No. 435 to Assam Subsidiary Rules and Reference No. FM 1/18/51 and FM (Dy.) 2026/54, dated the 3rd June, 1955.]			
4.	Director, Veterinary Department	Ditto	To serve as a member of the Board of Examiners for the annual examination of the Belgachi Veterinary College	
5.	Registrar, Cooperative Societies	Outside Assam	To attend the annual conference of Provincial Registrars	
6.	Any Government officer who is a member of the Medical Council of India	Ditto	To attend the meetings of the Medical Council of India	

Appendix 8[F.R.46-A][S.R. 40]

of fees acceptable by Medical Officer in civil employ

[The Schedule does not apply to work done in the ordinary course of duty, i.e., official work in connection with Government.]

Nature of work	Rate of fee
1. Post mortem examination	Rs. 32
2. Medico-Legal examination	Rs. 16
	(Provided that if any special

		examinations involving prolonged or highly specialised investigation is needed, a higher fee up to Rs. 100 as a maximum may be charged subject to the Note* below item 3).
3.	Evidence in a court of law	Such fees as may be fixed by the Court.
	*(Note. A fee of Rs. 50 should be charged if the Chemical Examiner or his Assistants are asked to give evidence for a private person or public body.)	
4.	Medical examination of Postal Insurance	Rs. 4
5.	Medical examination for commutation of pensions	Rs. 16
6.	Medical opinion in arbitration case under the Workmen's Compensation Act [Now Employees' Compensation Act]	Rs. 32**
	**Note. This item has in view only an opinion given at the request of an arbitration body. It has no bearing on consultations made privately by either party to the case or on evidence given at the request of either party. It is unlikely that a Medical Officer consulted privately by either party would be approached for opinion by the arbitration body, but in the event of this being done the fee of Rs. 32 should be admissible.)	
7.	Certificate of physical fitness-	
(a)	to a candidate for Government employment other than that mentioned in Cl. (c) below	Rs. 16 (Candidates sent by the selecting or appointing authority for medical examination should be examined free of charge).
(b)	to a candidate for admission to educational institutions such as Government Technical Colleges or Training Schools	Rs. 4
(c)	to a candidate for an appointment to All-India Services or to technical posts by a Medical Board	Rs. 16 (One-fourth of the fee is creditable to Government).
8.	Service as Examiners for a University or other examining body	Such fees as may be fixed by the University or other examining body.
	Service as Lecturers	Such fees as may be fixed by the institution employing the officers.

- Private bacteriological work done at Government Laboratories (including Laboratories attached to Government hospitals and major laboratories of the Bacteriological or Medical Research Department)-

[A. Blood Examinations (Bacteriological or Serological)] [Added vide Correction Slip No.86 to Assam Subsidiary Rules and Reference No. 3895-F (a), dated the 24th July, 1941.]

1.	Widal reaction (to any combination of organisms, i.e., Typhoid, Paratyphoid, Malta fever, etc.)	Rs. 10
2.	Widal reaction (to a single organism)	Rs. 5
3.	Wassermann reaction	Rs. 32
4.	Kahn Test	Rs. 10
5.	Blood Cultures (Negative)	Rs. 15
6.	Blood Cultures (Positive)	Rs. 25
7.	Blood Grouping Test	Rs. 5
8.	Peripheral Board Culture for Leishman-Donovon bodies	Rs. 10
9.	Aldehyde or Antimony Test for Kala-azar	Rs. 5
10.	Red-cell Sedimentation Test	Rs. 5
B. Blood Examinations (Microscopical)		
11.	Blood Count-White Cells	Rs. 5
12.	Blood Count-Red Cells	Rs. 5
13.	Blood Count-Red and White Cells including Hb estimation	Rs. 10
14.	Blood Smears for differential leucocyte count	Rs. 5
15.	Blood Smears (for malaria, relapsing fever, etc.)	Rs. 5

16.	Blood Smears, animal (for Tick Fever, etc.)	Rs. 5
17.	Ditto when this includes taking the blood	Rs. 10
C. Blood Examinations (Bio-Chemicals)		
18.	Quantitative estimation of blood, sugar, urea, uric acid, N.P.N. Calcium, etc. (single estimation of each)	Rs. 16
19.	Blood Sugar Tolerance Test	Rs. 32
20.	Urea Clearance Test (Combined blood and urine urea)	Rs. 25
21.	Van den Bergh Test (direct)	Rs. 5
22.	Van Den Bergh Test (indirect, qualitative)	Rs. 5
23.	Van Den Bergh (indirect, quantitative)	Rs. 16
D. Urine Examinations		
24.	Bacteriological, involving culture	Rs. 10
25.	Clinical qualitative (Chemical and Microscopical)	Rs. 5
26.	Clinical quantitative (estimation of sugar, albumen, urea, acetone, indican, etc.)	Rs. 10
27.	Urea Concentration Test	Rs. 16
28.	Diastase Test	Rs. 16
29.	Blood N.P.N. Urea Clearance Test and Urea Concentration Test combined	Rs. 48
E. Faeces Examinations		
30.	Bacteriological, involving culture	Rs. 10
31.	Microscopical (for ova, cysts, etc.)	Rs. 5
32.	Bacteriological and Microscopical combined	Rs. 15
33.	For Occult blood (qualitative)	Rs. 5

34.	Fat estimation	Rs. 16
F. Cerebro-Spinal Fluid Examinations		
35.	Microscopical (Cytology, etc.)	Rs. 5
36.	Bacteriological involving culture	Rs. 10
37.	Bio-chemical examination (for globulin, sugar, etc. qualitative)	Rs. 5
38.	Bio-chemical examination (for globulin, sugar, etc. quantitative)	Rs. 16
39.	Lange's Gold Chloride Test	Rs. 32
G. Miscellaneous Bacteriological Examinations		
40.	Bacteriological examination of swabs or culture for diphtheria	Rs. 10
41.	Bacteriological examination of swabs, pathological fluids or culture for other pathogenic organism	Rs. 10
42.	Bacteriological examination of meat, milk, etc.	Rs. 15
43.	Examinations of Exudates, e.g., pleural, peritoneal, joint, etc. (microscopical)	Rs. 5
44.	Examination of Exudates, e.g., pleural, peritoneal, joint, etc. (bacteriological)	Rs. 10
45.	Routine examination of an organism (cultural reactions and fermentation tests only)	Rs. 10
46.	Routine examination of an organism involving use of serological tests)	Rs. 20
47.	Martin, Chick or Rideal-Walker Test for disinfectants	Rs. 45
48.	Preparation of Autogenous Vaccine-	
	(a) By the use of ordinary media	Rs. 16
	(b) When special complicated work is necessary involving animal experiment	Rs. 32
49.	Spleen or liver cultures for Kala-azar (including taking the specimen)	Rs. 16
H. Miscellaneous Microscopical Examinations		
50.	Pus Smears	

		Rs. 5
51.	Scrapings from ulcers, sores, films, etc.	Rs. 5
52.	Skin clippings or nasal smears for Leprosy	Rs. 5
53.	Hairs, scales, etc., for fungus infection	Rs. 5
54.	Preparations for Treponema pallidum-	
	(a) Staining	Rs. 5
	(b) Dark-ground illumination	Rs. 5
	(c) Both methods combined	Rs. 10
55.	Sputum for Tubercle bacilli Free Sputum for other pathological conditions	Rs. 5
	*In addition to this a sum of Re. 1 is charged for each C.C.(dose) of vaccine supplied. Six doses are usually issued for one course.	
	*N.B.- Done only in the Public Health Laboratory,Shillong.	
I. Miscellaneous Examinations		
56.	Inoculation of small animals for diagnosis of Tubercle etc.	Rs. 16
57.	Sections of morbid tissues	Rs. 16
58.	Identification of snakes, helminths or other animals or insects	Rs. 5
59.	Friedman's or other animal test for pregnancy	Rs. 16
60.	Examination of brain for Rabies (microscopical only)	Rs. 5
61.	Examination of brain for Rabies Biological Test, involving use of animals	Rs. 16
62.	Removal of brain, if done by the Laboratory	Rs. 5
63.	Chemical examination of test meal	Rs. 16

[J. Chemical Examination] [Substituted vide

Correction Slip No. 119 to Assam Subsidiary Rules.]

64.	Food-stuffs including milk, butter and ghee	Rs. 5
65.	Water samples	Rs. 10
K. Bacteriological		
66.	Water samples	Rs. 10
67.	Water samples (Chemical Bacteriological combined)	Rs. 10
68.	Private test and analysis conducted in the Chemical Examiner's Department-	
(1) (a)	Qualitative test for some specified constituent for which such test exist	10 to 20
(b)	for each additional constituent to be tested	5
(2) (a)	Quantitative determination of some specified constituent or property in a qualitative test	15 to 30
(b)	Each additional quantitative determination on the same sample	5 to 30
(3)	Examination of poisons-	
(a)	for the first article	20
(b)	for each subsequent article	10
(4)	Examination of stains for the presence of blood-	
(a)	for the first article	15
(b)	for each subsequent article	5
(5)	Examination of stains for the presence of semen-	
(a)	for the first article	20
(b)	for each additional article	10
(6)	For examination of drugs according to B.P. -	
(a)	Qualitative tests only	20
(b)	Complete qualitative and quantitative tests	30
(7) (a)	For the determination of saponification value, the acid value, the iodine value, the refractive index or the density of oil or fat	10
(b)	for each additional determination	5

For the determination of the flash		
(8)	point of an oil with Abel's close test-	
(a)	Up to 200°F	15
(b)	For higher temperatures	20
(9)	Examination of water for boiler or other technical purposes	20 to 40
(10)	Comparative tests of ink per sample	10
(11)	Soils (chemical analysis of)	40
(12)	Manures (ditto)	40
(13)	Organic analysis of grains, etc.	40
(14)	Medicolegal cases	32
(15)	Malt liquors	20
(16)	Potable water	20
(17)	Mineral oils lubricating, complete	30 to 40
(18) (a)	Vegetable oils, complete	30
(b)	Vegetable oils with calorific value	100
(19)	Paints, complete	30
(20)	Dry colours and Pigments	30
(21)	Mineral ores, quantitative	50
(22)	Tallow and other sizing material	30
(23) (a)	Coal, proximate analysis	30
(b)	Coal, calorific value	100
(24)	Oil cakes, complete with castor seeds	30
(25) (a)	Oil cakes, oil, albuminoid and sand	30
(b)	Oil cakes, oil for nitrogen only	30
(c)	Oil cakes, oil and albuminoids	30
(26) (a)	Bonemeals (manures)	30
(b)	Bonemeals (manures) for nitrogen only	
(27) (a)	Manganese ore, commercial analysis	50
(b)	Manganese only	30
(28)	Lime cements chemical analysis	30
(29)	Soap, complete	30
(30)	Alloys per constituent	30
(31)	Textiles, complete	30
(32)		30

Sulphate of alumina and other chemicals

(33) Spirits and wines	20
(34) Raw sugars	20
(35) Soils (practical analysis of)	20
(36) Manures (ditto)	20
(37) Tan barks	20
(38) Tea	20

Appendix 9[Fundamental Rule 51 in Section III of Fundamental Rules and Assam Subsidiary Rules (Second Edition) 1939]Travelling, etc., Allowances of Civil Officers serving under the Secretary of State, the Government of India, or the High Commissioner for India when on duty in Europe, including the rear East or America[Not Printed]Appendix 10[Fundamental Rule 56, Note in Section II]The Assam Public Service Commission Regulations[Not Printed]Appendix 11[F.R.58]Leave Rules, 1934

Part I – 1. These rules may be called the Leave Rules, 1934. They shall come into force with effect from 1st March, 1934.

2. Subject to the exception hereinafter contained, these rules shall apply to the following classes of persons employed in a service whose domicile is Asiatic or who, if their domicile is non-Asiatic, have not been specially recruited overseas for service in India and who are under the rule-making control of the Government of Assam :

(i)all persons who enter or have entered or are or have been re-employed in Government service, whether in a permanent or other capacity, on or after 1st March, 1934 ;(ii)persons who were in service whether in a permanent or other capacity on 1st March, 1934, if there is break in their service after that date ;(iii)persons who were in service whether in a permanent or other capacity on 1st March, 1934, and who elect within six months from the said date to come under these rules. Such election, when once made, shall be final;(iv)persons in Class IV service who were subject to the leave rules in the Fundamental Rules on the 30th September, 1956 and elected, these rules will apply with effect from the 1st October, 1956.Exception. - Persons in respect of whom special provisions regarding leave have been made shall be governed by such special provisions.Note. These rules replace in respect of those persons to whom they are made applicable by Rule 2, the corresponding leave rules in the Fundamental and Subsidiary Rules. The other rules in the Fundamental and Subsidiary Rules will remain operative in the case of those persons, except in so far as they may be inconsistent with or repugnant in subject or context to these Leave Rules. To meet the difficulties that may arise in certain cases in the application of Fundamental and Subsidiary Rules to persons governed by these rules, leave on average pay not exceeding four months shall be taken to mean earned leave not exceeding 120 days.

3. In these Rules-

(i)"Leave" includes earned leave, half pay leave on private affairs and medical certificate, commuted leave, leave not due and extraordinary leave ;(ii)"Earned leave" means leave earned as per provisions of Rule 9 of these rules;(iii)"half pay leave" means leave earned in respect of completed years of service;(iv)"earned leave due" means the amount of earned leave to the credit of an officer on 30th September, 1956, under the rules in force on that date plus the amount of earned leave, calculated as prescribed in Rr. 9, 10 and 12, as the case may be, diminished by the amount of the earned leave taken after the 30th September, 1956. Note. In the case of an officer mentioned in Clause (iv) of Rule 2, the leave on average pay to his credit on the 30th September, 1956 shall, subject to the appropriate limits specified in Rule 9, be deemed to be earned leave to his credit on that date;(v)"half pay leave due" means the amount of half pay leave calculated as prescribed in Rule 13, for the entire service, diminished by the amount of leave on private affairs, and leave on medical certificate taken before the 1st October, 1956 and half pay leave taken on or after that date. Note. In the case of an officer mentioned in Clause (iv) of Rule 2, above on half average pay and leave on quarter average pay availed of before the 1st October, 1956, shall be deemed to be leave on private affairs, and leave on medical certificate for the purposes of this clause ;(vi)"commuted leave" means leave taken under sub-Rule (c) of Rule 13 ;(vii)"officer in permanent employ" means an officer who holds substantively a permanent post or who holds a lien on a permanent post or who would hold a lien on a permanent post had the lien not been suspended ;(viii)"completed years of service" and "one year's continuous service" mean continuous service of the specified duration under the State Government and includes periods spent on duty as well as on leave including extraordinary leave.

4. Leave cannot be claimed as of right. Discretion is reserved to the authority empowered to grant leave to refuse or revoke leave at any time according to the exigencies of the public service.

5. Unless the Governor shall otherwise determine, after the years' continuous absence from duty-elsewhere than in Foreign service in India, whether with or without leave, a Government servant shall be removed from service after following the procedure laid down in the Assam Services (Discipline and Appeal) Rules, 1964 (This takes effect from 26-6-1968).

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

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

7. No leave shall be granted beyond the date on which an officer must compulsorily retire:

Provided that if in sufficient time before the date of compulsory retirement an officer has been denied in whole or in part, on account of exigencies of public service, any leave applied for and due as preparatory to retirement, then he may be granted, after the date of compulsory retirement, the amount of earned leave which was due to him on the said date of compulsory retirement subject to the maximum limit of 120 or 180 days, as prescribed in Rule 9, so long as the leave so granted, including the leave granted to him between the date from which the leave preparatory to retirement was to commence and the date of compulsory retirement, does not exceed the amount of leave preparatory to retirement actually denied, the half pay leave, if any, applied for by an officer preparatory to retirement and denied on the exigencies of public service being exchanged with earned leave to the extent such leave was earned between the date from which the leave preparatory to retirement was commenced and the date of compulsory retirement: Provided further that they Government servant-(a) who, after having been under suspension is re-instated within 120 days or 180 days, as the case may be, preceding the date of his compulsory retirement and was prevented by reason of having been under suspension from applying for leave preparatory to retirement, shall be allowed to avail of such leave as he was prevented from applying for, subject to a maximum of 120 days or 180 days, as the case may be, reduced by the period between the date of re-instatement and the date of compulsory retirement ;(b) who retired from service on attaining the age of compulsory retirement while under suspension and was prevented from applying for leave preparatory to retirement on account of having been under suspension, shall be allowed to avail of the leave to his credit subject to a maximum of 120 days or 180 days, as the case may be, after termination of proceedings, as prescribed in Rule 9 as if it had been refused as aforesaid, if in the opinion of the authority competent to order re-instatement, he has been fully exonerated and suspension was wholly unjustified. This takes effect from 30-10-1969 : Provided further that an officer whose service has been extended in the interests of the public service beyond the date of his compulsory retirement may similarly be granted either within the period of extension or after its expiry, any earned leave which could have been granted to him under the preceding proviso had he retired on that date less the leave, if any, taken during the period of extension and in addition such earned leave due in respect of the extension as had been formally applied for as preparatory to final cessation of his duties in sufficient time during the extension and refused to him on account of the exigencies of the public service. In determining the amount of earned leave due in respect of the extension with reference to Rule 9, earned leave, if any, admissible on the date of compulsory retirement should be taken into account. Explanation. - For the purpose of this rule an officer may be deemed to have been denied leave only if, in sufficient time before the date on which he must compulsorily retire or the date on which his duties finally cease, he was either formally applied for leave as leave preparatory to retirement and has been refused it on the ground of exigencies of public service or has ascertained in writing from the sanctioning authority that such leave is applied for would not be granted on the aforesaid ground. Government of Assam's decision No.(i) - The benefit of the provisions of Rule 7 of the Revised Leave Rules, 1934 will not be extended to temporary officer and officers on contract services, other than re-employed personnel in the ordinary course. Government of Assam's decision No. (ii) - A Government servant to whom Clauses (b) and (c) of F.R. 56 applies may be granted leave due and admissible to him which may extend

beyond the date on which he retires or is retired from service, but not extending beyond the date of retirement on superannuation :Provided that a Government servant, who is retired by Government by giving him pay and allowances in lieu of notice, may apply for leave, within the period for which such pay and allowances were given, and where he is granted leave, the leave salary shall be allowed only for the period of leave excluding the period of which pay and allowances in lieu of notice have been allowed. Annexure A Finance Department Establishment (A) Branch Notification No. FEG. 23/78/17/, dated 19-7-1978 Office Memorandum Subject: Cash payment in lieu of unutilised earned leave on the date of retirement. The Government of Assam have had under consideration for some time the question of grant of cash equivalent for unutilised earned leave at the credit of State Government employees. The matter has been carefully considered and the Governor of Assam is pleased to decide that State Government servants may be paid cash equivalent of leave salary in respect of the period of earned leave at their credit at the time of retirement on superannuation.

2. The decision contained in this Memorandum will be applicable to State Government servant retiring on superannuation on or after 19th July, 1978.

3. This concession will be subject to the following conditions :

(a) The payment of cash equivalent of leave-salary shall be limited to a maximum of 180 days earned leave ;(b) The cash equivalent of leave-salary thus admissible will become payable on retirement and will be paid in one lump sum as a one time settlement;(c) Cash payment under this order will, subject to (d) below, be equal to leave-salary as admissible for earned leave and dearness allowance admissible on that leave-salary at the rates in force on the date of retirement. No city compensatory allowance and/or house rent allowance shall be payable ;(d) [Deleted vide O.M., dated 4th October, 1978 enclosed];(e) The authority competent to grant leave shall issue order granting cash equivalent of earned leave at credit on the date of retirements.

4. These orders shall apply to cases of premature/voluntary retirement. Persons who are compulsorily' retired as a measure of punishment under the disciplinary rules will also not be covered by these orders.

5. The benefit under these orders shall also be admissible to Government servants who attain the age of retirement on or after 19th July, 1978 and are granted extension of service after the date. In such cases, the benefit shall be granted on the date of final retirement on expiry of extension to the extent of earned leave at credit on the date of superannuation plus the earned leave during the period of extension reduced by earned leave availed of during such period, subject to a maximum of 180 days. The above benefits will not, however be available to those who attained the age of retirement before 19th July, 1978 and were on extension of service thereafter.

6. Consequent on issue of this Office Memorandum refusal of earned leave as preparatory to retirement embodied in Rule 4 of the Revised Leave Rules, 1934 will no longer be necessary. A Government servant can also avail of as leave preparatory to retirement, a part of earned leave at his credit. In that case he will be allowed benefits of these orders for the earned leave that remains at credit on the date of retirement in accordance with the terms and conditions stipulated at this Office Memorandum.

Necessary amendment to the Revised Leave Rules, 1934 will follow. Joint Secretary to the Government of Assam Finance Department Establishment (A) Branch, Notification No. F.E.G. 23/78/26, dated 4th October, 1978 Office Memorandum Subject: Cash payment in lieu of utilised earned leave on date of retirement. The undersigned is directed to refer to para 3 (d) of the Department's O.M. No. FEG. 23/78/17, dated 19th July, 1978 according to which deduction on account of pension and pensionary equivalent of other retirement benefits is required to be made from the cash amount worked out in accordance with para 3 (c) *ibid*. The question of non-deduction of pension and pensionary equivalent of other retirement benefits from the cash amount worked out under para 3 (c) of the Department's O.M., dated 19th July, 1978 has been under consideration of the Government. After careful examination of all aspects the Governor of Assam is pleased to order that with effect from 19th July, 1978 no deduction on account of pension and pensionary equivalent of other retirement benefits need be made from the cash payment made in lieu of unutilised earned leave on the date of retirement to superannuation. Para 3 (d) of the Office Memorandum No. FEG. 23/78/17, dated 19th July, 1978 is hereby deleted with effect from 19th July, 1978.

2. Formal amendments to the Revised Leave Rules, 1934 will follow,

Joint Secretary to the Government of Assam Finance (Estt-A) Department

8. Subject to the provisions of Rule 4 and Rule 7, an officer may at any time be granted the whole or any part of the earned leave due to him.

Auditor General's decision. - In respect of the Government servants who are governed by these Leave Rules leave account need not be maintained in the forms prescribed in paragraph 33 of the Instructions issued by the Auditor-General under F.R. 74 (Appendix). The leave accounts are to be maintained in Form No. 70 (Assam Schedule II1-I) as per instructions in the ' remarks column.

9.

(1)(a)(i) A Government servant who is serving in a Department other than a Vacation Department shall be entitled to earned leave for 30 days in a calendar year. (ii) The leave account of every Government servant shall be credited with earned leave in advance into instalments of 15 days each on the first January and July every year. (b) The leave at the credit of Government servant at the

close of the previous half year shall be carried forward to the next half year, subject to the condition that the leave so carried forward plus the credit for the half year do not exceed the maximum limit of 240 days.(c)(i)Where a Government servant not in permanent employ is appointed without interruption of service substantively to a permanent post his leave account shall be credited with the earned leave which would have been admissible if his previous duty has been rendered as a Government servant in permanent employ diminished by any earned leave already taken.(ii)Where a Government servant had availed of leave on half pay or extraordinary leave since the date of permanent appointment such leave may, subject to the provisions of Rule 6, be converted into earned leave to the extent it is due and admissible as a result of recasting of his leave account.(d)A period spent in foreign service shall count as duty for purposes of this rule, if contribution towards leave salary is paid on account of such period.Exception. - The earned leave admissible to a Government servant of non-Asiatic domicile recruited in India who is in continuous service from a date prior to the 1st October, 1956, and is entitled to leave passages, is one-seventh of the period spent on duty and he ceases to earn such leave when the earned leave due amounts to 240 days.(2)Subject to the provisions of the rule, the maximum earned leave that may be granted at a time shall be-(i)120 days, in the case of any Government servant employed in India, or(ii)150 days, in the case of Government servant mentioned in the Exception to sub-Rule (1).(3)Earned leave may be granted to Government servant in Class I or Class II Service or to a Government servant mentioned in the Exception to sub-Rule (1), for a period exceeding 120 days or 150 days, as the case may be, but not exceeding 180 days if the entire leave so granted or any portion thereof is spent outside India, Bangladesh, Bhutan, Ceylon, Nepal and Pakistan :Provided that where earned leave for a period exceeding 120 days, or 150 days, as the case may be, is granted under this sub-rule, the period of such leave spent in India shall not in the aggregate exceed the aforesaid limit.Calculation of earned leave(4)(a)Earned leave shall be credited to the leave account of a Government servant at the rate of 2-1/2 days for each completed calendar month of service which he is likely to render in a half year of the calendar year in which he is appointed.(b)The credit for the half years in which Government servant is due to retire or resigns from the service shall be afforded only at the rate of 2 1/2 of days per completed calendar month up to the date of retirement or resignation.(c)When a Government servant is removed or dismissed from service or dies while in service, credit of earned leave shall be allowed at the rate of 2-1/2 days per completed calendar month up to the end of the calendar month preceding the calendar month in which he is removed or dismissed from service or dies while in service.(d)If a Government servant has taken extraordinary leave in a half year, the credit to be afforded to his leave account at the commencement of the next half year shall be reduced by 1/10th of the period of extraordinary leave availed of during the previous half year, subject to the condition that the reduction so made is limited to the maximum period of 15 days.(5)The order sanctioning earned leave/half pay leave to a Government servant shall indicate the balance at his credit.

10. [Deleted].

11. [Deleted].

12. (a) A Government servant serving in a vacation Department shall not be entitled to any earned leave in respect of duty performed in any year in which he avails himself of the full vacation.

(b) In respect of any year in which a Government servant avails himself of a portion of the vacation, he shall be entitled to earned leave in such proportion of 30 days, or 45 days when governed by the Exception to sub-Rule. (1) of Rule 9, as the number of days of vacation not taken bears to the full vacation : Provided that no such leave shall be admissible to a Government servant not in permanent employ in respect of the first year of his service. (c) Whether the earned leave is taken in combination with or in continuation of other leave or not, it shall not exceed the amount of earned leave due and admissible to the officer at a time under Rule 9: Provided further that the total duration of vacation, earned leave and commuted leave taken in conjunction shall not exceed 240 days. (d) Cash equivalent of leave salary in case of death in service. - In case a Government servant dies while in service, the cash equivalent of the leave salary that the deceased employee would have got, had he gone on earned leave that would have been due and admissible to him but for the death, on the date immediately following the death, and in any case, not exceeding leave salary for 240 days, shall be paid to his family subject to reduction on account of pension equivalent of death-cum-retirement gratuity. Note. In addition to the cash equivalent of leave salary admissible under this rule, the family of the deceased Government servant shall also be entitled to payment of dearness allowance only as per orders issued in this behalf separately. This takes effect from the date of issue. Audit Instructions. - The term "year" should be interpreted in the same way as the expression "each year of duty" in Clause (b) of F.R. 82 and the earned leave admissible to a Government servant on a particular date should be calculated in the manner indicated in Note 4 and item (3) of Audit Instruction below F.R. 82 in Section II.

13. (a) (i) The half-pay leave admissible to an officer in permanent and temporary employ in respect of each completed year of service is 20 days.

(ii) No half-pay leave may be granted to temporary Government servant unless the authority competent to sanction leave has reason to believe that he will return to duty on expiry of leave. (iii) For the purpose of calculating half-pay leave due, in the case of Government servant eligible for the Departmental leave under S.R. 136 each completed year of service shall be construed as 12 months of actual duty. (b) (i) The half-pay leave due may be granted to an officer on medical certificate or on private affairs. (ii) Half pay leave up to maximum of 180 days shall be allowed to be commuted during the entire service without production of medical certificate where such leave is utilised for an approved course of study i.e., a course which is certified to be in the public interest by the leave sanctioning authority. (c) Commuted leave not exceeding half the amount of half pay leave may be granted to a Government servant on medical certificate only subject to the following conditions that- (i) he has completed 1 year of service at the time he proceeds on commuted leave; (ii) when commuted leave is granted, twice the amount of such leave shall be debited against the half pay leave due; (iii) no commuted leave may be granted under this rule, unless the authority competent to sanction leave has reason to believe that the officer will return to duty on its expiry. (d) Save in the case of leave preparatory to retirement, leave not due may be granted to an

officer in permanent employ for a period not exceeding 360 days during his entire service, out of which not more than 90 days at a time and 180 days in all may be otherwise than on medical certificate. Such leave will be debited against the half pay leave the officer may earn subsequently. State Government's decision. - A question having arisen 'whether extraordinary leave granted to a Government servant in permanent employ either on medical certificate or otherwise than be commuted retrospectively into leave not due', it has been decided as "leave not due" is leave admissible under the rules, such a commutation is permissible at the discretion of the authority competent to sanction leave in respect of extraordinary leave taken on or after 1st October, 1956. Such a commutation is also permissible in a case where extraordinary leave was granted to a Government servant during temporary service after 1st October, 1956 and he subsequently confirmed with effect from a date earlier than the commencement of the extraordinary leave. Note 1. Leave not due should be granted only if the authority empowered to sanction leave is satisfied that there is a reasonable prospect of the officer's returning to duty on the expiry of the leave and it should be limited to the half pay leave he is likely to earn thereafter. Note 2. When a Government servant who has been granted leave not due under this clause applies for permission to retire voluntarily, the leave not due shall, if the permission is granted, be cancelled. Government of India's decision. - (1) The half pay leave earned by a Government servant in respect of a "completed year of service" can be availed of by him during the course of a spell of leave or during an extension thereof within which the date of anniversary of service falls. (2) The Government of India have had under consideration the question whether 'Leave not due' as defined in Article 302 of the Civil Service Regulations, F.R. 81 (c) and Rule 11 (d) of the Revised Leave Rules, 1933, should be granted to a Government servant who is undergoing treatment for tuberculosis. It has been decided that the supersession of all previous orders on the subject that 'leave not due' may be granted to permanent and quasi-permanent Government servants suffering from tuberculosis subject to the condition that the authority competent to sanction leave is satisfied that there is a reasonable prospect of the Government servant (i) returning to duty on the expiry of the leave ; and (ii) earning thereafter leave not less than the amount of 'leave not due' availed of by him. The prospect of returning to duty on the expiry of the leave should be assessed on the basis of the certificate given by the appropriate medical authority. The prospect of earning at least an equivalent amount of 'leave not due' should be assessed with reference to the fact whether in the normal course the Government servant would have enough service after his return to duty with which he would be able to wipe off the debit balance. For example, if an officer returns to duty and in the normal course, has to serve for only three years before reaching the age of superannuation the 'leave not due' should not exceed the half-pay leave he can earn during this period. The appropriate medical authority will be - (i) The Government servant's authorised medical attendant ; (ii) The Medical Officer-in-charge of a recognised sanatorium in the case of a Government servant undergoing treatment in a recognised sanatorium ; (iii) A tuberculosis specialist recognised as such by the State Administrative Medical Officer concerned in the case of a Government servant receiving treatment in a recognised sanatorium ; (iv) A qualified tuberculosis specialist or Civil Surgeon in the case of a Government servant suffering from tuberculosis other than pulmonary tuberculosis. Auditor-General's decision. - It has been decided with the concurrence of the Government of India that the authority empowered to grant leave under the Revised Leave Rules, 1934, has not been given the power to alter the nature of leave, though Rule 4 of these rules he has the power to refuse or revoke leave at any time according to the exigencies of the public service. Under Rule 14 there is no restriction on an officer

whose application for leave is supported by medical certificate being at his option granted leave on medical certificate even when earned leave is due to him.

14.

(1) Extraordinary leave without allowance may be granted to any officer in special circumstances-(a) when no other leave is by rule admissible, or (b) when other leave is admissible, but the official concerned applies in writing for the grant of extraordinary leave. (2) Except in the case of an officer in permanent employ the duration of extraordinary leave on any one occasion shall not exceed the following limits : (i) three months ; (ii) six months, in cases where the Government servant has completed three years' continuous service on the date of expiry of leave of the kind due and admissible under the rules [including three months extraordinary leave under (i) above] and his request for such leave is supported by a medical certificate as required under the rules ; (iii) eighteen months where the officer is undergoing treatment for-(1) pulmonary tuberculosis in a recognised sanatorium, or (2) tuberculosis of any other part of the body by a qualified tuberculosis specialist or a civil surgeon, or (3) leprosy in a recognised leprosy institution or by a civil surgeon or a specialist in leprosy recognised as such by the Administrative Medical Officer concerned. Note 1. The concession of extraordinary leave up to eighteen months will be admissible also to a Government servant suffering from pulmonary tuberculosis who receives treatment at his residence under a tuberculosis specialist recognised as such by the State Administrative Medical Officer concerned and produces a certificate signed by that specialist to the effect that he is under his treatment and that he has reasonable chances of recovery on the expiry of leave recommended. Note 2. The concession of extraordinary leave up to eighteen months under this sub-rule will be admissible only to those Government servants who have been in continuous Government service for a period exceeding one year. (iv) Twenty-four months where the leave is required for the purposes of prosecuting studies certified to be in the public interest, provided the Government servant concerned has completed three years' continuous service on the date of expiry of leave of the kind due and admissible under the rules [including three months extraordinary leave under (i) above]. (3) Where a Government servant who is not in permanent employ fails to resume duty on the expiry of the maximum period extraordinary leave granted to him or where such a Government servant who is granted a lesser amount of extraordinary leave than the maximum amount admissible, remains absent from duty for any period which together with the extraordinary leave granted exceeds the limit up to which he could have been granted such leave under sub-Rule (2), he shall, unless the Governor in view of the exceptional circumstances of the case otherwise determine, be deemed to have resigned his appointment. (4) [The Government servants belonging to the Scheduled Castes/Scheduled Tribes may, for the purposes of attending the pre-examination training centre at the centre notified by the Government of India from time to time, be granted extraordinary leave by Heads of Departments in relaxation of the provisions of sub-Rule (2) (1).] [This takes effect from 16-8-1978. [Reference Notification No. FEG-75 / 78/4, dated 16-8-1978, inserted vide Correction Slip No. 232.]] (5) The authority empowered to grant leave may commute retrospective periods of absence without leave into extraordinary leave. Government of India's decision. - (1) It has been decided by the Ministry of Finance in consultation with the Comptroller and Auditor General that the two spells of extraordinary leave if intervened by the maternity leave should be treated as one continuous spell of extraordinary leave for the purpose of Rule 14 (b) of the Revised Leave Rules, 1933. Two periods of

extraordinary leave when intervened by a spell of leave on half pay should be treated as one continuous spell for the purpose of applying the limit of 3 months mentioned in Rule 14 (b) above.(2)In addition to leave on average pay or earned leave, a the case may be, and/or leave on medical certificate, which may be admissible to them, the temporary Government servants, superior and inferior, who contract tuberculosis and undergo in a recognised sanatorium for long period may be granted in relaxation of Supplementary Rule 286-C. Rule 6 (2) below Supplementary Rule 286-C and sub-rule (b) of Rule 14 above extraordinary leave without allowance up to a maximum period of eighteen months on any occasion, subject to the following conditions :(i)the post from which the Government servant proceeds on leave is likely to last till the return to duty;(ii)the extraordinary leave shall be granted subject to the production of a certificate from the medical officer-in-charge of the sanatorium, specifying the period from which leave is recommended ; and(iii)the Medical Officer in recommending leave shall bear in mind the provisions of Supplementary Rule 220.[Government of India, Finance Department Endorsement No. F.7/(50) R.45, dated the 11th October, 1943, and Government of India, Ministry of Finance, U.O. No. 509/E/VI-54, dated 30th September, 1954].(3)The concession of extraordinary leave up to eighteen months will be admissible also to temporary Government servants suffering from tuberculosis of bones or joints on the production of certificate by a qualified T.B. Specialist or a Civil Surgeon.[Government of India, Finance Department Endorsement No. F-7/(61) Rule-1/44, dated 9th April, 1945 and Government of India, Ministry of Finance U.O. No. 5097-E/IV-54, dated the 30th September 1954].(4)The grant of the leave concession sanctioned in item (3) above to temporary Government servant suffering from tuberculosis of bones or joints is subject to the conditions laid down in Clauses (i) and (ii) of item (1) above. As such temporary Government servants are not required to undergo treatment at a recognised sanatorium, a certificate by a qualified T.B. Specialist or a Civil Surgeon may be accepted in lieu of that prescribed in Clause (ii) of item (i) above. A certificate prescribed in that clause will be necessary only in where the Government servants concerned undergo treatment in a recognised sanatorium.

15.

(1)A Government servant who proceeds on earned leave shall be entitled to leave salary equal to the pay drawn immediately before proceeding on earned leave.(2)An officer on half pay leave or leave not due will be entitled to leave salary equal to half the amount specified in sub-Rule (1) subject to maximum of Rs. 750 :Provided that this limit shall not apply if the leave is on medical certificate or for pursuing an approved course of study otherwise than on study leave terms.(3)An officer on commuted leave will be entitled to leave- salary equal to twice the amount admissible under sub-Rule (2).(4)An officer on extraordinary leave is not entitled to any leave-salary.Note. In respect of any period spent on deputation on foreign service out of India, the pay which the officer would have drawn if on duty in India shall be substituted for the pay actually drawn while calculating average pay.Explanation I. - For the purpose of this rule, 'substantive pay' means the substantive pay of the permanent post which the officer holds substantively or on which he holds a lien or would hold a lien, had the lien not been suspended and includes the special pay shown as part of scale of pay of the post:Provided further that the leave-salary of a Government servant who is in permanent employ and who has been continuously officiating in another post for more than three years at the time he proceeds on leave shall be calculated as if he were the substantive holder of the post in

which he was so officiating or in which he would have so officiated but for his officiating appointment in an equivalent or a still higher post. The three years' limit shall include-(a) all periods of leave during which the Government servant would have officiated in the post but for proceeding on such leave ; and (b) all periods of officiating service rendered in an equivalent or a still higher post but for appointment to which he would have officiated in the post.

Explanation II. - The leave-salary of an officer, who is already on leave on the 1st January, 1960, shall, from the commencement of such leave be recalculated in accordance with the provisions of the Revised Leave Rules, 1934 as amended under C.S. No. 501 to Fundamental Rules and Subsidiary Rules. This takes effect from 14-9-1961.

Government of India's decision. - (1) A Question having arisen whether the condition of 'no extra expense' was still in force in respect of the inferior Government servants subject to the Revised Leave Rules, 1934, the Government of India have decided that since the condition of "no extra expense" laid down in F.R. 87 does not exist in the corresponding Rule 16 (Rule 15 in the present compilation of the Revised Leave Rules), this condition should be considered as superseded by the Revised Leave Rules according to the Government of India's Order below Rule 2 and paragraph 4 of the Annexure of this Appendix. [Government of India, Finance Department Letter No. F-7 (15)-R-1/26 dated the 21 April, 1939].

(2) A provisionally permanent Government servant is an officer in permanent employ for the purpose of the Revised Leave Rules.

(3) A doubt arose regarding the determination of the amount of leave-salary to be paid to a Government servant after the first sixty days earned leave under Clause (ii) (b) of sub-Rule (1) of Rule 15. It has been held that the intention underlying the aforesaid rule is that the leave-salary after the first sixty days earned leave should be the substantive pay on the day before the leave commences or average monthly pay earned during the 26 complete months preceding the month in which the leave commences, whichever is higher.

N.B. - The changes in the Fundamental Rules and the Subsidiary Rules indicated below apply only to those Government servants to whom the Leave Rules, 1934, are applicable.

Special Disability Leave. - F.Rr. 83, 83-A and 83-B. The limit of 4 months laid down in sub-Clause (a) of Clause 7 of F.R. 83 should be taken to mean 120 days and the term "period of average pay occurring in sub-Clause (b) of Clause 7 of this rule should be taken to mean 'earned leave'. Half the amount of leave on average pay under this sub-clause will be counted as earned leave taken and leave-salary during special disability will be regulated under Rule 14 of the rules in part I.

The term "four months" in Clause (iii) of F.R. 83-A should be taken to mean 120 days. The concession in F.R. 83-B is not admissible to persons governed by the Leave Rules in Part I.

Study Leave. - F.R. 84 and Appendix 15. - During study leave a Government servant will be entitled to the same leave-salary as that admissible under Rule 15 (2) of the Rules in Part I. "Leave on average pay" occurring in lines 10 and 11 of Rule 12 of Appendix 15, Part I, should be taken to mean "earned leave" under the Leave Rules in Part 1, and the term "during the first four months of a period of leave on average pay" occurring within brackets in lines 6 and 7 of this rule should be taken to mean 120 days.

F.Rr. 89 and 90. - Under the Leave Rules in Part I, maximum limit has been imposed only in regard to leave-salary drawn during leave on private affairs or on medical certificate. No maximum limit is imposed in regard to leave-salary drawn during earned leave nor is there the benefit of a minimum leave-salary in regard to any kind of leave.

F.R. 100. - The limit of four months in Clause (a) of the rule should be interpreted to mean only "earned leave not exceeding 120 days" inclusive of the privilege leave which was due to the officer on the date of on which he became subject to F.R. 100, and that the provision contained in the proviso to Rule 9 of the Rules in Part 1 will apply.

F.R. 105 (b) (i) and S.R. 145. - The term "leave on average pay of not more than four

months duration" in these rules should be taken to mean "earned leave not exceeding 120 days".F.R. 105 (c) and S.R. 140. - The term "four months" mentioned in these rules should be taken to mean 120 days.F.R. 128. - The words "Chapters I to XI of these rules" in this rule should be taken to mean "Chapters I to IX and XI of these rules and the Leave Rules in Part I".Employees of local funds administered by Government who are not Government servants will be subject to the provisions of Chapters I to IX and XI of Fundamental Rules and the Leave Rules in Part I.S.Rr.73 22 118, 254, 256 and 270. - The maximum of 120 days should be substituted for the limit of four months. The term "leave on average pay" in S.R. 118 should be interpreted to mean "earned leave".S.Rr. to 88. - These rules will continue to apply to persons governed by the Leave Rules in Part I, subject to the limits laid down in Rule 13 of these Rules. Subsidiary Rules 89 to 116 will also continue to apply.S.R.122. - The period of leave is limited to three months on full pay or six months on half pay in any period of three years.Note. When the illness is one caused by irregular or intemperate habits, such as venereal disease, the period spent in hospital by the patient and any subsequent leave granted in continuation for convalescence should be treated as leave on medical certificate ; and if no such leave is due, then an extraordinary leave. Such period will not count towards approved service increment of pay.S.R.123. - "The period during which full pay is drawn" be substituted for the limit of three months.S.Rr.133 and 134. - These rules will remain in force but F.R. 85 mentioned in Cl. (b) of S.R. 134 should be taken to mean Rule 14 of the Leave Rules in Part I.Appendix 12[S.R. 16]List of Officers who are authorised to fill up appointments

No.	Officers	Class of appointments	Remarks
1.	District Officers	1. Ministerial and menial establishments in their own and in sub-registration offices (except revenue sheristadars and head-clerks of their own offices [and Head-clerks and Record Keeper of the District Registrar's Office at Sylhet] [Added vide Correction Slip No. 262 to Assam Subsidiary Rules.], ministerial establishments in Sub-divisional offices and Agricultural Demonstration staff placed under their direct control except the Agricultural Instructors at Aijal and Sadiya Note.- District Officers (including the Superintendent, Lushai Hills), in charge of Forests,	

		are authorised to make appointments in the ministerial and menial establishments of the Forest Branch of their office
		2. Supervisor-Kanungos
		3. Excise of Jamadars and Peons
		4. All non-gazetted appointments in Government Estates
2.	Ditto in Hills Districts	Establishment of primary school in the hill districts
3.	Sub-divisional Officers	Menial establishments of the Sub-divisional offices
	Director of Land Records,	
4.	Inspector-General of Registration and Superintendent of Stamps	1. Non-gazetted Government servants of all classes under him except Sub-Registrars
2. [Head Clerk and Record Keeper of the District Registrar's office at Sylhet]		
[Added vide Correction Slip No. 263 to Assam Subsidiary Rules.]		
3. Temporary appointments in the Settlement of Assam on pay ¹ [not exceeding Rs. 100 per month]		
[Added vide Correction Slip No. 125 to Fundamental Rules and Assam Subsidiary Rules.]		
[4-A.] [Substituted vide Correction Slip No. 39 to Assam Subsidiary Rules.]		
	Settlement Officer	Temporary appointments in the settlement of Assam on pay not exceeding Rs. 50 per month

5. Director of Surveys [Non-gazetted and menial staff under him] [Substituted vide Correction Slip No. 39 to Assam Subsidiary Rules.]
Non-gazetted appointments to any posts in the Forests service or clerical
6. Conservator of Forests establishments of the department, ministerial and menial establishments of his office
(1) [] [Substituted vide Correction Slip No. 132 to Fundamental Rules and Assam Subsidiary Rules, dated the 16th April, 1955.] Assistant Forester, Forest Guards and other Subordinates whose maximum pay in their respective scale does not exceed Rs. 55. Promotion of Forest Guards to Assistant Foresters will be made only to the extent of 25 per cent of posts of Assistant Foresters and will be controlled by Conservator of Forests Passing of orders on proceedings will be confined to the above categories of subordinates whose maximum pay in their respective scale does not exceed Rs. 55
7. Officers in charge of Forest Divisions (2) [] [Substituted vide Correction Slip No. 287 to Assam Subsidiary Rules, dated the 15th October, 1947.] Officiating appointments to vacancies in the lowest grade of clerks within the limit of budget

		allotment and if the vacancies are leave vacancies.	
		(3) Officiating appointment or promotion to the class of Foresters in vacancies not exceeding 6 months	
8.	Commissioner of Divisions	1. All appointments in his own office	The term 'head clerks' does not include the Collectorate Head Clerk in the Deputy Commissioner's office at Sylhet.
	2. Revenue sheristadars, head clerks in the offices of the Deputy Commissioners [and Sub-divisional Officer] [Added vide Correction Slip No. 444 to Assam Subsidiary Rules, dated the 13th February, 1956.]		
9.	Commissioner of Excise	Ministerial and menial appointments in his own office ; Ministerial staff in the office of the Special Superintendent of Excise, non- gazetted staff (excluding Jamadars in the District Executive Establishment) and peons of the Excise Department	
10.	Legal Remembrancer and Secretary, Legislative Council	The Ministerial establishments of his own office.	
11.	District Judges	The Ministerial and menial establishments of their own offices and of Subordinate Judges and	

		Munsiffs,proceess-serving peons, orderlies, duftries, and night watchmenon those establishments, and Civil Court Amins on their ownestablishments
12.	Inspector-General of Prisons	Jailors, Assistant Jailors, Jail clerks,compounders (Jails), Reserve head warders, and Ministerial andmenial establishments of his own office
13.	Superintendents of Jails, Gauhati, Sylhet and Hill DistrictJails	Head warders, warders and orderlies of Jails intheir charge
14. [] [Substituted vide Correction Slip No. 20 to Assam Subsidiary Rules [Finance Department Notification No. 5416-F (a), dated 23rd September, 1939].]	Inspector-General of Police	Ministerial establishments of his own office
14-A.	Deputy Inspector-General of Police	Inspectors, Sergeant Majors, Ministerialestablishments of his own offices and also of the offices of theSuperintendents of Police and menial establishment of his ownoffice[and of the Transport Authorities] [Added vide Correction Slip No. 125 to Assam Subsidiary Rules [Home Department Letter No. HMV 97/42/4, dated the 12th June, 1942].]
[14-B.] [Added vide Correction Slip No. 207 to Assam Subsidiary Rules [Finance Department Notification No. FEG	(i) Secretary, State Transport Authorities, and	[Secretaries Provincial and Regional TransportAuthorities, are also authorised to grant leave to theMinisterial establishment, of their offices and to make localarrangements in their places where necessary]. Menial establishments of their offices.

12/68/18, dated 27th
March, 1969].]

(ii) District Transport
Officer and Secretary,
Regional
Transport Authority

15. [] [Substituted vide
Correction Slip No. 20
to Assam Subsidiary
Rules (Finance
Department
Notification No. 5416
F (a), dated 23rd
September, 1939].]

Superintendents of
Police

Sub-Inspectors, Sergeants
Assistant Sub-Inspectors
Head Constables, Constables,
Interpreters, Steam or motor
launch and boat
establishments, elephant
establishments and menial
establishments of his own
and subordinate
officers, except the employees
in civil police hospitals

Appointments in Class [II]
[Amended vide Correction
Slip No. 118 to Fundamental
Rules and Assam Subsidiary
Rules.] of the Assam School
Service and in the selection
grade of Assam Lower
School Service, the
Ministerial and menial staff
of his office, the head and 2nd
clerks of the offices of the
Inspectors of Schools,
head and 2nd clerks and
Librarians in Arts Colleges,
Assistant Mistresses,
Matrons, Nurses and clerks
in Pine Mount
Schools, Shillong,
Clerk-Librarian in Earle Law
College and
Zenana Groves in
Sylhet. Also all appointments
outside the grade service on
maximum pay exceeding Rs.
75 a month.

16. Director of Public
Instruction

17. Inspectors of

All appointments in the

- Schools, [Inspectresses of ordinary grades of the Assam Schools] [Added vide Lower School Services and Correction Slip No. 114 Posts outside the graded services carrying a maximum to Assam Subsidiary pay not exceeding Rs. 75 per Rules.] and Principals of Colleges including mensem except the teaching Government Madrassa, appointments outside the Sylhet graded services in the Garo and the Naga Hills [and the Lushai Hills] [Added vide Correction Slip No. 273 to Assam Subsidiary Rules.] Frontier Tracts where the appointing authority is the Deputy Commissioner [the Superintendent, Lushai Hills] [Added vide Correction Slip No. 273 to Assam Subsidiary Rules.] or the Political Officer, as the case may be. Subordinate clerical establishments employed in their own offices or in those directly under their control.
- Menial appointments in their own offices and in institutions not under the control of Deputy Inspectors of Schools.
18. Secretary, Government Sanskrit College, Sylhet, Head-mistress, Pine Mount School, Shillong, Superintendents of Normal Schools, Deputy Inspectors of Schools, Head-masters and Head-mistresses of Government High Schools
19. Inspector-General of Civil Hospitals
- Menial appointments in their own offices or institutions, as the case may be, and in those directly under their control.
- Sub-Assistant Surgeons, Midwives including those for the Assam Rifles Battalions,

		Nurses, Dais, the Ministerial and menial establishments of his own office, Civil Surgeons' clerks and clerks of Superintendent of Medical School, Overseers of Mental Hospital, Taxidermist and Engineer of Medical School. All other non-gazetted establishments of the Medical Department under his control
20.	Civil Surgeons	Compounders other than Compounder Havildars, dressers, vaccinators and menial servants under them including compounders, dressers and menials attached to hospitals of Civil Police
21.	Superintendent of Medical School	Matrons and menial servants of the School
22.	Superintendent of Mental Hospital	Compounders, store-keepers and menial servants of the hospital
23.	Director of Public Health	All non-gazetted establishments under his control
[23-A.] [Added vide Correction Slip No. 252 to Assam Subsidiary Rules.]	Assistant Director of Public Health	Compounders and menial establishments under his control
24.	Superintendent, Vaccine Depot	Vaccine Depot establishment
25.	Director of Agriculture	Ministerial and menial establishment of his office, Chemical Assistant, Entomological Assistant, Botanical Assistant, Mytological Assistant, Farm Managers, Agricultural Inspectors, Fruit

		Inspector and Staff under him, Demonstrators in Khasi and Jaintia Hills, Peon to the Agricultural Inspector, Khasi and Jaintia Hills, Inspector of Government Gardens, Shillong, the menial establishments at the Botanical Garden Station Nursery, Shillong
26.	Director of Industries and Registrar of Co-operative Societies	Assistant Superintendent of Sericulture, Overseers of rearing stations, Auditors of Co-operative Societies and other non-gazetted appointments under his control
27.	Deputy Directors of Agriculture	Ministerial and menial establishments under them, Demonstrators as well as the non-gazetted Farm staff (including apprentices below the rank of farm Manager)
[27-A.] [Added vide Correction Slip No. 284 to Assam Subsidiary Rules.]	Agricultural Officer, North-East Frontier Agency	Ministerial and menial establishments under him. Demonstrators as well as non-gazetted staff (including apprentices) below the rank of Agricultural Inspectors
28.	Superintendent of Sericulture	Rearers and menial establishments attached to his office and to sericultural stations
29.	Economic Botanist	Ministerial and menial establishments, Botanical Field Assistants and all Fieldmen under him
[29-A.] [Added vide Correction Slip No. 195 to Assam Subsidiary Rules.]	Agricultural Chemist	Ministerial and menial establishments, Chemical Field Assistant, Fieldman and Laboratory

30.	Director, Veterinary Department	Workman under his control [Veterinary Inspectors, Assistant Surgeon, Clerks, Compounders and menials of his staff and of officers subordinate to him] [Substituted vide Correction Slip No. 124 to Assam Subsidiary Rules.]
31.	Superintendent, Assam Secretariat Press	Ministerial and technical establishments when the pay of the appointment is less than Rs. 100 and all menial establishments
32.	Chief Engineer	Assam Subordinate Engineering Service and Lower Subordinate Establishments, Supervisors and Overseers under Civil Public Works Disbursers, Drawing branch establishment of his office and of Divisional offices, Temporary Overseers and menial establishment of the offices
33.	Executive Engineer	Office and petty establishment of their respective offices
34.	Examiner Local Accounts	All establishments under him
35.	Weaving Superintendent	To appoint ministerial and menial establishment of the Weaving Institute at Gauhati and menial establishment of the Peripatetic Weaving parties and his own office
36.	Principal of Technical School	To appointment menial establishments attached to the technical schools under their control
37. [] [Substituted vide Correction Slip	Zonal Deputy Registrars of Co-operative Society	To appoint ministerial and grade IV establishments of all

No. 503 to Assam Subsidiary Rules.]		subordinate officers including their own respective Zones
38.	Deputy Director of Agriculture Live-Stock	To appoint and transfer the ministerial and menial establishments of his own office as well as the non-gazetted staff including apprentices and other farm employees below the rank of farm managers of the cattle farms at Sylhet, Khanapara and Upper Shillong
39.	Special Superintendent of Excise	To appoint, transfer, suspend and dismiss peon of the special branch
40.	Chief Inspector of Factories and Electrical Adviser to Government	Non-gazetted staff under him
41.	Honorary Provincial Director, Department of Historical and Antiquarian Studies, Assam	Ministerial and menial establishment under him
42.	Chief Inspector of Boilers	Non-gazetted staff under him
43.	Advocate General	Ministerial and menial establishments of his office
44. [] [Added vide Correction Slip Nos. 36 and 167 to Assam Subsidiary Rules.]	Deputy Director, Assam Surveys	Ministerial, menial and technical staff under him
45.	Political Officers	Ministerial and menial establishments in their own and in Sub-divisional offices, except Heads Clerks of their own offices, and establishments of Primary Schools in the Frontier Tracts
46.	Director, Pastuer Institute	Laboratory Assistants, laboratory attendants, media makers, testers, decanters,

		packers, and scalers andengineman, carpenter, etc., and the menial establishment underhim.	
47.	Principal, Assam Agricultural College	Ministerial and menial establishment of theAgricultural College, as well as the non-gazetted staff of theCollege (including apprentices) below the rank of Lecturers	D.A.'s approval
48.	Principal, Assam Veterinary College	Ministerial and menial establishment of theVeterinary College, as well as the non-Gazetted staff of theCollege	Director of Veterinary Department's approval
49.	Private Secretary to the Hon'ble Premier	Ministerial and menial staff under him	
50.	Labour Commissioner Assam	Ministerial and menial establishments in hisoffice and in the office subordinate to him	
51.	Assistant Commissioner of Agricultural Income-tax andSecretary, Board of Agricultural Income-tax, Assam	Non-gazetted Ministerial and menialestablishments under him	With the approval of the member.
52.	Director of Statistics	Ministerial (non-Gazetted) and menialestablishments of his office	
53.	Director, Forensic Science Laboratory	Scientific Technician, Laboratory Bearer,Mechanic, Gas Operator, Boiler Operator, Carpenter, U.D. A.in-charge, U.D. Assistant Store-Keeper, Typist, L.D. Assistant,Record Keeper Stenographer-Grade III and Grade IV staff	

Appendix 13Auditor-General's Instructions under Fundamental Rule 74I. Procedure Relating to
LeaveCertificate of Admissibility

1. Leave should be sanctioned to a gazetted Government servant only after its admissibility has been certified by the Audit Officer who has been auditing his pay.

Note. The leave accounts of the Archdeacon of Calcutta and the Presidency Senior Chaplain, Church of Scotland, Bengal are maintained by the Accountant General, Central Revenues. The leave accounts of all other Chaplains both of the Church of England and the Church of Scotland, including those attached to regiments are maintained by the Accountant General of the State in which they serve. In the case of Chaplains, therefore, the certificate of admissibility of leave required by the above rule will be issued by the Accountant-General who maintains the leave accounts.

2. Before the leave in India is sanctioned to a non- gazetted Government servant, the authority in sanctioning the leave should either consult the leave account prescribed in F.R. 76, and satisfy himself that the leave as admissible, or obtain a certificate to that effect from the officer entrusted with the attestation of the entries in leave account. When the application is for leave out of India, the authority sanctioning the leave should obtain a certificate of admissibility from the Audit Officer before sanctioning the leave.

3. When a military officer becomes subject to the Civil Leave Rules, the Audit Officer in charge of his record of pension service will, on application and on being furnished with the date of commencement of active service in civil employ, furnish to the Audit Officer to whose audit he becomes subject a memorandum showing the furlough earned, the different kinds of leave taken (distinguishing those which should be deducted from the maximum furlough admissible) and the balance of furlough due under Military Rules.

4. (a) Application for leave from military officers in civil employ, whether they are subject to the Military Leave Rules or the Civil Leave Rules, should be sent through the Civil Audit Officer who audits the pay of the officer going on leave. The Civil Audit Officer will, if he considers it necessary, consult the Controller of Military Accounts from whose payment the officer is transferred to the Civil Department before certifying to the leave and specifying the leave-salary. No leave should be sanctioned to such an officer before a report is received from the Civil Audit Officer.

(b) In the case of a military officer subject to the Military Leave Rules the Civil Audit Officer should obtain from the Controller of Military Accounts from whose payment the officer is transferred to the

Civil Department a certificate stating the amount of leave in which the officer is entitled and the rates of leave pay and allowance admissible during the said period of leave, before issuing a leave-salary certificate or a warrant or a certificate of leave granted to an officer proceeding on leave out of India who does not intend to draw his leave-salary at the Home Treasury or in Colony.

5. In the case of a Government servant on foreign service, leave cannot be sanctioned, until the Audit Officer of the Government (Central or State), under which he was permanently employed at the time of his transfer to foreign service, has certified the amount of leave and the leave-salary admissible.

Note 1. For the purpose of this rule, the Accountant General of the State in which the contribution towards leave-salary and pension of a Government servant on foreign service are recovered will act as Audit Officer of the Central Government. Note 2. In the case of Military Officers in temporary civil employ, the Controller of Military Accounts, who received the Foreign Service contributions of the Officers concerned is responsible for certifying to the amount of leave and leave-salary admissible, the necessary information in the case of Military Officers subject to the Civil Leave Rules, being obtained from the Civil Audit Officer concerned. Similarly, in the case of Government servants in Commercial Departments, e.g., Railway and Indian Posts and Telegraph Departments the certificate will be given by the Departmental Accounts Officer who is responsible for bringing the contribution to accounts. Payment of leave-salary in India

6. The leave-salary of a non-gazetted Government servant on leave in India or on leave out of India cannot be drawn in India except under the signature of the head of his office ; and the latter is responsible for any overcharge.

7. No Gazetted Government servant can begin to draw his leave-salary at any office of payment in India without producing a leave-salary certificate from the Audit Officer who audited his pay before proceeded on leave.

8. The certificate should be in F.R. Form No. 2-B, and if during leave the Gazetted Government servant desires to change the office at which he receives payment of his leave- salary, he must obtain a new certificate from the Audit Officer within whose jurisdiction his leave-salary was last paid.

8.

-A. A Gazetted Government servant desirous of discontinuing his subscription to the General Provident Fund during leave or of subscribing to the fund at the usual rates during leave on average pay and half rates during other leave, should intimate his wishes in the matter to his Audit office before proceeding on leave.

8.

-B. In the case of a Government servant entitled to Sterling Overseas Pay, who draws his leave-salary in India, that Portion of leave-salary which represents Sterling Overseas Pay is payable by the High Commissioner for India. A separate authority should be issued to the High Commissioner for India for payment of the Sterling portion of the leave-salary and to stop payment of duty on Sterling Overseas Pay. A copy of this authority should also be sent to the officer to enable him to draw the amount in accordance with the procedure had down or in the payment of leave-salary from the Home Treasury.

9. If a Gazetted Government servant signs his bill himself he must either appear in person at the place of payment or furnish a life certificate signed by a responsible officer of Government or some other well-known and trust worthy person. If he draws his leave salary through an authorised agent, the agent, whether he has or has not a power attorney, must either furnish a life certificate as aforesaid, or execute a bond to refund over-payments. A life certificate may be given periodically, a bond being given to cover intermediate payment not supported by life certificates.

10. The provisions of paragraphs 7 to 9 above apply also to gazetted Government servants who spend their leave out of India but reside in Asia and who have to draw their leave-salary in rupees in India under F.R. 91.

Note. A certificate of residence should be obtained from Government servants who draw their leave-salary at the rupee rate.

11. In the case of Railway and Telegraph Departments and the Military Engineer Service, the above rules will be generally applicable subject to any modifications which may be made by the Accountant General concerned in accordance with the special rules of this Department.

12. Before returning to duty, a Government servant who has drawn his leave-salary in India should obtain a last pay certificate from the Audit Officer, within whose jurisdiction his leave-salary was last paid, and deliver it to the Audit Officer who audits his pay. Without such a certificate he cannot obtain payment of any arrears of leave-salary or pay due to him.

Leave out of India

13. A copy of "Memorandum of information for the guidance of Government servants proceeding on leave out of India" should be supplied to each Government servant proceeding on leave out of India by the Audit Officer who audits his pay, as soon as the grant of leave is gazetted or otherwise notified to him.

14. (a) A Government servant proceeding on leave out of India and intending to draw his leave-salary while on leave should be given a leave-salary certificate by the Audit Officer who audited his pay before he proceeded on leave-

(1) In F.R. Form No. 2 if he intends to draw his leave-salary at the Home Treasury ; (2) in the shape of a leave-salary warrant in Form No. 1 under the Supplementary Rules, if he is proceeding to a Colony and intends to draw his leave-salary there. (b) If during any period of leave on average pay, a gazetted Government servant wishes, under the provisions of F.R. 91, to draw his leave-salary in India, a separate leave-salary certificate should be issued in respect of that period under the provisions of paragraph 8 above. Note 1. When vacation is taken alone or combined with holidays and spent out of India, or when vacation or/and holiday(s) is/are prefixed or suffixed to leave out of India, and is/are actually spent out of India, the Government servant may, in the absence of any specific restriction laid down either in a statutory rule or by a State Government, be authorised to draw his pay or leave-salary or both for the whole period at the Home Treasury or in a Colony, but the exact amount to be paid on account of each separate period must be stated in the certificate or warrant, as the case may be, issued by the audit officers. Note 2. When a Chaplain of the Church of Scotland proceeds to the United Kingdom on leave granted by the civil authority on his being reverted for the purpose from military to civil duty and intends to draw his leave-salary from the Home Treasury, the Controller of Military Accounts from whose office he was in receipt of pay sends to the Accountant General concerned a last- pay certificate on receipt of which a leave-salary certificate should be issued by the Accountant General.

14.

-A. In the case of a Government servant proceeding on leave to a Dominion or Colony and intending to draw that portion of his leave-salary which represents Sterling Overseas Pay from the Home Treasury, the colonial leave-salary warrant issued under paragraph 14 (a) (2) above should authorise payment of leave- salary based on rupee pay only. A separate intimation should be sent to the High Commissioner to pay that portion of leave-salary which represents Sterling Overseas Pay. A copy of this intimation should also be given to the Government servant in order that he may arrange to draw the amount in accordance with the procedure laid down for the payment of leave-salary from the Home Treasury.

15. When a Government servant proceeds out of India on leave other than extraordinary leave, the Audit officer who audits his pay will, as soon as the leave is gazetted or otherwise notified, send him a letter in F.R. Form No. 4 with enclosures in F.R. Form No. 5 requiring him to call at his office or give the necessary information.

Note. If a Government servant sent home to Europe as a lunatic is granted leave, as leave-salary certificate should be prepared, be necessary, by the Audit Officer who audits his pay on the data available to him, and forwarded to the High Commissioner for India at the earliest possible date.

16. If the Government servant calls at the Audit Office he will be paid up to the date of his relief and will be given a leave- salary certificate in the appropriate form as prescribed in paragraph 14 above. In the case of Government servants, proceeding to Colony, the Colonial leave-salary warrant (Form No. 1 under the Supplementary Rules) will be issued in triplicate. The original, bearing the Government servant's signature, will be forwarded by the Audit Officer to the Colonial Authority concerned, the duplicate to the High Commissioner for India and the triplicate will be made over to the Government servant concerned.

Note. If the Government servant takes a certificate under Clause (b) of paragraph 14 above, he will not be paid up to the date of relief, but will be allowed to draw his pay and allowances for the broken period of the month at the commencement of the next month with the leave-salary for the rest of the month.

17. If a Government servant is unable to call at the Audit Office, the Audit Officer will cause the leave-salary certificate to be sent to the address specified by the Government servant and the pay and allowances to be paid through the officer from whom the Government servant draws his pay and allowances.

Note. The orders in the note under paragraph 16 apply also in the circumstances specified in this paragraph.

18. When a Government servant proceeds on extraordinary leave out of India, or on leave on average pay or half average pay out of India during which he does not propose to draw leave-salary or when a Government servant is given a Colonial leave-salary warrant, he should be given a certificate of leave in Form 111 under the Supplementary Rules. This certificate has to be

presented by the Government servant to the High Commissioner for India if he is on leave in Europe, North Africa, America or the West Indies and applies for extension of leave, or for permission to return to duty or for a last pay certificate before returning to duty.

Note. Whenever a Government servant is proceeding to a Dominion or Colony which does not account directly to India, a duplicate copy of the certificate in Form II under the Supplementary Rules should be sent to the High Commissioner with the duplicate copy of the Colonial leave-salary warrant [vide paragraph 16].

19. [Deleted.]

20. With very leave-salary certificate, Colonial leave-salary warrant of certificate of leave, given to Government servants to whom the leave rules in Sections I to V of Chapter X of the Fundamental Rules are not applicable, a blank F.R. Form No. 7 will be given on which the Government servant concerned will report to the Audit Officer, from the first port at which the vessel touches, the day of his departure from India.

21. As soon as an Audit Officer has delivered a leave-salary certificate, certificate of leave or Colonial leave-salary warrant to a Government servant who proposes to spend his leave out of India, or has caused it to be sent to the address specified by him, he must forward a copy of the leave-salary certificate or certificate of leave or the duplicate copy of the Colonial leave-salary warrant to the High Commissioner for India.

22. [Deleted.]

23. If it becomes necessary to amend a leave-salary certificate in F.R. Form No. 2 the amendment should take the form of a short corrigendum worded so as to show only the particular item or items in which alteration have been made ; this corrigendum should be forwarded by the Audit Officer at the earliest possible date to the High Commissioner for India. Every corrected leave-salary certificate whether original or duplicate should be marked "Amended certificate."

24. Whenever the leave of a Government servant absent on leave out of India elsewhere than in Europe, North Africa, America or the West Indies is extended or commuted by the authority in India which granted the leave, the fact should forthwith be notified by the Audit Officer to the High Commissioner for India to enable him to check the payment by Colonial Treasurers or Staff Officers.

Note. This rule applies to military officers subject to the Military Leave Rules.

25. If the leave of a Government servant who draws his leave-salary in India under the provisions of F.R. 91 is extended or commuted, the Audit Officer who audited his pay at the time he proceeded on leave must, on receiving advice of such extension or commutation, forthwith communicate to the Audit Officer within whose jurisdiction his leave-salary is drawn. He should also communicate any other circumstances connected with the leave which may be required to be known to the Audit Officer who possesses the Government servant's leave-salary.

26. When no space for the entry of endorsement of payment remains upon the back of Colonial leave-salary warrant, or when a warrant is lost or destroyed, a fresh warrant should be issued by the Audit Officer who issued the original warrant on the application of the Government servant concerned submitted through the Colonial Disbursing Officer.

27. A Government servant who was on leave in Europe must, on return to India, deliver to the Audit Officer the last pay certificate obtained by him from the Commissioner, before he can obtain payment of any arrears of leave-salary or pay due to him. A Government servant who has drawn his leave-salary on a warrant must deliver his copy of the warrant which will serve as a last- pay certificate.

28. Changes in the above rules, except those which relate to Colonial leave-salary warrants, may be made by the Controller of Railway Accounts, or the Military Accountant General in accordance with the special rules of his own department.

Special rules relating to Military Officers

29. As soon as the grant of furlough or leave to a military officer in civil employ has appeared in orders, the Audit Officer from whose payment the officer is transferred to the Civil Department must, in the case of furlough to Europe, North Africa, America or the West Indies, forward to the High Commissioner for India a statement of the officer's service in such form as the military authorities may prescribe. This statement is not required in the case of officers proceeding on furlough under the Staff of British Leave Rules.

30. When furlough or leave or an extension of furlough or leave is granted to a military officer in civil employ, whether subject to the Civil or the Military Leave Rules, the Civil Audit Officer should intimate to the Audit Officer whose payment the officer is transferred to the Civil Department the date of beginning and end of the furlough or leave, the dates of embarkation and debarkation in the case of furlough out of India, as well as those of being struck off or of resuming duty.

31. [Deleted.]

32. On the return of an officer furlough or leave it will be the duty of the Audit Officer in charge of his record of pension service to satisfy himself that he has returned within his leave ; and if not, report the case to the authority which sanctioned the leave.

Leave account

33. The leave account prescribed in F.R. 76 should be kept in F.R. Forms No. 9 and No. 9-A in respect of Government servants under the special leave rules and ordinary leave rules respectively. The office in which the account should be kept for any Government servant and pension by whom the entries should be attached will be such as are prescribed by the State Government.

* * * * *

33.

-A. In the case of Government servants subject to the "Leave Rules, 1934 (Assam)" leave accounts need not be maintained in the forms prescribed in paragraph 33 above, the particulars entered in Service Books or Histories of Services or other records of service being sufficient for the calculation

of the amount of leave admissible at any time. If a Gazetted Government servant, subject to the "Leave Rules, 1934" is transferred permanently to another Government, the Audit Officer of the lending Government should draw up a leave account indicating therein the amount of "earned leave" at credit, leave-salary for which should be borne by the lending Government, and send it to the Audit Officer of the borrowing Government. The latter should pass on the debit in regard to leave-salary for "earned leave" up to the extent indicated in the leave accounts as and when the Government servant takes that leave after permanent transfer to the borrowing Government. When a non-Gazetted Government servant subject to the Leave Rules, 1934, is transferred permanently to another Government, the head of the office from which he is transferred should prepare a leave account showing the amount of "earned leave" at credit on the date of permanent transfer and send it to the head of the office to which the Government servant is transferred. A copy of the leave account should also be sent at the same time to the Audit Officer of the office from which the Government servant is transferred so as to enable him to accept debit on account of leave-salary for "earned leave" up to the extent indicated in the leave account, as and when the Government servant takes leave.

34. A service book in Form F.R. No. 10 should be maintained for every non-Gazetted Government servant for whom it is prescribed under the orders of the Government. In this book every step in the Government servant's official life should be recorded and each entry should be attested by such superior officer as may be prescribed by the State Government.

35. If a Government servant is transferred to foreign service, the Audit Officer referred to in paragraph 5 above will, on receipt of the service book from the head of the office or department concerned, note in it, under his signature, the order sanctioning the transfer, the effect of the transfer in regard to leave admissible during foreign service and any other particulars which he may consider to be necessary, and return the same to the officer from whom he received it. On the Government servant's re-transfer to Government service, the Audit Officer will again note in the service book, under this signature, all necessary particulars concerned with the foreign service. All entries relating to the time spent in foreign service should be attested by the Audit Officer.

Appendix 14 Leave Procedure Rules made by the Governor-General under Fundamental Rule 74 Report of arrival in the United Kingdom

1. A Government servant taking leave in the United Kingdom must report his arrival in that country to High Commissioner for India.

Payment of Leave-salary

2. No Government servant can begin to draw leave- salary from the Home Treasury until he has presented to the High Commissioner a leave salary certificate in such form as the Auditor-General may prescribe.

3. Leave-salary is issued from the Home Treasury monthly in arrear on the first day of each calendar month.

4. Payment will be made, at the option of the Government servant drawing leave-salary by any of the following methods :

(a)To the Government servant himself on his personal application.(b)To his banker or other agent, duly authorised under power-of-attorney, on production of a life certificate duly filled up and executed. In cases where the banker has guaranteed the Secretary of State or the High Commissioner against loss consequent upon dispensation with proof of existence, a life certificate is unnecessary.Note. A supply of life certificate forms may be obtained from the High Commissioner.(c)To the presenter of a payment from comprising a receipt and a life certificate, both duly completed by the Government servant.Note. If the Government servant intimates to the High Commissioner his election of this method, he will be regularly supplied with the requisite payment form as the due date of issue approaches.

5. No Government servant can begin to draw leave-salary from a Colonial Treasury until a warrant in Form I or I-A, as the case may be, has been issued in his favour. Such warrants will be issued in triplicate. The original bearing the Government servant's signature, will be forwarded by the issuing authority to the Colonial authority concerned ; the duplicate to the High Commissioner and the triplicate will be retained by the Government servant. Payment of leave-salary will not be made rules the Colonial authority is in possession of the original and the Government servant of the triplicate of the warrant.

6. Each payment of leave-salary must be endorsed upon the back of both the original warrant and the triplicate, and an acknowledgement of receipt must be endorsed by the Government servant upon the back of both the copies.

7. When no space for the entry of endorsements of payment remains upon the back of warrant, or when a warrant is lost or destroyed, a fresh warrant will be issued by the original issuing authority on the application of the Government servant submitted through the Colonial disbursing officer.

8. If the transfer from one Colony to another of payment of the leave-salary of a Government servant is sanctioned by the Colonial authorities, such transfer must be reported by the Government servant to the Governor-General and to the High Commissioner.

9. (a) If a Government servant who is drawing his leave-salary in a Colony desires to transfer payment to the Home Treasury, he can do so on production of his warrant to the High Commissioner.

(b) If a Government servant who is drawing his leave-salary from the Home Treasury desires to transfer payment to a Colony, he must obtain a warrant in Form I or 1-A, as the case may be, from the High Commissioner who will forward the original of the warrant to the Colonial authority concerned. (c) A transfer sanctioned under Cl. (a) or (b) of this rule be reported by the Government servant to the Governor-General. Extension of leave

10. A Government servant absent from India on leave who desires an extension of his leave must make application for such extension not less than three months before the expiry of his leave. An application made within three months from such expiry will not be considered unless special reasons for consideration exist.

11. An application for extension of leave by a Government servant on leave in Europe, North Africa, America or West Indies must be made to the High Commissioner. Unless the extension is desired on medical grounds, or is for a period of not more than fourteen days, the application must be accompanied by evidence that the Government on whose cadre the Government servant is borne has been consulted and has no objection to the extension. It is in exceptional cases only that the High Commissioner will grant an extension without the production of such evidence, and then for such period only as may be necessary to obtain the orders of the Government concerned, which will be sought by telegraph at the applicant's expense.

12. If a Government servant on leave in any of the localities named in Rule 11 desires on medical grounds, an extension for a longer period than fourteen days he must satisfy the Medical Board at the India office of the necessity for the extension. In order to do so, he must as a general rule, appear at Indian office for examination by the Board ; but in special cases, and particularly if

he be residing at a distance of more than sixty miles from London, a certificate in a form to be obtained from the High Commissioner may be accepted if signed by two medical practitioners. A certificate obtained outside the United Kingdom and signed by foreigners must be attested by Consular or other authority as bearing the signature of qualified medical practitioners.

13. If a Government servant on leave in any of the localities named in Rule 11 desires, on grounds other than medical, an extension of leave on medical certificate, he must satisfy the Medical Board at the India office, by the procedure described in Rule 12, that he has recovered his health.

14. An application for extension of leave by a Government servant on leave out of India elsewhere than in the localities named in Rule 11 must be made to the authority which granted the leave.

15. If an application made under Rule 14 is for a extension of leave on medical certificate it must be accompanied by a certificate from medical practitioners in the following form :

"We hereby certify that we have carefully examined CD of thewho is suffering fromand we declare upon our honour that, according to the best of our judgement and belief he is at present unfit for duty in India and that it is absolutely necessary for the recovery of his health that his present leave which will expire in India on..... shall be extended by..... months/weeks".Dated.....Place.....The certificate must describe in full detail the nature of the disease and the present condition of the Government servant. If it be signed by foreigners it must be attested by Consular or other authority as bearing the signature of qualified medical practitioners.

16. An extension of leave will not granted by the High Commissioner to a Government servant to whom no leave-salary certificate has been issued, or who has exchanged his leave- salary certificate for a warrant before leaving India, unless he produces a certificate of leave in Form II.

Return from leave

17. A Government servant who is required, by or under F.R. 71, to produce a medical certificate of fitness before returning to duty, must obtain permission to return to duty before so returning.

18. If the Government servant desiring to return is on leave in any of the localities named in Rule 11, his application must be made to the High Commissioner and he must satisfy the Medical Board at the India office of his fitness to return at least two months before the expiry of his leave. In order to do so he must follow the procedure prescribed in Rule 12. When the Medical Board has been satisfied, the High Commissioner will grant permission to return.

19. If the Government servant desiring to return is on leave out of India elsewhere than in the localities named in Rule 11 his application must be made to the authority which granted his leave and must be accompanied by a certificate of fitness in the prescribed form.

20. Permission to return cannot be granted to a Government servant to whom no leave-salary certificate has been issued or who has exchanged his leave-salary certificate for a warrant before leaving India, until he produces a certificate of leave in Form II.

21. Before returning to duty, a Government servant on leave in Europe must obtain a last-pay certificate from the High Commissioner. A last-pay certificate cannot be granted to a Government servant to whom no leave-salary certificate has been issued unless he produces a certificate of leave in Form II. A Government servant who has drawn his leave-salary on a warrant must, on return to India, deliver to the Audit Officer his copy of the warrant, which will serve as a last-pay certificate.

Appendix 15

Part I – [F.R. 84]

Rules for the grant of additional leave to Government servants for the study of Scientific, Technical or similar problems, or in order to undertake Special Courses of Instruction. The following rules relate to study leave only. They are not intended to meet the case of Government servants deputed to other countries at the instance of Government either for performance of special duties imposed on them or for the investigation of specific problem connected with their technical duties. Such cases will continue to be dealt with on their merits under the provisions of Rr. 50 and 51 of Fundamental Rules.

1. Short title and commencement. - (1) These Rules may be called the Assam Study Leave Rules, 1963.

(2) They shall come into force at once.

2. Definitions. - (1) In these rules, unless the context otherwise requires-

(a) 'Head of Indian Mission' means Ambassador, Charged Affairs, Minister, Consul-General, High Commissioner and any other authority declared as such by the Central Government in the country in which the Government servant undergoes a course of study or training. (b) 'Audit Officer' means such officer as may be appointed by the Comptroller and Auditor General of India. Note. The Accountant General, Assam, is the Audit Officer in Assam. (2) All other words and expressions used in these rules, but not defined shall have the meanings respectively assigned to them in the Fundamental Rules.

3. Conditions for the grant of study leave. - (1) Subject to the conditions prescribed in these rules, study leave may be granted to a Government servant, in or out of India, with due regard to exigencies of public service, to enable him to undergo a special course of study consisting of higher studies, or specialised training in a professional or technical subject having a direct and close connection with the sphere of his duties or with work in the teaching line in the technical and professional subjects.

(2) Study leave shall be granted unless-(i) it is certified by the Government that the proposed course of study or training shall be of definite advantage from the point of view of public interest; (ii) study leave shall not be granted to a Government servant with such frequency as to remove him from contract with his regular work or to cause cadre difficulties owing to his absence on leave. (3) Study leave out of India shall not be granted for prosecution of study or undergoing training in subjects for which adequate facilities exist in India or under any of the schemes administered by the State Government or the Government of India. (4) Study leave shall not ordinarily be granted to a Government servant-(i) who has rendered less than five years' service under the State Government; (ii) who is due to retire or has the option to retire from the Government service within three years of the date of on which he is expected to return to his duties after expiry of the leave.

4. Maximum amount of study leave. - (1) The period of study leave would ordinarily be extended to the period of the course of study or training not exceeding 48 months, but in exceptional circumstances, about which Government in the Finance Department, must be satisfied, the total period may be extended up to 60 months during the entire service of a Government servant.

(2) If for reasons beyond the control of the Government servant it is not possible for him to complete the course of study satisfactorily within the period of study leave so granted, he may be permitted to combine other kinds of leave as may be admissible under the leave rules subject to a maximum period of 120 days at a time.

5. Regulation of study leave extending beyond the course of study. - When the course of study or training falls short of study leave sanctioned, a Government servant shall resume duty on the conclusion of the course of study or training, the previous assent of the Government to treat the excess period of study leave as ordinary leave has been obtained.

6. Grant of study and other allowance. - (1) A study allowance shall be granted for the period of study leave, which may include the period spent in prosecuting a definite course of study or training at a recognised institution as also the period covered by any examination at the end of the course of study.

(2)(a) The rates of study allowance shall be as follows but may be revised from time to time :

Name of country	Study allowance per diem
United Kingdom.....	16 s
Continent of Europe.....	£ 1
United States of America.....	30 s

(b) The rate of study allowance to be granted to a Government servant who takes study leave in other countries and in India shall be such as may be specially determined by Government. (c) No allowance of any kind, other than study allowance and dearness allowance shall be admissible to a Government servant in respect of study leave granted to him. Note. In cases where a Government servant is granted study leave at the same place as his place of duty, the leave-salary plus the study allowance shall not together exceed the pay that they would have otherwise drawn had he been on duty. (3) Study allowance may be paid at the end of every month provisionally subject to an undertaking in writing being obtained from the Government servant that he would refund to Government any over payment. (4) A Government servant may be allowed to draw study allowance for the entire period of vacation during the course of study subject to the additions that-(i) he attends during vacation any special course of study or practical training under the direction of the Government or the authority competent to sanction study leave, as the case may be ; or(ii) in the absence of any such direction, he produces satisfactory evidence before the Head of Mission or the authority competent to sanction study leave, as the case may be, that he has continued his studies during the vacation ;(iii) No study allowance shall be drawn during vacation falling at the end of a course of study except for a maximum period of fourteen days. Note. The period of vacation during which study allowance is drawn shall be taken into account in calculating the maximum period of thirty-six months for which study allowance is admissible. (5) Study allowance shall not be granted

for any period during which Government servant interrupts his course of study or training to suit his own convenience :Provided that the Government may authorise the grant of study allowance for any period not exceeding 14 days at a time during which a Government servant is prevented by sickness, duly certified by a registered medical practitioner, from pursuing his course of study or training.(6)In the case of definite course of study or training at a recognised institution, the study allowance shall be payable by the Government if the study leave availed of is in India or in a country where there is no Indian Mission, and by the Head of the Indian Mission in other cases no claim submitted by the Government servant from time to time, supported by proper certificate of attendance.(7)The certificate of attendance required to be submitted in support of the claims of study allowance shall be forwarded at the end of the terms of the Government servant as undergoing study or training in an educational institution, or at intervals not exceeding three months, if he is undergoing study or training at any other institution.(8)When the programme of study or training approved does not include or does not consist entirely of such a course of study or training, the Government servant shall submit to the Government or Head of Indian Mission, as the case may be, a diary showing how his time has been spent and a report indicating fully the nature of the methods and operations which have been studied and including suggestions as to possibility of adopting such methods or operations to conditions obtaining in India. The Government shall decide whether the diary and report show if the time of the Government servant was properly employed and shall determine accordingly for what periods study allowance may be granted.(9)A Government servant who is permitted to receive and retain, in addition to the leave-salary admissible under Rule 10, any scholarship or stipend from a Government or non-Government source or remuneration in respect of a part-time employment shall not be entitled to any study allowance. In case where special reasons exist, such a Government servant may be granted by a specific order, the difference between the value of the net scholarship or stipend or remuneration and the usual study allowance, provided the value of scholarship or stipend or the amount of remuneration is less than the study allowance that would be admissible to him but for the scholarship or stipend or remuneration.

7. Cost of fees for study. - A Government servant granted study leave is ordinarily required to meet the cost of fees paid for a course of study or training. In exceptional cases Government may consider proposal for the grant of such fees.

8. Execution of Bond. - A Government servant, who has been granted study leave or extension of such leave shall be required to execute a Bond as given in Appendix A or A-I, as the case may be, annexed to these rules before the study leave is granted, and furnish suitable surety for due fulfilment of the Bond. As soon as the Bond is executed the leave sanctioning authority shall forward a certificate to the Accountant General, Assam, to the effect that the Government servant has executed the requisite Bond.

9. Resignation and retirement. - (1) If a Government servant resigns or retires from service without returning to duty after a period of study leave or within a period of three years after such return to duty, he shall be required to refund double the amount of leave salary, study allowance, cost of fees, handling and other expenses, if any, incurred by State Government, drawn by him for the period of study leave together with the interest thereon at Government rates for the time being in force on Government loans from the date of demand before the resignation is accepted or permission to retire is granted :

Provided that the Government may order-(a)that nothing in this rule shall apply to a Government servant, who on return to duty from study leave is permitted to retire from service on medical grounds ;(b)that the amount required to be refunded under this rule, shall in the case of a Government servant, who on return to duty from study leave is permitted to resign from the service and to take up employment under a statutory or autonomous body or in any institution under the control Government, be reduced to an amount equal to the expenditure incurred by the Government in respect of the leave-salary, study allowance, cost of fees and travelling and other expenses, sanctioned to him, during the period of study leave together with interest thereon.(2)The study leave availed of by such Government servant shall be converted to regular leave standing at the credit on the date on which the study leave commenced, any regular leave taken in continuation of study leave being suitably adjusted for the purpose and the balance of the period of study leave, if any, which cannot be so converted, treated as extraordinary leave. In addition to the amount to be refunded by the Government servant under sub-Rule (1), he shall be required to refund any excess of leave-salary actually drawn over the leave-salary admissible on conversion of the study leave.(3)Notwithstanding anything contained in the rule, the Governor may, if it is necessary or expedient to do so either in public interest or having regard to the peculiar circumstances of the case or class of cases, by order, waive or reduce the amount required to be refunded under sub-Rule (1) by the Government servant concerned or class of Government servants.

10. Leave-salary during study leave. - (1) During study leave a Government servant shall draw leave-salary admissible during half pay leave under Rule 15 of the Leave Rules, 1934.

(2)The Government servants to whom the leave rules in the Fundamental Rules apply will draw half average pay as defined in Rule 9 (2) of the Fundamental Rules subject to the maxima and minima laid down in Rr. 89 and 90, *ibid*.

11. Counting of study leave or promotion, seniority, leave and increment. - (1) Study leave shall count as service for promotion, pension, seniority and increments : provided that in the case of a Government servant who, at the time of proceeding on study leave was officiating in a higher post, study

leave count for increments to the extent indicated by Government from time to time.

(2)The period spent on study leave shall not count for leave other than half pay leave under Rule 13 (a) of the Leave Rules, 1934.(3)In the case of Government servants to whom the leave in the Fundamental Rules apply study leave will not count as service for leave. It will not affect any leave which may already be due to a Government servant; it will count as extra leave on half average pay, and will not be taken into account in reckoning the aggregate amount of leave on half average pay taken by Government servants towards maximum period admissible under the Fundamental Rules.

12. Cancellation of study leave. - If the selected candidate commits breach of any provision of these rules or fails to join the place of study or training within the prescribed period or discontinues the course of study for which leave is granted or is re-called or sent back for misconduct his leave shall be cancelled, and the provision of Rule 9 shall apply to the extent indicated by Government in the order cancelling the study leave :

Provided that the Government may authorise continuance of study leave in any case in which they are satisfied that the candidate discontinued the study or training or failed to join the place of study or training within the prescribed limit on account of illness or for any other cause beyond his control.

13. Procedure for making application for study leave and grant of such leave. - The procedure for making application for study leave and grant of such leave shall be as laid down in the procedural instructions given in Appendix 'B' annexed to these rules.

Appendix A[See Rule 8]I. Bond to be executed by permanent Government servant proceeding on Study LeaveKnow all men by these presents that I.....resident of.....in the District of.....at present employed as.....in the Department of/office of the.....do hereby bind myself, my heirs, executors and administrators to pay to the Governor of Assam (hereinafer referred to as "Government") on demand and without demur the sum of Rs.....(Rupees.....) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans or, if payment is made in a country other than India, the equivalent of the said amount in the currency of that country converted to official rate of exchange between that country and India and together with all costs between authority and client and all charges and expenses that shall and may have been incurred by the Government.Dated this..... day of..... two thousand and.....Whereas the above bounden.....is granted study leave by Government;And whereas for the better production of the Government the above bounden has agreed to execute the bond with such condition as hereunder is written ;Now the condition of the above written obligation is that in the event of the above bounden..... interrupting his course of study of training to suit his own convenience or changing the programme of study or training approved from time to time, or

resigning or retiring from service without returning to duty after the expiry or termination of the period of study leave or any time within a period of three years after his return to duty he shall forthwith pay to the Government on demand and without demur the said sum of Rs..... (Rupees.....) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans ;And upon the above bounden..... making such payment the above written obligation shall be void and of no effect, otherwise it shall be and remain in full force and virtue. Stamp duty payable on this bond shall be borne and paid by Government. Signed and delivered by the above bounden..... in the presence of..... Accepted for and on behalf of the Government of Assam II. Bond for temporary Government servants proceeding on Study Leave Know all men by these presents that we..... resident of..... in the district of..... at present employed as..... in the Department of/office of the..... (hereinafter referred to as "the obligor") and Shri..... son of..... of and Shri..... son of..... of..... sureties on his behalf do hereby jointly and severally bind ourselves, our respective heirs, executors and administrators to the Governor of Assam (hereinafter referred to as "the Government") on demand and without demur the sum of Rs..... (Rupees.....) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans or if, payment is made in a country other than India, the equivalent of the said amount in the currency of that country converted at the official rate of exchange between that country and India and together with all costs between attorney and client and all charges expenses that shall or may have been incurred by the Government. Dated this..... day of..... two thousand and..... Whereas the above bounden..... is granted study leave by the Government; And whereas for the better protection of Government the above bounden has agreed to execute this bond with such condition as hereunder is written ;And whereas the said..... and..... have agreed to execute this bond as sureties on behalf of the above bounden.....; Now the conditions of the above written obligation is that in the event of the above bounden..... interrupting his course of study or training to suit his own convenience or changing the programme of study approved from time to time or resigning or retiring from service returning to duty or training after the expiry or termination of the period of study leave or at any time within a period of three years after his return to duty he shall forthwith pay to Government on demand and without demur the said sum of Rs..... (Rupees.....) together with interest from the date of demand at Government rates for the time being in force on Government loan ;And upon the above bounden obligor Shri..... and/or Shri..... and/or Shri..... the sureties aforesaid making such payment the above written obligation shall be void and of no effect otherwise it shall be and remain in full force and virtue :Provided always that the liability of the sureties hereunder shall not be impaired or discharged by reason of time being granted or by any forbearance act or omission of the Government or any person authorised by them (whether with or without the consent or knowledge of the sureties) nor shall it be necessary for the Government to see the said obligor before suing the above bounden sureties Shri..... and Shri..... or any of them for amounts due hereunder. Stamp duty payable on this bond shall be borne and paid by Government. Signed and delivered by the above bounden in the presence of..... Signed and delivered by the surety above named..... in the presence of..... Signed and delivered by the surety above named..... in the presence of..... Accepted for and on behalf of the Government of Assam Appendix B [See Rule 13] Procedural Instructions for making application for Study Leave and grant of such Leave

1. The Administrative Departments shall draw up a definite programme of courses of study or training including the number of persons to be trained in each course in consultation with the Planning and Development and Finance Departments. The programme may be revised from time to time.

2. All applications for study leave shall be submitted in the form prescribed in Schedule I to the this Appendix with the Audit Officer's certificate to Government through proper channel. If the course of study is out of India, Government shall forward to the Head of the India Mission in that Country if there is such a Mission in that country, a copy of the approved programme of study or training. In a case where it is not possible for the Government servant to give full details in his original application, or if, after leaving India he is to make any change in the programme which has been approved in India, he shall submit the particulars as soon as possible to the Head of the Indian Mission or the Government, as the case may be. In such cases he shall not, unless prepared to do at his own risk, commence the courses of study or training nor incur any expenses in connection therewith until he receives approval of Government to the course which may include any programme of tour also.

3.

(1) On an application for study leave out of India being sanctioned by Government, it shall inform the Head of the India Mission, if there is such a Mission in that country of the particulars of the case. (2) The Government servant shall also place himself in communication with the Head of India Mission (if there is such a Mission in that country) who will arrange any details and issue any letter of introduction that may be required.

4. The continuation of study leave will depend on the satisfactory progress and favourable report from the Head of the Institution in which the Government servant is prosecuting studies or receiving training. Such report shall be called for at least once a year by the Administrative Department.

5. On completion of a course of study or training a certificate in proper form together with certificate of examination passed or special course of study or training undertaken, indicating the dates of commencement and termination of the course with remarks, if any, of the authority in the charge of course of study or training, shall be forwarded to the Head of the India Mission

concerned. When the study leave has been taken in India or any other country where there is no India Mission such certificate shall be forwarded to the Government which sanctioned the study leave.

I

Form to be used by Government servants in making application for Study Leave

1. Name of full.....

2. Father's name in full and present address.....

3. Post held.....

4. Pay and allowances drawn in the present post (indicate special pay, if any, separately).....

5. Educational qualifications together with School/College/University certificates (attested copies) and the subjects studied in the Intermediate, degree and Post Graduate examinations.....

6. Other special qualifications (Give full particulars).....

7. The period of continuous service under Government.....

8. Age on the 1st January (According to Matric or any other equivalent certificate. Attach attested copy).....

9. Have you taken study leave previously (If yes, give full particulars of the total period of leave taken so far, the courses of study or training undertaken and examination or examinations passed).....

10. Course of study/training and examination, if any, proposed to be undertaken.....

(Give full details of the programme of the study/training showing its duration as also the name of the country and the institution in which it is proposed to be undertaken).....The facts stated above are true to the best of my knowledge and belief. In case of any false statement, I am liable to any action Government may deem fit and proper. Signature of the applicant Dated.....To be used by the Administrative Department

1. Whether the courses of higher study/specialised training has a direct and close connection with sphere of duty of the Government servant and shall be definite advantage from the point of view of public interest.....

2. Whether it will be possible to spare the services of the Government servant for the duration of study leave without creating cadre difficulties.....

3. (a) Whether the application is for leave out of India. If so, whether a certificate of admissibility has been obtained from the Audit Officer.....

(b) If the application is for leave in India, whether Audit Officer's certificate has been obtained in respect of Gazetted Government servants. In the case of non-Gazetted Government servants the appointing authority's certificate as to the admissibility of the leave be obtained.....

4. Whether adequate facilities exist in India or under any of the schemes administered by the State Government or the Government of India for the study/training contemplated.....

5. Whether all the conditions of Rule 3 of the Assam Study Rules, 1963 have been fulfilled

6. Any special remark as to ability of the candidate.....

Secretary to the Government in the..... Department Appendix A-1 [See Rule 8] I. Bond for permanent Government servants granted extension of Study Leave Know all men by these present that I..... resident of..... in the District of..... at present employed as..... in the Department/office of the..... do hereby bind myself and my heirs, executors and administrators to the Governor of Assam (hereinafter called "the Government") on the demand the sum of Rs..... (Rupees.....) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans or, if payment is made in a country other than India, the equivalent of the said amount in the currency of that country converted at the official rate of exchange between that country and India and together with all costs between attorney and client and all charges and expenses that shall or may have been incurred by the Government. Signed and dated this..... day of..... two thousand and..... Whereas I..... was granted study leave by Government for the period from..... in consideration of which I executed a bond dated..... for Rs..... (Rupees.....) in favour of the Government of Assam ; And whereas the extension of study leave has been granted to me at my request until..... ; And whereas for the better protection of the Government, I have agreed to execute this bond with such condition as hereunder is written ; Now the condition of the above written obligation is that in the event of my resigning or returning from service without returning to duty after the expiry or termination of the period of study leave so

extended or any time within a period of three years after my return to duty I shall forthwith pay to the Government or as may be directed by the Government or. demand the said sum of Rs..... (Rupees.....) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans. And upon my making such payment the above written obligation shall be void and of no effect otherwise it shall be and remain in full force and virtue. The Government of Assam have agreed to bear the stamp duty payable on this bond. Signed and delivered by..... in the presence of Witnesses (1)(2) Accepted for and on behalf of the Governor of Assam.

II. Bond for temporary Government servants granted extension of Study Leave Know all men by these presents that we..... resident of..... in the district of..... at present employed as..... in the Department/office of the..... (hereinafter called "the obligor") and Shri..... son of..... of..... and Shri..... son of..... of..... (hereinafter called the "sureties") do hereby jointly and severally bind ourselves and our respective heirs, executors and administrators to pay to the Governor of Assam (hereinafter called "the Government") on demand the sum of Rs..... (Rupees.....) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans or, if payment is made in a country other than India, the equivalent of the said amount in the currency of that country converted at the official rate of exchange between that country and India and together with all costs between attorney and client and all charges and expenses that shall or may have been incurred by the Government. Signed and dated this..... day of..... two thousand and..... Whereas the obligor was granted study leave by the Government for the period from to..... in consideration of which he executed a bond dated..... for Rs..... (Rupees.....) in favour of the Governor of Assam ; And whereas the extension of study leave has been granted to the obligor at his request until..... ; And whereas for the better protection of the Government the obligor has agreed to execute this bond with such condition as hereunder is written ; And whereas the said sureties have agreed to execute this bond as sureties on behalf of the above bounden..... ; Now the condition of the above written obligation is that in the event of the obligor Shri..... resigning from service without returning to duty after the expiry or termination of the period of study leave so extended or at any time within a period of three years after his return to duty the obligor and the sureties shall forthwith pay to the Government or as may be directed by the Government on demand the said sum of Rs..... (Rupees.....) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans ; And upon the obligor Shri..... and/or..... Shri..... and/or Shri..... the sureties aforesaid making such payment the above written obligation shall be void and of no effect otherwise it shall be and remain in full force and virtue : Provided always that the liability of the sureties hereunder shall not be impaired or discharged by reason for the time being granted or by any forbearance act or omission of the Government or any person authorised by them (whether with or without the consent or knowledge of the sureties) nor shall it be necessary for the Government to sue the obligor before suing the sureties Shri..... and Shri..... or any of them for amounts due hereunder. The Government of the Assam have agreed to bear the stamp duty payable on this bond. In witness whereof..... the Government servant above named has signed these presents, the day, month and year first above written. Signed, sealed and delivered by in the presence of-

1.

2.

Accepted for and on behalf of the Government of Assam by.....Appendix 15

Part II – Regulations prescribed under F.R. 84 regarding the grant of study leave to Officers of the Indian Medical Service who are subject to the Leave Rules under Sections I to V of Chapter X of the Fundamental Rules and Assam Subsidiary Rules (Second Edition) 1939

[Not Printed]Appendix 15

Part III – Legal Studies Rules

[Not Printed]Appendix 16[F.R. 91 (4)]List of British Dominions and Colonies in which Leave-salary may be drawn in SterlingThe Secretary of State has prescribed that leave-salary may be drawn in sterling in the following British Dominions and Colonies :

Dominion, Colony or Protectorate, etc.	Designation of Paying Officer
Bahamas	Receiver General, Nassau.
Barbados (and all other West India Island except Jamaica)	Colonial Treasurer, Barbados.
Bermuda	Command Paymaster, Army Pay Office, Bermuda.
British Guiana	Colonial Secretary, Georgetown.
British Honduras	Treasurer, Belize.
Egypt	Command Paymaster Army Pay Office, Cairo.
Falkland Islands	Treasurer, Stanley.
Fiji	Colonial Treasurer, Suva.
Gambia	Treasurer, Bathurst.
Gibraltar	Command Paymaster, Army Pay Office, Gibraltar.
Gold Coast	Treasurer, Accra.
Jamaica	Command Paymaster, Army Pay Office Jamaica.
Kenya	Treasurer, Nairobi.
Malta	Command Paymaster, Army Pay Office, Malta.
Mauritius	

	Command Paymaster, Army Pay Office, Mauritius or Colonial Secretary, Port Louis.
New South Wales	[***] [Substituted vide Correction No. 220 [Reference FA 10/44] Deputy Commissioner of Pensions, Department of Social Service, Commonwealth Bank Buildings, Pitt Street Sydney.]
New Zealand	Commissioner of Pension, Wellington.
Nigeria	Treasurer, Lagos.
Northern Rhodesia	The Treasurer, Livingstone.
Nayasaland	Treasurer Nayasaland Protectorate Zomba.
Queensland	[Deputy Commissioner of Pensions Department of Social Service, Commonwealth Government Offices, Adelaide Street Brisbane.] [Substituted vide Correction Slip No. 220 [Reference FA 10/44].]
St. Helena	Colonial Treasurer, St. Helena.
Sierra Leone	Command Paymaster, Army Pay Office, Sierra Leone.
Somaliland	Treasurer, Somaliland Protectorate, Berbora.
South Australia	[Deputy Commissioner of Pensions, Department of Social Service, 41, King William Street, Adelaide.] [Substituted vide Correction Slip No. 220 [Reference FA 10/44].]
South Rhodesia	Treasurer, Salisbury.
Tanganyika	Treasurer, Dar-es-Salaam.
Tasmania	Deputy Commissioner of Pensions, Department of Social Service, Collins Street, Hobart.
Uganda	Treasurer, Entebbe.
The Secretary for Finance, the Treasury Pretoria	Chief Pension Officer, Pretoria.
Victoria	Deputy Commissioner of Pensions, Department of Social Service, 118, Queens Street, Melbourne.
Western Australia	Deputy Commissioner of Pensions, Department of Social Service, C/o, G.P.O., Perth.
The Seychelles Island	Treasurer Seychelles Islands.

Appendix 17[F.Rr. 103 and 104 in Section II]

Part I – Model leave terms for officers of non-Asiatic domicile engaged on contract

Government of India's decision. - In any case where the contract provides for admission to the special or the ordinary leave rules in the Fundamental Rules the condition as well as the terms of the Fundamental Rules should apply in their entirety in supersession of any concessions under the

model leave terms. Note. The terms in this Part will apply only to officers of non-Asiatic domicile, who are specially recruited overseas for service in India, till they are revised in accordance with the leave terms that may be prescribed in future for new entrants to the services under the rule-making control of the Secretary of State. Approved by the Secretary of State in Council (1) Where the contract is for one year or less, no leave except on medical certificate (on average or on half average pay), which would ordinarily be limited to two months reckoned in terms of leave on average pay. (2) Where the contract is for more than one year and less than three years, leave on average pay up to 1/11th of the period spent on duty, to which may be added on medical certificate leave on average or half average pay; provided that the total leave granted shall not exceed three months reckoned in terms of leave on average pay. (3) Where the contract is for three years or over, leave on average pay up to 1/11th of the period spent on duty, up to a maximum of four months at a time, to which may be added on medical certificate leave on average or half average pay up to a maximum of three months reckoned in terms of leave on average pay. In the case of officers coming under Rr. (2) and (3)-(a) three months' extraordinary leave without pay may be granted in addition to the above, and (b) if the officer is in a Vacation Department, leave may only be granted in case of necessity and if granted shall be on half average pay for a period not exceeding 1/11th of the period spent on duty in addition to any leave admissible on medical certificate. The officer may, however, be granted leave on leave-salary equivalent to average pay, to the extent of one month for each year on duty in which he has not availed himself of any part of a vacation and if a part only of the vacation taken has been taken in any year, the period of leave on average pay will be reduced by the fraction of month equal to the proportion which the part of the vacation taken bears to the full period of the vacation. In the case where-(a) the contract is for a longer term than 5 years, or (b) an original contract for 5 years is extended, or (c) on completion of his original contract of whatever term, a Government servant is taken into permanent employment, the ordinary or special leave rules, as the case may be, as contained in the Fundamental Rules, will be made applicable. Leave may be granted after the expiry of contract only where it has been applied for during the period of the contract and refused owing to the exigencies of the public service. An officer whose services are dispensed with on grounds of ill-health shall be permitted to take all leave due to him before the services are terminated. Note. The principle that leave may be granted after the expiry of contract where it has been applied for during the period of the contract and refused owing to exigencies of the public service is applicable also to officer serving on contract at the time the model leave terms were promulgated. Government of India's decision. - [(1) In the case of a Government servant whose leave is regulated by Rr. (2) and (3) of the Model Leave Terms the position is that though leave on medical certificate as such, cannot be taken except in supplement of ordinary leave on average pay earned by duty, there is nothing to prevent him from taking ordinary leave on medical grounds, that is, leave on average pay should be consumed first whether it is on medical certificate or otherwise and second that the additional leave on medical certificate subject to the limitations prescribed in the relevant rules of Model Leave Terms can be granted only in continuation of the leave on average pay or when no such leave is admissible. (2) In the case of a contract officer to whom the terms of the Appendix apply and who becomes eligible for the leave rules in the Fundamental Rules under those terms, the period of "plus on year" of leave on average pay prescribed in F.R. 81 (b) (i) will be credited in his leave account in full or with a proportionate reduction according to the length of his prospective contract service. For this purpose the credit will be calculated on the following principles: At the point from which the officer becomes eligible for the leave rules in the Fundamental Rules, he will be credited, subject to

the maximum period of one year-(i)with half a month for each year by which the period of contract original or extended, exceeds 5 years from first appointment ; provided that where the contract is for an indefinite period the credit will be given successively for a quinquennium at the time, and that in no case shall leave be admissible out of this credit during the first five years of the contract service ; or(ii)where an extended contract for permanent non- pensionable service with half a month for each year of the difference between the age, next birthday after the completion of the first 5 years of the contract service and age 55. The decision will apply to all future contracts and extensions of the original contracts beyond five years.]

Part II – The following leave terms are prescribed to regulate the grant of leave to officers of non-Asiatic domicile engaged on contract but not specially recruited overseas for service in India :

(1)Where the contract is for one year or less, earned leave admissible will be at one-twenty-second of the period spent on duty. Though ranking as earned leave, this may be granted only on medical certificate, and if subsequently it becomes necessary to grant the officer further leave after the earned leave has been exhausted, leave on medical certificate may be granted to him subject to the condition that the total period of the two kinds of leave does not exceed 1/11th of the period spent on duty.If the officer serves in a Vacation Department, earned leave will not be admissible but he may be granted, if absolutely necessary, leave on medical certificate to the extent of 1/22nd of the period spent on duty.(2)Where the contract is for more than one year but not more than five years, leave on medical certificate may be allowed in addition to earned leave under R. 10 (a) of the Leave Rules, 1934 (Appendix 11-Part I), subject to a maximum of four months in all during the period of contract. In addition, extraordinary leave may be granted in special all circumstances when no other leave is admissible subject to a total maximum limit of 3 months in respect of such leave.If the officer serves in a Vacation Department, earned leave will not be admissible.(3)Where the contract is for a longer term than five years or an original contract for five years or less is extended so as to make the total period of contract longer than five years leave admissible to a permanent Government servant under the Leave Rules, 1934 (Appendix 11-Part I), may be allowed, subject to the restrictions that no leave on private affairs will be granted and that the leave on medical certificate will be limited to six months in all. In the case of extension of contract to a period longer than 5 years the officer will be credited with the earned leave that would have been admissible had the contract been initially one for more than five years diminished by any earned leave already taken, and leave on medical certificate, if any, already taken, will count against the six months' limit prescribed.(4)Where the contract is for an indefinite period, or an original contract for a definite period, is extended for an indefinite period, the leave rules for permanent Government servants in the Leave Rules, 1934 (Appendix 11-Part I), except Rule 16 of those rules regulating leave-salary, will be made applicable. In the latter case the officer will be credited with the earned leave that would have been admissible had the contract been initially one for an indefinite period diminished by any earned leave already taken and leave on medical certificate, if any already taken, will count against the limit prescribed in Rule 14 of the Leave Rules, 1934 (Appendix 11-Part I).(5)In the case of an officer falling under Cl. (2)

above earned leave may be granted after the expiry of the contract only when it has been applied for during the period of the contract and refused owing to the exigencies of the public service. An officer whose services are dispensed with on grounds of ill-health may be permitted to take all leave due to him before his service is terminated.(6)The terms 'earned leave', 'leave on medical certificate' and 'leave on private affairs' used in above clauses have the same meaning as that signed to them in the Leave Rules, 1934 (Appendix 11-Part I). The leave-salary during leave taken under the above classes will be regulated as follows :(i)An officer on earned leave is entitled to leave- salary equal to his average pay.(ii)An officer on leave on private affairs or on medical certificate is entitled to leave-salary equal to his average pay subject in either case to a maximum of Rs. 750.Note. "Average pay" means the average monthly pay earned during the 12 complete months preceding the month in which the event occurs which necessitates the calculation of average pay.(iii)An officer on extraordinary leave is not entitled to any leave-salary.(7)An officer initially engaged on contract becomes subject to the Leave Rules, 1934 (Appendix 11-Part I), in their entirety on his being taken into permanent employ after the expiry of his contract. In such a case the officer will be credited with the earned leave that would have been admissible had his previous duty been duty as an officer in permanent employ diminished by any earned leave already taken and leave on medical certificate, if any, already taken, will count against the limit prescribed in Rule 14 of the Leave Rules, 1934 (Appendix 11-Part I).

Part III – The leave terms admissible to officers of Asiatic domicile engaged on contract whether in India or abroad will be those laid down in S.R. 127. In the case of those engaged on or after the 1st March, 1934, the leave terms will be those prescribed on the Leave Rules, 1934 (Appendix 11-Part I), for "officers not in permanent employ".

Part IV – Model passage terms for non-superior officer of non-Asiatic domicile recruited on or after the 1st February, 1935 in the United Kingdom on contract for definite period

I. 'Family' shall except where passages are allowed on the lines and conditions laid down in Schedule IV of the Superior Civil Services Rules, include a wife and legitimate children who are wholly dependent on the employee, the term 'children' meaning unmarried sons and step-sons under the age of 16 and daughters and step daughters under the age of 21.II. 'Passage' shall, except when granted on the lines and conditions laid down in Schedule IV to the Superior Civil Services Rules, include-(i)a tourist class passage of the appropriate grade or the cheapest cabin or second class passage by the all-sea route whichever costs less and is available at the time the journey is performed (the passage shall preferably be booked by the steamers of the P. and O., British India or the Orient Steam Navigation Companies, if this course is possible); and(ii) (a)third class railway fare from the employee's home or usual place of residence to the port of embarkation and vice versa, plus

the following allowances for incidental expenses-(i) 15 s. for the employee travelling alone, and (ii) if, steamer accommodation is provided for his family under these terms, 20 s. for the employee travelling with his wife and children, 15 s. for his wife travelling alone, and 20 s. wife for his wife accompanied by children ;(b)a free railway pass (or an allowance in lieu thereof) and free conveyance of baggage up to a limit of 5 maunds for the journey from the port of disembarkation in India to his station and vice versa plus the following allowances for incidental expenses :(i)Rs. 20 for the employee travelling alone or with his wife and children; and(ii)if steamer accommodation is provided for his family under these terms, Rs. 15 for his wife travelling alone, and Rs. 20 for his wife accompanied by children ;(c)a mileage allowance is India at the rate laid down for the time being by Government, for each person for whom steamer accommodation is provided under these terms, for such journeys by road as may be necessary; and(d)a halting allowance in India at the rate laid down for the time being by Government, for each person for whom steamer accommodation is provided under these terms, for every day, if detained under orders at the report of disembarkation or elsewhere.[Government of India's decision. - The halting allowance admissible should be allowed on the following scales :(a)at the full rate admissible to the officer for himself and for each member of his family other than a child mentioned in Cl. (b);(b)at half the rate for child over one year but below 12 years of age ; and(c)an allowance for children of the age of one year and under.The rate of halting allowance should be determined with reference to the Officer's grade under the Government of India Supplementary Rule 17, Assam Subsidiary Rule 133 on the basis of his pay on first joining duty in India.] [Added vide Correction Slip No. 234 to Assam Subsidiary Rules]III. An employee engaged on a contract for a definite period shall be granted-(1)a passage to India on his proceeding to join his appointment; and(2)a passage back from India on the expiry of the period of contract, or on his proceeding on leave immediately prior thereto, or on the termination of the contract by Government for any reason other than misconduct or failure to comply with the provisions of the contract ; provided that the employee's service is regarded as satisfactory ; and provided further that he actually quits the service in India and leaves India within such time as the Government may direct.IV. An employee whose period of contract, original or extended, does not exceed three years shall not be entitled to any passages for his family ; nor shall he be entitled to any passage for himself in addition to those mentioned in Term III.V. (A) An employee whose period of contract, original or extended, exceed three but not seven years shall, in addition to the initial and final passages for himself admissible under Term III, be granted-(1)Passage to India for-(a)the members of his family existing at the time of his engagement if the period of the original contract exceeds three years, or at the time his contract is extended beyond three years, as the case may be, they are not already in India at that time ; provided that their journey to India is performed within one year of the commencement of contract or within one year of the date of extension of his contract beyond three years, as the case may be ;(b)his wife if he entered service as a bachelor but married while in the United Kingdom on leave ; and(c)his intended wife when proceeding to India to marry him :Provided that an employee who has been granted a passage to India for his wife or intended wife under this Term shall not be granted a second passage if he re-marries, but he shall be granted for his second wife any concession which were available to, but were not utilised by, his first wife ; and(2)Passages back from India for his family ; provided that the employee himself is allowed a passage back from India under Term III (2) and his family either accompanies him or leaves India not more than one year before the date of his own departure therefrom. If the family preceds the employee, he shall be liable to repay to Government the cost of passages provided for his family

under this sub-term should he after their departure, forfeit his title to a passage back from India for himself admissible under Term III (2). (B) Save as otherwise provided in this sub-term, in addition to the above passages if the period of contract original or extended, exceeds five but not seven years, the employee shall be granted, once during the period of his contract, return passages from and to India for himself and his family if he proceeds on leave on medical certificate during that period. The passages for the family shall be admissible whether they accompany him or precede or follow him within a time fixed by Government. The passage from India for the family shall be treated as the final passage admissible to them under these Terms unless the employee has, at the expiry of his leave, still more than two years of the period of his contract to service. If after his return from leave he requires another passage for himself on medical grounds, it shall be granted as his final passage back from India. VI. The final and leave passages taken under Term III (2) V (A) (2) and V (B) may be between India and the United Kingdom or any other country : provided in the latter case the cost of passage shall not exceed the cost of passage between India and the United Kingdom. VII. An employee whose period of contract, original or extended, exceeds seven years, or who, having been originally engaged on contract for less than seven years is retained either in permanent service or on contract for an indefinite period, shall in addition to the initial passages for himself and his family under Terms III (I) and V (A) (I), be entitled to the passage benefits for non-superior officers of non-Asiatic domicile announced in the Government of India, Home Department Office Memorandum No. F. 10/4/30, Estts., dated 6th August, 1930 (see at the end of Term (IX) : (i) from the commencement of his service if he has been initially engaged for a period of more than seven years, or (ii) from the date of his retention in service for a period in excess of seven years, or from the date of retention in permanent service or on contract for an indefinite period if he was originally engaged for a period of less than seven years. The number of passages admissible to him for himself, his wife and children, shall be calculated with reference to the date of the first appointment on contract and the cost of the following passages [inclusive of the cost of the concessions provided for in Term II (ii)] taken under these Terms shall be debited to the passage accounts of the respective beneficiaries: (1) passages for himself during leave on medical certificate under Term V (B), and (2) passages for such members of his family as are admitted to the non-superior passage concessions- (a) during his leave on medical certificate under Term V (B), or (b) in anticipation of termination of contract under Term V (A), in cases in which the contract is subsequently extended to exceed seven years, or he is retained in permanent service or on contract for an indefinite period. VIII. Passages from India to the United Kingdom or any other country shall be granted to the family of an employee who dies whilst in service if he happens to be in India at the time of his death ; provided that the cost of passage to a country other than the United Kingdom shall not exceed the cost of passage to the United Kingdom. IX. A female employee shall not be granted for her family the benefits admissible to a male employee for his family, and a female employee whose service is terminated by marriage shall not thereafter be granted any benefits hitherto admissible to her under these terms: (1) The Secretary of State for India in Council has been pleased to sanction the grant with effect from 1st April, 1930 to persons of non-Asiatic domicile recruited outside, passage benefits for themselves and their families on the lines and conditions laid down in Schedule IV to the Superior Services Rules, but substituting second class B for 1st class B., P. and O. passages. The benefits will be admissible to the following classes of personnel: (i) persons recruited outside India for permanent service in India ; (ii) persons recruited outside India on contract and retained in permanent service on expiry of the periods of their contracts ; and (iii) persons recruited outside

India on contracts for indefinite periods or on contracts for periods subsequently extended indefinitely ;and will be in addition to the initial passages granted to join their first appointments in India.(2)It is the intention that persons to whom the Passage (Subordinate) Rules, 1925, apply the periods of their original contracts should continue to be entitled to the benefits of those Rules even during the periods of their further service under Government whether permanent or temporary, and it is proposed to amend the Rules with retrospective effect from the date of their first introduction, viz., the 24th November, 1925, so as to make the intention clear. This being so, persons belonging to classes (ii) and (iii) mentioned above, to whom those rules apply will be given the option between the benefits admissible to them under those rules and the benefits described in this Memorandum. The option once exercised will be final.(3)The Secretary of State has also sanctioned with effect from 1st April, 1930 passage benefits for themselves and their families on lines and conditions laid down in Schedule IV to the Superior Civil Services Rules, the substituting second class B for 1st class B.P. and O. and passages to persons of non-Asiatic domicile required in India because Indians with the necessary qualifications were not available at the time or it was considered necessary from the administrative point of view to have a certain proportion of Europeans. Ex-Military men now in the service under the Army Department other than E-Military clerks at Army Headquarters who already received passage concessions will assume to fall under this category.Appendix 18[Fundamental Rule 103 (c) and the 'N.B.' above Subsidiary Rule 132 in Section II]

1. The rules in the Schedule to these rules may be called the Leave Rules for Press Employees, 1934.

2. The rules shall apply with effect from the 1st March, 1934 to permanent piece-workers employed in the Assam Government Press whose service is classified as superior and who belong to the classes of persons enumerated in Rule 2 of the Leave Rules, 1934 (Appendix 11-Part I).

3. 'Leave on medical certificate' and 'injury leave' admissible under the rules in Schedule to these rules are not cumulative, i.e., an employee cannot have 'leave on medical certificate' for more than 12 months or 'injury leave' exceeding 5 years during his whole service.

Schedule 4

1. (a) Leave on full pay will be granted to piece workers according to their service as shown below :

Length of Service	Leave admissible
Less than 10 years	16 days in each calendar year.
10 years but less than 15 years	23 in each calendar year.
15 years and above	31 in each calendar year.

Note. In calculating the length of service, the period of continuous temporary service rendered by piece-worker up to the date of his being brought on to the permanent establishment as well as continuous inferior service rendered up to the date of his promotion to superior service shall be taken into account.(b)This leave will be non-cumulative, i.e., any leave not taken during the year will lapse without any monetary compensation.(c)Gazetted holidays actually enjoyed, at the option of the piece-worker, be counted against any leave admissible to him under sub-Rule (a) and if so counted, will be paid for.(d)Leave under these rules cannot be claimed as of right, and can be refused by the Superintendent of the Press on administrative grounds. It may also be withheld from piece- workers who have been irregular in attendance.

2. Leave on medical certificate on half pay may be granted up to 3 months when no leave on full pay is admissible and a further extension of such leave not exceeding 3 months may be granted on the production of a fresh medical certificate from a medical authority specified in the rules framed under F.R.

74. The total amount of leave on medical certificate admissible to a piece-worker during his service shall not exceed 12 months.

3. Extraordinary leave may be granted when no other leave is admissible, or when other leave being admissible, the piece- worker applies in writing for this leave. A piece-worker on extraordinary leave is not entitled to any leave-salary.

4. Injury leave at half pay rates may be granted to a piece- worker who is injured in circumstances which would have given arise to a claim for compensation under the Workmen's Compensation Act, 1923 (8 of 1923), [Now Employee's Compensation Act, 1923] if he had been a workman as defined therein, whether or not proviso (a) to sub-Section (1) of Section 3 of that Act is applicable. Such leave shall not be deemed to be leave on medical certificate for the purposes of Rule 2. It shall be granted from the commencement of disablement for so long as is necessary, subject to a limit of two years for any one disability and a limit of five years during a piece-worker's total service. The salary payable in respect of a period of leave granted under this rule shall, in the case of a piece-worker to whom the provisions of the Workmen's Compensation Act, 1923 (8 of 1923), apply, be reduced by the amount of compensation paid under Clause (d) of sub-Section (1) of Section 4 of that Act.

Note 1. Payment of remuneration at class rates at the time of taking leave. - The calculation is class rate multiplied by 8, to get the daily rate, multiplied by the number of day's leave. Thus, if a

piece-worker whose class rate is 2 annas per hour applies for leave for 10 days, he will be entitled to Rs. 10 during leave on full pay and to Rs. 5 during leave on half pay.[* * *] [Omitted vide Correction Slip No. 40 to Assam Subsidiary Rules (Second Edition) 1939. This takes effect from 1st April, 1940.]Note 2. For the purpose of determining the classification of service of piece-worker who may be in superior service in one month and in inferior service to another month on account of fluctuations in his earnings, the monthly emoluments shall be taken as equivalent to [one hundred and seventy-five] [Added vide Correction Slip No. 40 to Assam Subsidiary Rules (Second Edition) 1939. This takes effect from 1st April, 1940.] his hourly class rate.Note 3. The above rules will also apply to temporary piece- workers is superior service who have rendered three years' continuous service.Note 4. (a) Leave for 16 days each year at class rates may be given to temporary piece-workers [in superior service] [Added vide Correction Slip No. 243 to Assam Subsidiary Rules (Second edition) 1939.] with less than three years' continuous service [and to piece-workers in inferior service, whether permanent or temporary] [Added vide Correction Slip No. 243 to Assam Subsidiary Rules (Second Edition) 1939.] cover absence on account of holidays, sickness or leave ; provided that the worker has been in regular employment for the previous twelve months.(b)The term 'regular employment' shall be interpreted as not less than 90 per cent of the required working hours ; regard should be had to absence in case of sickness.(c)The leave shall be non-cumulative, i.e., any leave not taken during the year shall lapse.Appendix 19[F.R. 114]Orders relating to transfer of a Government servant to the service of an Indian State[State Representative's] [In place of the words 'Government of India'.] orders regulating the amount of the pay which may be sanctioned by a State Government for a Government servant transferred to foreign service in an Indian State. - These orders apply also to Government servants lent to other foreign employers in India.

1. When the transfer of a Government servant to foreign service in an Indian State is sanctioned, the pay which he shall receive in such service must be precisely specified in the order sanctioning the transfer. If it is intended that he shall receive any remuneration, or enjoy any concession of pecuniary value in addition to his pay proper, the exact nature of such remuneration or concession must be similarly specified. No Government servant will be permitted to receive remuneration or enjoy any concession which is not so specified ; and, in the order is silent as to any particular remuneration or concession it must be assumed that the intention is that it shall not be enjoyed, but see [rule 12] [12. No Government servant shall be transferred to foreign service unless the employer undertakes to afford to him so far as may be privileges not inferior to those which he would have enjoyed under these rules if he had been employed in the service of the State in India.] of the Rules in Annexure A to Section I and the Note to F.R.114 in Section II of this Volume.

2. No order of transfer to foreign service shall be issued by a State Government without previous consultation with its Finance Department. It shall be open to that Department to prescribe, by general or special order, cases in which its consent may be presumed to have been given.

3. The following two general principles must be observed by State Government in sanctioning the conditions of transfer :

(a) the terms granted to the Government servant must not be such as to impose an unnecessary heavy burden on the Indian State which employs him ; (b) the terms granted must not be so greatly in excess of the remuneration which the Government servant would receive in Government service as to render foreign service appreciably more attractive than Government service.

4. Provided that if the two principles laid down in paragraph 3 above are observed, a State Government may sanction the grant of the following concessions by the foreign employer. Such concessions must not be sanctioned as a matter of course, but in those cases only in which their grant is in accordance with customs and the wishes of the Darbar and is, in the opinion of the State Government, justified by the circumstances. The value of the concessions must be taken into account in determining the appropriate rate of pay for the Government servant in foreign service :

(a) The payment of contributions towards leave-salary and pension under the ordinary rules regulating such contributions. (b) The payment of passage contribution according to rules regulating such contribution, when the Government servant is of non-Asiatic domicile and is entitled to passage concessions. (c) The payment of contribution at the rate of Rs. 15 a month towards Government's liability under Rule 11 (1) of the Rules of the Indian Civil Service (non-European Members) Provident Fund, the contribution being payable during duty only. (d) The grant of travelling allowance under the ordinary travelling allowance rules of the State Government or under the local rules of the Darbar, and of permanent travelling allowance, conveyance allowance and horse allowance. (e) The use of State tents, boat and transport on tour ; provided that this is accompanied by a corresponding reduction in the amount of travelling allowance admissible. (f) The grant of free residential accommodation which may be furnished in cases in which the State Government considers this to be desirable, on such scale as may seem proper to the State Government. (g) The use of State motor carriages and animals. (h) [In the case of a subscriber to the Contributory Provident Fund (India), the payment for the period of active foreign service of a contribution determined by the formula $X + \frac{XY}{100}$, where X equals the amount which would have been credited monthly to the subscriber's account in the Provident Fund had he not proceeded on foreign service, the rate of pay drawn by him in foreign service being regarded as his 'emoluments' for this purpose and Y equals the fraction which the amount recoverable as leave-salary contribution bears to pay drawn in foreign service. This payment shall be in addition to monthly subscriptions

calculated on the rate of pay drawn in foreign service.] [Added vide Correction Slip No. 48 to Assam Subsidiary Rules (Second Edition 1939), [G.I.F.O. Resolution No. F. 33 (5)- B-II/40, dated the 8th January 1941, Dy. Fin. (A)-52 of 1941].]Note. The Government of Assam has adopted this rule in respect of subscribers to the Contributory Provident Fund Assam who may be transferred to foreign service.

5. The grant of any concession not specified in paragraph 4 above requires the sanction of the Representative in so far as transfer to an Indian State is concerned. [As regards medical attendance see the reference quoted at the end of paragraph 2 above].

State Representative's decision regarding sterling overseas pay. - It is impossible to express any part of the pay of an officer on foreign service in sterling. The question whether such officer should be given a corresponding increase in their rupee pay is one for settlement in each case in consultation with foreign employer. If it is decided, after such consultation, that an increase should be granted, the calculation of the rupee value of sterling pay will be made at the official rate of exchange (vide Article 343, Account Code) on the date the officer is transferred to foreign service. In the case of officers already in foreign service the rate will naturally be the rate on the date with effect from which their pay is revised.

6. In certain cases the pay of officers in foreign service is fixed at the pay they would receive in Government service or such pay plus a certain percentage thereof. In such cases, the Government of India consider that the foreign employer can equitably be called upon to pay the equivalent of sterling overseas pay according to the terms of the arrangement, though even in such cases his concurrence should be obtained. The sterling pay will then be converted to rupees at the "official rate".

Appendix 20[Fundamental Rules 116 and 117]No. F-1 (1) Rule 1/37-dated New Delhi, the 1st December, 1938. - In supersession of the rates of contribution for pension and leave-salary promulgated with the resolution of this Department No. F-81-Rule, 1/24, dated the 11th February, 1929, as amended by Regulation No. D-484-Rule 11, dated the 15th February, 1930, in respect of officers other than military officers in foreign service, the Governor-General-in-Council in pleased to prescribe with reference to Fundamental Rules 116 and 117, rates of contributions set out in Annexure to this Resolution except to the extent indicated in paragraphs 2 and 3 below, the general principles on which the revised rates have been calculated and the same as were used stated in the Resolution referred to above.

2. (a) For the purpose of contribution for pension Government servants have re-classified in the following six grades :

(1)Members of the Indian Civil Service with non-Asiatic domicile.(2)Members of the Indian Civil Service with Asiatic domicile.(3)Members of the other All-India and Class I Central Services with non-Asiatic domicile.(4)Members of the other All-India and Class I Central Services with Asiatic domicile.(5)Members of the Class II Central Services.(6)Members of the Subordinate Central Services.(b)The rate of interest adopted in the calculation of contribution for pension is $\frac{3}{4}$ per cent per annum instead of $4\frac{1}{2}$ per cent per annum adopted in 1929, on accounts for the increase in the rates of contribution.(c)The rates of mortality assumed for the various classes of Government servants or slightly assumed from those adopted in 1922 are based on expert actuarial advise.

3. For the purpose of contribution for leave-salary also, the classification of Government servants governed by leave rules other than the Revised Leave Rules, 1933, has been modified as shown in the Annexure.

4. The rates of contribution for leave salary in respect of officers governed by the Revised Leave Rules are still under consideration and will be promulgated as soon as possible.

5. The revised rates will take effect from the 1st of January, 1939.

6. A Government servant who is a subscriber to a Contributory Provided Fund and who is transferred to foreign service shall, if he is allowed to retain that privilege, pay monthly subscriptions, calculated on the rate of pay drawn in foreign service. The foreign employer, or the officer himself according to the arrangement made under Clause (c) of F.R. 115, shall pay in addition, at such times as Government may prescribe in each case, contribution calculated on the monthly subscriptions so determined and equal in amount to what Government would have credited to the subscriber's amount on that basis.

Annexure Rates of monthly contribution for pension payable during active Foreign Service in respect of.....

Length of service	Members of the Indian Civil Service with non-Asiatic domicile	Members of the Indian Civil Service with Asiatic domicile	Members of the other All-India and Class I Central Services with non-Asiatic domicile	Members of the other All-India and Class I Central Services with Asiatic domicile	Members of the Class II Central Service	Members of the Subordinate Central Services
1	2	3	4	5	6	7

Fundamental Rules and Subsidiary Rules

	£s.	£s.	£s.	Rs.		
0-1 year	814	75	66	63	5 per cent.	of the maximum monthly pay of the grades substantively held
1-2 years	103	89	75	70	5 per cent, ditto	4 per cent, ditto
2-3 years	1112	914	82	78	5 per cent, ditto	5 per cent, ditto
3-4 years	131	1018	818	86	6 per cent, ditto	5 per cent, ditto
4-5 years	1410	122	914	94	6 per cent, ditto	5 per cent, ditto
5-6 years	1519	136	1010	102	7 per cent, ditto	6 per cent, ditto
6-7 years	178	1410	116	110	7 per cent, ditto	6 per cent, ditto
7-8 years	1817	1515	122	117	8 per cent, ditto	7 per cent, ditto
8-9 years	206	1619	1219	125	8 per cent, ditto	7 per cent, ditto
9-10 years	2115	183	1315	133	9 per cent, ditto	7 per cent, ditto
10-11 years	234	197	1411	141	9 per cent, ditto	8 per cent, ditto
11-12 years	2413	2011	157	149	10 per cent, ditto	8 per cent, ditto
12-13 years	262	2116	163	157	10 per cent, ditto	9 per cent, ditto
13-14 years	2711	230	1619	164	10 per cent, ditto	9 per cent, ditto
14-15 years	290	244	1716	172	11 per cent, ditto	9 per cent, ditto
15-16 years	309	258	1812	180	11 per cent, ditto	10 per cent, ditto
16-17 years	3118	2612	198	188	12 per cent, ditto	10 per cent, ditto
17-18 years	337	2717	204	196	12 per cent, ditto	10 per cent, ditto

18-19 years	3416	291	210	204	13 per cent, ditto	11 per cent, ditto
19-20 years	365	305	2116	211	13 per cent, ditto	11 per cent, ditto
20-21 years	3714	319	2213	219	14 per cent, ditto	12 per cent, ditto
21-22 years	393	3213	239	227	14 per cent, ditto	12 per cent, ditto
22-23 years	4012	3318	245	235	15 per cent, ditto	12 per cent, ditto
23-24 years	421	352	251	243	15 per cent, ditto	13 per cent, ditto
24-25 years	4310	366	257	251	15 percent, ditto	13 per cent, ditto
25-26 years	4310	366	2613	258	16 per cent, ditto	14 percent, ditto
26-27 years	4310	366	279	266	16 per cent, ditto	14 per cent, ditto
27-28 years	4310	366	286	274	17 per cent, ditto	14 per cent, ditto
28-29 years	4310	366	292	282	17 per cent, ditto	15 percent, ditto
Over 29 years	4310	366	2918	290	18 per cent, ditto	15 per cent, ditto

Rates of monthly contribution for leave-salary payable during active foreign service in respect of.....

Percentage of pay drawn in foreign service

Members of the All-India and Class I Central Services subject to the special leave rules

16 □

Members of the All-India and Class I Central Services subject to the ordinary leave rules

15

Members of Class II and Subordinate Central Service

12 ½

The Government of Assam have adopted these rates for the officers under their rule-making control with effect from 1st January, 1939. The rates for Class 1 Central Services, Class 11 Central Service and the Subordinate Central Services will apply respectively to Class I State Services, other State Services and Subordinate State Services.[The above rates apply also to contract officers who are governed by the model leave terms in Appendix 17, Part I and who are transferred to foreign service.] [Added vide Correction Slip No. 188 to Assam Subsidiary Rules.][The authorities who are competent to sanction transfers to foreign service should determine for the contract officers concerned after taking into consideration the terms of the contract or if these are not conclusive the pay and status in Government service which of the above three prescribed rates of leave-salary

contribution is appropriate in their cases. The rate of leave-salary contribution should also be specified in the orders transferring such contract officers to foreign service.] [Added vide Correction Slip No. 224 to Assam Subsidiary Rules.]

Note 1. The following procedure should be adopted in regard to the leave of contributions for persons and leave-salary in respect of cases falling under F.R. 127.(1)**Pension contribution**In the case of members of the Indian Civil Service, the amount to be recovered as contribution should be the average of the rates prescribed in columns 2 and 3 of the table and in the case of members of the other All-India and Class I State Service the average of the rates laid down in columns 4 and 5 of the table. The sterling rates should be converted into Indian Currency at the uniform rate of 1 s. 6 d. to the rupee.In the case of members of other State Services or Subordinate State Services, a fraction of the total maximum monthly pay of the sanctioned posts equal to the average of the percentage laid down in column 6 or 7 respectively of the table above should be levied as contribution.(2)**Contribution for leave-salary**Recoveries should be made by levying the prescribed percentages on the total sanctioned cost, or in the case of time-scale of pay on the average cost, of all the posts concerned. In the case, however, of members of All-India and Class I State Services, the rate to be applied in calculating the amount to be levied as contribution should be the average of the rates prescribed for officers subject to the special and to the ordinary leave rules.**Note 2.** The rate of 11 per cent of pay drawn in foreign service is the rate of monthly contribution for leave-salary payable during active foreign service in respect of Class of Government servants (excluding inferior Government servants) transferred to such service, who are subject to the Leave Rules, 1934 (Appendix 11, Part I). [This rate applies also to Contract Officers who are governed by the terms in Appendix 17, Parts II and III and who are transferred to foreign service.] [Added vide Correction Slip No. 176 to Assam Subsidiary Rules.][**Note 3.** In respect of inferior Government servants, the foreign service contribution should be levied at the rate prescribed in Article 770 (c), Civil Service Regulation on the maximum monthly pay of grade substantively held by them.] [Substituted vide Correction Slip No. 170 to Assam Subsidiary Rules]**Note 4.** In respect of Government servant subject to the Leave Rules, 1939 (Appendix 11, Part I), excluding inferior Government servants, the recovery from borrowing Government of contribution for leave-salary will be made at the rate laid down in Note 2 above. This rate will be applied for a period of five years with effect from the 1st June, 1939 until the date of introduction of revised rates of leave-salary contributions. The liability of a borrowing Government to pay contributions to the Government will cease when a Government is permanently transferred to the former ; but the lending Government will remain responsible for the leave-salary of the Government servant in respect of "earned leave" at credit on the date of his permanent transfer to the borrowing Government.**Note 5.** In the case of a Gazetted Government servant the Audit Officer of the lending Government should draw up a subsidiary leave account indicating the amount of "earned leave" at credit, leave-salary for which will be borne by the Government from which the Government servant is transferred, and send it to the Audit Officer of the Government to which the Government servant is transferred. When a non-gazetted Government servant transferred permanently to another Government, the head of the office from which he is transferred should prepare a leave account showing the amount of "earned leave" at credit on the date of permanent transfer and send it to the head of the office to which the Government servant is transferred. A copy of the leave account should also be sent at the same time to the Audit Officer of the office from which the Government servant is transferred so as to enable him to accept the debit on account of leave-salary for "earned leave" up to the extent indicated in the leave account, as and when the Government servant takes leave.[Government of Assam's

declaration. - The Governor of Assam hereby declares that the appointments detailed below under his rule-making control be classified as corresponding to (1) Class I, Central Service; (2) Class II, Central Service ; and (3) Subordinate Central Service, respectively :] [Added vide Correction Slip No. 27.]

	Name of service and appointment	Classification
Home Department		
1.	Extra Assistant Commissioners holding reserved (listed) posts	Class I
2.	Other Extra Assistant Commissioners and Sub-Deputy Collectors	Class II
Police Department		
3.	Deputy Superintendents of Police	Class II
4.	Sergeant Majors	Subordinate.
5.	Police Inspectors	Subordinate.
6.	Police Sub-Inspectors	Subordinate.
7.	Sergeants	Subordinate.
Motor Vehicles		
8.	Inspectors of Motor Vehicles	Subordinate.
Assam Rifles		
9.	All except Officers of the Indian Army	Subordinate.
Education Department		
10.	Assam Educational Service Class I	Class II
11.	Assam Educational Service Class II	Class II
12.	Principals of Colleges and Inspectors of Schools	Class II
13.	Assam School Service	Class II
14.	Assam School Service, Classes II and III	Subordinate Service.
Forest Department		
15.	One Extra Assistant Conservator of Forests in the Indian Forest Service Scale	Class I
16.	All other Extra Assistant Conservator of Forests	Class II
17.	Rangers, Deputy Rangers and Foresters	Subordinate Service.
Jail Department		
18.	Jailors and Assistant Jailors	Subordinate Service.
Agriculture Department		
19.	Assam Agricultural Service, Classes I and II	Class II
20.	Inspectors and Scientific Assistants, etc.	

		Subordinate Service.
Veterinary Department		
21.	Director, Civil Veterinary Department	Class I
22.	Inspectors and Veterinary Assistant Surgeons	Subordinate Service.
Industries Department		
23.	Weaving Superintendent, Superintendent of Sericulture, Principals to Technical Schools.	Class II
24.	Assistant Superintendent of Sericulture, Teachers and Inspectors of Weaving Schools and Technical Schools	Subordinate Service.
Co-operative Department		
25.	Assistant Registrars of Co-operative Societies	Class II
26.	State Auditor of Co-operative Societies and Inspectors of Co-operative Societies	Subordinate Service.
Factories and Electricity Department		
27.	Chief Inspector of Factories and Electrical Adviser to Government	Class I
28.	Electric and Factory Inspectors	Class II
29.	Electrical Testers	Subordinate Service.
Boilers Department		
30.	Chief Inspector of Boilers	Class I
31.	Inspectors of Boilers	Class II
Printing Department		
32.	Superintendent, Government Press	Class II
Medical Department		
33.	Civil Surgeons reserved for Assam Medical Service (Senior)	Class I
34.	Civil Assistant Surgeons including Assistant Director, Pasteur Institute and Medical Research Institute, Shillong	Class II
35.	Sub-Assistant Surgeon	Subordinate Service.
36.	Others	Ditto
Excise Department		
37.	Special Superintendent and Superintendent of Excise	Class II
38.	Inspectors of Excise	

		Subordinate Service.
39.	Sub-Inspectors of Excise	Subordinate Service.
40.	Supervisors, Excise Ware-houses	Subordinate Service.
41.	Others	Subordinate Service.
Public Health Department		
42.	Assistant Directors of Public Health	Class II
43.	Assistant Surgeons	Ditto
44.	Sub-Assistant Surgeons	Subordinate Service.
45.	Others	Subordinate Service.
Registration Department		
46.	Special Sub-Registrars	Class II
47.	Sub-Registrars	Subordinate Service.
Assam Surveys		
48.	Superintendent, Assam Surveys	Class II
49.	Others	Subordinate Service.
Public Works Department		
Assam Engineering Service (Class I)		
50.	Chief Engineer	Class I
51.	Superintending Engineer	Class I
52.	Executive Engineers	Class I
53.	Assistant Executive Engineers	Class I
Assam Engineering Service (Class II)		
54.	Assistant Engineers	Class II
55.	Mechanical Engineers, Assam	Class II
Miscellaneous		
56.	Deputy Secretaries to Government	Class I

57.	Registrars of Secretariat	Class II
57-A.	Examiner, Local Accounts	Ditto
58.	All other unspecified services or posts	Subordinate Service.

Appendix 21[Fundamental Rule 117 in Section II]

1. The rates mentioned in annexed Schedule are prescribed for the purpose of recovery of contributions for pension and leave- salary in respect of military officers and other ranks in permanent civil employ who are transferred to foreign service. The revised rules shall have effect from the 1st July, 1933, and shall also apply, with effect from the same date, to military officers and other ranks already in foreign service except who were transferred to such service, before the 27th January, 1922, in the case of military commissioned officers, and before 28th February, 1924, in the case of others, in whose case there has been no extension of the period of foreign service and consequently contribution on whose behalf are still recovered in accordance with the old Civil Service Regulations rates.

2. (a) (i) These rates, which will be payable only during active foreign services cover, in all cases, the liability for the ordinary disability and family pensions and gratuities (including the disability and family pensions at double rates and the gratuity admissible under paragraph 94, Pension Regulations, India, in respect of military officers ; the special and mustering out pensions and gratuities and gratuity admissible under paragraph 258 ibid in respect of Indian ranks ; and invalid pensions and gratuities in respect of military sub- assistant surgeons) which may be admissible, under the ordinary rules of their service, to foreign service in any circumstances whatsoever.

Schedule 5

(a) Military Commissioned Officers. (b) Rate of monthly contribution for pension :

Length of service	Rate of contribution	
	£	s.
0-1 year	4	4
1-2 years	9	5
2-3 years	10	5

3-4 years	11	6
4-5 years	12	6
5-6 years	13	7
6-7 years	14	7
7-8 years	15	8
8-9 years	16	8
9-10 years	17	9
10-11 years	18	9
11-12 years	19	10
12-13 years	20	10
13-14 years	21	11
14-15 years	22	11
15-16 years	23	12
16-17 years	24	12
17-18 years	25	13
18-19 years	26	14
19-20 years	27	14
20-21 years	28	15
21-22 years	29	15
22-23 years	30	16
23-24 years	31	16
24-25 years	32	17
25-26 years	33	17
26-27 years	34	18
27-28 years	35	18
28-29 years	36	19
over 29 years	37	19

Note. The term "length of service" includes all service as warrant officer, class I, and half of any pensionable service in lower ranks which counts as commissioned service for the purpose of pension in accordance with paragraph II, Pension Regulations, India.(ii)Rate of monthly contribution for leave-salary. - 16 □or 15 per cent of pay drawn in foreign service, according as the officer is of non-Asiatic or Asiatic domicile.(b)Rates of monthly contribution in respect of Departmental Officers and Warrant Officers of the Indian Unattached List and Indian Medical Department and British Non- Commissioned Officers and men on the Indian establishment:

For leave-salary 12 ¼ per cent of pay drawn in foreign service.

For pension One-sixth of pay drawn in foreign service.

(c)Rates of monthly contribution in respect of Indian officers with Viceroy's Commission (including those holding Honorary King's Commission), non-Commissioned Officers and men :

For leave-salary One twelfth per drawn in foreign service.

For pension One-sixth of pay drawn in foreign service.

Note. The following procedure is prescribed in regard to the recovery of pension contribution in the case of military commissioned officers lent for service in Iraq. In the case of such officers, except those who were first transferred for service in Iraq on or after the 27th January, 1922, the revised rates of pension contribution should apply with effect from 31st July, 1933. In case of those officers who were first lent on or after the 27th January, 1922, the revised rates should apply with effect from the date on which they joined service in Iraq. Appendix 22[S.R. 189]Special Rates of Daily Allowance admissible in certain localities[Superseded from the 1st April, 1964 vide Government of Assam Finance (APF) Department's O.M. No. F.M. 53/64/11, dated 1st April, 1965]Appendix 23[S.R. 194]List of Special Rates of Travelling Allowance sanctioned for special localities[Superseded from the 1st April, 1964, vide Government of Assam Finance (APF) Department's O.M. No. FM 53/66/11, dated 4th January, 1965]Appendix 24[S.R. 212]List of Government servants exempted from the ten days' halt subject to the conditions of the Rules

S.N.	Government servants exempted wholly or partially	Condition
(1)	(2)	(3)
1.	All Government servants in Inferior service	None.
2.	All officers whether permanent or probationary or temporary who have not completed 3 years' continuous service, working under the supervision of the Director of Land Records, for training in Survey and Settlement	Members of the All India Services will be allowed daily allowance of Rs. 5.25 per day and the Extra Assistant Commissioner, Assam Judicial Service Or.) Grade II Officers, Assam Police Service Officers at Rs. 3.50 per diem. The Sub-Deputy Collectors will be allowed a lump sum of Rs. 60 per month. These rates will be given throughout the whole period of training (including the first ten days).
2-A.	All officers completing three years' continuous service or more whether permanent or probationary or temporary working under the supervision of the Director of Land Records for training in Survey and Settlement	Members of the All India Services Assam Civil Services (Classes I and II), Assam Judicial Service Or) Grade II and Assam Police Service Officers will be entitled to daily allowance at the usual rate admissible to them according to their respective Grades subject to the condition that they would draw the same at ¾th rates after the first ten days and at half rate after first 30 days. These rates will be applicable throughout the whole

period of training (including the first tendays and any absence from the temporary headquarters during the course of training shall not constitute a break in the continuous halt in the same headquarters, and the provision of S.R. 213 (b) will not apply.

Note. The above provision against SI. No. 2-A will not be applicable in the case of an officer who has failed to pass the prescribed test of the training in the first attempt. In such cases the provision of SI. No. 2 above only will be applicable i.e., the officer will get the allowance at the rates prescribed under the said provision. In cases where due to the exigency of public service an officer could not be deputed for the training before he completed 3 years of service the provision of SI. 2-A will, however, be applicable.

3. Clerks and poddars in charge of remittances

On certificate of the Deputy Commissioner under whom the clerks or poddars are employed or Currency Officers/and Chief Accountant of the Reserve Bank that the detention was unavoidable.

4. Poddars deputed to undergo a course of training at the Calcutta Mint

Allowed daily allowance at full rates for the whole period for their halt at Calcutta.

5. Subordinate Judges, Munsiffs and their establishments, when transferred temporarily from one station to another

Allowed daily allowance at full rates for the first ten days and at $\frac{3}{4}$ th rates thereafter if the controlling officers certify that the prolonged halt was necessary.

6. District and Sessions Judge, Additional Assistant and Subordinate Judges of Cachar with their establishments

7. District and Sessions Judge, Additional Assistant and Subordinate Judges, Assam Valley Division with their establishments

8. * * * *

9. Weaving Assistants

None.

10. Sub-Assistant Surgeons and Epidemic Assistance of Public Health Department in Epidemic duty
- (i) Except in cases falling under (ii) below allowed daily allowance at full rates for the first ten days, $\frac{3}{4}$ th rates for the next twenty days and half rates thereafter.
- (ii) Where an epidemic results in local markets and halts being closed and the prices of foodstuffs and services being substantially raised daily allowance will be allowed on the report of the Civil Surgeon at full rates for the entire period of halts so long as such halt was necessary.
11. Physical Instructor and Instructresses
- Allowed daily allowance at full rates for the first ten days at $\frac{3}{4}$ th rates for the next 20 days and at $\frac{1}{2}$ th rates thereafter.
12. Mining Engineers, Drilling Engineers, Geologists, Assistant Geologists, Driller Mechanics, Assistant Drillers, Mine Surveyors, Surveyors, Geo-physicists
- Allowed daily allowance at full rates for the first 15 days, $\frac{3}{4}$ th of the rates for the next 30 days and at $\frac{1}{2}$ rates for the remaining period.

Appendix 25 Rules governing the Travelling Allowance of Governor for journeys other than on duty And Rules governing the use of Special Trains by Governor Designate and Retiring Governors [Not Printed] Appendix 26 The Assam Legislative Chambers (Members Emoluments) Act (Assam Act 1 of 1938) And Travelling Allowance Rules [Not Printed] Appendix 26-A The Assam Ministers (Salaries and Allowances) Act and the Rules thereunder [Not Printed] Appendix 27 Assam President's Salary Act, 1937 (Assam Act 5 of 1937) [Not Printed] Appendix 28 [S.R. 289] List of Sanctions to Travelling Allowance for journeys on a Course of Training

Item No.	Persons granted travelling allowance	Particulars of travelling allowance admissible	Remarks
1	2	3	4
A.			
	Governmentservants		
	deputed to		
	undergo a		
	course of		
	training		
1.	Clerk deputed to the office of the Comptroller, Assam for training in Treasury Accounts	Travelling allowance both ways, according to rates admissible to an officer of his grade while on tour.	

2. Probationary Sub-Inspectors deputed for training to the Police Training School

(a) Departmental Cadets will draw actual travelling expenses for self from their District headquarters to the Police Training School and from the School to the place where posted on passing out of the School, plus actual cost of conveyance of luggage up to 76 Kgs.

Travelling expenses at the above rates and daily allowance according to the rates admissible to Sub-Inspector of Police while on tour will also be admissible to them under whom they are deputed to any place

The conveyance of luggage by rail or steamer may be passed at "Luggage rate".

under orders of the Principal, Police Training (School for Practical Training)

(b) Newly appointed cadets will draw actual travelling expenses for self when posted to Districts only on passing out of the School, plus actual cost of conveyance of luggage up to 76 Kgs.

Travelling allowances at the above rates and daily allowance according to the rates admissible to the Sub-Inspector of Police while on tour will also be admissible to them when they are deputed to any place under orders of the Principal, Police Training School for practical training.

The conveyance of luggage by rail or steamer may be passed at "Luggage rate".
3. Sub-Inspector when deputed to visit jails and court offices for practical training or when coming from District to Shillong for training in the Finger Print Bureau or deputed to Assam

Travelling allowance both ways according to rates admissible to an officer of his grade while on tour

This rule will also apply mutatis mutandis to other officers deputed to the Bureau for short periods for proficiency certificates. But Sub-Inspectors of Police who are deputed to Shillong from other Districts to undergo a course of training

	Rifles Battalions for a course of general training in Platoon Commander's duties	in the Finger Print Bureau for a period of one year will draw travelling allowance under S.R. 243 for the journey to and from Shillong.
4.	Probationary Assistant and Deputy Superintendent of Police deputed for training at the Police Training College, Sardah, Bengal	Travelling allowance from the Training College as on tour plus actual cost of transporting luggage up to 750 Kgs. and actual cost of transporting on horse. During training they will draw travelling allowance (including daily allowance) at rates admissible to a Bengal Officer of a similar status under training. Such daily allowance will be granted by the same authority and up to the same limits and on the same conditions as in the case of the Bengal Officers deputed for similar training.
5.	Constables, Head Constables and Assistant Sub-Inspectors deputed to courses of training in drill, physical training and as armourers and such other course of instructions as may be decided by the Inspector General of Police	Will draw actual travelling expenses up to the following limit: (a) For self-Single fare of the class to which they are entitled by rail or steamer and actual cost of transport by roads as passed by the Controlling Officer. (b) For luggage-Up to 76 Kgs. at luggage rates, by rail or steamer and actual cost by road as passed by Controlling Officer
6.	Recruits going to or returning from the Constables' Training School	Entitled to single fare by rail or steamer at rates admissible to an officer of fourth grade, plus conveyance of luggage at luggage rate up to 76 Kgs.
7.	Sub-Inspectors deputed for periodical training in drill at the	Entitled to travelling allowance to and from the place of training according to the rates admissible

- | | | |
|-----|---|---|
| | headquarters of the District to which they are attached | to an officer of the third grade while on tour |
| 8. | All Recorders who are deputed for training to the Assam Survey School | Entitled to travelling allowance at rates admissible to officers of the third grade while on tour, for journeys to and from the and II and for School once only. |
| 9. | Government servants of the Education Department deputed for training | <p>For journeys to and from the place of training at the beginning and end of the period of training</p> <p>(a) For self-Mileage allowance by rail, river and road at rates admissible to Government servants of their grade, under S.Rr. 173, 177, 182 and 183, respectively</p> <p>(b) For their families- Subject to verification of need by the Director of Public Instruction travelling allowance at rates admissible under S.Rr. 242 I (ii) and (iii) and II (ii) and (iii) for journeys by rail or steamer and road, respectively, and a single additional fare in addition to the mileage allowance admissible to the officer himself under Cl. (a) above.</p> |
| 10. | Government servants of the Education Department deputed for training | <p>Mileage allowance as in item 9 (a) and also halting allowance will be allowed in the case of teachers deputed to a Scouts' or Guides' Training Camp, Red Cross Training Camp, rallies, Jambories, etc., by the Director of Public Instruction</p> |
| 11. | Teachers of Aided and Board Schools deputed for training | Entitled to travelling allowance at rates admissible to Government servants of their status for journeys to and from the place of training at the |

		beginning and end of the period of training.	
12.	New Candidates deputed for training	Entitled to single fare by rail or steamer at rates admissible to an officer of third grade plus conveyance of luggage up to 76 Kgs. at luggage rates by rail or steamer, and actual cost by road for the journey from the college to where they came from, on leaving the college at the end of the period of training	The concession for the conveyance of luggage by road is allowed on the understanding that the controlling officer satisfies himself that the expenses were actually incurred.
13.	Veterinary Assistant deputed to the Belgachia College for refresher course	Travelling allowance for the journey to and from the college according to rates admissible to an officer of his grade while on tour	
14.	Government servants {i.e., officers of the I.A.S., Assam Civil and Subordinate Executive Service) deputed to undergo the course of instruction in Survey and Settlement at the Assam Survey School, Jhalukbari near Gauhati and for consequent training under Settlement Officer	Entitled to travelling allowance according to rates admissible to an officer of his grade while on tour for journeys to and from Jhalukbari by the beginning and termination of the period of training. Also entitled to travelling allowance admissible to his grade when required to travel for purposes of instruction during his course at the School.	
15.	Government servants of the Departments of Cooperative Societies and Industries deputed for training in any part of India	Entitled to travelling allowance according to rates admissible to an officer of his grade while on tour for journeys and to from the place of training at the beginning and termination of the period of training	The same rates of travelling allowance as above will be allowed on journeys during the course of his training.
16.	Government servants of the Agriculture Department deputed for training	Entitled to travelling allowance according to rates admissible to an officer of his grade while on tour for journeys to and from the	

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| | in any part of India | place of training at the beginning and end of the period of training and for journeys during the course of training |
| 17. | Sub-Inspector of Vaccination for training in preparation of calf lymph, Vaccination, verification of vital statistics, etc., in the Vaccine Depot, Shillong. The course lasts for two months | Entitled to travelling allowance both ways according to rates admissible to an officer of his grade on tour. |
| 18. | Government servants deputed to undergo a course of training at the Forest Research Institute and College, Dehradun | For journeys to and from the college at beginning and end of the period of training: |
| | (a) Assam Forest Service Course | (a) For self.- Mileage allowance by rail, river and road at rates admissible to Government servants of their grades under S. Rr. 173, 177, 179, 182 (a) and 183 respectively. - |
| | (b) Ranger course | (b) For their families.- Subject to verification of need by the Conservator of Forests, travelling allowance at rates under S. Rr. 243 I (ii) and (iii) and II (ii) for journeys by rail or steamer and road, respectively, and a single additional fare in addition to the mileage allowance admissible to the officer himself under Cl. (a) above. |
| 19. | Assistant Surgeons and Sub-Assistant Surgeons of the Medical and Public | (a) Entitled to travelling allowance under the ordinary rules for journeys on tour for the journey to and from the place of |

Health Department when deputed to undergo a course of training in or out of the State training. In the event of their failing to qualify in each course on first occasion they will be allowed only on road mileage as admissible for a journey on tour and a single fare by railway and steamer of the class to which they belong on the second and third occasions.

Sub-Assistant Surgeons of the Public Health Department deputed to field work on completion of training at the Shillong Pasteur Institute will get travelling allowance under the ordinary rules as for journeys on transfer

For the purposes of concession contained in sub-Cls. I (ii) and (iii) and II (ii) and (iii) of S.R. 243 charges will be admissible from the old station to the station at which the Sub-Assistant Surgeon has been posted on completion of his training at the Pasteur Institute, Shillong

(b) Halting allowance at the usual rate for the following courses only within the State when the course does not exceed 15 days (i) Pasteur Institute, Shillong (ii) [Deleted]

Note. The travelling allowance payable to Medical Officer deputed for training under Leprosy Relief Association, Calcutta should in the first instance be paid by Government and then recovered in full from the Association

20. Female Sub-Assistant Surgeons deputed to undergo a course of training at a postgraduate class in Calcutta Entitled to travelling allowance for journey to and from Calcutta at rates admissible to an officer of the second grade while on tour limited to actual expenses

21.

	Excise Inspectors and Extra Officers of the Excise Department when deputed to undergo training	Travelling allowance at the ordinary rate, for the journey each way	
22.	Apprentices of Government Farms	A single third class rail or steamer fare to and from the place of training plus daily allowance of 37 paise on the journeys and during halts up to a period of 10 days	
			If ordered to inspect works at a considerable distance from their headquarters, a bill for their actual expenses should be submitted! by these students to the Executive Engineer under whom they may be placed for training who will deal with all their travelling allowance bills. If in any month, the bills of any student exceeds Rs. 15 such bills should be submitted to the Chief Engineer, Assam or West Bengal, as the case may be, under whom he is placed for training, for special sanction. The Executive Engineer should, however, pass bills in excess of Rs. 15 when they only refer to journeys for joining or leaving the place of practical training or practical examination and for transfers.
23.	Students who are placed for practical training in the Assam or West Bengal Public Works Department	Travelling allowance on tour to be granted by the Chief Engineer, Assam or West Bengal, as the case may be, admissible to members of the Lower Subordinate Service of the Public Works Department under the subsidiary Rules for- (a) Joining their appointments (b) Transfer from one place to another (c) Leaving the place in which they may be stationed at the end of their practical training (d) Proceeding to and returning from the place of their practical examination	

B. Students selected to undergo a course

of training

24. State Scholars sent to United Kingdom
- A single second class P. and O. passage each way and freight on 115 Kgs. of baggage
- Entitled to single fare by rail or steamer for the first journey to and the last journey from the place of training at rates admissible to a Government servant of third grade in the case of male students, and of second grade in the case of female students, plus conveyance of luggage, up to 76 Kgs. at luggage rates
25. Male or female students selected to undergo a course of training
- Note. The same rates of travelling allowance will be drawn by students (male or female) deputed to visit special demonstration ; or exhibitions.
26. (i) Lushai students holding Government scholarships at a college in Assam but situated at a distance from their native District. Note. The restriction does not apply to medical, technical and similar institutions affording facilities for training which do not exist in Assam-
- At the discretion of the controlling officer actual travelling expenses to and from the college to visit their home once in every two years Rs. 125 from Dibrugarh to Aijal and vice versa Rs. 225 from Dibrugarh to Lungleh and vice versa
- (i-a) Lushai students holding Government Scholarships in Assam Medical College, Dibrugarh
- Fixed amount of travelling allowance at the following rates to visit their homes once in every two years
- (ii) Students of other Hill tribes holding Government Scholarships in Medical Schools (iii) Other Assam students holding
- (a) Entitled once a year to half of the single fare by rail or steamer from the School or College to their homes, according to the rates admissible to an officer of the third grade in the case of male students and of second

Government Scholarships at the Campbell Medical School and the Berry White Medical School	<p>made in the case of female students (b) Full single fare may be drawn by the students once in two years as an alternative (c) Khasi students are also entitled to the additional payment of half motor fare once a year or full fare in two years, in Inter class of the No. 2 service car on the Gauhati Shillong road when they have to go home via Shillong</p> <p>Subject to the condition that the stipendiaries are certified by the Secretary, Technical Education to be too poor to bear the cost of the journeys-Entitled to single fare by rail and motor (in Inter class of the No. 2 service car) at rates admissible of officers of the third grade for the first journey to and the last journey from the School (up to and from Shillong only) plus conveyance of luggage up to 76 Kgs. at luggage rates once in two years journeys to and from Shillong after the vacation</p> <p>Subject to the condition that the stipendiaries are certified by the Secretary, Technical Education to be too poor to bear the cost of the journeys-Entitled to single fare by rail at rates admissible to officers of the third grade for the first journey to and the last journey from the School (from and up to Tura only) plus conveyance of luggage up to 76 Kgs. at luggage rates, and also single fare at the above rates once in two years for journeys to and from Tura after the vacation</p>
(iv) Khasi students holding Government Scholarships for training in the Jorhat Technical School	
(v) Garo students holding Government Scholarships for training in the Jorhat School	

- Subject to the condition that the stipendiaries are certified by the Secretary, Technical Education, to be too poor to bear the cost of the journeys-Entitled to single fare by rail and motor (from and up to Kohima only) and to single fare by rail and mileage allowance for travelling by road (from and up to Mokok-chung only at rates admissible to officers of the third grade, for the first journey to and the last journey from the School, plus conveyance of luggage up to 76 Kgs. at luggage rates, and also single fare at the above rates once in two years for journeys to and from Kohima or Mokokchung after the vacation.
- (vi) Naga students holding scholarships for training in the Jorhat Technical School
27. Students selected to undergo a course of training at the Forest Research Institute and College Dehra Dun and the Forest College Rangoon-
- (a) Assam Forest Service Course
- (a) Entitled to actual expenses incurred by rail or steamer for the first journey to and the last journey from Dehra Dun and Rangoon. For this purpose they will be considered as officers of the 2nd Grade. While undergoing the course such students will be granted actual expenses on tour as passed by the President, Forest Research Institute and College, Dehra Dun and the Principal, Forest College, Rangoon, including single second class fare by rail or

		steamer for the student, fare for oneservant and freight of a bicycle where necessary	
	(b) Ranger Course	(b) Entitled to actual expenses incurred by railor steamer for the first journey to and the last journey fromDehra Dun, and also while undergoing the course at the College.For this purpose they will be considered as officers of the 3rdGrade.	
28.	Male students holding Government Scholarshipsfor Education in Industrial or Technical Institution outside theState	Entitled to single fare by rail or steamer forthe first journey to and the last journey from the place ofeducation at rates for third gradeplusconveyance of luggage upto 76 Kgs. at luggage rates	Also entitled once in every two years when thecourse exceeds two years to one fareplusconveyance of luggageup to 76 Kgs. at luggage rates for the journey to their homesfrom the institutions in which they are being trained and backagain after the vacation

Appendix 29[Note to Subsidiary Rule 302]Rates at which deductions are to be made in the travelling allowance bills for the use of means of transport provided by Government(1)For boats-

	Rs. P.
By Government servants whose daily allowance is Re. 1 or less	Nil
By Government servants whose daily allowance is more than Re.1, but not more than Rs. 5	1.00
By Government servants whose daily allowance is more than Rs.5 but not more than Rs. 6	1.50
By Government servants whose daily allowance is over Rs. 6	2.00

In the case of two or more officers whose daily allowances are in each case Rs.5 more using one boat, the total daily rate of hire is Rs. 2 payable in proportion to the rates of daily hire payable by the officer under the prescribed scale.(2)Officers who are supplied with elephants are required to pay monthly charges for the six months from November to April at the allowance rates, whether the elephants are used or not : 'no charge will be made for the remaining months of the year :

Officers	Charge per monthRs. P.
(a) Officers having three elephants	70.00
(b) Conservator of Forests having three elephants	60.00
(c) Officers having two elephants	45.00
(d) Officers having one elephant	15.00
(e) [Deleted]	
(f) Extra-Deputy and Extra-Assistant Conservators of Forest incharge of Forest	35.00

Divisions having two elephants

(g) Divisional Forest Officer, Goalpara having three elephants

Note. The following orders will apply to the Political Officer, Balipara Frontier Tract on account of hire of elephants : (1) The usual charge at Rs. 45 per month should be paid by him for his two political elephants from November to April but reductions as noted below will be allowed whenever the elephants are employed during this period on carrying Government rations or other Government works of a similar nature- (i) for each day or part of a day on which the elephants are so employed.....Re. 1; (ii) for each day or part of a day on which the two elephants are so employed.....Re. 1.50 : Provided that the absence of the elephant or elephants on Government work necessitates his employing for his own use means of transport other than the elephants in question. (2) When reductions are claimed, a certificate on the travelling allowance bill should be given to the effect that the elephant or elephants were employed so many days on Government work and that he was compelled for those days to use other means of transport for his own touring purposes. Note 2. The controlling officer may remit the charge for any month, when it is certified that owing to illness the elephant could not be used for the whole month, and provided he is satisfied that such illness is not due to neglect on the part of the officer responsible for the elephant. When one elephant out of three is ill, the hire should be paid at the rate fixed for officers having two elephants, i.e. Rs. 45 and when two are ill it should be paid at the rate fixed for officers having one, viz, Rs. 15. Note 3. The orders contained in the above notes apply also to the Political Officer, Sadiya Frontier Tract. Note 4. The conservator of forest may remit a proportionate part of the hire of elephants payable by officers under him, when the elephants are employed on Government work and are therefore not available for the carriage of baggage ; provided that the officers concerned have consequently to employ other means of transport. Appendix 30 [S.R. 310 and Note 1 under S. R. 3] List of Controlling Authorities for Travelling Allowances

	Controlling Officer	Officer or Establishment
(1)	District Officers, including the Political Officers and Superintendent, Mizo District	Assistant Commissioner, Extra Assistant Commissioners, Honorary Magistrates, Sub-Deputy Collectors, Assistant Superintendents of Police in Civil employ, Tahsildar, Superintendents of Grazing, Superintendents of Excise. Inspectors and Extra Officer of Excise, Subordinate Excise Staff. Commandants of Assam Rifles Units employed on the District Civil Surgeon,

Superintendents and Additional Superintendents of Police, Assistant Political Officers' Agricultural Demonstration Staff placed under their direct control and ministerial and menial establishment of the amalgamated district establishment and Record Staff not on major settlements, Chairman and Members of Debt Conciliation Boards.

Note 1. Deputy Commissioner, Cachar will countersign travelling allowance bills of the establishment at the Bakitar Farm. Note 2. The Additional District Magistrate or the Additional Deputy Commissioner or where there is no officer the Senior Extra-Assistant Commissioner of the district headquarters may countersign such travelling allowance bills as are made over to him by the Deputy Commissioner. The Additional Deputy Commissioner may also countersign the travelling allowance bills of the ministerial and menial establishment of the Sadar offices in the absence of the Deputy Commissioner. Note 3. The Sub-Divisional Officer in cases in which the Debt Conciliation Board is in a Sub-Division will countersign bills of the Chairman and other members of the Board. Note 4. The Sub-Divisional Officer may countersign the travelling allowance bills of the ministerial and menial establishment of his office.

- (2) District Officers of the Mizo, Khasi and Jaintia, and Garo Hills and Cachar, and Political Officers
- (3) District Officers where there is no Forest Division
- (4) District Officer as Ex-officio District Registrars

Subordinate of the Civil Public Works Establishment. Non-gazetted forest staff of the district. Special Sub-Registrars, Sub-Registrars, ministerial

and menial staff of
Registration Offices.

Note 1. The District Registrar, Nowgong will also countersign Travelling Allowance bills of the Special Sub-Registrar of Nowgong where travelling on Inspection duty their own districts and also of their peons.

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| (5) | District Officers as Ex-officio Sub-Judges | Their ministerial and menial establishment. |
| (6) | Deputy Commissioner, Khasi and Jaintia Hills | Non-gazetted subordinate, ministerial and menial staff of the Forest Division Establishment of the Fuller Industrial School and Weaving School, Shillong. |
| (7) | Superintendent, Mizo District | Agricultural Demonstrator, establishment of Primary Schools. |
| (8) | Deputy Commissioner, Garo Hills | Establishment of Primary Schools. |
| (9) | Political Officer, Sadia Frontier Traci | Agricultural Instructor, establishment of Primary Schools. |
| (10) | Political Officer, Balipara Frontier Tract | Establishment of Primary Schools. |
| (11) | Commissioner of Divisions | Himself, District Officers, Additional District Magistrates, his own Personal Assistant and office establishment and Lady Supervisor, Wards Estates. |
| (12) | Commissioner of Taxes | Himself, Officer, Superintendent, ministerial and 4th Grade establishment of his own office and all other Gazetted and non-Gazetted Officers of the Department. |

Note 1. The Deputy Commissioner of Taxes signs for the Commissioner of Taxes.

Note 2. The Assistant Commissioner of Taxes signs for the Commissioner of Taxes and Deputy Commissioner of Taxes when the latter two are on tour except in respect of travelling allowance bill of the Assistant Commissioner of Taxes.

		Himself, Settlement Officers of major settlements, Assistant Director of Land Records, Settlement Officer, Assistant Settlement Officers and Establishment engaged on minor settlement, his Personal Assistant and establishment, and non-official members of the permanent committee appointed for the supervision of Muhammedan Marriage Registrars and Kazis.
(13)	Director of Land Records, Inspector General of Registration, and Superintendent of Stamps	Assistant Settlement Officers, Kanungos, Mandals or Patwaris and ministerial and menial staff under their control. Himself, Superintendent, Personal Assistant, technical, ministerial and menial establishment, and Principal ministerial, teaching and menial staff of the Survey School.
(14)	Settlement Officers of major	
(15)	Director of Surveys	
(16)	Deputy Surveys Director, Assam	All officers deputed for survey and settlement training to the Survey School, and ministerial, menial

		and technical staff under him.
		Himself, and all gazetted officers of the State, Subordinate, ministerial and menial staff attached to the Direction Division, and Forest Veterinary Assistant.
(17)	Conservator of Forests	Executive and Assistant Executive Engineers attached to his office.
(18)	Chief Engineer	(i) Himself, Superintending Engineers in charge of Circle.
	Chief Engineer, P.W.D.	(ii) All Gazetted, Subordinate, Ministerial and Grade IV Staff attached to his office.
	Addl. Chief Engineer, P.W.D.	Himself and all Gazetted, Subordinate, Ministerial and Grade IV staff attached to his office.
	Chief Engineer, Flood Control and Irrigation	Himself, Superintending Engineers within his jurisdiction and all Gazetted, Subordinate, Ministerial and Grade IV staff attached to his office.
	Additional Chief Engineer, Flood Control and Irrigation	Himself, and Superintending Engineers within his jurisdiction.
(19)	Superintending Engineer	Executive Engineers in charge of Public Works Divisions and Mechanical Engineer, Public Works Departments.
(20)	Inspector General of Civil Hospitals and Prisons	Himself, Medical Officers on special duty and his

ministerial and menial staff and personal Assistant, Director and Assistant Director, Pasteur Institute and Medical Research Institute, Jailors, Superintendent, Mental Hospital, Tezpur, Principal, Assam Medical College, Dibrugarh, Principal Ayurvedic College, Gauhati.

Note. The personal Assistant to the Inspector General signs for the Inspector General when the latter is on tour.

(21) Inspector General of Police

Himself, Personal Assistant, Superintendent of Railway Police, ministerial and menial staff of his own office, Superintendent and Deputy Superintendent of Police when proceeding beyond their jurisdiction to attend co-operation meetings.

Note. Personal Assistant signs for the Inspector General when on tour.

(22) Deputy Inspector General of Police

Himself and his establishment and establishment of the Finger Print Bureau.

Note. Special Superintendent of Police signs for Deputy Inspector General.

(23) Director of Public Instruction

Himself, his personal assistant and ministerial and menial staff of the office, Inspectors and Assistant Inspectresses of Schools and their establishment, Assistants to the Director for

		<p>Muhammadan Education and his establishment, Headmistress of Pine Mount School and establishment, Principals and Professors of College and establishment of Colleges, Secretary for Higher Sanskrit Learning and establishment of the Institution, Principal and establishment of the Government Madrasa, Principal and establishment of the H.R.H. Prince of Wales Technical School, Jorhat. Himself, Assistant Director of Public Health, his ministerial and menial establishment, staff of the State Laboratory.</p>
(24)	Director of Public Health	
(25)	<p>Joint Director of Health Service (R)</p> <p>[Substituted vide Correction Slip No. 36 (FM 199/74/1, dated 6th March, 1975).]</p>	<p>Assistant Surgeon, Sub-Assistant Surgeons and other Subordinate staff under his control.</p> <p>Himself, his own office staff, Deputy Directors of Agriculture, Agricultural Chemist, Economic Botanist, Superintendents of Agriculture and their establishments and Inspector of Government gardens. Marketing Officer, Assam, clerks and peons of the marketing section.</p>
(26)	Director of Agriculture	

(27)	Deputy Director of Agriculture, Live-stock	Agricultural Inspector, Khasi and Jaintia Hillshis peon and the Demonstrators under him.
(28)	Economic Botanist, Assam	Fruit Inspector, his peon and the demonstratorsunder him.
(29)	Principal, Assam Agricultural College	His own office, non-gazetted staff includingstipendiaries and menials of the Assam Agricultural College.
(30)	Deputy Commissioners of Garo Hills, United Khasiand Jaintia Hills, United Mikir and North Cachar Hills and MizoDistrict	Agricultural Inspectors.
(31)	Director of Industries and Registrar ofCo-operative Societies	Himself, Weaving Superintendent and hisestablishment of the Gauhati Weaving School, Superintendent ofSericulture and his establishment, establishment of Sericulturalstations at Titabar and Shillong, Assistant Registrars ofCo-operative Societies, Auditors and Inspectors of Co-operativeSocieties and their establishment.
	Note.Deputy Registrar of Co-operativeSocieties may sign for Registrar of Co-operative Societies.	
(31-A)	Director, Veterinary, Department	Himself and Deputy Superintendent, allsubordinates and ministerial and menial establishment of theVeterinary Department.
(32)	Principal, Assam Veterinary, College	His own office, non-gazetted staff includingstipendiaries and menials of the Assam

		Veterinary College.
(33)	Examiner, Local Accounts	Himself, Office establishment and Local Auditors.
(34)	Chief Secretary	Himself, all officers of the Secretariat below the rank of Deputy Secretary, all ministerial and Grade IV establishment of the Civil Secretariat.
	Note. Under-Secretary to the Government of Assam in the Secretariat Administration (Accounts) Department signs for the Chief Secretary.	
(35)	Secretary Labour	Himself, Chief Inspector of Boilers, Assam.
(36)	Secretary, Education and Local Self Government Departments	Himself, Honorary State, Director, Department of Historical and Antiquarium Studies, Assam.
(37)	Finance Secretary	Himself, all officers of the Civil Secretariat, below the rank of Secretary.
(38)	Secretary, P.W.D.	Himself and other gazetted and non-gazetted staff of the Secretariat.
	Note. The Deputy Chief Engineer signs the T.A. bills of all Gazetted Officers for Chief Engineer, while Registrar signs T.A. bills of all non-gazetted staff for Chief Engineer.	
(38-A)	Secretary, Flood Control and Irrigation	Himself and other gazetted and non-gazetted staff of the Secretariat.
(39)	Chief Electrical Inspector and Electrical Adviser, Assam	Himself.
(40)	Secretaries to Government	Themselves and Deputy Secretaries to Government under their respective control.

Note. Under-Secretaries and Deputy Secretaries sign for Secretaries.

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| (41) | Joint Secretaries to Government | Themselves. |
| (42) | Secretary, Legislative Assembly | Himself, ministerial and menial staff of his office. |
| (43) | Secretary, Legislative Department and Legislative Council and Legal Remembrancer | Himself, ministerial staff and menial staff and Government Pleaders and Public Prosecutors. |
| (44) | Speaker, Legislative Assembly | Himself. |
| (45) | President, Legislative Council | Himself. |
| (46) | Military Secretary | Himself, the Aide-de-camp and his staff. |
| (47) | District and Sessions Judges | Themselves, Additional and Assistant and Subordinate Judges, ministerial and menial establishments of themselves and their subordinates. |
| | <p>Note 1. Additional Judges sign for District and Sessions Judges when on tour.</p> <p>Note 2. The Judge, Assam Valley District will countersign the T.A. bills of the Stamp Checking Officer, Assam for journeys performed by him in that valley.</p> | |
| (48) | Officers-in-charge of Forest Divisions | Non-gazetted Forest staff of the Forest Division. |
| (49) | Executive Engineers | Assistant Executive Engineers, Assistant Engineers, Supervisors, Upper and Lower Subordinates, technical, ministerial and work-charged establishment of their division. |
| (50) | Executive Engineer, Khasi and Jaintia Hills Division | Electrical mistri. |
| (51) | Executive Engineer, Lower Assam Division | Crew of the yacht "Sonamukhi". |

(52)	Executive Engineer, Golaghat Division	Medical staff of the Dimapur Manipur Cart Road.
(53)	Civil Surgeons	Assistant and Sub-Assistant Surgeons, Health Officers, Inspectors and Sub-Inspectors of vaccination and disinfectant carriers, compounders, ministerial and menial staff of their own offices and of Government Police and Jail Hospitals and Dispensaries and vaccinators.
(54)	Principal, Assam Medical College.	Professors, Assistant Professors, Secretary, Curator, Lecturers, Demonstrators, Taxidermists, Laboratory Assistant, X-ray Mechanic, ministerial and menial establishments under his control.
(55)	Civil Surgeons or Civil Assistant Surgeons as Superintendents of Jails	Subordinate, medical, ministerial and menial establishments, below the rank of Jailor.
(56)	Civil Surgeons, Khasi and Jaintia Hills	Sub-Assistant Surgeon attached to Government House, and his establishment.
(57)	Director, Pasteur Institute and Medical Research Institute	Technical, ministerial and menial staff.
(58)	Principal, Assam Medical College as Superintendent Bery-White Medical School	Teaching and other staff of the School.
(59)	Superintendent, Mental Hospital	Technical and other staff of the Mental Hospital.
(60)	Superintendent of Police	Assistant Superintendent and Deputy Superintendents

		and Subordinate Officers of Police, ministerial and menial establishment of the District.
(61)	Superintendent of Railway Police	All ranks of Railway Police, ministerial and menial establishment of his office.
(62)	Superintendent of Police, Deputy Commissioner in-charge of Police and Political Officer	Motor vehicles staff.
(63)	Deputy Director of Agriculture	Inspectors of Agriculture except in the case of Khasi and Jaintia Hills, Demonstrators except those placed under direct control of District Officers, Farm Managers and farm staff, including apprentices, Entomological Assistant and his peon.
(64)	Marketing Officer	Assistant Marketing Officers, Marketing Inspector, their peons and Marketing Demonstrators.
(65)	Weaving Superintendent	Peripatetic Weaving parties.
(66)	Agriculture Chemist	Himself and his staff.
(67)	Economic Botanist	Scientific Assistant under him and Horticultural Assistant and his Subordinates, Citrus Fruit Experiment Station, Burnihat.
(68)	Inspectors of Schools	Assistant Deputy and Sub-Inspectors of Schools and establishment of all Schools under their control.
(69)	Inspectresses of Schools	Assistant Inspectresses of Schools and

		her establishment and all officers under her control.
(70)	Chief Inspector of Factories	Assistant Electrical and Factory Inspector, technical, ministerial and menial staff of his office.
(71)	Chief Inspector of Boilers.	Inspector of Boilers, technical, ministerial and menial staff of his office. Himself, his personal assistant and the ministerial and menial staff of his office, the Special Superintendent of Excise and his establishment and all Excise Officers, Jamadars and peons appointed to the special staff.
(72)	Commissioner of Excise	Excise peons of the Special Branch.
(73)	Special Superintendent of Excise	Inspector of Co-operative Societies and their establishments.
(74)	Assistant Registrars of Co-operative Societies	Managers and other non-gazetted staff including apprentices of the two farms at Khanapara and at Upper Shillong and the Inspector, the Demonstrator and the peon of the Co-operative Mills Societies, Surma Valley.
(75)	Deputy Director of Agriculture, Live-stock	Ministerial and menial staff of his office.
(76)	Honorary State Director, Deputy Director of Historical and Antiquarian Studies, Assam	Himself, Members and Secretary of the Commission.
(77)	Chairman, Assam Public Service Commission	Ministerial and menial
(78)	Secretary, Assam Public Service Commission	

		staff of the Commission.
		Himself, Political Agent, Manipur, Political Officer, Sadiya and Balipara Frontier Tracts, ministerial and menial staff of his office, excepting in the case of Naga Hills where the Deputy Commissioner will be the Controlling Officer.
(79)	Private Secretary to the Governor	
(80)	Asstt. Commissioner and Secretary to the Board of Agricultural Income-tax, Assam	Himself, ministerial and menial staff of his office.
(81)	Secretaries, State and Regional Transport Authorities	Ministerial and menial establishment of their offices.
(82)	Principal, Ayurvedic College	Officers, clerks and menials under him. Himself, his own office staff, District office staff and other Gazetted and non-gazetted officers under him.
(83)	Director of Statistics	
(84)	Principal Private Secretary to the Chief Minister, Assam	Himself. Himself, his own office staff, District office staff and all other Gazetted and non-gazetted officers under him.
(85)	Director of Information and Publicity	
(86)	Deputy Secretary to the Government of Assam, General Administration Department	Liaison Officer, Assam House, New Delhi. Non-Gazetted staff in the office of the Liaison Officer, Assam House, New Delhi.
(87)	Under-Secretary to the Government of Assam, General Administration Department	Himself, all Gazetted Officers of the Department and all subordinate staff attached to the Directorate.
(88)	Director of Soil Conservation	
(89)	Joint Director of Soil Conservation Research	

		Non-gazetted staff attached to the Research Station.
(90)	Divisional Soil Conservation Officer	Non-gazetted staff of the Soil Conservation Division.
(91)	Public Analyst to the Government of Assam, Chemical Examiner (Excise) and Officer-in-charge State Public Health Laboratory, Shillong	Technical, ministerial and other staff of the State Public Health Laboratory and technical, ministerial and other staff of Regional Laboratory, Gauhati.
(92)	Director, Inland Water Transport, Assam, Gauhati	Himself, his own office staff and all Gazetted officers subordinate to him.
(93)	Executive Engineers, Inland Water Transport Division, Assam.	All Sub-Divisional Officers, Assistant Engineers, Upper and Lower Subordinates, Technical ministerial and work-charged establishment of their Divisions.
(94)	Training Supdt. Crew Training Centre, Assam, Gauhati	Assistant Training Supdt., Instructors Technical, ministerial and menial staff.
(95)	D.P.I.'s Assam, Shillong	Himself, all gazetted and non-gazetted officers of his office and heads of all subordinate offices under his control.
(96)	Principal, Government College	Office staff including all gazetted and non-gazetted officers under his control.
(97)	Inspector of Schools	Office staff of his own and subordinate officers including gazetted and non-gazetted officers under his control.
(98)	Principal, State Institute of Education, Jorhat	Office staff including gazetted and

		non-gazetted officers under his control.
(99)	Principal, Post Graduate Training Centre, Jorhat	Ditto
(100)	State Education Officer	Ditto
(101)	Director of Museum and Archaeology, Gauhati	Office staff including gazetted and non-gazetted officers under his control.
(102)	Librarian, State Central Library	Ditto
(103)	D.D.P.I., N.C.	Civilian office staff of all N.C.C. Unit, Special officers of N.C.C. (I) and (II).
(104)	Director of Financial Inspections, Assam	Himself and his subordinate officers (both gazetted and non-gazetted) and staff under him.
(105)	Additional Director of Information and Public Relations (Hills), Assam	All Subordinate Officers (both gazetted) and non-gazetted and staff under him.

[Appendix 31] [Substituted vide Correction Slip No. 513 to Assam Subsidiary Rules to take effect from 9th September, 1961.] Rules regarding medical examination and treatment of tubercular Government servants in the T.B. sanatorium and clinic, Shillong and other recognised institutions in Assam

1. All Government servants suffering or suspected to be suffering from tuberculosis should at first be sent through the District Medical Officer to the nearest Tuberculosis Clinic and if so required to the State Clinic or Sanatorium, Shillong or the nearest recognised institution for diagnosis or treatment.

2. If after careful examination by the Medical Officer-in-charge of the case or of the institution, the case is reported to be a "closed" or one and the person is considered to be fit to carry on his duties, he will be allowed to continue in his appointment under the following conditions :

(a) That remains under suitable medical supervision and treatment of a Government doctor where there will be no charge. When the Civil Surgeon or the Sub-divisional Medical Officer certifies that this is not possible a tubercular Government servant may be placed under supervision and

treatment of a Private Medical practitioner. In that case the charges will have to be paid by the patients. A special register of such cases will be maintained by the Medical Officer-in-charge of the case so that the patient may be followed up regularly from time to time in the interest of public health as well as of the patient.(b)That the Government servants suspected of tuberculosis or suffering from "closed" and "quiescent" tuberculosis shall undergo periodical re-examination by his proper Government Medical Officer, and if necessary by a competent authority in tuberculosis approved by the Government. The re-examination will be done by the Government Medical Officer free of charge.In the case of tubercular Government servant (Gazetted or non- Gazetted) drawing pay to Rs. 600 per mensem, the entire charges incurred by him for his treatment will be re-imbursed to him by the Government and in the case of tubercular Government servant (Gazetted or non-Gazetted) drawing pay more than Rs. 600 per mensem half the charges will be borne by the Government servant himself and the other half reimbursed to him by the Government. Tubercular Government servants drawing pay up to Rs. 600 per mensem may be admitted in free beds in Government T.B. Hospital as far as possible.

3. If after careful examination the case of a tubercular permanent Government servant is found to be an "open" one he will be granted leave on average pay for 18 (eighteen) months by instalments of four months on the recommendation of the Medical Officer concerned, in addition to all other leave due to him as provided in Revised Leave Rules, 1934. During the period of leave so granted or thereafter but during such period of leave ordinarily granted to him under the leave rules to which he is subject to, if Medical authority thinks that there is no reasonable prospect of his recovery, then by will be invalidated and proportionate pension as prescribed by rule, be sanctioned. If before the expiry of the maximum leave his case is certified to have become a "closed" one, he will be allowed to resume his appointment under condition laid down in Cl. (b) of Rule 2 for closed quiescent case.

In order to avoid break in the services of a temporary Government servant, with over one year's service superior or inferior and to enable such a Government servant to return to his appointment after proper treatment he will be granted 18th months' extraordinary leave as provided in the Leave Rules, 1934. In addition to all his leave due-under the Revised Leave Rules, 1934 as amended by Assam Government Notification No. FEG 50/56/15, dated 24th October, 1957, subject to the following conditions :(i)The post from which the Government servant proceeds on leave is likely to last till his return to duty,(ii)The extraordinary leave shall be granted on production of certificate from the Medical officer-in-charge of the Sanatorium or institution specifying the period for which leave is recommended, and(iii)The Medical Officer in recommending leave shall bear in mind the provision of S.R. 77.Note 1. The expression "Leave on average pay" in the case of a permanent Government servant subject to Leave Rules, 1934 means leave-salary equivalent to what is admissible under Rule 15 of these Rules as amended.

4. A Government servant suffering or suspected to be suffering from tuberculosis will be entitled to travelling allowance under S.R. 297 for journeys undertaken by him to and from the Clinic or Sanatorium or Institution for diagnosis or treatment. Travelling allowance for journeys to a Sanatorium or Clinic outside the State will be admissible, provided a certificate is given by the Director of Health Services that treatment in such Sanatorium or Clinic was necessary in the interest of the patient.

5. No fee will be levied from the patient for X-Ray treatment.

6. (a) A tubercular Government servant drawing pay up to Rs. 600 per mensem will be treated free in the general ward, but if his pay is more than Rs. 600 per mensem he shall have to bear himself the charges for accommodation including diet, all sorts of medicines and treatment in the general ward.

(b) If a tubercular Government servant fails to have a seat in Government or recognised Hospital or Institution or Clinic and Sanatorium he may have treatment at home or in a private hospital, etc., on advice of any authorised Medical Attendant/Officer. In such cases Rule 6 (a) above will also be fully applicable ; Provided that the authorised Medical Attendant/Officer must certify prior to Government servant's having the treatment at home or in a private hospital, etc., that a seat is not available in the general or any of the paying wards in order to entitle a patient to claim the reimbursement under this sub-rule. (c) If a tubercular Government servant fails to have a seat in the ward which he is entitled to, he shall have to be accommodated in any paying ward provided seat is available. In that case he shall have to bear all expenses minus all the charges of the seat to which he is or was entitled to under these rules.

7. The officers of higher grades or other than those mentioned in Rr. 2 (a) and 6 will be accommodated in the private wards of the Sanatorium.

Private Ward No.1 For Officers of the All-India Services or Gazetted Officers drawing pay above Rs. 750 per mensem. Private Ward No.2 For Gazetted Officers drawing pay above Rs. 650 per mensem but not exceeding Rs. 750 per mensem. Semi-Private Ward. For Gazetted and non-Gazetted Officers drawing pay above Rs. 500 per mensem, but not exceeding Rs. 650 per mensem. Note. In all other recognised Institutions such accommodation as is available and suited to the status of the tubercular Government servant concerned will be provided and charges will be levied according to the scheduled rates of the Institution accommodation in the general or free ward being regarded as suitable for the tubercular Government servants drawing pay up to Rs. 600 per mensem. The following rates of charges will be levied for accommodation and treatment in the aforesaid wards of the Sanatorium : Private Ward No.1 From Rs. 8 to Rs. 15 daily. Private Ward No.2 From Rs. 3 to Rs. 6 daily. Semi-Private Ward. From Rs. 2 to Rs. 3 daily. Extra charges will be levied for Major Surgery

and Special Food only.

8. No officer will be entitled to dispose a patient already in occupation of a bed. Ten per cent of the seats in the sanatorium will be reserved for Government servants irrespective of classification and priority of vacancy.

9. The rates of fee as laid down in Rule 10 below will be charged for X-Ray examination of the families of Government servants in the State T.B. Clinic at Shillong.

10. Families of Government servants whose pay is less than Rs. 200 per mensem will be examined free. A fee of Rs. 6 will be charged for families of Government servants drawing pay between Rs. 200 to Rs. 600 per mensem and Rs. 10 for the families of those drawing above Rs. 600 per mensem.

11. All vouchers of medicines, diet, etc., allowance under Rule 6 shall have to be countersigned by the Medical Officer concerned alongwith an essentiality certificate for the purpose of reimbursement.

12. Administration Departments are hereby authorised to sanction reimbursement to any tubercular Government servants under them with the concurrence of Finance Department. They, however, must follow these rules and procedure strictly and rigidly. Expenditure may be met from the respective heads of account under the Department concerned.

[Appendix 32] [Substituted vide Correction Slip No. 502 to Assam Subsidiary Rules.]Form ABond for permanent Government servants proceeding on Study Leave under the Study Leave Rules contained in Appendix 15-Part I to the A.F. Rr. and A.S Rr.Know all men by these presents that I..... resident of..... in the District of.....at present employed as.....in the Department of/office of.....do hereby bind myself and my heirs, executors and administrators to pay to the Governor of Assam (hereinafter called "the Government") on demand the sum of Rs..... (Rupees.....) together with interest thereon from the demand at Government rates for the time being in force on Government loans or, if payment is made in a country other than India the equivalent of the said amount in the currency of that country converted at the official rate of exchange between that country and India and together with all costs between attorney and client and all charges and expenses that shall or may have been incurred by the Government.Dated this..... day of.....two thousand and....Whereas the above bounden.....his granted study leave by Government;And whereas for the better protection of the Government the above-bounden has agreed to execute this bond with such condition as hereunder is written ;Now the condition of the above written obligation is that in the event of the above bounden.....not conforming to the instructions regarding study/training conveyed to him by an authorised agent of the Governor of

Assam or of his continued adverse report regarding the progress of his studies/training or regarding his conduct or the above bounden resigning or retiring from service without returning to duty after the expiry of termination of the period of study leave or at any time within a period of 3 years after his return to duty or the above bounden.....refusing to serve the Governor of Assam if required to do so an officer of the Government of Assam in any other employment indicated by the Governor of Assam for a minimum period of 5 years he shall forthwith pay to the Government or as may be directed by the Government on demand the said sum of Rupees..... (Rupees.....) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans;And upon the above bounden.....making such payment the above written obligation shall be void and of no effect, otherwise it shall be and remain in full force and virtue.The Government of Assam have agreed to bear the stamp duty payable on this bond.Signed and delivered by the above bounden..... in the presence of.....AcceptedFor and on behalf of the Governor of AssamForm BBond for temporary Government servants proceeding on Study Leave under the Study Leave Rules contained in Appendix 15-Part I to the F.Rr. and A.S. Rr.Know all men by these presents that we.....resident of.....in the District of..... at present employed as.....in the Department of/office of..... (hereinafter called "the obligor") and Shri..... son of..... of.....and Shri..... son of..... of..... sureties on his behalf do hereby jointly and severally bind ourselves and our respective heirs, executors and administrators to pay the Governor of Assam (hereunder called "the Government") on demand the sum of Rs..... (Rupees.....) together with interest with interest thereon from the date of demand at Government rates for the time being in force on Government loans, or, if payment is made in a country other than India, the equivalent of the said amount in the currency of that country converted at the official rate of exchange between that country and India and together with all costs between attorney and client and all charges and expenses that shall or may have been incurred by the Government.Dated this..... day of.....two thousand and.....Whereas the above bounden.....is granted study leave by the Government:And whereas for the better protection of the Government the above bounden has agreed to execute this bond with such condition as hereunder is written ;And whereas the said..... and..... have agreed to execute this bond as sureties on behalf of the above bounden ;Now the condition of the above written obligation is that in the event of the above bounden obligor.....Shri.....resigning from service without returning to duty after the expiry or termination of the period of study-leave or at any time within a period of 3 years after his return to duty or the above bounden obligor Shri..... not conforming to the instruction regarding studies/training to him by an authorised agent of the Governor of Assam or of his continued adverse reports regarding the progress of his studies/ training or regarding his conduct or the above bounden Shri.....refusing to serve the Governor of Assam if required to do as an officer of the Government of Assam in any other employment indicated by the Governor of Assam for a minimum period of 5 years the obligor and sureties shall forthwith pay to the Government or as may be directed by the Government on demand the said sum of Rupees..... (Rupees.....) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans;And upon the above bounden obligor Shri.....and/or Shri.....and/or Shri.....the sureties aforesaid making such payment the above written obligation shall be void and of no effect otherwise it shall be and remain in full force and virtue :Provided always that the liability of the sureties hereunder shall not be impaired or discharged by reason for the time being granted or by any forbearance act or omission of the Government or any person authorised by them

(whether with or without the consent or knowledge of the sureties) nor shall it be necessary for the Government to sue the said obligor before suing the above bounden sureties Shri.....and Shri.....or any of them for amounts due thereunder. The Government of Assam have agreed to bear stamp duly payable on this bond. Signed and delivered by the above bounden Shri..... in the presence of..... Signed and delivered by the surety above-named Shri..... in the presence of..... Signed and delivered by the surety above-named Shri..... in the presence of..... Accepted For and on behalf of the Governor of Assam Assam Fundamental Rule Form No. 1 Leave Account of..... Date of commencement of service..... Date of contract, if any.....

Date		Leave Earned	Leave at Credit	Total of Columns 6+7		
1/11th of duty subsequent to coming under Fundamental Rules (Rule 81 (b) (ii))	Balance of 2/11th of duty subsequent to coming under Fundamental Rules	1/11th of duty subsequent to coming under Fundamental Rule [Rules 81 (b) (ii), Columns 16+4]	Balance of 2/11th of duty subsequent to coming under Fundamental Rules [Columns 17+4]			
1	2	3	4	5	6	7 8
					Y.	Y. Y.
From	To	Y. m. d.	Y. m. d.	Y. m. d.	m. d.	m. d. d.

Government

served under

Ordinary Leave Rules Date of attaining the age of 55-60 years..... Date of coming under Civil Leave Rules..... Leave Taken On average pay

Dates	Against entries in column 6	Against the limit of one year for leave on medical certificate and leave spent elsewhere than in . India, Ceylon, Nepal, Burma or Aden [proviso to Rule 81 (b) (ii)]
9	10	11
From	Y. m. d.	Y. m. d.
to		

Balance (on return from leave) On half or quarter average pay

Dates	Actual period	Actual period converted into period on terms of leave on average pay	Total (Columns 10+11+14)	Of leave equivalent to 1/11th of duty subsequent to coming under Fundamental Rules [Rule 81 (b) (ii) (Columns 6-10)]	Of leave equivalent to balance of 2/14th of duty subsequent to coming under Fundamental Rules (Column 7) minus (Column	Total Columns 8-15)	Remarks
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					11+14)		
12	13	14	15	16	17	18	19
From	Y. m.						
to	d.	Y. m. d.	Y. m. d.	Y. m. d.	Y. m. d.	Y. m. d.	Y. m. d.

Instructions for filling up Assam Fundamental Rule Form No. 1

1. The account is to be maintained in terms of leave on average pay. For this purpose actual periods of leave taken on half or quarter average pay as entered in column 13 should be divided by 2 and posted in column 14.

2. In the case of officers who were subject to the Civil Service Regulation Leave Rules before they elected the Fundamental Rules, the account should commence with an opening entry in columns 4,5, 6, 7, 8,11,13, 14, 15, 16,17 and 18. The words "Due on date of coming under the Fundamental Rules" should be written across columns 1, 2 and 3 against these words credit under Rule 77 (b) (ii) (1) should be given in column 4 and column 6 and that under Rule 77 (b) (ii) (2) and Rule 77 (e) in column 5 and column 7 while debit for commuted furlough taken under the old Leave Rules should be given in column 11 and that under Rule 78, Note (2) (i) (a) in column 13, one-half of the latter being entered in column 14. The sum total of the entries in columns 6 and 7 and in columns 11 and 14 should be entered in columns 8 and 15 respectively. The difference between the entries in columns 8 and 15, should be entered in column 18 and the entry in column 4 or 6 should be repeated in column 18 while the entry in column 5 or 7 minus the sum total of the entries in columns 11 and 14 should be shown in column 17.

3. When a Government servant applies for leave, columns 1 to 8 should be filled up. Columns 1, 2 and 3 should show the Government servant under and the period of duty up-to-date preceding that on which the Government servant intends to go on leave and columns 4, and 5 should each show 1/11th of this period (but see Note below), the sum total of the two entries representing the period of leave i.e., 2/11th of duty earned under Rule 77 (b) (ii) (3). To the new entry in column 4 should be added the last entry in column 16 and the resultant figure should be posted in column 6 ; similarly to the new entry in column 5 should be added the last entry in column 17 and the resultant figure should be posted in column 7. The total of the entries in columns 6 and 7 will be shown in column 8.

Note 1. If during the period of duty prior to a Government servant's going to leave he has served under two or more Governments, the period of duty and the leave earned under each Government should be shown in separate lines in columns 1 to 5 and the sum total of the new entries in column 4 and the last entry in column 16 should be posted in column 6 and of those in column 5 and the last entry in column 17, in column 7 the total of the entries in columns 6 and 7 being shown in column 8. Note 2. The sum total of the entries in column 5, inclusive of the opening entry mentioned in Instruction No. 2 should not exceed 2 ½ years [Rule 81 (a) (ii)] and no entry should be made in this column when this limit of 21 years is reached. When columns 1 to 8 have been posted, column 8 will show the maximum amount of leave which may be granted in terms of leave on average pay but see Rule 81 (d) to Government servant on the date on which he intends to go on leave. The maximum amount of leave on average pay which may be granted on that date with medical certificate or out of India, Ceylon, Nepal, Burma or Aden will be the sum total of the last entry in the column 6, and the unspent balance of "one year" limited to 8 months at a time, provided the sum total is covered by the period entered in column 8 ; in the case of leave in India, Ceylon, Nepal, Burma or Aden without medical certificate the maximum will be the last entry in column 6 limited to 4 months at a time.

4. When a Government servant returns from leave columns 9 to 18 should be filled up. The period of leave taken on average pay should be entered in columns 9, 10 and 11 and that taken on medical certificate or spent elsewhere than in India, Ceylon, Nepal, Burma or Aden should be entered in column 11 till the limit of one year is reached and thereafter in column 10.

The actual periods of leave on half or quarter average pay and overstayed on leave [vide F.R. 73] should be entered in column 13 and one-half of it, in column 14. Note 1. Leave on average pay taken under the Fundamental Rules in India without medical certificate in excess of the last entry in column 6 before the detention or plus "one year" from R. 81 (b) (ii) should be entered in column 11. Note 2. If the leave taken exceeds the amount at credit, the excess representing leave, not due but granted under Rule 81 (c) (i) and (ii) should be shown in red ink in column 11.

5. The total period of leave in terms of leave on average pay taken in a Government servant's whole service as entered in column 15 should not exceed the privilege leave credited to him in column 4 on his coming under the Fundamental Rules plus all periods of leave subsequently entered in that column plus 2 ½ years.

6. When a Government servant is transferred to service under another Government, a separate account should be opened in this form for showing the leave entered under the Government and the leave the cost of which is debited to that Government. The amount will be in addition to the main leave account which must be a complete record of all leave earned and taken under these rules throughout this service.

Form No. 2[Subsidiary Rule 73]Application for leaveNote. Items 1 to 9 must be filled in by all applicants whether gazetted or non-gazetted.Items 12 applies only in the case of gazetted officers.Item 13 and 14 apply only in the case of non-gazetted officers.

1. Name of applicant.....

2. Leave Rules applicable.....

3. Post held.....

4. Department or office.....

5. Pay.....

6. House rent allowance, conveyance allowance or other compensatory allowances drawn in the present post.....

7. Nature and period of leave applied for and date from which required....

8. Ground on which leave is applied for.....

9. Date of return from last leave, and the nature and period of that leave.....

10. I undertake to refund the difference between the leave-salary drawn during leave on average pay/commuted leave and that admissible during leave on half average pay/half pay leave, which would not have been admissible had the proviso to F.R. 18 (b) (ii)/Rule 13 (c) (iii) of the Revised Leave Rules, 1934 not been applied in the event of my retirement from service at the end or during the currency of the leave.....

Date.....Signature of applicantLeave address

11. Remarks and/or recommendation of the Controlling Officer.....

Date.....SignatureDesignation

12. Report of the Audit Officer :

SignatureDate.....Designation

13. Statement of leave granted to applicant previous to this application.....

Nature of leave	In current year	During past year	Total
Privilege/on average pay/earned			
On average pay on M.C./Commutated			
On half average pay/half pay			
Not due.....			
On quarter average pay			
Extraordinary			
			Total.....

14. Certified that leave on average pay/earned leave..... for..... months and..... day from.....20....to.....20....is admissible..... under..... of the.....

SignatureDate.....Designation

15. Orders of the sanctioning authority

SignatureDate.....DesignationCorrection Slips of MeghalayaCorrection Slip No. 1For F. R. 14 (2) (IV). the following shall be substituted, namely : "Rule 14 (2) (IV)-A temporary Government servant who has completed two years continuous service on the date of expiry of leave of the kind due and admissible under the rules (including three months extraordinary leave) is entitled to get extraordinary leave for prosecuting higher studies, certified to be in the interest of public service, and the period of extraordinary leave would ordinarily be extended to the period of the course of study not exceeding 48 months but in exceptional circumstances, about which Government in the Finance Department must be satisfied, the total period may be extended up to 60 months during the entire service of Government servant."Appendix 5Insert "Chief Public Health Engineer, Meghalaya" below the existing entry.Correction Slip No. 2Appendix 12Insert the following entries below the existing entry :

"Officer	Class of appointments	Remarks
Chief Public Health Engineer, Meghalaya	All non-gazetted establishments under his control	Subject to observance of rules and regulations issued byGovernment from time to time".

Correction Slip No. 3S.R.6. - For the words "twenty-five" appearing in the second line, the words "twenty-seven" shall be substituted.The above amendment shall be deemed to have effect from 1-1-1973. Cases already disposed of prior to 11-6-1973 shall not be re- opened.F.R.56. - Insert the following below F.R. 56 (a):"(b) Notwithstanding anything contained in these rules the appropriate authority may if he is of the opinion that it is in the public interest to do so, retire a Government servant by giving him notice of not less than three months in writing or three months' pay and allowance in lieu of such notice, after he has attained fifty years of age or has completed 25 years of service, whichever is earlier.(c)Any Government servant may by giving notice of not less than three months in writing to the appropriate authority, retire from service after he has attained the age of

fifty years or has completed 25 years of service whichever is earlier. Note. The term "appropriate authority" referred to in the above clauses means the authority which has the power to make substantive appointments to the post or service from which the Government servant is retired or wants to retire". Correction Slip No. 4 Rules 7 and 13 of the Revised Leave Rules, 1934, as amended and as incorporated in Appendix 11

1. After the existing proviso to Rule 7 the following shall be inserted :

"(c) A Government servant who is granted leave beyond the date of Compulsory retirement or quitting of service, as the case may be, shall be entitled during such leave to leave-salary admissible under this rule reduced by the amount of pension and pension equivalent of other retirement benefits".

2. Below the existing Rule 13 (c) (iii) the following shall be inserted :

"(iv) In case a Government servant dies in harness, the cash equivalent of the leave-salary that the deceased employee would have got had he gone on earned leave, but for the death due and admissible, on the date immediately following the date of death, subject to a maximum of leave-salary for 120 days, shall be paid to his family subject to reduction envisaged in Rule 7". The order will apply to Classes II, III and IV Government employees. S.R. 6. - Delete the word "Superior" appearing in the fourth line of S.R. 6. Correction Slip No. 5 F.R. 22C. - Delete the existing first proviso below F.R. 22-C and insert the following : "Provided that in all cases of promotion from one Class I post to another Class I post, the pay in the higher scale should be fixed at the stage next above the pay drawn in the lower scale irrespective of whether the lower post was held in a substantive, officiating or temporary capacity". (1) Appendix 5-Insert "Director of Supply, Meghalaya" below the existing entry. (2) Appendix 30-Insert the following entries below the existing entry.

Controlling Officer Officer or Establishment

Director of Supply Himself and his establishment

Correction Slip No. 6 For S.R. 151, the following shall be substituted : "S.R. 151 (1). - Contribution for leave-salary or pension, due in respect of a Government servant on foreign service may be paid annually within fifteen days from the end of each financial year or at the end of the foreign service, if the deputation on foreign service expires before the end of a financial year, and if the payment is not made within the said period, interest must be paid to Government on the unpaid contribution, unless it is specifically remitted by the State Government, at the rate of two paise per day per Rs. 100 from the date of expiry of the period aforesaid up to the date of which the contribution is finally paid. The interest shall be paid by Government servant or the foreign employer according as the contribution is paid by the former or the latter. (2) The leave-salary and pension contribution should be paid separately as they are creditable to different Heads of Accounts and no dues recoverable from Government on any account, should be set off against these contributions. Correction Slip No. 7 No. FEG. 39/76/24, dated the 17th August, 1979. - In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor is pleased to direct that the following amendment shall be made to the Fundamental Rules, namely : For the existing first

proviso to F.R. 22-C the following shall be substituted : "Provided that in all cases of promotion from one Class I to another Class I post, the pay in the higher scale should be fixed at the stage next above the pay drawn in the lower scale irrespective of whether the lower post was held in a substantive, officiating or temporary capacity." This will come into force with effect from the date of issue of orders. Correction Slip No. 8No. FEG. 85/80/7, dated 25th November, 1980. - In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Meghalaya is pleased to direct that the following further amendment shall be made to the Fundamental Rules, namely : Insert the following below the existing Rule 7 of the Revised Leave Rules, 1934, as incorporated in Appendix 11 of the Fundamental Rules and Subsidiary Rules : "Notwithstanding anything contained in these rules every State Government servant shall be paid cash equivalent of leave salary in respect of the period of earned leave at his credit at the time of his retirement or superannuation subject to the following conditions : (a) The payment of cash equivalent of leave salary shall be limited to a maximum of 180 days earned leave. (b) The cash equivalent of leave salary thus admissible will become payable on retirement and will be paid in one lump sum as one time settlement. (c) Cash payment under this rule will be equal to leave salary as admissible for earned leave and dearness allowance admissible on that leave salary at the rates in force on the date of retirement. No compensatory allowance and/or House Rent Allowance shall be payable. (d) The authority competent to grant leave shall suo-moto, issue order granting cash equivalent of earned leave at credit on the date of retirement. Government of Meghalaya's decision. - These provisions shall not apply to cases of premature/voluntary retirement. Persons who are compulsorily retired as a measure of punishment under the disciplinary rules will also not be covered by these rules. Refusal of earned leave as preparatory to retirement embodied in Rule 7 of the Revised Leave Rules, 1934 will no longer be necessary. A Government servant can also avail of as leave preparatory to retirement, a part of earned leave at his credit. In that case he will be allowed benefit of these rules for the earned leave that remains at credit on the date of retirement. The above amendment shall be deemed to have effect from 22nd May, 1979. [Meghalaya Gazette, Part V-A, dated 25-12-1980, p. 591]. Correction Slip No. 9 Appendix 11(i) In Rule 9 of the Principal Rules the words "in permanent employment" shall be deleted. (ii) In Rule 10 of the Principal Rules for the first paragraph, the following shall be substituted, namely : "Earned leave at the rate of one-eleventh of the period spent on duty shall be admissible to all temporary Government servants serving on non-vacation Department. Leave not due shall not; however, be admissible to such employees". (iii) In the Note below Rule 10 of the Principal Rules the words "or one-twenty second as the case may be" shall be omitted. (iv) In Rule 13 of the Principal Rules for the existing sub-Rule (c) the following shall be substituted, namely : "(c) Commuted leave not exceeding half the balance of half pay leave at credit may be granted on medical certificate to a Government servant subject to the following conditions, namely : (i) that the authority competent to grant the leave is satisfied that there is reasonable prospect of the Government servant returning to duty on expiry of the leave ; (ii) that twice the amount of commuted leave so granted shall be debited against the half pay leave ; (iii) that the total period of earned leave and commuted leave taken in conjunction with each other shall not exceed 240 days at a time ; (iv) that the authority competent to grant the leave obtains an undertaking from the Government servant that in the event of his resignation or voluntary retirement from service he shall refund the difference between the leave salary drawn during the period of commuted leave sanctioned and that admissible during half-pay leave. For the purpose of prosecuting an approved course of study certified by the competent authority to be in public interest

half pay leave to the maximum extent of 180 days during the entire period of service shall be allowed to be commuted without production of medical certificate".(v)In Rule 15 of the Principal Rules for the existing sub-Rule (1), the following shall be substituted, namely :"(1) an officer on earned leave shall be entitled to leave salary equal to the pay drawn by him immediately before proceeding on such earned leave". [Reference Notification No. FEG. 60/80, dated the 6th September, 1982].The amendment shall be deemed to have taken effect from 16th June, 1980 [Vide Meghalaya, Gazette, Part V-A, dated 4th November, 1982, pp. 347-348].Correction Slip No. 10Appendix 15For the existing Rule 10 of the Study Leave Rules, (Assam Study Leave Rules 1963 as applicable to Meghalaya), the following shall be substituted, namely : "10. During the period as Study Leave a Government servant shall be admissible to a full salary as admissible under Rule 15 of the Leave Rules without any other allowance excepting Dearness Allowance." [Reference Notification No. FEG 60/80, dated 6th September, 1982].This amendment shall be deemed to have taken effect from 16th June, 1980.[Published in the Meghalaya Gazette, Part V-A, dated 4-11-1982, p. 348].Correction Slip No. 11S.R.120. - Substitute "full leave salary" in place of "full pay" occurring in the second line of this rule and substitute the following in place of Government of Assam's decision" appearing below the Cl. (ii) of the Note of the S.R. 120 : "Maternity leave under this rule shall be extended to temporary female Government servants".In the Note below S.R. 120, delete the following :The word "s" occurring at the end of the Note and Cl. (i) thereunder and re-number the existing Note (ii) as (i).[Reference Notification No. FEG 60/80, dated the 6th September, 1982]The amendment shall be deemed to have taken effect from 16th June, 1982. [Published in the Meghalaya Gazette, Part V-A, dated 4-11-1982, p. 349].Correction Slip No. 12S.R.121. - Delete the existing provisions.[Reference Notification No. FEG 60/80, dated the 6th September, 1982].The amendment shall be deemed to have taken effect from 16th June, 1982. [Published in the Meghalaya Gazette, Part V-A, dated 4th November, 1982, p. 349].Correction Slip No. 13Appendix 31Delete the second part of Rule 3 including Note 1 excepting the conditions and insert the following : "3-A. All other conditions remaining the same the benefit of leave on average pay as admissible to permanent Government servants shall be extended to temporary Government servants".Note. - The expression "Leave on average pay" means leave salary equivalent to what is admissible under Rule 15 of the Leave Rules".In condition (ii) delete the word "extraordinary".[Reference Notification No. FEG 60/80, dated 6th September, 1982].The amendment shall be deemed to have taken effect from 16th June, 1980. [Published in the Meghalaya Gazette, Part V-A, dated 4-11-1982, p. 350].Correction Slip No. 14Delete the provisions appearing in Government of Meghalaya's decision beginning with "The provisions shall not apply to cases of premature/ voluntary retirement. Persons who are compulsorily retired as a measure of punishment under the disciplinary rules will also not be covered by these rules" as incorporated in Rule 7 of Appendix 11 of the Fundamental Rules and Subsidiary Rules vide Correction Slip No. 6 and insert the following below the existing entries : "(e) The benefit of cash payment of lieu of unutilised earned leave subject to the maximum period of 180 days but not beyond the date of superannuation shall be extended to Government employees going on voluntary retirement or who are asked to retire by Government prematurely, other than as a disciplinary measure.(f)The benefit of cash payment of unutilised leave shall also be admissible to employees going on invalidation pension. The benefit in their case shall be up to a maximum of 180 days earned leave plus half pay leave at his/her credit at the time of such invalidation but not extending beyond the date of superannuation."The above amendments in so far as (e) and (f) are concerned shall be deemed to have effect from 2nd April, 1982. [Reference Notification No. FEG

85/80/9, dated 29-10-1982], Meghalaya Gazette, Part V-A, dated 18-11-1982, p. 361].Correction Slip No. 15Substitute the following for the existing provision as incorporated in Rr. 7 and 13 of the Revised Leave Rules, 1934 vide this Department Notification No. FEG 49/74/21, dated 1st April, 1976."In respect of Government employees who die in harness cash equivalent of the unutilised portion of the earned leave subject to a maximum of 180 days instead of 120 days shall be admissible to the family of all categories of employees including Class I employees. In addition, the family of the deceased Government employees shall also be entitled to the payment of dearness allowance. Such leave salary shall not be reduced by the amount of pension and pensionary equivalent of other retirement benefits as admissible to the families."[Reference No. FEG 85/80/3, dated 29th October, 1982.][Vide Meghalaya Gazette, Part V-A, dated 18-11-1982, p. 361].Correction Slip No. 16Delete the existing provision occurring in F.R. 22 (1) (b) and F.R. 22-B (3) (b) and substitute the following :"(1) (b) On confirmation in the service or post after the expiry of the period of probation, the pay of the Government servant shall be fixed in the time scale of the service or post in accordance with the provisions of Rule 22 :Provided that the pay of the Government servant shall not be so fixed under Rule 22 or Rule 22-C with reference to the pay that he would have drawn in the previous post which he was holding in a temporary capacity, but he shall continue to draw the pay in the time scale of the service or post.""(3) (b) On satisfactory completion of the apprenticeship and regular appointment to a post in the service or cadre, the pay is fixed in the time scale or the service or post under Rule 22 or Rule 31 of these rules :Provided that the pay of the Government servant shall not be so fixed under Rule 22-C with reference to the pay that he would have drawn in the previous post which he was holding in a temporary capacity, but he shall continue to draw the pay in the time scale of the service or post."[Reference Notification No. FEG 5/80/1, dated 22-10-1982].[Added vide Correction Slip No. 22 to Assam Subsidiary Rules.]