

Fundamental Rules

FR 1 to 130

Chapter I- Extent of application

FR-1. These rules may be called the Fundamental Rules. They shall come into force with effect from the 1st January 1922.

FR-2. These rules apply, all Government servants whose pay is debatable to civil estimates and to any other class of Government servants too which the president may, by general or special order, declare them to be applicable.

FR-3. These rules do not apply to Government servants whose conditions of service are governed by Army or Marine Regulations.

FR-6. Delegation of powers to officers by the Government. i.e., all power to make rules and other powers.

FR-7. No powers may be exercised or delegated under these rules except after consultation with the Ministry of Finance.

FR-8. The powers of interpreting these rules are reserved to the President.

Chapter II- Definitions

FR-9. The terms defined are used in the rules in the sense here explained

(1) The Act means the Govt. of India Act.

(1-A) Administrator: - Appointed by president under 239 of constitution.

(1-B) Allotment: Grant of a license to a government servant to occupy a house owned, leased or requisitioned by the Government or a portion thereof, for use by him as residence.

(4) **Cadre:** The strength of service or a part of service sanctioned as separate unit.

(5) **Compensatory Allowance:** Allowance granted to meet personal expenditure necessitated by special circumstances in which duty is performed. It includes Travelling Allowance, but does not include a sumptuary allowance nor the grant of free passage by sea to or from any place outside India.

(6) **Duty**

(a) **Include in duty**

(i) Service as a Probationer or Apprentice, such service is followed by confirmation.
(ii) Joining time

(b) **A Government servant may be treated as on duty-**

(i) During a course of instruction or training in India

- (ii) who is entitled to be appointed to the service of Government on passing through a course of training at a university, College or School in India, during the interval between the satisfactory completion of the course and his assumption of duties.

Govt. Decisions

Considered as duty.

- a) **Attending in departmental examination** – Day of examination treated as duty for obligatory Departmental examinations i.e., Hindi examinations, LDCE examinations.
- b) Treatment of enforced halt as duty.
- c) **Civil guard training/ duty**- Time spent by civil servant in territorial army will be treated as duty on training.
- d) **Refresher training of sections officer**- treated as duty.
- e) Training before appointment to be treated as duty for increments and qualifying service for pension but not for MACP.
- f) Period of participation in National/ International sports events and pre- participation coaching camps is treated as duty.
- g) Period of waiting on joining from leave for posting orders to be treated as duty.

FR 9 (6-A) -Fee

- 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 or the Consolidated Fund of a Union Territory whether made directly to the Government servant or indirectly through the intermediary of Government, but does not include-
- (a) unearned income such as income from property, dividends, and interests on securities.
- (b) income from literary, cultural, artistic, scientific or technological efforts and income from participation in sports activities as amateur.

Example of fee- Sale proceeds or royalties on books, income from publishing book, income from patent.

- (7) **Foreign Service:** pay receives with the sanction of Government from any source other than the Consolidated Fund of India or the Consolidated Fund of a State or the Consolidated Fund of a Union territory.
- (9) **Honorarium:** - a recurring or non-recurring payment granted to a government servant from the Consolidated Fund of India or the Consolidated Fund of a State or the Consolidated Fund of a Union Territory as remuneration for special work of an occasional.
- **OTA, Overtime pays and extra duty allowance** treated as recurring honoraria.

- (10) **Joining time:** 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.
- (12) **Leave salary:** the monthly amount paid by Government to a Government servant on leave.
- (13) **Lien:** the title of a government servant to hold on regular basis, a post, including a tenure post, to which **he has been appointed on regular basis** and on which he is not on probation:
➤ Lien represents only the right/ title of a Govt. servant to hold a regular post.
- (14) **Local fund-**
- revenues administered by bodies which by law or rule having the force of law come under the control of Government,
 - the revenues of anybody which may be specially notified by the President as such.
- (16) **Military commissioned officer**
- (17) **Ministerial servant:** - A Government servant of a subordinate service whose duties are entirely clerical, and any other class of servant specially defined as such by general or special order of the Central Government.
- (18) **Month:** a calendar month.
- (19) **Officiate:** A Government servant officiates in a post when he performs the duties of a post on which another **person holds a lien**.
- (20) **Overseas Pay:** 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.
- (21) **Pay** – (a) means the amount drawn monthly by a government servant as—
(i) **The pay, (Basic pay)** other than special pay or an officiating capacity.
(ii) overseas pay, special pay and personal pay.
(iii) any other emoluments which may be specially classed as pay by the President.
• Non practising allowance (NPA) to medical post **20% of Basic pay**. The basic pay plus NPA should not exceed the pay of **Cabinet secretary level (Rs.237500/-)**.
- (22) **Permanent post:** a post carrying a definite rate of pay sanctioned without limit of time.
- (23) **Personal pay:** 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**.
(b) in exceptional circumstances, on other personal considerations.
- (24) **Presumptive pay of a post:** - 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.

(If an official was placed under suspension in respect of a criminal charge. He is drawing the subsistence allowance during the suspension. Subsistence allowance is 50% of the last pay drawn. There will be no increment during the period of suspension. After 2 years, he was fully exonerated from the charge and he is eligible for full duty pay for the past 2 years. Then it is necessary to calculate the pay of the official for the past 2 years. It is called presumptive pay of the official for the past 2 years.)

- (25) **Special Pay:** an addition, of the nature of pay, to the emoluments of a post or of a government servant, granted for **special nature of work** and **additional work of responsibilities**.
- (27) **Subsistence grant:** a monthly grant made to a government servant who is not in receipt of pay or leave salary.
- (28) **Substantive pay:** the pay **other than special pay, personal pay or emoluments classed as pay by the President 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 (**Only basic Pay of Post**).
- (30) **Temporary post:** a post carrying a definite rate of pay sanctioned for a limited time.
- (30-A) **Tenure post:** a permanent post which an individual Government servant may not hold for more than a limited period.
- (31) **Time-scale pay:** Minimum to maximum in level.
- (32) **Travelling Allowance:** 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, horses and tents.

Chapter III- General Conditions of Service

FR- 10. Medical certificate of Health essential for appointment. No person may be appointed In India to a post in Government service without a medical certificate of health.

Note: -

- (1) Entry in service book of production of medical certificates of fitness on first appointment.
- (2) The drawl of pays and allowance for a period not exceeding **two months in respect of new recruits**' servant may be exempted by medical certificate by the competent authority

FR-13.

- (1) **Lien on post (Retain lien)**
 - (a) While performing the duties of that post.
 - (b) While on foreign service, or holding a temporary or officiating in another post.
 - (c) During joining time transfer to another post, during transit time he will be entitled of lien which he is transferred from old post.
 - (d) While on leave
 - (e) While under suspension.
- (2) **Retention of lien for appointment** in another central Government Office/state Government up to period of **2 years** and in **exceptional cases up to 3 years**.
- (3) If deputation to developing countries of Asia, Africa and Latin America, lien may be retained initial **two years** expendable to **five years** by the ministry of concerned.
- (4) **Termination of lien-** on Resignation/ Technical Resignation. If any Govt. employee's lien on a post stand terminated on his acquiring a lien on permanent post outside the cadre on which he is borne.
- (5) **No lien shall be retained-**
 - (a) Where a Govt. servant has proceeded on immediate absorption basis to a post of service.
 - (b) On foreign service/ deputation beyond the maximum time limit admissible the orders of the Govt. servants issued from time to time.

FR-15 (a). The President may transfer Government servant from one post to another provided that except-

- (1) on account of inefficiency or misbehaviour.
- (2) on his written request

A Government servant shall not be transferred or appointed to officiate in a post carrying less pay than the pay of the post on which he holds a lien.

FR-16. A Government servant may require to subscribe to a Provident fund, a family pension fund or other similar fund in accordance with such rules as the president may be order prescribe.

FR- 17. Pay and Allowance drawn of the Post.

- (1) 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 those duties.

- (2) 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.

FR- 17(A)- Unauthorized absence. A period of unauthorized absence-

- (i) Any strike that is illegal has declared any law time being force.
- (ii) Any strike of without authority permission.
- (iii) In the case of an individual employee, remaining absent unauthorizably or deserting the post, shall be deemed to cause **an interruption or break in the service of the employee**, unless otherwise decided by the competent authority for the purpose of leave travel concession, eligibility for appearing in departmental examinations.

FR- 18. Unless the President, in view of the exceptional circumstances of the case otherwise determines, **no Government servant shall be granted leave of any kind for a continuous period exceeding five years.**

Note-

Treatment of wilful absence from duty not regularized-

- (1) wilful absence from duty, even though not covered by grant of leave does not entail of loss of lien. The period of absence not covered by grant of leave shall have to be treated as "**dies-non**" for all purposes, viz. increment, leave and pension.
- (2) Such absence without leaves where it stands singly and not in continuation **of any authorized leave of absence will constitute an interruption of service for the purpose of pension** unless the competent authority to treat the period as leave without allowance, the entire **past service will stand forfeited.**

Chapter IV- Pay

FR-22. (I) The initial pay of a government servant who is appointed to a post on a substantive, temporary or officiating capacity, as the case may be, subject to the fulfilment of the eligibility conditions of the relevant recruitment rules.

(a) (1) Initial pay for a post or fixation of pay for a post.

- Pay fixation is rounded off one hundred (**less than 50/- ignored and more than Rs. 50 and above rounded to Rs. 100**)
- The option of pay fixation within **one month** from the assumption of charge. Govt. servant want pay fixation from the **date of promotion** or **Date of next increment**.
- Technical Resignation on pay protection, eligibility of past service for reckoning of the minimum period for grant of **annual increment**.

- There are two dates of annual increment **1st July and 1st January.**
 - **Pay fixation on promotion or MACP etc.**
- (1) **From the date of promotion**- One Increment and place equal or next cell of the concerned level.
- (2) **From the DNI** - Two increment on old level pay and place equal and next cell of the concerned level.
- Qualifying period for earning an increment is **6 months on 1 January or 1 July, as the case may be.**

FR-23. The holder of a post, the pay of which is changed, shall be treated as if he were transferred to a new post on the new pay.

FR-24. Increment: - 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 Central Government or by any authority.

- 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**.
 - Withholding **'Next Increment'** and **'One Increment'**
- ✓ **Next Increment:** - All Next increment withheld for a specified period.
- ✓ **One Increment:** - Only one increment withheld for a specified period.

FR-26. Counting service for Increment for time scale

- (a) All duty in a post on time scale
- (b) Officiating capacity service/ deputation service in or out of India.
- (c) All kind of leave except extraordinary leave.
- (d) **EXOL granted-**
- (1) On medical certificate
 - (2) Otherwise, then on medical certificate due to inability of the Govt. servant to join duty on account of civil commotion.
 - (3) For prosecuting higher technical and scientific studies.
- (e) Joining time when lien is not suspended.
- (f) Time spends before appointment on training on stipend.

FR-27. Premature Increments/ Advance Increments

- Subject to any general or special orders that may be made by the President in this behalf, an authority may grant a premature increment to a government servant on a time-scale of pay.

Who is grant premature increment?

He has power to **create a post in the same cadre on the same scale of pay.**

- (1) **For stenographers** – Qualify shorthand at 100 or 120 w.p.m.
- (2) **Special Increment for sports men/women/ Referees/ Umpires and couches achieving excellence in National and International events.**

National level - **One Increment**

International level – **Two increment**

Total **5 (five) increment** entire service.

FR-28. The transfer of a government servant as a penalty from a higher to a lower grade or post.

FR-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.

FR-29-A-Where an order of penalty of withholding of increment of a Govt. 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 a Competent Authority on appeal or review, the pay of the Government servant shall, be regulated in the following manner-

- 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.
- 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

Note-The period from imposing penalty and set aside order or modified by the appellate or reviewing authority, shall be counted for the purposes of increment.

FR-31. (A) 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 President in this behalf.

FR-35. Officiating pays

- The Central Government fix the pay of an officiating Government servant at an amount less than that admissible under these rules.

12.5 % of Basic pay or Rs. 6700/- maximum.

FR-36. Acting promotion (officiating arrangement)

- The Central 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).
- Example- Sr. Accountant work as AAO – (assumes the responsibilities of a higher-level position, requiring greater responsibility and competence).

FR-37. Personal pay: - Except when the authority sanctioning it orders otherwise, personal pay shall be reduced by any amounts by which the recipient's pay may be increased, and shall cease as soon as his pay is increased by an amount equal to his personal pay.

FR-39. Pay of temporary posts- when post is filled by a person not Govt. servant

FR-40. Pay of temporary posts- when post is filled by a person Govt. servant

Some Important

1. **Bunching of stages**

In cases where in revision of pay, the pay of Govt. servants drawing pay at two or more stages in pre-fixed Pay Band and Grade Pay, as the case may be, get fixed as the same cell in the new pay matrix, one additional increment shall be given for every two stages bunched and the pay of the Govt. servant drawing higher pay in pre-revised structure shall be fixed at next vertical cell in the applicable level

2. **Stepping up**

- The stepping up should be done with effect from the date of promotion or appointment of the junior Government servant and will be subject to the following conditions, namely:
 - both the junior and the senior Government servants should belong to the same cadre and the posts in which they have been promoted are identical in the same cadre.
 - the Level in the Pay Matrix of the lower and higher posts in which they are entitled to draw pay should be identical.
 - the anomaly is directly as a result of the application of the provisions of Fundamental Rule 22(I)(a)(1) read with Rule 13 of CCS (RP) Rules, 2016.

- (ii) The senior officer shall be entitled to the next increment on completion of his required qualifying service with effect from the date of re-fixation of pay.

Chapter V-Addition to Pay

FR-44. Compensatory allowance- Subject to the general rule that the amount of **compensatory allowance** should be so regulated that the allowance is not on the **whole a source of profit to the recipient**, the Central 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.

FR-45. Allotment of Govt. accommodation for Govt. servant under central Govt. for use by them as residence.

FR-45-A. Assessment of license fee for Govt. servant.

For the purpose of the assessment of license fee, the capital cost of a residence owned by Government shall include the cost or value of sanitary, water supply and electric installations and fitting.

- a) **6 % per annum** of capital cost or not exceed **10 % of officer's monthly emoluments**, whichever is less. It shall be calculated per calendar month, annual license fee divided by the 12.
- b) **License fee monthly as per level of Govt. servant revised from 01.07.2023**

Pay Level	Type of Accommodation	Range of living area in SQ. Mtr.	Revised Rates
1	I	Up to 30	210
2 to 5	II	26.05 to 50	440
6 to 8	III	44 to 65	660
9 to 11	IV	59 to 91.5	880

Govt. decisions

- (a) **On occupied of Higher-class accommodation**- three time of license fees of higher accommodation.
- (b) License fee recoverable from officers owning houses/ near stations of their postings.

Income ranges from residence	Rate of license fee
Not exceed Rs. 12000/-	Normal license fee
Exceed Rs. 12000/- but does not exceed Rs. 20000/-	Double license fee
Exceed of Rs. 20000/-	Triple license fee

- (c) **Retention of Govt. Accommodation-**

S.l.no.	Events	Permissible period for retention of accommodation
1	Resignation, dismissal, removal or termination of service or unauthorized absence without permission.	1 month on normal license fee
2	Retirement	6 months on normal license fee
3	Transfer/ proceed foreign service in India/ temporary transfer in India or transfer to outside India	Two months on normal license fee and up to 6 months double license fee.
4	Death/ missing of Govt. servant.	Twelve months normal license fee and further 12 months on normal fee when family does not own house at place of posting.
5	Study leaves	Actual period of leave or 24 months , whichever is earlier.
6	Leaves on medical ground/ training	For the full period of leave or training

- (d) **Allotment to an allottee under suspension.** - The allotment of accommodation to an allottee under suspension shall be made as **if suspension has not taken place.**
- (e) The vacation notice shall be issued to all the allottees of accommodation or to their families at **least 15 days** before the date of expiry of the permissible period of retention.
- (f) The normal licence fee for accommodation shall be revised **every 3 years.**

FR-45-B. Assessment of license fee for Govt. servant. other than those to whom Rule FR-45A applies.

- **License fee 10% of capital cost or 10% of officer's monthly emoluments**, whichever is less. For calculating monthly **divided by 12.**

FR-45-C. Emoluments purpose of FR 45-A & FR 45-B.

- a) Basic Pay, fee, allowances and compensatory allowances other than CEA, TA, Dress allowance.
- b) In case of Govt. servant under suspension and in receipt of a subsistence grant, the amount of subsistence grant.
- c) Amount of original pension before commutation.
- d) Family pension cannot come purview of emolument under CCS (Pension) Rules.

FR -46. (a) Fee-a recurring or non-recurring payment to a government servant from a source other than the Consolidated Fund of India.

- (b) **Honoraria - a recurring or non-recurring** payment granted to a government servant from the Consolidated Fund of India

Govt. decisions

(1) Honorarium for Master Trainer from 2012

S.l.no.	Duration of course	Revised payment
1	For up to 1 week	5000
2	For up to 2 weeks	7500
3	For up to 3 weeks	10000
4	For up to 4 weeks	12500

(2) The revised rates of honorarium payable in cases of departmental proceedings-

Particulars /details (For serving)		Rate per case	
Honorarium	Inquiry Officer (Serving Pt time)	Equal to <u>15%</u> of Basic pay drawn	
	Presenting officer (Serving Pt time)	Equal to <u>10%</u> of Basic pay drawn	
For Retired Inquiry Officer Honorarium			
Item	Category	Time taken to complete the inquiry proceeding	Rate per case (in Rs.)
Honorarium	I	witnesses are more than 10 in charge sheet	90% Monthly basic Pension drawn
	II	witnesses are between 6-10 in charge sheet	70% Monthly basic Pension drawn
	III	Witnesses are less than 6 in charge sheet	60% Monthly basic Pension drawn
Transport allowance	Rs. 40000/- per case		
Secretarial Assistance	witnesses are more than 10 in charge sheet		Rs. 40000/-
	witnesses are between 6-10 in charge sheet		Rs. 30000/-
	Witnesses are less than 6 in Charge sheet.		Rs. 20000/-

Note: - In case of common proceedings, an additional amount **of Rs. 5000/-** will be payable to Inquiry officer (Both Retired and serving).

Chapter VI-Combination of appointments

FR-49. The Central Government may appoint a government servant already holding a post in a substantive or officiating capacity to officiate, as a temporary measure, in one or more of other independent posts at one time under the Government. In such cases, his pay is regulated as follows:

- (i) where a Government servant is formally appointed to hold full charge of the duties of a higher post 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 admissible to him of higher post. (DPS as appointed to hold full charge of duties of PMG).
- (ii) where a government servant is formally appointed to hold dual charges 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. (Division Head have the addition charge of another Division)
- (iii) where a Government servant is formally appointed to hold charge of another 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 of the highest post, if he holds charge of more than two posts, in addition to 10 % of the presumptive pay of the additional post or posts, if the additional charge is held for a period exceeding 45 days but not exceeding 3 months: (PMG ordered to hold charge of another higher post as CPMG as well as Member of Board).
 - Government servant should hold charge of another post or posts for a period exceeding 3 months, the concurrence of the Department of personnel and Training shall be obtained for the payment of the additional pay beyond the period of 3 months.
- (iv) where an officer is formally appointed to hold full additional charge of another post, the aggregate of pay and additional pay shall in no case exceed Rs.237500.
- (v) No additional pay shall be admissible to a Government servant who is appointed to hold current charge of the routine duties of another post or posts irrespective of the duration of the additional charge.

Chapter VII-Deputation out of India

FR-50. No deputation of a Government servant out of India shall be sanctioned without the previous approval of the Central Government.

FR -51. When a government servant is, with proper sanction, temporarily deputed for duty out of India or in India for any **special duty** on which he may temporarily be placed, he may be allowed by the President to draw during the period of deputation the **same pay** which he would have drawn had he remained on duty in India.

- A central Govt. Officer shall be eligible for foreign service only after he has completed **9 years of service with clear from vigilance angle**.
- The officer should not have dealt with the borrowing organization in the last **5 years** and no any his blood relations is connected with the organization.
- Maximum deputation/ foreign service in one stretch- **5 years**
- Maximum deputation / foreign service entire service- **7 years**
- **Cooling off period**

Joint secretary level and below - **3 years**

Additional secretary level - **1 year**

Secretary level - **Nil**

Chapter VIII-Dismissal, Removal and suspension

FR -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**.

FR -53 (1). A Government servant under suspension or deemed to have been placed under suspension by an order of the appointing authority shall be entitled to the following payments, namely-

- (i) **Subsistence allowance**- 50 % of earned leave salary or equal to half pay leave salary plus dearness allowance.
- (ii) Subsistence allowance may be **increased not exceed of 50% of subsistence allowance** admissible during first three months. when the suspension period is extended after review not directly attribute to Govt. servant.
- (iii) Subsistence allowance may be **reduced not exceed of 50% of subsistence allowance admissible during first three months**. when the suspension period is extended after review found directly attribute to Govt. servant.
- (2) No payment shall be made of subsistence allowance unless the Government servant furnishes a certificate **that he is not engaged in any other employment, business, profession or vocation**.

Govt. Decisions

- a) **Revision of scale of pay while under suspension**-In case which the revised scale of pay takes effect from a date prior to the date of suspension. He will be entitled to the benefit of the increase of the pay, also in subsistence allowance.
- b) Review of suspension within 3 months from the date of suspension.
- c) **Admissibility of Interim relief during suspension**-If a govt. servant has been in receipt of Interim relief before the date he was placed under suspension, he will be entitled to same percentage relief as salary.
- d) **Recoveries from subsistence allowance**
- **Compulsory deductions**
 - (i) Income tax
 - (ii) House rent and allied charge. Electric, water, furniture, etc.
 - (iii) Repayment of loan and advances
 - (iv) Contribution under CGHS
 - (v) Contribution for CGEGIS 1980
- **Optional deductions with the written consent of Govt. servant.**
 - (i) Premium PLI policies
 - (ii) Amount due for Co-operative societies.
 - (iii) Refund of advances taken from GPF.
- **Should not recovered from subsistence allowance.**
 - (i) Subscription to GPF
 - (ii) Amount due on court attachments.
 - (iii) Recovery of loss to Govt. servant for which a Govt. servant is responsible.
- e) The license fee-free concession will cease from the date of suspension. From the date of suspension, the license fee will be recovered.

FR -54 (1). When a Government servant who has been dismissed, removed or compulsorily retired is reinstated as a result of appeal or review or would have been so reinstated but for his retirement on superannuation while under suspension or not, the authority competent to order reinstatement 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 reinstatement is of opinion that the Government servant who had been dismissed, removed or compulsorily

retired has been fully exonerated, the Government servant shall, be paid the full pay and allowances to which he would have been entitled. 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 a period spent on duty for all purposes.

FR-54-A

- (1) Where the dismissal, removal or compulsory retirement is set aside by the Court of Law, and the official is reinstated, the period will be regularized and pay and allowance is decided in accordance with the judgment of Court.
- (2) If the dismissal, removal or compulsory retirement of a Government servant is set aside by the Court on the merits of the case, 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 reinstatement 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.

FR-54- B (2)

- When the official dies under suspension before disciplinary or the Court proceedings, the period between the date of suspension and the date of death shall be treated as duty and full pay and allowance will be paid to the family subject to adjustment of subsistence allowance already paid.

FR-54- B (7)

- If Govt Servant so desire, the period of absence from duty or suspension preceding dismissal, removal or compulsory retirement, the competent authority may be converted in leave of any kind due and admissible.
- The competent authority will sanction to convert suspension period into leave within the limit-
 - (i) EXOL up to three months in the case of temporary Govt. Servant.
 - (ii) Leave of any kind up to five years in the case of permanent or quasi-permanent Govt. servant.

Note- Higher authority will sanction to convert suspension period into leave without any limit.

Govt. Decisions

- (a) Period of suspension to be treated as duty if minor penalty only is imposed.

- (b) Erroneous detention or detention without basis in police custody,** the competent authority comes to the conclusion that suspension is wholly unjustified, full pay and allowance may be allowed.

FR -55. Leave may not be granted to a government servant under suspension.

Chapter IX- Retirement

FR-56. (a) Except as otherwise provided in this rule, every Government servant shall retire from service on the afternoon of the last day of the month in which he attains the age of 60 years.

- Government servant whose date of birth is the first of a month shall retire from service on the after-noon of the last day of the preceding month on attaining the age of 60 years.
- (b)** The age of superannuation in respect of specialists included in the Teaching, Non-Teaching and Public Health sub-cadres of Central Health Service shall be 65 years.
- The specialists included in the Teaching sub-cadres of the Central Health Service who are engaged only in teaching activities and not occupying administrative positions, the age of superannuation shall be 65 years.
- (c)** No Government servant shall be granted extension in service beyond the age of retirement of 60 years:

Govt. Decisions

- (1) Govt. servant in budget work extension up to 3 months may granted.
- (2) A specialist in medical or scientific fields may be granted extension of service up to the age of 62 years.
- (3) an eminent scientist of international stature may be granted extension of service up to the age of 64 years.
- (4) Cabinet Secretary in the Central Government for such period or periods may be extended not exceed 4 years.
- (5) Extension period of two years to the Home Secretary and the Defence Secretary.

FR-56. (i) Military Officer in a Civil Department shall cease to be in civil employment on the date he attains the age of 60 years.

FR 56 (j) Premature retirement: - the Appropriate Authority shall, if it is of the opinion that it is in the public interest, have the absolute right to retire any Government

servant by giving him notice of not less than three months in writing or three months' pay and allowances in lieu of such notice-

- (i) **Group A & B entered** in service **before age of 35 years**, after he has attained **the age of 50 years.**
- (ii) Other cases attained the age of 55 years.

FR 56 (k) Voluntary Retirement from Service

- 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 **50 years**, if he is in Group 'A' or Group 'B' service or post, if he entered in service before age of **35 years**, and other cases after the attaining age **of 55 years.**

The appropriate authority may withhold permission to Govt. servant in these conditions-

- 1) The Govt. servant is under suspension
- 2) A charge sheet has been issued and the disciplinary proceeding are pending
- 3) If judicial proceedings on charges which may amount to grave misconduct, are pending.

FR 56 (l) Notwithstanding anything contained in Clause (j), the Appropriate Authority shall, if it is of the opinion that it is in the public interest to do so, have the absolute right to retire a Government servant in **Group 'C'** service or post who is not governed by any pension rules, after he has completed thirty years' service by giving him notice of **not less than three months** in writing or **three months' pay and allowances in lieu of such notice.**

FR-56 (m). A Government servant in Group 'C' post who is not governed by any pension rules, may, by giving notice of **not less than three months** in writing to the Appropriate Authority, retire from service after he has completed **30 years' service.**

The appropriate authority may withhold permission to Govt. servant in these conditions-

- 1) The Govt. servant is under suspension
- 2) A charge sheet has been issued and the disciplinary proceeding are pending
- 3) If judicial proceedings on charges which may amount to grave misconduct, are pending.

Govt. decisions

- (i) A request for change of date of birth within **5 years** of his entry in to Govt. service.
- (ii) **Strengthening of administration** — Periodical review under FR 56(j)/FR 56(1)/ Rule 42 of pension Rules 2021. Review before six months Govt. servant attaining age 50/55 year or completes 30 years' service or 30 years qualifying service for pension, as the case may be.

S. No.	Quarter in which review is be made	Case of employees who will be attaining the of age 50/55 years or will be completing 30 years of service or 30 years of qualifying service for pension, in the quarter
1	Jan. to March	July to sept. of the same year
2	April to June	Oct. to Dec. of the same year
3	July to Sept.	Jan. to march of the next year
4	Oct. to Dec.	April to June of the next year.

Chapter XI- Joining Time

FR-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 Rule 15.

Chapter XII- Foreign Service

FR-110. (a) No Government servant may be transferred to foreign service against his will.

- b)** Transfer to foreign service outside India and in India may be sanctioned by the Central Government subject to any restrictions, which it may deem fit to impose by general or special order.

Govt. Decisions

- a)** Temporary Govt. servant eligible for foreign service.
- b)** For the purpose of the 'Foreign Service' rules, 'Nepal' should be treated as outside India.

FR-112. Transfer on Foreign service during leave

- 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.

FR-113. Cadre during Foreign service- No change in cadre.

FR-114. Effective date of pay from foreign employer.

- (a) 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.
- (b) Subject to any restrictions which the President may by general order impose the amount of his pay, the amount of joining time admissible to him and his pay during such joining time will be fixed by the authority sanctioning the transfer in consultation with the **foreign employer**.

FR-115. Pension and leave salary contribution during foreign service

- (1) Contribution toward pension by Govt. servant himself during foreign service in India or out of India.
- (2) Contribution toward leave salary, when deputation in India by Govt. servant himself.
- (3) Special arrangement, contribution towards leave salary by foreign employer, when deputation is out of India.

FR-116. Rate of contributions for Pension and leave salary contribution during foreign service.

From 01.04.2019.

- **NPS employee - 28 % of Basic pay + DA**

(Employer contribution @14%+ Employee Contribution @10%+ For Gratuity @ 4%)

- **OPS employee - 18% of Basic pay + DA.**

(Monthly contribution by employee @14%+For Gratuity @ 4%)

- **Contribution toward leave salary— 11% of (Basic Pay+DA) in foreign service for all G.S.**

FR-120. Counting of Foreign service as duty in Government

- 1) If the monthly pension contribution paid on his behalf maintains his claim to pension. The foreign service will be treated as duty for pension.
- 2) Neither he nor the foreign employer has any right of property in a contribution paid and no claim for refund can be entertained.

FR-121. A Government servant transferred to foreign service may not without the sanction of the Central Government, accept a pension or gratuity from his foreign employer in respect of such service.

FR-125. A Government servant reverts from foreign service to Government service **on the date on which he takes charge of his post in Government service.**

FR-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 contributions will be discontinued, with effect from the date of reversion.

Supplementary Rules

SR-4. Medical Certificate of Fitness on First Entry into Govt. Service.

- a) Such a certificate shall be signed by a Medical Board in the case of a Gazetted Government servant.
- b) And by a Civil Surgeon or a District Medical Officer or a Medical Officer of equivalent status in the case of a non-gazetted Government servant.

SR-4 (a). Exemption from producing Medical Fitness Certificate at the time of joining

- (1) A Government servant recruited through a competitive examination who had to undergo medical examination in accordance with the regulations prescribed for appointment to service under Government.
- (2) A qualified student of the Thomason College, Roorkee, permanently appointed to the Public Works Department within 18 months from the date of the health certificate granted to him on the Completion of the College course.
- (3) A Government servant appointed in a temporary vacancy for a period not exceeding three months.
- (4) A temporary Government servant, who has already been medically examined in one office, if transferred to another office without a break in his service.
- (5) A retired Government servant re-employed immediately after retirement.

Govt. Decisions

- (a) Right to appeal against adverse finding with re-examination fee Rs. 100/- for Gazetted post and Rs. 25 for non-gazetted post.
- (b) Re-employment of non-gazetted staff without fresh medical examination where break in service does not exceed one year.

Fees

SR-11. No Government servant may undertake work for another Government or a private or public body or a private person, or accept a fee therefor without the sanction of the Competent Authority who, unless the Government servant is on leave shall

certify that the work can be undertaken without detriment to his official duties and responsibilities.

SR-12. Unless the President by special order otherwise directs, one-third (1/3) of any fees in excess of Rs. 5,000 paid to a Government servant in a financial year shall be credited to the Consolidated Fund of India.

- For example, if any a Govt. Servant earned a fee Rs. 9500/- in a financial year
Amount to be credited in the Consolidated fund of India= (Fee-5000)/3
$$= (9500-5000)/3=1500/-$$

Record of Service

SR-196. A record of the services of a Gazetted Government servant will be kept by such Audit Officer.

SR-197. Non-gazetted Government servants service books

SR-198. Maintain of a service book

- Such a service book shall be maintained for a Government servant from the date of his first appointment to Government service. It must be kept in the custody of the Head of the Office in which he is serving and transferred with him from office to office.

Govt. decisions

- Service book of the Govt. servant should be maintained in duplicate.
- First copy of service book shall be retained by the Head of office.
- Second copy of service book should be given to the Govt. servant.
- Existing employees- within six months of the date on which these rules become effective.
- To New appointees- within one month of the date of appointment.
- In January each year, the Govt. servant shall hand over the service book to his office for updating. The office shall update and it to the Govt. employee within 30 days of its receipt.
- In case the Govt. servant's copy is lost by Govt. servant, it shall be replaced on payment of Rs.500/-
- Transfer of service book from parent Department to present Department on Technical Resignation.

SR-199. Entry of every step of official's official life must be recorded in service book and each entry must be attested by the Head of Office or if he is the Head of office, by his immediate superior.

- The head of office must be attested all entries. Re-attested the descriptive particulars **every five years.**

SR-200. Every period of suspension from employment and every other interruption of service must be noted, with full details of its duration, in an entry made across the page of the Service Book and must be attested by the Attesting Officer. It is the duty of the Attesting Officer to see that such entries are promptly made.

SR-202. It shall be the duty of every Head of Office to initiate action to show the Service Books to the Government servants under his administrative control every year and to obtain their signature therein in token of their having inspected the Service Books.

- A certificate to the effect that he has done so in respect to the preceding financial year should be submitted by him to his next superior officer by the **end of every September.**

SR-203. If a government servant is transferred to foreign service, the Head of his Office or Department must send his Service Book to the **Audit Officer.**

- **No entry relating** to the time spent in foreign service may be attested by any authority other than **the Audit Officer.**

- (1) Annual verification of service book by the Head of office.
- (2) Verification and communication of qualifying service after **18 years of service** or **5 years before retirement.**

SR-307. Foreign Service- Interest on overdue contributions

- 1) Contribution for leave salary or pension due in respect of a government servant on foreign service, **may be paid annually within 15 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.
- 2) If the payment is not made within the said period, interest must be paid to Government on the unpaid contribution, the rate of **2 paise per day per Rs. 100.**

SR-307-A. The Travelling allowance of a government servant both in respect of the journey on transfer to foreign service and the journey on reversion therefrom to Government service **will be borne by the foreign employer.**

Rate of Deputation allowance

- (i) 5% of Basic pay or max. **Rs.4500/- per month**, deputation is same station.

- (ii) 10% of Basic pay or max. **Rs.9000/- per month**, deputation involving changed in station.

(Rate of Deputation allowance increased by 25% w.e.f. 01.01.2024)

CCS (Joining Time) Rules 1979

- (1) These rules may be called the CCS (Joining Time) Rules, 1979.
- (2) They shall come into force from **19th May, 1979.**
- (3) Joining time shall be granted to a Govt. servant on transfer in public interest to enable him to join the new post either at same or a new station.
- (4) No joining time is admissible in case of temporary transfer for a period not exceeding **180 days**. Only the actual transit time, as admissible in case of journeys on tour, may be allowed.
- (5) The surplus staff transferred from one post to another, shall be eligible for joining time.
- (6) The period of break may be converted into joining time without pay by the Head of Department, provided that the break does not exceed **30 days** and the Govt. servant has rendered **not less than 3 years** continuous service on the date his discharge.
- (7) The joining time shall commence from the date of relinquishment of charge of the old post if the charge is made over in the forenoon or the following date if the charge is made over in the afternoon.
- (8) **New post within same station- only one day joining time** where does not involve change of residence. Same station is in area of municipality.
- (9) In case were involving change of station the joining time as per distance in the below table.

Distance between old and new station	Joining time admissible	Where the journey by road is more than 200 km.
1000 km or less	10 days	12 days
More than 1000 and up to 2000	12 days	15 days
More than 2000	15 days (by air 12 days)	15 days

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

Note: - In case of transfer for N-E, Sikkim, A &N, Lakshadweep and Ladakh, **two days additional**

- (10) Extension of joining maximum **30 days** beyond the Rule 5(4) limit by the **Head of Department** and beyond 30 days by the **Department of the Govt. India.**

- (11) **Unutilized joining time:** when a government servant joins a new post without availing full joining time or ordered to join without availing the joining time or he proceed alone to the new place and joins the new post without availing joining time. Unutilized joining will be credited in the account of earned leave subjected to maximum accumulation of 300 days.
- (12) Joining time may be combined with vacation and or regular leave of any kind or duration except casual leave.
- (13) **Joining time pay-** Government servant on joining time shall be treated as on duty during that period and shall be entitled to be paid joining time pay equal to the pay which was drawn before relinquishment of charge in the old post.
- (14) **Joining time, joining time pay and travelling allowance on technical resignation-**
- Permanent/provisionally permanent state Govt. employee/central govt. employee for appointment under central govt. entitled for joining time.
 - Temporary govt. servant less than 3 years of regular service would not be entitled for Travelling allowance, as they are not entitled joining time pay under joining time rules.
- (15) **In the case of own request transfer —**
- Regular leave may be granted to cover transit period.
 - Leave not required to avail intervening holiday(s).
- (16) Transfer order cancelled after hand over the charge of old post but before taking the charge of new post. The period intervening between the date of handing over charge of the old post and taking over the same later on account of cancellation of transfer orders should be treated as joining time.