

GOVERNMENT OF KERALA

THE KERALA SERVICE RULES

VOLUME I

PARTS I & II

FOURTH EDITION (SECOND REPRINT)

(EMBODYING CORRECTIONS UPTO 31st DECEMBER 1980)



FINANCE DEPARTMENT

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PREFACE TO THE FOURTH EDITION

The present edition comprises of Parts I and II of the Kerala Service Rules and follows the form and order adopted in the third edition. Part III Kerala Service Rules has since been issued as a separate Volume in 1974. This edition incorporates all amendments, rulings and decisions ordered by Government since the last edition covering the period upto 31st August 1976.

Any officer who finds any error or omission in these rules or any difficulty in implementing them is requested to bring it to the notice of the Secretary to Government, Finance Department.

Trivandrum,
19th October 1976.

K. V. RABINDRAN NAIR,
Finance Secretary.

PREFACE TO THE THIRD EDITION

More than six years have elapsed since the issue of the Second Edition of the Kerala Service Rules. During this period there had been considerable changes in the service conditions of Government employees necessitating the issue of a series of amendments to the Rules. All the amendments, rulings and decisions introduced after the issue of the Second Edition have been incorporated in this Edition.

A change has been made in this Edition. This volume contains only Parts I—(Rules relating to the General conditions of Service, Pay, Leave, Joining time, Foreign Service, etc.) and II—(Rules relating to Travelling Allowance) of the Kerala Service Rules and the relevant Appendices and Forms. Part III—(Pension) will be issued as a separate volume.

The arrangement of the rules followed in the previous editions has been retained in this Edition also.

The Prefaces to the previous Editions have been reproduced and the instructions contained in the concluding paragraph of the Preface to the First Edition continue to apply.

Trivandrum,
31st August 1970.

P. VELAYUDHAN NAIR,
Finance Secretary.

PREFACE TO THE SECOND EDITION

Since the issue of the First Edition, there have been several amendments to these rules; very many 'Rulings' and 'Government Decisions' have also been issued thereunder. These 'Rulings' and 'Government Decisions' have been furnished under the relevant Rules to make their application easy. All the amendments issued upto 31st March 1964 have been incorporated in this Edition.

C. THOMAS,
Finance Secretary.

PREFACE TO THE FIRST EDITION

The service personnel of the State of Kerala comprise officers of the former Travancore-Cochin State, those transferred from the former Madras State on the date of reorganisation of the States and those appointed to the service of the new State on or after 1st November 1956. The officers of the former Travancore-Cochin State themselves consist of officers who belonged to the former States of Travancore and Cochin. The service conditions of these different categories of officers are now governed by three different sets of Rules, viz., (1) The Travancore Service Regulations, (2) The Cochin Service Regulations and (3) The Fundamental Rules (Madras), the Madras Pension Code and the Madras Manual of Special Pay and Allowances. The need for a unified set of rules to regulate the service conditions of the employees of the State of Kerala is obvious. Accordingly Government are pleased to issue these new unified rules under the proviso to Article 309 of the Constitution of India.

2. The rules are set forth in three parts as follows:—

Part I—Rules relating to the General Conditions of Service, Pay fixation, Leave, Joining time, Foreign Service, etc.

Part II—Rules relating to Travelling Allowance.

Part III—Pension.

These rules shall be deemed to have come into force from the 1st November 1959.

3. These rules are applicable to all officers who entered the service of the Kerala State on or after the 1st November, 1956. The rules are also applicable to those who came into the service of this State from the former State of Travancore-Cochin and the former Madras State and who elect to be governed by these rules. No option will however be given in regard to the T.A. Rules. All officers will be governed by the new rules in the matter of Travelling Allowance.

Any officer who finds any error or omission in these rules or any difficulty in implementing them is requested to bring it to the notice of the Secretary to Government, Finance Department.

Trivandrum,
7th November 1959.

P. S. PADMANABHAN,
Finance Secretary.

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THE KERALA SERVICE RULES

PART I

Pay, Leave, Joining time, etc.

CHAPTER I

GENERAL SCOPE

1. (i) These rules may be called the Kerala Service Rules.

(ii) The rules in Parts I and II shall be deemed to have come into force with effect from 1st November 1959 and those in Part III shall be deemed to have come into force from 1st November 1956.

2. Subject to the provisions of rule 3,—

(i) the rules in Part II relating to travelling allowance shall apply to every person in the whole time employment of the Government (other than a person so employed in the contingent or work establishment);

(ii) the remaining rules shall apply to every person in the whole time employment of the Government (other than a person so employed in the contingent or work establishment),—

(a) who was not in the service of the Government of Travancore-Cochin or the Government of Madras on 31st October 1956, or

(b) who was in the service of the Government of Travancore-Cochin or the Government of Madras on 31st October 1956 and who continued to be in the service of the Government of Kerala, but has opted to be governed by these rules in accordance with such conditions as may be laid down by the Government in this behalf; or

(c) who was absorbed to Government service on or after 1st November 1956, but who prior to such date was in

the service of any quasi-Government or other institution and whose appointment and conditions of service were governed by any law or rule made under any law for the time being in force, if such person exercises his option to be governed by these rules, subject to such conditions as may be laid down by Government in this behalf.

3. (i) These rules shall not apply to,—

(a) persons for whose appointment and conditions of employment special provision is made by or under any law for the time being in force;

(b) persons in respect of whose conditions of service, pay and allowances, pension, leave or any of them, special provision has been made by agreement entered into before these rules were made or entered into thereafter in pursuance of the provisions of rule 8:

Provided that in respect of any matter not covered by the provisions special to him, his service or his post, these rules shall apply to any person coming within the scope of clauses (a) and (b) above, to whom but for those clauses the rules would otherwise apply.

(ii) Notwithstanding anything contained in rule 2 the Government may, by notification in the Gazette, exclude wholly or in part from the operation of these rules any officer or any class of such officers to whom the Government shall declare that the rules cannot suitably be applied, and these rules shall thereupon to the extent of such exclusion, cease to apply accordingly.

GOVERNMENT DECISION

The direct recruits to the personal staff of the Ministers will be governed by the service conditions specified in the Special Rules applicable to them and in respect of any matter not covered by the provisions in such Special Rules the provisions in the Kerala Service Rules will apply.

[G.O. (P) 68/65/Fin., dated 16th February 1965.]

4. If any doubt arises as to whether these rules apply to any person, the matter shall be referred to the Government and the decision of the Government shall be final.

5. Nothing in these rules or in any rule made thereunder shall operate to deprive any person of any right or privilege to which he is entitled,—

(a) by or under any law, or

(b) by the terms of any contract or agreement subsisting between such person and Government on the date these rules come into force.

6. Subject to the provisions of rule 5, nothing in these rules or any rule made under these rules shall operate to affect to the disadvantage of any person holding a substantive post under Government to whom these rules apply, the conditions of service in respect of pay, leave, allowances, pension or any other matter which are applicable to him—

(a) on the date these rules came into force, or

(b) by virtue of any order or rule made by the Government, unless such person gives his consent.

7. Where Government are satisfied that the operation of any rule under these rules causes undue hardship in any particular case, the Government may dispense with or relax the requirements of that rule to such extent and subject to such conditions as they may consider necessary for dealing with the case in a just and equitable manner.

8. When in the opinion of the Government, special provisions inconsistent with any of these rules or of any rules made thereunder are required in respect of conditions of service, pay and allowances, leave and pension or any of them, with reference to any particular post, it shall be open to the Government, notwithstanding anything contained in these rules, to provide by agreement with the person appointed to such post for any of the matters in respect of which in the opinion of the Government special provisions

are required to be made, and to the extent to which such provisions are made in the agreement, nothing in these rules or in any rules made thereunder shall apply to any person so appointed in respect of any matter for which provision is made in the agreement:

Provided that in every agreement made it shall further that be provided in respect of any matter in respect of which no provision has been made in the agreement, the provisions of these rules or of rules made thereunder shall apply. (For model form of agreement see Appendix I)

9. The Government may delegate to any of its officers subject to any conditions which it may think fit to impose any power conferred upon it by these rules with the following exceptions:—

(a) power to make rules;

(b) [Deleted];

(c) power to regulate the terms and conditions for grant of compensatory allowances;

(d) to determine the standard rent of buildings and the rent recoverable from an officer occupying the residence;

(e) to remit leave and pension contributions in respect of an officer transferred on foreign service; and

(f) to permit an officer on foreign service to receive pension or gratuity from foreign employer.

10. No powers 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 consent may be presumed to have been given.

11. The Government reserve to themselves the power to modify these rules as may from time to time seem expedient and to interpret them in case of doubt.

RULING

An officer'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; to leave, by the rules in force at the time the leave is applied for and granted; and to pension, by the rules in force at the time when the officer resigns or is discharged from the service of the State.

Persons governed by the Kerala Service Rules who were on leave on the crucial date, i.e., 1st November 1959, the leave having been sanctioned in good faith and availed of from a date prior to 1st November 1959 will be treated to have come over to the leave rules in the Kerala Service Rules on the expiry of the first spell of leave originally sanctioned. Any further extension of such leave after 1st November 1959 should be regulated only in terms of the rules in Kerala Service Rules. No arrears will, however, be paid, nor amounts drawn in excess recovered as a result of such readjustment of leave.

CHAPTER II DEFINITIONS

12. 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:—

(1) *Actual travelling expenses*.—means the actual cost of transporting an officer and his personal luggage including charges for ferry and other tolls and for carriage of camp equipment, if necessary. It does not include charges for hotels, travellers bungalows or refreshments or for the carriage of stores or conveyances or for presents to coachmen 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 servants.

(2) *Apprentice*.—means a person deputed for training with a view to employment in Government service, who

draws pay at monthly rates from Government during such training, but is not employed in or against a substantive vacancy in the cadre of a department.

(3) *Audit Officer*.—means the Head of the Office of Accounts and Audit subordinate to the Comptroller and Auditor-General of India, whether designated as Comptroller or Accountant-General or by any other designation.

(3A) *Average Pay*.—*(Deleted).

(4) *Cadre*.—means the strength of a service or part of a service sanctioned as a separate unit.

(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.

(5A) *Competent Authority*.—Competent authority in respect of any officer, in so far as any power delegated under these rules is concerned, means the authority to which such power has been delegated and where no such specific delegation has been made, the competent authority is, unless otherwise stated, the authority in whom the power to appoint such officer has been or is vested from time to time by the State Government.

(6) *Day*.—means a calendar day, beginning and ending at midnight; but an absence from headquarters which does not exceed 2½ hours shall be reckoned for all purposes as one day, at whatever hours the absence begins or ends.

(7) *Duty*.—Duty includes—

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

(ii) Joining time.

*[G.O. (P) 491/71/Fin., dated 24th October 1975]

(iii) A course of instruction or training which an officer undergoes specially ordered by Government to be treated as duty.

Note 1.—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, 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 duties.

Note 2.—An officer required or permitted to attend an obligatory departmental examination may be treated as on duty during the day or days of the examination and during the reasonable time required for the journey, if any, to and from the place of examination.

Explanation:

The term 'obligatory departmental examination' means—

(i) any test a pass in which is prescribed for the successful completion of probation or training of an officer, whether recruited direct or by transfer;

(ii) any test a pass in which is prescribed for the purpose of making an officer eligible for increment or for confirmation in any post;

(iii) any test a pass in which is prescribed for promotion to any higher post coming in the line of promotion in the department concerned;

(iv) any test a pass in which is prescribed as a qualification for continuance in the post;

(v) any test a pass in which is newly prescribed for persons already in the service concerned,

[G.O. (P) 366/76/Fin., dated 26th November 1976]

Note 3.—The period spent on training by officers who are reservists of the Defence Forces and the period of their journey to and from the training centre may be treated as duty.

RULING

In all cases of deputation of officers for a course of instruction or training under these rules, the period of such training, if treated as duty under sub-clause (iii) of the above rule, should be specified as such in the orders sanctioning such deputation. A separate clause that the period will count for increment, leave and pension is not necessary in such cases. In case where an officer selected for training is found unsuitable on medical examination or otherwise, the period spent by him in India for journey for medical examination, etc., in connection with the training will be treated as leave and no travelling allowance will be allowed for such journeys.

Note 4.—When a Government Servant on return from leave, training, foreign service or on termination of previous appointment, has compulsorily to wait for orders of posting, the interval between the date of report and the date on which he takes charge of his duties shall be treated as 'duty' provided that the interval between the date of receipt of orders and his assumption of duties shall not in any case exceed the amount of joining time admissible under rule 125(a). During such period of duty, he will be entitled to pay according to rule 26. Avoidable delay caused in giving posting orders in such cases shall render the authorities concerned, liable for the excess expenditure, if any, caused thereby.

[G.O. (P) No. 475/75/Fin., dated 9th October 1975]

Note 5.—The period spent on training by teachers (both stipendiary and non-stipendiary) deputed for training from departmental Schools to training Training Colleges/Training Schools may be treated as duty.

This amendment shall be deemed to have come into force with effect from 1st November 1959.

[G.O. (P) 322/67/Fin., dated 29th July 1967]

(8) *Fee.*—means a recurring or non-recurring payment to an officer from a source other than the General Revenues whether made directly to the officer or indirectly through the intermediary of Government but does not included—

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

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

(9) *Foreign service*.—means service in which an officer receives his pay with sanction of Government from any source other than the Consolidated Fund of India or of a State.

(10) *General revenues*.—General Revenues of Kerala include the Consolidated Fund, the Contingency fund and the Public Account of Kerala and exclude the revenues of Local Funds.

(11) *Government*.—means the Government of Kerala.

(12) *Gratuity*.—(See Pension)

(13) *Heads of departments*.—The term includes—

(a) Officers who have been declared by the Government to be Heads of Departments. (See Appendix II)

(b) Any other authority to which the Government may delegate the powers of a Head of Department

(14) *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 Gazette to be closed for the transaction of Government business without reserve or qualification.

(15) *Honorarium*.—means a recurring or non-recurring payment granted to an officer from the General Revenues of the State as remuneration for special work of an occasional or intermittent character.

(16) *Joining time*.—means the time allowed to an officer to join a new post or travel to or from a station to which he is posted.

(16A) *Last grade service*.—“Last Grade Service” means service in any post included in the Kerala Last Grade Service constituted by the Special Rules for the Kerala Last Grade Service, published under G.O. (P) No. 82/Public (Rules) Department, dated the 8th March, 1966, in Part I of the Kerala Gazette No. 14, dated the 5th April, 1966, as amended from time to time, and includes service in any post declared by the Government to be a post in the Last Grade Service.

[G.O. (P) 1060/79/Fin., dated 6th December 1979]

(17) *Leave salary*.—means the monthly amount paid by Government to an officer on leave.

(18) *Lien*.—means the title of an officer to hold substantively, either immediately or on termination of a period or periods of absence, a permanent post to which he has been appointed substantively.

(19) *Local fund*.—means—

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

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

(20) *Ministerial Officer*.—means an officer of a subordinate service whose duties are entirely clerical, and any other class of officer specially defined as such by general or special orders of Government.

(21) *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.

Notes.—Whenever it is necessary to calculate a period in calendar months, the period shall be taken to end either on the day of the month corresponding to the day before the day on which the period begins or if there is no such corresponding day, in the month, then on the last day of the month.

Example.—A period of six calendar months beginning on the 28th February ends on the 27th August, 31st March ends on the 30th September, 30th or 31st August ends on the 28th February or 29th February, if leap year.

In calculating a period of 3 months and 20 days from 25th January, 3 months should be taken as ending on the 24th April and the 20 days on 14th May. In the same way the period from 30th January to 2nd March should be reckoned as 1 month and 2 days, because one month from 30th January ends on 28th February. A period of 1 month and 29 days commencing from 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).

(22) *Officiate*.—An officer officiates in a post when he performs the duties of a post on which another person holds a lien. The appointing authority may, if it thinks fit, appoint an officer to officiate in a vacant post on which no other officer holds a lien.

(23) *Pay*.—means the amount drawn monthly by an officer 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 is entitled by reason of his position in a cadre, and

(ii) personal pay and special pay, and

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

(24) *Pension*.—Except when the term 'Pension' is used in contradistinction to gratuity or 'Death-cum-retirement gratuity', 'pension' includes 'gratuity' and 'Death-cum-retirement gratuity'.

(25) *Permanent post*.—means a post carrying a definite rate of pay sanctioned without limit of time.

(26) *Personal pay*.—means additional pay granted to an officer—

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

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

Note.—All cases in which it is proposed to grant personal pay under clause (b) of the above rule should be referred to the Finance Department by the Administrative Department 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.

(27) *Preemptive 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.

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

(28) *Probationer.*—means an officer employed on probation in or against a substantive vacancy in the cadre of a department.

Note 1.—The term 'Probationer' does not cover an officer who holds substantively a permanent post in a cadre and is appointed 'on probation' to another post.

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

Note 3.—The status of a probationer is to be considered as having the attributes of a substantive status except where the rules prescribe otherwise.

Note 4.—The instructions in Notes 1 and 2 above are to be taken as complementary and not as mutually exclusive. Taken together, they contain the essence of the tests for determining when an officer should be regarded as a "Probationer" or as merely "on Probation", irrespective of whether he is already a permanent officer or is merely an officer without a lien on any permanent post. While a probationer is one appointed in or against a post substantively vacant with definite conditions of probation, a person on probation is one appointed to a post (not necessarily vacant substantively) for determining his fitness for eventual substantive appointment to that post.

(29) *Public conveyance.*—means a train, steamer, bus, boat or other conveyance which plies regularly for the conveyance of passengers.

(30) *Qualify.*—'Qualify' and 'Count' means qualify and count for pension, from the General Revenues or for leave of absence, as the case may be.

(31) *Special pay*.—means an addition of the nature of pay to the emoluments of a post or of an officer granted in consideration of the following:—

(a) Where a post would call for a higher scale of pay in view of the additional and/or higher responsibilities attached to it, or

(b) Where the nature of work is specially arduous;

OR

(c) Where an officer has to attend to work in addition to normal duties attached to his post.

Notes.—When special pay is granted in lieu of a higher time-scale of pay such special pay will count for purposes for fixation of pay on promotion to a higher post provided the Officer was drawing it continuously for a minimum period of three years on the date of promotion. Special pay in a tenure post or special pay drawn on deputation will not, however, be considered for such fixation of pay.

[G.O. (P) 393/75/Fin., dated 30-8-1975]

(32) *Subsistence Allowance*.—means a monthly grant made to an officer who is not in receipt of pay or leave salary.

(33) *Substantive Pay*.—means the pay other than special pay, personal pay or emoluments classed as pay by Government under rule 12 (23) (ii) and (iii) above to which an officer is entitled on account of a post to which he has been appointed substantively or by reason of his substantive position in a cadre.

Notes.—When a special pay is granted in lieu of a higher time scale, such special pay will also count as substantive pay, provided the officer holds a lien on the post to which the special pay is attached.

(34) *Temporary post*.—means a post carrying a definite rate of pay sanctioned for a limited time.

(35) *Time-scale of 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:—

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

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

Note.—Method of calculation of average pay of a post on a time-scale of pay—

(1) In the case of gazetted appointments on time-scales of pay the following formula may be applied for ascertaining the average pay:—

$$\text{Average pay} = \frac{A+B}{2} + \frac{(B-A)}{2} \left[1 - (R+1) \left\{ .014 + \frac{1-.01R}{F-E} \right\} \right]$$

Where A=Minimum pay,

B=Maximum pay,

R=Period of rise,

E=Average age at entry in the Grade, and

F=Average age at retirement on superannuation pension.

This may be taken to be 55 in almost every case unless there are special reasons to take it either at a lower or a higher figure.

(2) In the case of non gazetted posts on time-scales of pay, the following formula is to be applied:—

$$\text{Average Pay} = \frac{A+B}{2} + \frac{(B-A)}{2} \left[1 - (R+1) \left\{ .021 + \frac{1-.015R}{F-E} \right\} \right]$$

Where A=Minimum pay,
 B=Maximum pay,
 R=Period of rise,
 E=Average age at entry in the grade and
 F=Average age at retirement on superannuation pension.
 This may be taken to be 55 in almost every case unless there are special reasons to take it either at a lower or a higher figure.

- (3) In cases where one grade is the channel of promotion to another grade, that is to say where everybody in the lower grade is ultimately promoted to the higher grade, the following formula may be adopted to find the average cost of appointments in the lower grade:—

$$\text{Average Pay} = \frac{A+C}{2} + \frac{(C-A)}{2} \left[1 - (S+1) \left\{ 0.006 + \frac{1-0.004S}{G-B} \right\} \right]$$

Where A=Minimum pay,
 C=Pay just before promotion to the higher grade,
 S=Period of rise from A to C,
 E=Average age at entry in the lower grade, and
 G=Average age at the time of promotion to the higher grade.

[G.O. (P) 52/65/Fin., dated 3-2-1965.]

- (4) If the average pay worked out by any of the methods prescribed, falls below the minimum of the time-scale plus one fourth of the difference between the minimum and maximum of the time scale, the average of the minimum and the maximum of the time-scale shall be taken as the average pay.

[G.O. (P) 359/76/Fin., dated 23-11-1976.]

GOVERNMENT DECISION

A scale of pay is reckoned as higher time-scale on the following principles:—

- (i) According to the higher maximum,
 (ii) if the maximum is the same, according to the higher minimum, and

(iii) If the maximum and the minimum are the same according to the rate of increment.

(36) *Transfer*.—means the movement of an officer from one headquarter station in which he is employed to another such station, either,

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

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

(37) *Travelling Allowance*.—means an allowance granted to an officer to cover the expenses which he incurs in travelling in the interest of the public service. It includes allowances granted for the maintenance of conveyances.

GOVERNMENT DECISION

The expressions 'road mileage' and 'mileage allowance' wherever they occur, shall be assigned meaning as referring to 'distance in kilometres'.

[Notification issued in G.O. (P) 36/64/Fin., dated 20-1-1964.]

CHAPTER III

GENERAL CONDITIONS OF SERVICE

13. Except as provided by this rule, no person may be appointed to a post in Government service without his producing a medical certificate of health in the form annexed below. The Government may, in individual cases, dispense with the production of a certificate, and may by general orders exempt any specified class of officers from the operation of this rule.

FORM

I do hereby certify that I have examined A.B, a candidate for employment in the... Department, and cannot discover that he has any disease, constitutional affection or bodily infirmity except..... I do not consider this a disqualification for employment in the office of.....

A B's age is according to his own statement x years and by appearance y years.

A B has been re-vaccinated/vaccinated or has/had smallpox.

Note 1.—The certificate prescribed above must ordinarily be signed by a Civil Medical Officer or rank not lower than a Civil Surgeon or Honorary Medical Officer of Civil Surgeon's rank or the Director of Indigenous Medicine, but in the case of a person whom it is proposed to appoint to a post the maximum pay of which is not more than Rs. 535 * and who cannot conveniently be brought before an officer of higher rank, a certificate from an Assistant Surgeon with M.B.B.S. degree may, at the discretion of the appointing authority, be accepted.

* This amendment shall be deemed to have come into force with effect from 1st July 1979.

[G.O. (P) 493/79/Fin., dated 28th May 1979.]

Note 2.—An officer, in whom a defect has been noticed by the Medical Officer who granted him his first certificate of health, may not be transferred from the office to which he was originally appointed, to another office, the duties of which are different in character, except on production of another certificate from a competent authority to the effect that the defect will not materially interfere with the discharge of his new duties by reason of such transfer.

Note 3.—The following classes of officers are exempted from producing a medical certificate of health:—

- (1) an officer recruited through a competitive examination who had to undergo medical examination in accordance with regulations prescribed for appointment to service under Government;
- (2) an officer in service other than the last grade appointed in a temporary vacancy of less than three months duration;
- (3) an officer in the last grade appointed in a temporary vacancy of less than six months duration;
- (4) a temporary officer who has already been medically examined in one office if transferred to another office without a break in service subject to the provision of Note 2 above;
- (5) a retired officer re-employed immediately after retirement.

Note 4.—(a) The production of a medical certificate is necessary when—

- (i) an officer is promoted from non-qualifying service paid from a Local Fund to a post in Government service other than last grade;
 - (ii) a person is re-employed after resignation or forfeiture of past service;
- (b) when a person is re-employed in circumstances other than those referred to in clause (a) (ii) above the appointing authority will decide whether a medical certificate should be produced.

Note 5.—Once a person is asked to produce a medical certificate of fitness for entry into Government service whether in a temporary or permanent capacity and has actually been examined and declared unfit, it is not open to the appointing authorities subordinate to Government to use their discretion to ignore the certificate that has been produced.

GOVERNMENT DECISION

The question of laying down appropriate rules to govern the Medical Examination of candidates recruited to Government service was considered by Government. After taking into account all the relevant aspects of the question, the following rules have been laid down in this behalf:

1. Normally a candidate should be medically examined before his first appointment. In certain cases, however, when a candidate is required to join immediately for work or for training, the appointment may be made without first obtaining the medical certificate, though the appointment should be subject to the officer being declared medically fit. In all such cases, if an officer is declared unfit on medical examination and he prefers an appeal he should be retained in service till the case is finally decided.

2. Similarly, in the case of a Government servant whose appointment is made on a temporary basis on the strength of a medical certificate issued by a lower authority or without such a certificate, it may be necessary to get a certificate of fitness from the appropriate medical authority.

If the appropriate medical authority finds that the person is not fit for retention in service at all and if an appeal for a second medical examination from the Government servant concerned is accepted the person concerned should be allowed to continue in service till the verdict of appropriate medical authority is known. In case it is decided not to accede to the request for further medical examination, the services of the officer should be terminated forthwith.

3. The intimation regarding unfitness of a candidate should immediately on receipt be communicated to the person concerned with a note that appeal, if any, must be made by the candidate/Government servant concerned within one month of the communication of the findings of the Medical Officer and that, if any, medical certificate is produced as piece of evidence about the possibility of an error of judgment in the decision of the Medical Officer who examined him, in the first instance, the certificate must contain a note by the Medical Officer concerned to the effect that it has been given in full knowledge of the fact that the candidate has already been rejected as unfit for service by a Medical Officer.

4. In case no appeal (with requisite evidence in support of his case) is preferred by the candidate/Government servant within one month of the date of communication to him of the findings of the Medical Officer, his services should be terminated forthwith on the expiry of the period of one month and ordinarily no appeal should be allowed after the expiry of that period.

5. In case where a Government servant or a candidate for Government service is declared unfit for retention in Government service or appointment in the Government service by a Medical Officer, the grounds for rejection may be communicated to him in broad terms without giving minute details regarding the defects pointed out by the Medical Officer. Cases where the grounds of rejection have not been clearly stated by the Medical Officer, in his report, may be referred to the Government for advice.

6. For the first Medical Examination of the candidate/ Government servant as well as the subsequent examinations found necessary by the appointing authority on account of an appeal, the appointing authority shall give suitable requisition to the Medical Officer concerned.

7. No appeal shall lie against the adverse findings of a Medical Officer to whom the case is referred on appeal.

Note 1.—Certificate of physical fitness for entry into Government service should always be from Medical Practitioners of Modern Medicine or from Doctors of Indigenous Medicine.

Note 2.—The Medical Authority who is to issue a medical certificate a second time on appeal shall be of a higher status than the other who issued the first medical certificate.

Note 3.—When a final certificate has been issued either by the Director of Health Services, or by the Director of Indigenous Medicines, that certificate will be final and no appeal will be permitted [vide G.O. (P) 1034/61/Pub. (Ser-D), dated 2nd December 1961 and G.O. (P) 570/62/Pub. (Ser-D), dated 25th October 1962].

[G.O. (P) 343/63/Fin., dated 7th June 1963.]

14. Unless in any case it be otherwise distinctly provided, the whole time of an officer 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 the General Revenues of India or of the States or the Revenues of a Local Fund or from the funds of a body, incorporated or not, which is wholly or substantially owned or controlled by the Government.

Note 1.—Every officer must attend the office punctually. For every three day's late attendance without permission, an officer will forfeit a day's casual leave for which he is eligible. The computation of the forfeiture of a day's casual leave will be with respect to the calendar year and late attendance without permission for less than three days at the end of a calendar year will be ignored.

Note 2.—No other kind of leave except casual leave shall be forfeited for late attendance without permission. Disciplinary action under the Kerala Civil Services (C. C. and A.) Rules, 1960 may be taken against the officers concerned for late attendance without permission if there is no casual leave to be forfeited.

[G.O. (P) 593/70/Fin., dated 20th August 1970.]

14-A. (1) Notwithstanding anything contained in any of the rules in this part, where an officer unauthorisedly absents himself from duty on account of participation in any strike it shall cause interruption in service entailing forfeiture of past service, provided that the Government may at its discretion decide that the period of such unauthorised absence be treated as 'dies non'.

(2) Where an officer forfeits his past service under sub-rule (1) he shall lose the benefit of all increments earned by him in the scale of the pay of the post which he was holding at the time of interruption and such past service shall not count for purposes of increment or leave.

(3) Where the period of unauthorised absence is treated as 'dies non' the officer shall lose the pay and allowances for the period and the benefit of such period being counted for leave.

Note.—Refusal to do work though physically present at the place of duty by resort to pen-down strike or stay-in-strike or other methods will be treated as unauthorised absence constituting interruption in service and entailing forfeiture of past service or at the discretion of Government as 'dies non'.

This amendment shall be deemed to have come into force from 4th February 1971.

[G.O. (P) 121/71/Fin., dated 22nd March 1971.]

15. (a) Two or more officers cannot be appointed substantively to the same permanent post at the same time.

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

(c) An officer cannot be appointed substantively to a post on which another officer holds a lien.

16. Unless in any case it be otherwise provided in these rules, an officer 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.

17. Unless his lien is suspended under rule 18 or transferred under rule 20 an officer 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;
- (e) while under suspension; and
- (f) while under training.

18. (a) The Government shall suspend the lien of an officer on a permanent post which he holds substantively if he is appointed in a substantive capacity—

- (1) to a permanent post outside the cadre on which he is borne, or
- (2) provisionally to a post on which another officer would hold a lien had his lien not been suspended under this rule.

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

RULING

The lien of an officer on a permanent post should not be suspended when he is appointed to a higher post in a different cadre, in case the higher post falls within the regular line of promotion from the lower post.

[G.O. (P) 102/66/Fin., dated 25th March 1966]

(c) if an officer's lien on a post is suspended under clause (a) or (b) of this rule, the post may be filled substantively, and the officer appointed to hold it substantively, shall acquire a lien on it; provided that the arrangements shall be reversed as soon as the suspended lien revives.

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

(d) an officer's lien which has been suspended under clause (a) of 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 (2) of that clause.

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

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

19. (a) An officer's lien on a post may in no circumstances be terminated, even with his consent, if the result will be to leave him without a lien or a suspended lien upon a permanent post.

(b) In a case covered by sub-clause (2) of clause (a) of rule 18, the suspended lien may not, except on the written request of the officer concerned, be terminated while the officer remains in Government service; provided that it shall be open to the competent authority to refuse consent for the confirmation or retention of an officer in a permanent post outside the cadre on which he is borne unless he makes a written request that his lien on the permanent post in his parent office should be terminated.

20. Subject to the provisions of rule 21 the Government may transfer to another permanent post in the same cadre the lien of an officer who is not performing the duties of the post to which the lien relates, even if that lien has been suspended.

21. (a) The Government may transfer an officer from one post to another; provided that, except—

(1) on account of inefficiency or misbehaviour, or

(2) on his written request,

an officer shall not be transferred substantively to, or except in a case covered by rule 58, 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 18.

(b) Nothing contained in clause (a) of this rule or in clause (18) of rule 12 shall operate to prevent the transfer of an officer 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 18.

Note.—Permanent transfers from a higher to lower scale in anticipation of the abolition of a post are not transfers within the meaning of the above rule.

22. An officer may be required to subscribe to a provident fund, a family pension fund or similar fund in accordance with such rules as the Government may by order prescribe.

Note 1.—An officer who has entered service before the 19th August, 1976, may, however, opt to subscribe for a policy in the official Branch of the State Life Insurance instead of the Provident Fund.

Note 2.—Officers who are subscribers to the Family Benefit Scheme, going on deputation/foreign service shall continue to subscribe to the Family Benefit Scheme and they themselves shall arrange for effecting recovery and remittance of the amount from their pay.

[G.O. (P) 83/80 Fin., dated 23rd January 1980.]

22 A. Every person who enters Government Service on or after the 19th August 1976, shall within a period of one year from the date of his entry in Government Service, subscribe to a policy in the official branch of the State Life Insurance at such rate as may be determined by the Government from time to time and shall continue to subscribe till he ceases to be in Government Service.

Note.—When an employee crosses one pay range to the next higher range, he shall take additional policy within 2 years of his coming to the next higher pay range. But this condition shall not apply to an employee who has attained the age of 45 years at the time of crossing over to the next higher range.

[G.O. (P) 83/80/Fin., dated 23rd January 1980]

23. (a) Subject to any exceptions specifically made in these rules, an officer shall begin to draw the pay and allowances attached to his tenure of a post with effect from the date he assumes the duties of that post, and shall cease to draw them as soon as he ceases to discharge those duties. If the charge is transferred afternoon, the transfer does not affect pay and allowances until the next day.

Exception.—An officer deputed for a course of instruction or training which is ordered to be treated as duty, if promoted to a higher post in the regular line during such course of instruction or training, may draw the pay thereof,

without joining it, the benefit of promotion being given from the date his junior assumes charge of the higher post.

[G.O. (P) 434/65/Fm., dated 17-11-1965]

(b) If, however, the substantive appointment of an officer is changed while he is officiating in an appointment, or if, while so officiating, an officer is appointed for the first time to some substantive office, then, provided that the tenure of his officiating appointment is not interrupted by his new substantive appointment, he may draw the pay thereof without joining it from the date on which he is appointed thereto, or from any later date on which the substantive office becomes vacant.

(c) Promotions which do not involve a change of duties shall have effect from the date of the vacancy which occasions the promotion.

Note.—The detailed procedure to be followed when an officer assumes or relinquishes charge of an office is contained in Appendix III.

GOVERNMENT DECISION No. 1

Questions have been raised regarding the authority competent to accept a resignation, the circumstances under which resignation should be accepted, the date when a resignation becomes effective, and the authority competent to permit a Government servant to withdraw a resignation which he has already tendered. The following instructions will be followed:

(a) *Authority competent to accept resignation:*—The appointing authority in respect of the service or post in question is the authority competent to accept the resignation of the Government servant.

(b) *Circumstances under which resignation should be accepted:*—It is not in the interest of Government to retain an unwilling officer in service. The general rule, therefore, is that resignation from service should be accepted after

settling the liabilities outstanding against the Government servant, except in the circumstances indicated below:

- (i) Where the Officer concerned is engaged on work of importance and it would take time to make alternative arrangements for filling the post, the resignation should not be accepted straight-away, but only, when alternative arrangements for filling the post have been made.
- (ii) Where a Government servant who is under suspension submits a resignation, the competent authority should examine with reference to the merits of the disciplinary case pending against the Government servant whether it would be in the public interest to accept the resignation. Normally, as officers are placed under suspension only in case of, grave delinquency, it would not be correct to accept a resignation from an officer under suspension. Exceptions to this rule would be where the alleged offences do not involve moral turpitude or where the quantum of evidence against the accused officer is not strong enough to justify the assumption that if the departmental proceedings were continued, the officer would be removed or dismissed from service or where the departmental proceedings are likely to be so protracted that it would be cheaper to the Public Exchequer to accept the resignation.

(c) *Date when a resignation becomes effective.*—The competent authority should decide the date with effect from which the resignation should become effective. In cases covered by (b) (i) above the date should be that with effect from which alternative arrangements can be made for filling

the post. Where an officer is on leave, the competent authority should decide whether he will accept the resignation with immediate effect or with effect from the date following the termination of the leave. There is also no objection to a Government servant on leave being permitted to resign his post without rejoining duty after leave, provided the appointing authority so decides with due regard to the administrative convenience of the department. Where a period of notice is prescribed which a Government servant should give when he wishes to resign from service, the competent authority may decide to count the period of leave towards the notice period. In other cases also it is open to the competent authority to decide whether the resignation should become effective immediately or with effect from some prospective date. In the latter case, the date should be specified.

(d) *Authority competent to permit withdrawal of resignation.*—A resignation becomes effective when it is accepted and the officer is relieved of his duties. Where a resignation has not become effective and the officer wishes to withdraw it, it is open to the authority which accepted the resignation either to permit the officer to withdraw the resignation or to refuse the request for such withdrawal. Where, however, a resignation has become effective, the officer is no longer in Government service and acceptance of the request for withdrawal of resignation would amount to re-employing him in service after condoning the period of break.

Concurrence of Finance, and the Public Service Commission, wherever necessary, should be obtained before a request for withdrawal of resignation which has already become effective, is accepted.

[G.O. (P) 98/65/Fin., dated 22-3-1965]

GOVERNMENT DECISION No. 2

Condonation of the period of break and revival of past service in such cases will be for the purpose of pension only,

if it is otherwise admissible. The Government servant's earlier service will not count for fixation of pay, increment or leave. His pay will be fixed at the minimum of the scale of pay of the post to which he is re-employed after resignation and the period of break will be treated as a period spent out of employment.

[Vide G.O. (P) 82/66/Fin., dated 3-3-1966]

24. Unless the Government in view of the special circumstances of the case, otherwise determine, after five years' continuous absence from duty, an officer shall be removed from service after following the procedure laid down in the Kerala Civil Services (Classification, Control and Appeal) Rules, 1960.

CHAPTER IV

PAY

25. Except in the case of personal pay granted in the circumstances defined in rule 12 (26) (a), the pay of an officer shall not be so increased as to exceed the pay sanctioned for his post without the sanction of Government.

26. When an officer is treated as on duty under rule 12 (7) (iii), the Government may, at their option, authorise payment to him of the pay of his substantive appointment or of any lower rate of pay which they may consider suitable, provided that the pay admissible may, if the Government so direct, be instead of either of the rates just specified, the pay of any officiating appointment which the officer would have drawn but for undergoing such training, subject however to the condition that 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 on such a course of training

Note 1.—A reservist of the Defence Services in the employment of the State Government, when called up for periodical training, receives the pay and allowances to which he is entitled under the Defence Services. He will also receive the excess, if any, of his pay under the Government over the pay under Defence Department. The periods spent in training and on the journey to and from the place of training will be treated as duty for purposes of leave, increments and pension.

Note 2.—The expressions “the pay of his substantive appointment” and “the pay of any officiating appointment” occurring in the above rule should be taken to mean “the pay which the officer would have drawn in the post which he holds substantively” and “the pay which the officer would have drawn in the officiating appointment but for undergoing the training”. In neither case, is there any restriction to draw the following kinds of emoluments which the officer would have drawn in the substantive or officiating appointment but for the training:

- (i) Basic pay.
- (ii) Special pay granted in lieu of a higher time-scale of pay.
- (iii) Personal pay.
- (iv) Any other emoluments classed as pay and which are specifically allowed to be drawn during training.
- (v) Dearness pay.
- (vi) Dearness allowance.
- (vii) House rent allowances.

[G.O. (P) 434/65/Fin., dated 17-11-1965]

RULING

An officer holding a provisional appointment deputed for training where the period of training is treated as duty will be allowed to draw for the period of training the pay and allowances attached to the provisional appointment, if it is certified by the competent authority that the officer would have held the provisional appointment but for his deputation for training.

27. Rules 28 to 37 apply to time-scale of pay generally. They do not, however, apply to any time-scale sanctioned by the Government in so far as they are inconsistent with terms specially so sanctioned for such time-scale.

28. The initial substantive pay of an officer who is appointed substantively to a post on a time-scale of pay is regulated as follows:—

If he holds a lien on a permanent post or would hold a lien on such a post had his lien not been suspended, he will draw as initial pay the stage of the time-scale next above his substantive pay in respect of the old post:

Provided that except in cases of re-employment after resignation or removal or dismissal from public service, if he either 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 on an identical time-scale or a temporary post (including a post in a body, incorporated or not, which is wholly or substantially owned or controlled by the Government) on an identical time-scale then the initial pay shall not, except in cases of reversion to the parent cadre governed by item (iii) above be less than the pay 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. The service rendered in a post referred to in item (iii) shall, on reversion to the parent cadre, count towards initial fixation of pay, to the extent and subject to the conditions indicated below:

(a) The officer should have been approved for appointment to the particular grade/post in which the previous service is to be counted;

(b) All his seniors, except those regarded as unfit for such appointment, were serving in posts carrying the scale of pay in which the benefit is to be allowed or in higher

posts, whether in the department itself or elsewhere, and at least one junior was holding a post in the Department carrying the scale of pay in which the benefit is to be allowed; and

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

Note 1.—The provisions in the above rule apply in cases of substantive appointments to higher time-scales of pay only. In other cases the officer's pay in the new appointment shall be fixed at his pay in the previous appointment, if it is a stage in the new scale or at next lower stage, if it is not a stage in the new scale, the difference being treated as personal pay, such personal pay, being absorbed in future increases of pay. This will not, however, apply to cases of reversions.

Note 2.—The provisions in item (iii) of the proviso to the above rule in respect of protection of pay and period of increment shall be applicable to Government servants on their appointment directly or on transfer from a post carrying identical time-scale of pay without fulfilment of the conditions indicated thereunder subject to the condition that this benefit will not be admissible to an individual who enters Government service for the first time from a post in a body incorporated or not which is wholly or substantially owned or controlled by Government.

28-A. Notwithstanding anything contained in these rules, where an officer 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 a higher time-scale of pay, his initial pay in the higher time-scale of pay shall be fixed at the stage next above the pay notionally arrived at in the lower time-scale of pay by increasing the actual pay drawn by him in the lower time-scale by one increment. A re-fixation of pay will be allowed whenever there is a change of pay in the lower time-scale.

This rule shall be deemed to have come into force with effect from 1st February 1962.

Provided that the provisions of this rule shall not apply to promotions from posts carrying a scale of pay, the maximum pay of which exceeds Rs. 1,550.

The limit of Rs. 550 has been revised to Rs. 650 with effect from 1st January 1966 [G.O. (P) 261/67/Fin., dated 4th July 1967, G.O. (P) 91/68/Fin., dated 5th March 1968] and Rs. 650 to Rs. 900 with effect from 1st July 1968 [G.O. (P) 173/70/Fin., dated 20-3-1970] and from Rs. 900 to Rs. 1,200 with effect from 1-7-1973. [G.O. (P) 136/75/Fin., dated 1-4-1975 and from Rs. 1,200 to Rs. 1,550 with effect from 1-7-1978]

[G.O. (P) 493/79/Fin., dated 28-5-1979]

Provided also that where a Government servant is immediately before his promotion or appointment to a higher post, drawing pay at the maximum of the time-scale of the lower post, his initial pay in the time-scale of the higher post shall be fixed at the stage next above the pay notionally arrived at by increasing his pay in respect of the lower post by an amount equal to the last increment in the time-scale of the lower post.

This amendment shall come into effect from the date of orders.

[G.O. (P) No. 348/75/Fin., dated 1-8-1975]

Provided that if he has either 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 on an identical time-scale or a temporary post on an identical time-scale, such post being on the same time-scale as a permanent post, then the initial pay shall not be less than the pay which he drew, on the last such occasion and he shall count for increment the period during which he drew that pay on such last or any previous occasions.

This amendment shall be deemed to have come into force from 21st July 1964.

[G.O. (P) 710/70/Fin., dated 5-10-1970].

RULING No. 1

In cases where the application of the rule would give rise to anomalies in as much as an officer officiating in a higher post could get his pay refixed at a stage higher than the pay drawn by another who stands confirmed in the higher post on the same scale of pay, the anomaly will be removed by refixing the pay of the senior officer at the stage equal to that fixed for the junior officer in the higher post, the orders of refixation being issued by the competent authority under rule 34, Part 1, Kerala Service Rules. The re-fixation of pay in such cases will be made subject to the following conditions:

(a) Both the junior and senior officers should belong to the same cadre and the posts in which they have been promoted or confirmed, as the case may be, should be identical and in the same cadre.

(b) The scale of pay of the lower post in which they would have drawn their pay but for their promotion or confirmation should be identical.

(c) The anomaly should be directly as a result of the application of rule 28-A. For example, if the junior officer draws from time to time a higher rate of pay than the senior by virtue of fixation of pay under the normal rules or any advance increment granted to him, the provision contained in this ruling should not be involved to step up the pay of the senior officer.

(d) The refixation of pay of the senior officer should be done with effect from the date of refixation of pay of the junior officer. The next increment of the senior officer will however be drawn on the date on which it would have fallen due but for this refixation of pay.

RULING No. 2

In the case of a Government servant, officiating in a post and whose pay had been refixed under this rule, if he is confirmed in that post with effect from a retrospective date, the refixation of pay does not affect the date of

confirmation will have to be revised. The over payments consequent on such revision will first be set off against the arrears, if any, that might become payable to the Government servant for a portion of the period from the date of confirmation to the date of issue of orders of confirmation. The balance of over payments that cannot be set off against the arrears, if any, shall be waived.

This ruling will be deemed to have taken effect from 3rd February 1962.

[Vide G.O. (P) 24/65/Fin., dated 13-1-1965]

RULING No. 3

The re-fixation of pay in the higher officiating post on the date of change of pay in the lower time-scale contemplated in this rule cannot be allowed during the period of bar on increment with or without cumulative effect. But, in the cases of bar on increment without cumulative effect there is no objection to give the re-fixation on a notional basis and to give the monetary benefit after the expiry of the period of bar. Increments accruing in the lower substantive/officiating post from time to time cannot also be allowed during the period of bar.

[G.O. (P) 650/72/Fin., dated 12-12-1972]

RULING No. 4

Increments barred with or without cumulative effect in the lower substantive officiating post shall not be reckoned for fixation/refixation of pay in the higher time-scale. But in the case of bar on increment without cumulative effect, there is no objection to grant the barred increments notionally for fixation/refixation of pay and to give the monetary benefit after the expiry of the period of bar.

[G.O. (P) No. 150/77/Fin., dated 17-5-1977]

RULING No. 5

A revision of pay as contemplated in ruling No. 2 shall not be necessary in the case of retrospective confirmation ordered after the date of retirement of an officer. This

ruling will be deemed to have taken effect from 3rd February 1962.

[G.O. (P) 79/75/Fin., dated 3-3-1975]

GOVERNMENT DECISION No. 1

1. The provisions of this rule will not apply to cases of revision of scales of pay referred to in rule 30 *ibid*.

2. An officer officiating in a post, when appointed to a higher post on the advice of the Public Service Commission is eligible for his initial pay being fixed under this rule, but is not entitled to the benefit of a refixation contemplated in the last sentence of the rule.

3. When a person who holds a post in a regular capacity is appointed to a post on a higher time-scale in the same service under rule 31 or in a different service under rule 9 of Kerala State and Subordinate Services Rules, fixation of pay under this rule is permissible with reference to the pay drawn in the regular appointment.

4. When a fresher is appointed provisionally to a post otherwise than on the advice of the Public Service Commission, under rule 9 of Kerala State and Subordinate Services Rules and again appointed to a still higher post under the same rule, a fixation of pay in the higher post with reference to the pay drawn in the lower post is not admissible.

5. A person holding a post in a regular capacity is appointed provisionally to a post in the same service under rule 31 of the Kerala State and Subordinate Services Rules. He is again appointed to a still higher post in the same service under rule 31 or to a post in another service under rule 9 of Kerala State and Subordinate Services Rules. Fixation of pay with reference to the provisional pay drawn in the post to which he was appointed provisionally at first is not admissible in the other posts.

Provided that the provisions of this rule shall not apply to promotions from posts carrying a scale of pay, the maximum pay of which exceeds Rs. 1,550.

The limit of Rs. 550 has been revised to Rs. 650 with effect from 1st January 1966 [G.O. (P) 261/67/Fin., dated 4th July 1967, G.O. (P) 91/68/Fin., dated 5th March 1968] and Rs. 650 to Rs. 900 with effect from 1st July 1968 [G.O. (P) 173/70/Fin., dated 20-3-1970] and from Rs. 900 to Rs. 1,200 with effect from 1-7-1973. [G.O. (P) 136/75/Fin., dated 1-4-1975 and from Rs. 1,200 to Rs. 1,550 with effect from 1-7-1978]

[G.O. (P) 493/79/Fin., dated 28-5-1979]

Provided also that where a Government servant is immediately before his promotion or appointment to a higher post, drawing pay at the maximum of the time-scale of the lower post, his initial pay in the time-scale of the higher post shall be fixed at the stage next above the pay notionally arrived at by increasing his pay in respect of the lower post by an amount equal to the last increment in the time-scale of the lower post.

This amendment shall come into effect from the date of orders.

[G.O. (P) No. 348/75/Fin., dated 1-8-1975]

Provided that if he has either 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 on an identical time-scale or a temporary post on an identical time-scale, such post being on the same time-scale as a permanent post, then the initial pay shall not be less than the pay which he drew, on the last such occasion and he shall count for increment the period during which he drew that pay on such last or any previous occasions.

This amendment shall be deemed to have come into force from 21st July 1964.

[G.O. (P) 710/70/Fin., dated 5-10-1970]

RULING No. 1

In cases where the application of the rule would give rise to anomalies in as much as an officer officiating in a higher post could get his pay refixed at a stage higher than the pay drawn by another who stands confirmed in the higher post on the same scale of pay, the anomaly will be removed by refixing the pay of the senior officer at the stage equal to that fixed for the junior officer in the higher post, the orders of refixation being issued by the competent authority under rule 34, Part I, Kerala Service Rules. The re-fixation of pay in such cases will be made subject to the following conditions:

(a) Both the junior and senior officers should belong to the same cadre and the posts in which they have been promoted or confirmed, as the case may be, should be identical and in the same cadre.

(b) The scale of pay of the lower post in which they would have drawn their pay but for their promotion or confirmation should be identical.

(c) The anomaly should be directly as a result of the application of rule 28-A. For example, if the junior officer draws from time to time a higher rate of pay than the senior by virtue of fixation of pay under the normal rules or any advance increment granted to him, the provision contained in this ruling should not be involved to step up the pay of the senior officer.

(d) The refixation of pay of the senior officer should be done with effect from the date of refixation of pay of the junior officer. The next increment of the senior officer will however be drawn on the date on which it would have fallen due but for this refixation of pay.

RULING No. 2

In the case of a Government servant, officiating in a post and whose pay had been refixed under this rule, if he is confirmed in that post with effect from a retrospective date, the refixation of pay done after the date of

confirmation will have to be revised. The over payments consequent on such revision will first be set off against the arrears, if any, that might become payable to the Government servant for a portion of the period from the date of confirmation to the date of issue of orders of confirmation. The balance of over payments that cannot be set off against the arrears, if any, shall be waived.

This ruling will be deemed to have taken effect from 3rd February 1962.

[Vide G.O. (P) 24/65/Fin., dated 13-1-1965]

RULING No. 3

The re-fixation of pay in the higher officiating post on the date of change of pay in the lower time-scale contemplated in this rule cannot be allowed during the period of bar on increment with or without cumulative effect. But, in the cases of bar on increment without cumulative effect there is no objection to give the re-fixation on a notional basis and to give the monetary benefit after the expiry of the period of bar. Increments accruing in the lower substantive/officiating post from time to time cannot also be allowed during the period of bar.

[G.O. (P) 650/72/Fin., dated 12-12-1972]

RULING No. 4

Increments barred with or without cumulative effect in the lower substantive officiating post shall not be reckoned for fixation/refixation of pay in the higher time-scale. But in the case of bar on increment without cumulative effect, there is no objection to grant the barred increments notionally for fixation/refixation of pay and to give the monetary benefit after the expiry of the period of bar.

[G.O. (P) No. 150/77/Fin., dated 17-5-1977]

RULING No. 5

A revision of pay as contemplated in ruling No. 2 shall not be necessary in the case of retrospective confirmation ordered after the date of retirement of an officer. This

ruling will be deemed to have taken effect from 3rd February 1962.

[G.O. (P) 79/75/Fin., dated 3-3-1975]

GOVERNMENT DECISION No. 1

1. The provisions of this rule will not apply to cases of revision of scales of pay referred to in rule 30 *ibid.*

2. An officer officiating in a post, when appointed to a higher post on the advice of the Public Service Commission is eligible for his initial pay being fixed under this rule, but is not entitled to the benefit of a refixation contemplated in the last sentence of the rule.

3. When a person who holds a post in a regular capacity is appointed to a post on a higher time-scale in the same service under rule 31 or in a different service under rule 9 of Kerala State and Subordinate Services Rules, fixation of pay under this rule is permissible with reference to the pay drawn in the regular appointment.

4. When a fresher is appointed provisionally to a post otherwise than on the advice of the Public Service Commission, under rule 9 of Kerala State and Subordinate Services Rules and again appointed to a still higher post under the same rule, a fixation of pay in the higher post with reference to the pay drawn in the lower post is not admissible.

5. A person holding a post in a regular capacity is appointed provisionally to a post in the same service under rule 31 of the Kerala State and Subordinate Services Rules. He is again appointed to a still higher post in the same service under rule 31 or to a post in another service under rule 9 of Kerala State and Subordinate Services Rules. Fixation of pay with reference to the provisional pay drawn in the post to which he was appointed provisionally at first is not admissible in the other posts.

Note 2.—Option under the proviso of the rule to officers under suspension is governed by the following:—

1. Cases in which the revised scale of pay takes effect from a date prior to the date of suspension.

In such cases the officer should be allowed to exercise the option under rule 30 even if the period, during which he is to exercise the option, falls within the period of suspension. He will be entitled to the benefit of increase in pay if any, in respect of the duty period before suspension, and also in the subsistence allowance, for the period of suspension, as a result of such option.

2. Cases in which the revised scale of pay takes effect from a date falling within the period of suspension—

(a) Under suspension an officer retains a lien on his substantive post. As the expression 'holder of a post' occurring in rule 30 includes also a person who holds a lien or a suspended lien on the post even though he may not be actually holding the post, such an officer should be allowed option under rule 30 even while under suspension. The benefit of option will, however, practically accrue to him in respect of the period of suspension, only after his reinstatement, depending on the fact whether the period of suspension is treated as duty or not.

(b) An officer, who does not retain a lien on a post the pay of which is changed, is not entitled to exercise the option under rule 30. If, however, he is reinstated in the post and the period of suspension is treated as duty, he may be allowed to exercise the option after such reinstatement. In such cases, if there is a time-limit prescribed for exercising the option and such period had already expired during the period of suspension, a relaxation may be made in each individual case for extending the period during which the option may be exercised.

GOVERNMENT DECISION

The following principles will be followed for fixation of pay when the scale of pay of a post held on a provisional basis is revised:—

- (i) If the pay drawn in the previous scale is less than the minimum of the revised scale then

the pay in the revised scale may be fixed at the minimum.

(ii) If the pay drawn in the previous scale is a stage in the revised scale the pay in the revised scale may be fixed at that stage.

(iii) If the pay drawn in the previous scale is not a stage, then the pay in the revised scale may be fixed at the next lower stage, the difference being treated as personal pay to be absorbed in future increase in pay.

2. The above principles will also be adopted for regulating the pay of an officer holding a post on a provisional basis when appointed to a higher or a lower post provisionally, except in cases of reversion.

3. Past cases settled otherwise, will not be re-opened.

[Vide G.O. (P) 297/66/Fin., dated 5th July 1966]

RULING

If an officer earns increment earlier than or after the original date on which he was supposed to get it at the time of exercise of option under the above rule due to revision of the date of increment, his pay should automatically be re-fixed with effect from the revised date of increment with reference to the original option exercised by him under this rule and there will be no need for exercising a fresh option and issue of special orders for this.

[G.O. (P) 364/67/Fin., dated 14th August 1967]

31. An increment shall ordinarily be drawn as a matter of course unless it is withheld. An increment may be withheld from an officer by the Government or by any authority to whom the Government may delegate this power under rule 9 if his conduct has not been good or his work has not been satisfactory. In ordering the withholding of the increment, the withholding authority shall state the period for which it is withheld and whether the postponement shall have the effect of postponing future increments.

Note 1.—An officer shall not be eligible for an increment unless he has acquired the obligatory departmental test qualifications, if any, prescribed by Government from time to time to earn the increment.

Note 2.—A competent authority may order the deferring of the increment of an officer, pending investigation into his conduct or performance of work, in disciplinary cases. Such deferring of increment will not be construed as 'withholding of increments' under the Kerala Civil Services (Classification, Control and Appeal) Rules, 1960.

GOVERNMENT DECISION No. 1

An increment shall be granted from the first day of the month in which it falls due.

This decision shall be deemed to have come into force with effect from 1st April 1974.

[G.O. (P) 154/74/Fin., dated 8th July 1974]

GOVERNMENT DECISION No. 2

Increment accruing consequent on declaration of probation shall be drawn only with effect from the date of completion of probation but subsequent increments shall be drawn on the first day of the month in which they fall due.

This decision shall be deemed to have come into force with effect from 1st April 1974.

[G.O. (P) 133/75/Fin., dated 31st March 1975]

32. Where an efficiency bar is prescribed in a time-scale, the increment next above the bar shall not be given to an officer without the specific sanction of the authority empowered to withhold increments.

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

Note 2.—The cases of all officers held up at an efficiency bar should be reviewed annually with a view to determine whether the quality of their work has improved and generally, whether the defects for which they were stopped at the bar have been remedied, to an extent sufficient to warrant the removal of the bar.

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

(a) All duty in a post on a time-scale counts for increments in that time-scale.

RULING

Periods of service in a post on a time-scale at the same stage of pay only will count for increment in that time scale.

The above ruling will be deemed to have come into force with effect from 1st November 1959.

[G.O. (P) 235/80/Fin., dated 7th April 1980]

*(b) (1) Service in another post other than a post carrying less pay referred to in clause (a) of rule 21, whether in a substantive or officiating capacity, service on deputation and leave except leave without allowances taken otherwise than on medical certificate shall count for increments in the time-scale applicable to the post on which the officer 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.

(2) All leave except leave without allowances taken otherwise than on medical certificate and service on deputation count for increments in the time-scale applicable to a post in which an officer was officiating at the time he proceeded on leave or deputation and would have continued to officiate but for his proceeding on leave or deputation:

Introduced as per G.O. (P) 544/62/Fin., dated 8th November 1962 and G.O. (P) 81/64/Fin., dated 21st February 1964.

Provided that leave without allowances under rule 91 A shall count for increments subject to the following conditions:—

1. The period qualifying for increments shall be restricted to the normal period required for completion of the course, and
2. Increments shall be granted only on production the diploma or degree or completion of the course.

[G.O. (P) 204/76/Fin., dated 15th July 1976]

Provided further that the Government shall have power in any case in which they are satisfied that the leave without allowances was taken for any cause beyond the officer's control, to direct that leave without allowances shall be counted for increments under sub-clause (1) or (2).

Note:—In cases coming under sub-clause (2) the appointing authority should certify that the officer would have actually continued to officiate in the post but for his proceeding on leave and the period of leave will count for increments only to the extent it is covered by the certificate. Where no officiating arrangement is made in a leave vacancy and where the incumbent is likely to return to the same post after the expiry of the leave the authority sanctioning the leave may issue such a certificate at the time of grant of leave. In all cases where the certificates are issued the fact should be recorded in the Service Book as and when such certificates are issued along with the leave particulars.

(c) If an officer, while officiating in a post or holding a temporary post on a time-scale of pay, is appointed to officiate in a higher post or to hold a higher temporary post, his officiating or temporary service in the higher post shall, if he is re-appointed to the lower post or is appointed or re-appointed to a post on the same time-scale of pay, count for increments in the time-scale applicable to such lower post.

If an officer on reversion from an ex-cadre post to the parent cadre is appointed to a post on a scale lower than that of the ex-cadre post but not on the same time-scale as

the post held at the time of his transfer to the ex-cadre post, the service rendered on the higher scale in the ex-cadre post shall count for increments in the time-scale applicable to the cadre post subject to the same conditions as are laid down for cases falling under item (ii) of proviso to rule 28.

Exception.—In cases where the appointment is to officiate in a higher post or to hold a higher temporary post, in the regular line, the officiating and temporary service in the higher post shall count for increments in time-scale applicable to the lower post, even if the officer is not re-appointed to the lower post or is not appointed or re-appointed to a post on the same time-scale of pay.

The period of officiating/temporary service in the higher post which counts for increment in the lower is, however, restricted to the period during which the officer would have officiated in the lower post but for his appointment to the higher post. This clause applies also to an officer who is not actually officiating in the lower post, but who would have so officiated in such lower post or in a post on the same time-scale of pay had he not been appointed to the higher post.

Note.—For the purposes of this rule, the officiating and temporary service in the higher posts will include the period of leave which counts for increments under clause (b).

[G.O. (P) 97/70/Fin., dated 3rd February 1970 and
G.O. (P) 56/72/Fin., dated 1st March 1972]

(d) If an officer's substantive tenure of a temporary post is interrupted by duty in another post other than a post carrying less pay referred to in clause (a) of rule 21 or by leave other than leave without allowances or by foreign service, such duty or leave or foreign service counts for increments in the time-scale applicable to the temporary post if the officer returns to the temporary post:

Provided that the Government may in any case in which they are satisfied that the leave was taken on account of illness or for any other cause beyond the officer's control,

direct that leave without allowances shall be counted for increments under this clause.

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

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

(ii) any post in which he would have officiated or to which he may receive officiating promotion under rule 143 below for the duration of such promotion.

(iii) any post in the parent cadre on a lower scale of pay to which the officer is appointed on reversion from the ex-cadre post subject to the fulfilment of the conditions mentioned in item (iii) of proviso to rule 28.

*Note 1.—Joining time counts for increments:—

(i) If it is under clause (a) of rule 125, in the time-scale applicable to the post on which the officer 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 the officer during the period, and

(ii) If it is under clause (b) of rule 125, in the time-scale applicable to the post/posts on which the last day of leave before commencement of the joining time counts for increments.

Explanation:—For the purposes of this rule, the period treated as duty under sub-clause (ii) of clause (7) of rule 12 shall be deemed to be duty in a post if the officer draws pay of that post during such period.

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

*Introduced as per G.O. (P) 544/62/Fin., dated 8th November 1962.

GOVERNMENT DECISION No. 1

A Government servant thrown out of service for want of vacancy and again reappointed after a break in the same post or in another post carrying the same time-scale of pay can count his prior service for purposes of increment under rule 33 (a) read with rule 12 (35) (b).

[Circular No. 32532/RAI/61/Fin., dated 12th January 1962]

GOVERNMENT DECISION No. 2

Provisional service on regularisation with or without break in the same category of post will be treated as officiating service *ab initio* for the limited purpose of granting of increments. Provisional service followed by a regular appointment with or without break in the same category of post will also be treated as officiating service *ab initio* for the limited purpose of granting of increments.

The term 'same category' of post for the purpose denotes posts satisfying the following conditions:—

- (i) The posts should carry the same or identical scale of pay,
- (ii) The qualification and method of appointment should be the same, and
- (iii) The post should fall in the same service.

The above decision shall be deemed to have come into force with effect from 1st November 1956 but the monetary benefit thereof will be admissible only with effect from 24th July 1967.

[G.O. (P.) 279/79/Fin., dated 16th March 1979.]

34. The Government may grant a premature increment to an officer on a time-scale of pay.

Notes.—In the case of increments 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 as an officer who has so risen.

GOVERNMENT DECISION No. 1

In rule 34 of Kerala Service Rules, Part I, it is laid down that Government may grant a premature increment to an officer on a time-scale of pay without prejudice to his normal increment. At present there is no ruling or Government decision as to the circumstances under which the rule regarding the grant of advance increments could be invoked in individual cases.

2. Good service entries and incentive awards are possible variants to advance increments for the recognition of meritorious service rendered by Government servants. In G.O.MS. 849/59/P.D., dated 24th September 1959, it has been provided that incentive awards could be made for outstanding performance of officers in the discharge of their duties and responsibilities. Under this system, cases of extraordinary originality, imagination or brilliance, or rare devotion to duty deserving recognition in a special way and suggestions for reduction of expenditure without affecting efficiency can all be considered for incentive awards. Government, therefore, consider that the system of awarding good service entries and incentive awards are eminently suited for recognising specific or individual cases of meritorious service/work on the part of Government servants; the grant of advance increment being restricted to cases of sustained merit and continuous record of good work. In other words, good service entries, incentive awards and advance increments will be in an ascending order in the matter of recognition of meritorious services of Government servants.

3. Government also wish to emphasise that there should be more or less uniform standards in recognising merit for the award of advance increments. The confidential report of the officer to whom advance increment is proposed to be given should, therefore, be looked into. All proposals for the grant of advance increments in recognition of the meritorious work of Government servants shall be

scrutinised by the concerned Administrative Department, the Public Department and Finance Department before placing the cases for sanction before the Council of Ministers.

This amendment shall be deemed to have come into force with effect from 22nd February 1974.

[G.O. (P) 283/75/Fin., dated 1st July 1975]

4. The above procedure will not apply to the grant of advance increments on notional basis for purposes of fixation of pay due to considerations other than of meritorious services of Government servants.

[Circular No. B/64/Fin., dated 23rd January 1964]

GOVERNMENT DECISION No. 2

Incentive awards in the nature of cash awards for meritorious services shall not be given to Gazetted Officers.

The above amendment shall be deemed to have come into force with effect from 22nd February 1974.

[G.O. (P) 283/75/Fin., dated 1st July 1975.]

GOVERNMENT DECISION No. 3

Advance increments for meritorious service may be granted to both Gazetted and non-Gazetted Officers.

[G.O. (P) 33/76/Fin., dated 23rd January 1976.]

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

Provided that the pay allowed under this rule shall not exceed the pay which he would have drawn under rule 28 read with clause (b) or clause (c) as the case may be, of rule 33,

[G.O. (P) 146/77/Fin., dated 16th May 1977.]

36. If an officer is, on account of misconduct or inefficiency, reduced to a lower grade or post or 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, it shall operate to postpone future increments, and, if so, to what extent.

RULING

1. Every order passed by a competent authority imposing on a Government servant the penalty of reduction to a lower stage in a time-scale should indicate:—

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

(ii) The stage in the time-scale (in terms of rupees) to which the Government servant is reduced, in the following form:

“The.....has decided that Sri.....should be reduced to a pay of Rs..... for a period of.....with effect from.....” and

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

It should be noted that reduction to a lower stage in a time-scale is not permissible under the rules either for an unspecified period or as a 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).

2. 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 order of reduction lays down that the period of reduction shall not operate to postpone future increments, 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 drawn by him immediately before reduction was below the efficiency bar, he should not be allowed to cross the bar except in accordance with the provision of rule 32, Part I, Kerala Service Rules.
- (ii) If the orders specifies that the period of reduction was to operate to postpone future increments for any specified period, the pay of the Government servant shall 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.

[G.O. (P) 659/64/Fin., dated 14th September 1964
and G.O. (P) 262/66/Fin., dated 16th June 1966]

37. (a) Subject to the provisions of rules 33 (c) and 39, an officer holding a permanent or officiating post, if appointed to officiate on a higher time-scale of pay, will draw as initial pay the stage next above his pay in the lower time-scale irrespective of whether the pay in the lower time-scale is a stage in the higher time-scale or not. A refixation will be allowed whenever there is change of pay in the lower time-scale, i.e., when his pay therein becomes equal to or greater than the pay which he draws in the higher time-scale.

(b) In the case of officiating appointments other than those contemplated in the above rule, the officer's officiating pay in the new appointment shall be fixed at his

officiating pay in the previous appointment if it is a stage in the new scale, or at the next lower stage, if it is not a stage in the new scale, the difference being treated as personal pay to be absorbed in future increases. This will not apply to cases of reversions:

Provided that in cases covered by sub-rules (a) and (b) other than cases of re-employment after resignation, removal or dismissal from public service, if he has previously either held substantively or officiated in (i) the same post, or (ii) permanent or temporary post on the same time-scale, or (iii) a permanent post on an identical time-scale or a temporary post (including a post in a body, incorporated or not, which is wholly or substantially owned or controlled by the Government) on an identical time-scale, then the initial pay shall not, except in cases of reversion to the parent cadre governed by item (iii) above, be less than the pay 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. The service rendered in a post referred to in item (iii) shall, on reversion to the parent cadre, count towards initial fixation of pay to the extent and subject to the conditions indicated below:

(a) the officer should have been approved for appointment to the particular grade/post in which the previous service is to be counted;

(b) all his seniors, except those regarded as unfit for such appointment, were serving in posts carrying the scale of pay in which the benefit is to be allowed or in higher posts, whether in the department itself or elsewhere, and at least one junior was holding a post in the department carrying the scale of pay in which the benefit is to be allowed; and

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

RULING No. 1

When a person in a post (whether within the cadre of his service or not) is for any reason prevented from officiating in his turn in a post on a higher scale or grade borne on the cadre of the service to which he belongs, he may be authorised by special order of the appropriate authority pro forma officiating promotion into such scale or grade and thereupon be granted the pay of that scale or grade if that be more advantageous to him on such occasion on which the person immediately junior to him in the cadre of his service (or if that person had been passed over for reasons of inefficiency or unsuitability or because he is on leave or serving outside the ordinary line or forgoes officiating promotion of his own volition to that scale or grade, then the person next junior to him not so passed over) draws officiating salary in that scale or grade. But in case, where the person immediately junior to him happens to assume charge of the post on a later date than that of another junior the senior who is outsid the ordinary line shall be eligible for the benefit of pro forma officiating promotion with effect from such date as the other junior assumes charge of the post:

Provided that all persons senior to the persons to whom the benefit under the substantive part of this rule is to be allowed are also drawing, unless they have been passed over for one or other of the reasons aforesaid, officiating salary in the said or some higher scale within the cadre:

Provided further that not more than one person (either the senior most fit person in a series of adjacent persons outside the ordinary line, or if such a person either forgoes the benefit of his own volition or does not require benefits by virtue of his holding a post outside the ordinary line which secures him at least equivalent benefits in respect of salary and pension then the next below the series) may be authorised to draw the salary of the higher scale or grade

in respect of any one officiating vacancy within the cadre filled by his junior under this rule.

[G.O. (P) 417/78/Fin., dated 12th April 1978]

Note 1:—A fortuitous officiating promotion given to a person who is junior to one outside the regular line does not in itself give rise to a claim under the 'Next Below Rule'.

Note 2:—The provisions in item (iii) of the proviso to the above rule in respect of protection of pay and period of increment shall be applicable to Government servants on their appointment directly or on transfer from a post carrying identical time-scale of pay without fulfilment of the conditions indicated thereunder subject to the condition that this benefit will not be admissible to an individual who enters Government service for the first time from a post in a body incorporated or not which is wholly or substantially owned or controlled by Government.

[G.O. (P) 393/63/Fin., dated 2nd July 1963]

RULING No. 2

1. *Scope of the term "outside the ordinary line".*—The expression "outside the ordinary line" occurring in ruling No. 1 is not intended to be rigidly interpreted as necessary involving a post either "outside the cadre" or "outside the ordinary time-scale". For instance there are cases of officers deputed for postgraduate, etc., training and paid training allowances on the basis of the pay and allowances they would have drawn had they continued in the Department. Training posts are also created in the Department to accommodate them during the period of training. If an officer so deputed gets a promotion in the Department it cannot be strictly stated that the officer is outside the ordinary line, as a training post has already been created to accommodate him within the cadre.

2. *Seniority for purposes of the Next Below Rule.*—If Government have approved in any Department a list of officers in the order of merit for promotion to administrative rank or a selection grade, then that order will prevail as the order of seniority for the purposes of the Next Below Rule, over the order of seniority of the officers in the ordinary gradation list of their cadre.

3. *Promotions effected prior to the date of the Next Below Rule.*—In G.O. (P) 393/63/Fin., dated 2nd July 1963 it has been ordered that the Next Below Rule would not apply to cases of promotions already effected. It has been laid down in the second proviso to the rule that not more than one person may be authorised to draw the salary of the higher scale or grade in respect of any one officiating vacancy within the cadre filled by his junior. A doubt may arise as to the application of this proviso in respect of promotions effected before the date of the rule. This is made clear by the following illustration. Suppose eight persons had been given the benefit of promotion before 2nd July 1963 outside the ordinary line against only 3 promotions within the ordinary line. In this case, the question of giving further promotion to the persons outside the ordinary line will arise only after five more persons are given promotion within the ordinary line so that all the eight persons outside are sustained. But those 5 persons who were given promotion outside the ordinary line before 2nd July 1963 will continue to get the benefit even after 2nd July 1963 notwithstanding the second proviso to the ruling.

[G.O. (P) 610/64/Fin., dated 27th August 1964.]

RULING No. 3

In the case of a Government servant officiating in a post and whose pay had been re-fixed under this rule, if he is confirmed in that post with effect from a retrospective date, the re-fixation of pay done after the date of confirmation will have to be revised. The overpayments consequent on such revision will first be set off against the arrears, if any,

that might become payable to the Government servant for a portion of the period from the date of confirmation to the date of issue of orders of confirmation. The balance of overpayments that cannot be set off against the arrears, if any, shall be waived.

The ruling will be deemed to have taken effect from 1st November 1959.

[G.O. (P) 24/65/Fin., dated 13th January 1965.]

RULING No. 4

The refixation of pay in the higher officiating post on the date of change of pay in the lower time-scale contemplated in this rule cannot be allowed during the period of bar on increment with or without cumulative effect. But, in the cases of bar on increment without cumulative effect, there is no objection to give the refixation on a notional basis and to give the monetary benefit after the expiry of the period of bar. Increments accruing in the lower substantive/officiating post from time to time cannot also be allowed during the period of bar.

[G.O. (P) No. 650/72/Fin., dated 12-12-1972]

RULING No. 5

Increments barred with or without cumulative effect in the lower substantive/officiating post shall not be reckoned for fixation/refixation of pay in the higher time-scale. But in the case of bar on increment without cumulative effect, there is no objection to grant the barred increments notionally for fixation/refixation of pay and to give the monetary benefit after the expiry of the period of bar.

[G.O. (P) 150 77/Fin., dated 17th May 1977.]

RULING No. 6

A revision of pay as contemplated in ruling No. 3 shall not be necessary in the case of retrospective confirmation ordered after the date of retirement of an officer.

The ruling will be deemed to have taken effect from 1st November 1959.

[G.O. (P) 79/75/Fin., dated 3rd March 1975.]

GOVERNMENT DECISION No. 1

The rules governing fixation of pay on transfer from one appointment to another contained in the service regulations [as modified by G.O. (P) 95/58/Fin., dated 16th April 1958 and G.O. (P) 379/59/Fin., dated 22nd July 1959] are applicable to all cases of transfers irrespective of whether the transfer is on the basis of the advice of the Public Service Commission or not. The initial pay/salary of an officer, who while in Government service but not in a provisional appointment is recruited by the Public Service Commission for appointment to a post in the same department or another department will accordingly be fixed applying the above rules. No special sanction is necessary in such cases.

[G.O. (P) 89,63/Fin., dated 20th February 1960]

GOVERNMENT DECISION No. 2

The above order will taken effect from 1st November 1959 the date on which Kerala Service Rules took effect.

[G.O. (P) 536/60/Fin., dated 9th November 1960]

GOVERNMENT DECISION No. 3

In the case of re-fixation of pay in the higher officiating appointment in respect of purely officiating hands without any substantive appointment under Government a certificate should be recorded in the fixation statement/bill that the Government servant concerned would have continued in the lower officiating appointment had he not been promoted to the higher officiating appointment.

[Circular RAI 53436/60, dated 17th October 1960]

GOVERNMENT DECISION No. 4

An officer officiating in a post, when appointed to a higher post on the advice of the Public Service Commission, is eligible for his initial pay being fixed under this rule, but is not entitled to the benefit of a re-fixation contemplated in the last sentence of sub-rule (a).

This decision will be deemed to have taken effect from 1st November 1959. G.O. (P) 6/65/Fin., dated 4th January 1965.

GOVERNMENT DECISION No. 5

The following principles will be followed for fixation of pay when the scale of pay of a post held on a provisional basis is revised:

- (i) If the pay drawn in the previous scale is less than the minimum of the revised scale, then the pay in the revised scale may be fixed at the minimum.
- (ii) If the pay drawn in the previous scale is a stage in the revised scale, the pay in the revised scale may be fixed at that stage.
- (iii) If the pay drawn in the previous scale is not a stage, then the pay in the revised scale may be fixed at the next lower stage, the difference being treated as personal pay to be absorbed in future increase in pay.

2. The above principles will also be adopted for regulating the pay of an officer holding a post on a provisional basis when appointed to a higher or a lower post provisionally, except in cases of reversions.

3. The pay of an officer holding a post on a provisional basis when appointed provisionally to another post on identical time-scale will be fixed in the new appointment at a stage equal to the pay he was drawing in the previous appointment but the period during which he drew pay at that rate in the previous appointment will not count for increment

[G.O. (P) 558/75/Fin., dated 17th December 1975]

4. Past cases settled otherwise, will not be reopened.

[G.O. (P) 297/66/Fin., dated 5th July 1966.]

GOVERNMENT DECISION No. 6

The pay drawn by an officer in an ex-cadre post can be counted for purpose of initial fixation of pay on promotion in the parent department. But the benefit of re-fixation of

pay contemplated in the rule is not admissible to him as he loses connection with the ex-cadre post on appointment to the parent department.

[G.O. (P) 580/70/Fin., dated 13th August 1970.]

The benefit of pay drawn in an ex-cadre post for purpose of initial fixation will not be admissible, if an officer is reverted to the parent department, to a post carrying a scale of pay lower than that of the ex-cadre post.

[G.O. (P) 223/77/Fin., dated 14th July 1977]

GOVERNMENT DECISION No. 7

The re-fixation of pay contemplated in the last sentence of sub-rule (a) is admissible even in cases where the change of pay in the lower time-scale is due to fixation of pay on account of revision of the scale of pay. If both the lower and higher time-scales are revised, the benefit will be restricted to cases of options exercised in respect of both the posts simultaneously.

GOVERNMENT DECISION No. 8

The principles enunciated in paragraph (1) of the Government Decision No. 5 above will be adopted for regulating the pay of an officer holding a post on a provisional basis when appointed to a higher or a lower post on a regular basis also, except in cases of reversions.

The above decision will take effect from 5th July 1966.

[G.O. (P) 811/71/Fin., dated 21st December 1971]

GOVERNMENT DECISION No. 9

(i) The pay of an officer holding a post on a provisional basis and appointed on regular basis to another post on identical time-scale will be fixed at a stage equal to the pay he was drawing in the provisional appointment. The period during which the officer has drawn pay at that rate on the provisional appointment will not count for increment.

(ii) The pay drawn by an officer in a post held by him or a provisional basis on initial appointment to Government service through the employment exchange or otherwise will not be reckoned for regulating his pay on appointment to another post carrying lower time-scale on a regular basis. Cases of persons appointed to a post on a provisional basis while holding regular posts and subsequently appointed to another post carrying a lower time-scale on a regular basis, except cases of reversions, and cases of provisional hands appointed to higher posts on a regular basis will continue to be regulated by the Government Decision No. 8.

Government decision No. 8 will stand modified to the above extent. This decision will take effect from 5th July 1966. Cases already settled otherwise will not be reopened to the disadvantage of the persons concerned.

[G.O. (P) 137/73/Fin., dated 9th May 1973]

GOVERNMENT DECISION No. 10

The pay of a provisional appointee/promotee when reappointed/repromoted provisionally to the same post shall be fixed at the same stage at which he was drawing pay on the last such occasion and the period during which he drew pay at that stage on such last and any previous occasions will count for increment.

[G.O. (P) 50/77/Fin., dated 4th February 1977]

GOVERNMENT DECISION No. 11

The pay of an officer holding a post on a regular basis and appointed on a provisional basis to another post on identical time-scale will be fixed at a stage equal to the pay he was drawing in the regular appointment. The period during which the officer has drawn pay at that rate on the regular appointment will count for increment in the provisional appointment.

The above decision shall be deemed to have come into force with effect from 3rd May 1963.

[G.O. (P) 218/80/Fin., dated 24th March 1980.]

37-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 Government in this behalf.

GOVERNMENT DECISION

The following provisions shall govern the pay and increments of a Government servant whose promotion or appointment in a substantive or officiating capacity to a post is later found to be erroneous on the basis of facts:—

1. The orders of promotion or appointment of a Government servant should be cancelled as soon as it is brought to the notice of the appointing authority that such a promotion or appointment has resulted from a factual error and the Government servant concerned should, immediately on such cancellation, be brought to the position which he would have held but for the incorrect order of promotion or appointment.

2. Service rendered by the Government servant concerned in the post he was wrongly promoted/appointed as a result of the error should not be reckoned for the purpose of increments or for any other purpose in that grade/post to which he would not normally be entitled but for the erroneous promotion/appointment.

3. Any consequential promotions/appointments of other Government servants made on the basis of the incorrect promotion/appointment of a particular Government servant will also be regarded as erroneous and such cases also will be regulated on the lines indicated in the preceding paragraph.

4. Except when the appointing authority is the Government, the question whether the promotion/appointment of a particular Government servant to a post was erroneous or not should be decided by an authority next

higher than the appointing authority in accordance with the established principles governing promotions/appointments. In cases of doubt Government may be consulted.

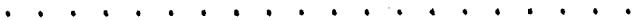
5. Cases of erroneous promotion/appointment should be viewed with serious concern and suitable disciplinary action taken against the officers and staff responsible for such erroneous promotion/appointment under the Kerala Civil Services (Classification, Control and Appeal) Rules, 1960,

6. In the case of a Government servant who has been erroneously promoted/appointed to a post in a substantive capacity, the following procedure may be followed for deconfirming the Government servant in that post and only thereafter, the Government servant concerned should be brought down to the position which he would have held but for the erroneous promotion/appointment.

(a) An order of confirmation which is clearly contrary to the relevant statutory rules may be cancelled by the competent authority straightaway. Here the order of confirmation was ab initio void as it was ultra vires of the relevant rules and cancellation of the order would be justified on the ground that there was no valid subsisting order at all and the act of cancellation is a mere formality. The effect of cancellation would be to put the employee concerned in a position of never having been confirmed.

(b) An order of confirmation which is contrary to executive orders or administrative instructions may be cancelled by the competent authority, if such erroneous order of confirmation has operated to the prejudice of some identifiable person who would otherwise have been confirmed, if the orders had been correctly applied.

Here the order of cancellation would be just and equitable as the confirmation of the employee concerned operates unfairly to the detriment of another employee who would have otherwise been confirmed. Such cancellation will not have the effect of doing any injustice to the



employee whose confirmation is cancelled, since he was, under the executive orders or administrative instructions in force, not entitled to confirmation.

It would, however, be in consonance with the principles of natural justice that a notice to show cause why the orders of confirmation should not be cancelled be given to the affected party in both the types of cases specified above.

7. The orders re-fixing the pay in all the above cases should be issued expressly under rule 37-A, Part I, Kerala Service Rules.

[Memorandum No. 87/63, dated 30th November 1963]

37-B. (a) Probationer in any service shall draw initial pay as follows:—

- (i) while undergoing a course of instruction or training the pay, if any, specified in the 'Special Rules' in that behalf or by special orders of Government, and
 - (ii) after completion of the course of instruction or training and when there is no course of instruction or training, the minimum of the time-scale of the probation post.
- (b)(i) A probationer whose period of probation is two years and whose increment is annual shall be entitled to draw the first increment in the time-scale of the probation post after putting in the service required to earn an increment. The second increment shall be drawn only with effect from the date from which he is declared to have completed his probation. Delay in completing probation will not however, affect his future increments and these will accrue on the normal incremental dates.

(ii) The pay drawn by an officer in a post held by him or a provisional basis on initial appointment to Government service through the employment exchange or otherwise will not be reckoned for regulating his pay on appointment to another post carrying lower time-scale on a regular basis. Cases of persons appointed to a post on a provisional basis while holding regular posts and subsequently appointed to another post carrying a lower time-scale on a regular basis, except cases of reversions, and cases of provisional hands appointed to higher posts on a regular basis will continue to be regulated by the Government Decision No. 8.

Government decision No. 8 will stand modified to the above extent. This decision will take effect from 5th July 1966. Cases already settled otherwise will not be reopened to the disadvantage of the persons concerned.

[G.O. (P) 137/73/Fin., dated 9th May 1973]

GOVERNMENT DECISION No. 10

The pay of a provisional appointee/promotee when reappointed/repromoted provisionally to the same post shall be fixed at the same stage at which he was drawing pay on the last such occasion and the period during which he drew pay at that stage on such last and any previous occasions will count for increment.

[G.O. (P) 50/77/Fin., dated 4th February 1977]

GOVERNMENT DECISION No. 11

The pay of an officer holding a post on a regular basis and appointed on a provisional basis to another post on identical time-scale will be fixed at a stage equal to the pay he was drawing in the regular appointment. The period during which the officer has drawn pay at that rate on the regular appointment will count for increment in the provisional appointment.

The above decision shall be deemed to have come into force with effect from 3rd May 1963.

[G.O. (P) 218/80/Fin., dated 24th March 1980.]

37-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 Government in this behalf.

GOVERNMENT DECISION

The following provisions shall govern the pay and increments of a Government servant whose promotion or appointment in a substantive or officiating capacity to a post is later found to be erroneous on the basis of facts:—

1. The orders of promotion or appointment of a Government servant should be cancelled as soon as it is brought to the notice of the appointing authority that such a promotion or appointment has resulted from a factual error and the Government servant concerned should, immediately on such cancellation, be brought to the position which he would have held but for the incorrect order of promotion or appointment.

2. Service rendered by the Government servant concerned in the post he was wrongly promoted/appointed as a result of the error should not be reckoned for the purpose of increments or for any other purpose in that grade/post to which he would not normally be entitled but for the erroneous promotion/appointment.

3. Any consequential promotions/appointments of other Government servants made on the basis of the incorrect promotion/appointment of a particular Government servant will also be regarded as erroneous and such cases also will be regulated on the lines indicated in the preceding paragraph,

4. Except when the appointing authority is the Government, the question whether the promotion/appointment of a particular Government servant to a post was erroneous or not should be decided by an authority next

higher than the appointing authority in accordance with the established principles governing promotions/appointments. In cases of doubt Government may be consulted.

5. Cases of erroneous promotion/appointment should be viewed with serious concern and suitable disciplinary action taken against the officers and staff responsible for such erroneous promotion/appointment under the Kerala Civil Services (Classification, Control and Appeal) Rules, 1960.

6. In the case of a Government servant who has been erroneously promoted/appointed to a post in a substantive capacity, the following procedure may be followed for deconfirming the Government servant in that post and only thereafter, the Government servant concerned should be brought down to the position which he would have held but for the erroneous promotion/appointment.

(a) An order of confirmation which is clearly contrary to the relevant statutory rules may be cancelled by the competent authority straightaway. Here the order of confirmation was ab initio void as it was ultra vires of the relevant rules and cancellation of the order would be justified on the ground that there was no valid subsisting order at all and the act of cancellation is a mere formality. The effect of cancellation would be to put the employee concerned in a position of never having been confirmed.

(b) An order of confirmation which is contrary to executive orders or administrative instructions may be cancelled by the competent authority, if such erroneous order of confirmation has operated to the prejudice of some identifiable person who would otherwise have been confirmed, if the orders had been correctly applied.

Here the order of cancellation would be just and equitable as the confirmation of the employee concerned operates unfairly to the detriment of another employee who would have otherwise been confirmed. Such cancellation will not have the effect of doing any injustice to the

employee whose confirmation is cancelled, since he was, under the executive orders or administrative instructions in force, not entitled to confirmation.

It would, however, be in consonance with the principles of natural justice that a notice to show cause why the orders of confirmation should not be cancelled be given to the affected party in both the types of cases specified above.

7. The orders re-fixing the pay in all the above cases should be issued expressly under rule 37-A, Part I, Kerala Service Rules.

[Memorandum No, 87/63, dated 30th November 1963]

37-B. (a) Probationer in any service shall draw initial pay as follows:—

- (i) while undergoing a course of instruction or training the pay, if any, specified in the 'Special Rules' in that behalf or by special orders of Government, and
 - (ii) after completion of the course of instruction or training and when there is no course of instruction or training, the minimum of the time-scale of the probation post.
- (b)(i) A probationer whose period of probation is two years and whose increment is annual shall be entitled to draw the first increment in the time-scale of the probation post after putting in the service required to earn an increment. The second increment shall be drawn only with effect from the date from which he is declared to have completed his probation. Delay in completing probation will not however, affect his future increments and these will accrue on the normal incremental dates.

- (ii) In the case of a probationer whose period of probation is one year and whose increment is annual, the first increment in the scale of pay of the probation post shall be drawn only with effect from the date on which he is declared to have completed his probation. Delay in completing probation will not, however, affect his future increments and these will accrue on the normal incremental dates.
- (c) Subject to the provisions of rule 39 and notwithstanding the provisions of sub-rules (a) and (b) of this rule, an officer shall be entitled to draw in the probation post the pay for which he would be eligible from time to time under the provisions of rule 28-A, rule 33 (c) or rule 37, as the case may be.

[G.O. (P) 153/64/Fin., dated 8th April 1964]

38. When an officer officiates in a post, the pay of which has been fixed at a rate personal to another officer the 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.

39. The Government may in individual cases fix by special order the pay of an officiating officer at an amount less than that admissible under these rules.

40. The Government may issue general or special orders allowing acting promotions to be made in place of officers who are treated as on duty under rule 12 (7) (iii).

Note.—Acting arrangements may be allowed by competent authority if the period of training of an officer is one month or more. If it is less than a month, no arrangements can be made except under the special sanction of Government.

GOVERNMENT DECISION

In the case of deputation of a Government servant for training or a course of instruction which is treated as duty under rule 12 (7) (iii), Part I, Kerala Service Rules it is not necessary to create a new post in order to accommodate him during such training or course of instruction, since the very order sanctioning the deputation for training would be a sanction in this behalf.

This Government decision will take effect from 2nd September 1964.

[G. O. (P) 632/64/Fin., dated 2nd September 1964]

41. *Personal Pay.*—Except when otherwise ordered by Government personal pay shall be reduced by any amount 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.

42. *Pay of Temporary Posts.*—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 efficiently the duties of the post.

43. When a temporary post is created which will probably be filled by a person who is already in the service of Government its pay should be fixed with due regard to—

(a) the character and responsibility of the work to be performed and,

(b) the existing pay of officers of a status sufficient to warrant their selection for the post.

Note:—Temporary posts by this criterion should be considered as temporary additions to the cadre of a service should be created in the time-scale of the service ordinarily without extra remuneration. Incumbents of these posts will therefore draw their ordinary time-scale pay. If the posts involve decided increases in work and responsibility in comparison with the duties of the parent cadre generally it may be necessary to sanction a special pay in addition.

CHAPTER V
ADDITIONS TO PAY

44. *Compensatory Allowances.*—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 Government may grant such allowances to any officer under its control and may make rules prescribing their amounts and the conditions under which they may be drawn. (For rules made under the above rule see Appendix IV).

1. Unless otherwise ordered by Government, a compensatory allowance shall ordinarily be drawn only by a Government servant actually on duty, but the authority competent to sanction leave may in writing permit it to be drawn by the officer on earned leave, if the whole or a considerable part of the expense to meet which the allowance was granted continues to be incurred by him during the leave;

Provided the Government servant certifies that he continued for the period for which the allowance is claimed, to incur the whole or a considerable part of the expense for which the allowance was granted:

Provided further that the officer is due to return after leave to the same post or station, as the case may be from which he proceeded on leave or to a similar post or station for which the allowance at the same or a higher rate is admissible:

Provided further when the Government servant on return from leave is posted to a post other than the one from which he went on leave and both the posts carry similar allowances but at different rates, the Government servant shall during leave draw the lesser of the two rates.

I. (A) Subject to the second and third provisions to clause I above, compensatory allowance granted under

class VI (c) in Appendix IV may be drawn during periods of earned leave:

This clause shall be deemed to have come into force with effect from 12th January 1965.

[G.O. (P) 302/66/Fin., dated 7th July 1966]

II. A compensatory allowance granted under class IV, Appendix IV may be drawn during temporary transfer, if—

- (i) the authority sanctioning the transfer certifies that the Government servant is likely, on the expiry of the temporary duty, to return to the station from which he is transferred;
 - (ii) the Government servant draws no allowance of the same kind in the post to which he is transferred;
- and
- (iii) the Government servant certifies that he kept his family, for the period for which the allowance is claimed, at the station from which he proceeded on transfer.

III. A compensatory allowance granted under class VI, Appendix IV may be drawn during temporary transfer, if—

- (i) the authority sanctioning the transfer, certifies that the Government servant is likely on the expiry of the transfer, to return to the post to which the allowance is attached or to another post carrying a similar allowance; and
- (ii) the Government servant certifies that he continued for the period for which the allowance is claimed to incur the whole or a considerable part of the expenditure for which the allowance was granted.

Note:—The certificate under clause (ii) above will be dispensed with when it is inapplicable.

IV. If a Government servant in his old post drew a compensatory allowance granted under class IV, or class VI, Appendix IV (but not in an individual capacity) and the transfer is to another post carrying a similar allowance he may draw the compensatory allowance during joining time under clause (a) or clause (b) (i) of rule 125, Part I provided that if the rates differ in the two posts he may draw the lower rate only.

Note:—The house rent allowance sanctioned from 1st April 1965 is payable also during transit under clause (b) (ii) of rule 125, Part I, subject to the restriction regarding lower rate.

[G.O. (P) 22/65/Fin., dated 12th January 1965]

GOVERNMENT DECISION

House Rent Allowance admissible under the orders issued from time to time will be payable during periods of all leave with allowances if the total period of such leave at a time does not exceed four months or, if the actual duration of the leave exceeds four months, for the first four months of such leave.

This decision shall be deemed to have come into force from 12th January 1965.

[G.O. (P) 463/70/Fin., dated 24th June 1970]

45. The Government may make rules or issue orders laying down the principles governing the allotment to officers, for use by them as residences, of such buildings owned or leased by it, or such portions thereof, as the 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 residence, and may prescribe the circumstances in which such an officer shall be considered to be in occupation of a residence.

46. *Fees*.—The Government may permit an officer, if it be satisfied that this can be done without detriment to his official duties or 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 or for another Government and to receive as remuneration therefor, if the service be material, a non-recurring or recurring fee.

Note:—This rule does not apply to the acceptance of fees from private persons by medical officers in Government employ for professional attendance which is regulated by separate orders of Government.

47. No officer 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 Government.

Note:—Heads of Department, while forwarding their recommendations in such case shall unless the officer is on leave, specifically state where the work can be undertaken by the officer concerned, without detriment to his official duties and responsibilities.

GOVERNMENT DECISION

In respect of examinations conducted by the Education Department, the Public Service Commission, the University etc., it is not necessary to accord individual sanction for acceptance of remuneration in every case of Government servant undertaking such work. Any officer of Government, who is called upon to undertake work in connection with the examination, conducted by the following examining bodies, will be permitted to accept such assignment and the remuneration therefor with effect from 1st November 1959:—

1. The Kerala University and other Universities.
2. The Union Public Service Commission, the Public Service Commission of the States and the Secretarial Training School, Cabinet Secretariat of the Government of India.
3. The London Chamber of Commerce.

4. The Departments of this Government.

5. The Forest Research Institute and Colleges,
Dehra Dun and Coimbatore.

[G.O. (P) 193/60/Fin, dated 12-4-1960, G.O. (MS) 45/61/Fin.,
dated 3-2-1961 and G.O. (P) 386/71/Fin., dated 5-7-1971]

6. The Kerala State Co-operative Union in respect
of Co-operative Subordinate Personnel Training
Examination.

This item shall be deemed to have come into force with effect
from 10-5-1966—G.O. (P) 296/66/Fin., dated 4th July 1966.

48. Unless the Government by special order other-
wise direct, one-third of any non-recurring fee exceeding
Rs. 400 or one-third of any recurring fee exceeding Rs. 250
a year, paid to an Officer, shall be credited to the General
Revenues.

Note 1.—If any fee to which this rule applies exceeds Rs. 400 non-
recurring or Rs. 250 a year recurring one-third of the total
amount payable should be credited to the General
Revenues, provided that the amount retained by the officer
concerned will not, merely owing to the operation of this
rule, be reduced below Rs. 400, if non-recurring or Rs. 250
a year if recurring.

Non-recurring and recurring fees should be dealt with
separately and should not be added for the purpose of
crediting one-third to General Revenues under this rule.
In the case of the former, the limit of Rs. 400 prescribed in
this rule should be applied in each individual case, and
in the case of the latter the limit of Rs. 250 should be
applied with reference to the total recurring fees for the
financial year.

[G.O. (P) 389/65/Fin., dated 11-10-1965]

Note 2.—The above rule does not apply to fees received by officers from a University or other examining body in return for their services as examiners or from the revenues of another Government in return for their services to that Government** and also to the royalties received by officers from the publishers for the sale of the books written by them even with the aid of knowledge acquired during the course of their service.

** This amendment shall be deemed to have come into force with effect from 11th October 1971.

49. Honoraria.—The Government may grant or permit an officer to receive an honorarium as remuneration for work performed which is 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 the prior consent of the Government and its amount has been settled in advance.

GOVERNMENT DECISION No. 1

The following allowances will be classified as honoraria under this rule:

1. Overtime allowance.
2. Allowance given to Warden and Assistant Wardens of hostels.

[G.O. (P) 576/63/Fin. dated 7-11-1963]

GOVERNMENT DECISION No. 2

When State Government Officers required to attend the meetings of the Interview Board of the Kerala Public Service Commission are not eligible for Travelling Allowance under the rules, they shall be paid an honorarium equivalent to the daily allowance admissible under rule 39, Part II, Kerala Service Rules.

This Government decision will be taken effect from 22nd January 1969,

[G.O. (P) 155/70/Fin., dated 7-3-1970]

GOVERNMENT DECISION No. 3

The conditions of prior consent and the settlement of the amount in advance referred to in the last sentence of this rule will not apply to any work ordered to be done at Government level.

GOVERNMENT DECISION No. 4

When members of the Boards for various examinations conducted by the Commissioner for Government Examinations required to attend the meetings of the Boards are not entitled to Travelling Allowance and Daily Allowance under the rules, they shall be paid an honorarium equivalent to the Daily Allowance admissible under rule 39, Part II, Kerala Service Rules.

This decision will be deemed to have come into force with effect from 17th January 1972.

50. 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 rule 14 and shall record also the reasons which in his opinion justify the grant of the extra remuneration.

51. Any officer is eligible to receive without special permission—

(a) the premium awarded for an essay or plan in public competition;

(b) any reward 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 accordance 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 excise laws;

(e) any fees payable to an officer for the duties which he is required to perform in his official capacity under any special law or by order of Government; and

(f) any remuneration paid by the All India Radio for professional performances in its programmes, such as music, drama and the like.

Note.—Sanction of the authorities mentioned below is, however, necessary for accepting remuneration for giving talks over the All India Radio by Government Officers:

| <i>Name of officers giving the talk</i> | <i>Name of authority whose permission is required</i> |
|--|---|
| Chief Secretary and Secretaries | Minister concerned |
| Heads of Departments | Secretaries concerned |
| Officers subordinate to Heads of Departments | Heads of Departments |

52. An officer 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 officer save with the permission of the Government and in accordance with such conditions as the Government may impose.

CHAPTER VI

COMBINATION OF APPOINTMENTS

53. (a) A competent authority may appoint an officer to hold substantively or to officiate in two or more independent posts at one time.

*(b) The competent authority who appoints an officer to hold or officiate in a second post in addition to his own, will declare whether he officiates in or holds full charge of the additional post or is appointed merely to discharge the current duties. It should also specify in each case the amount of additional pay and allowances, if any,

*[G.O. (P) 342/65/Fin., dated 31-8-1965]

to be granted, the amount being subject to the following limits:—

1. If an officer is appointed to officiate in a second post and to hold in addition full charge of his own post, he may be allowed to draw the highest pay to which he would be entitled if his appointment to one of the posts stood alone and in addition pay which should not exceed 20 per cent of the minimum of the scale of pay of the other post. The highest pay referred to above may be specifically reduced by the competent authority at its discretion.

If compensatory allowance is attached to one of the posts, he may be permitted to draw it in full and if compensatory allowances are attached to more than one of the posts, the allowance which may be granted to him should not exceed the larger allowance.

2. If the officer is appointed to hold full charge of one or more posts in addition to his own, the additional pay which may be granted to him in respect of each additional post should not exceed 20 per cent of the minimum of the scale of pay of that post. The drawal of compensatory allowances will be regulated as in the sub-para under clause (1) above.

3. If the officer is appointed to discharge only the current duties of one or more posts in addition to his own, the additional pay which may be granted to him in respect of each additional post should not exceed 10 per cent of the minimum of the scale of pay of that post, in addition to the pay and compensatory allowances, if any admissible in his regular post.

(c) No additional pay should be granted unless the previous incumbent of the additional post held, has actually given over charge thereof under orders of competent authority and unless the period of additional charge exceeds fourteen working days in the case of full additional

charge and one month in the case of discharge of current duties only. The drawal of additional pay should not normally be allowed for a period exceeding three months.

(d) No additional pay shall be granted when an officer is appointed to hold additional charge of one or more posts on the same or identical time-scale of pay or on a lower time-scale of pay, whether borne on the same establishment or elsewhere provided that the duties and responsibilities are not distinct and independent, e. g., a clerk discharging the duties of one or more clerks in the same or different offices, a Superintendent holding additional charge of another Superintendent in the same or separate establishments, an Assistant Secretary put in charge of the duties of another Assistant Secretary, a Block Development Officer or Tahsildar discharging the duties of another Block Development Officer or Tahsildar, a Revenue Divisional Officer, put in charge of the duties of another Revenue Divisional Officer, a Divisional Accountant discharging the duties of another Divisional Accountant, and Assistant Surgeon holding additional charge of the duties of another Assistant Surgeon, will not be eligible for additional pay, as their duties cannot be held to be independent within the meaning of this rule.

The above sub-rule shall be deemed to have come into force with effect from 22nd October 1965.

[G. O. (P) 461/66/Fin., dated 13-10-1966]

(e) Additional remuneration should not be allowed as a matter of course or granted when the extra duties to be performed are only nominal or comparatively light. Additional remuneration should not be allowed during any period of vacation unless the additional duty is actually performed during such period.

RULING

The term 'independent' occurring in the above rule should be interpreted as meaning separate or distinct involving independent duties and responsibilities and the post

subordinate to the one held by the officer should not be taken as independent under the rule.

GOVERNMENT DECISION No. 1

At present charge allowance of the non-gazetted officer for his holding additional charge of a gazetted post is being authorised by the office of the Accountant General based on the sanction of competent authorities, in the same way as pay and allowances of a gazetted officer is concerned. This practice has since been reviewed in the light of the procedure followed in some of the Audit and Account offices of other States. It has been decided that no authorisation from the office of the Accountant General is necessary in case of additional charge arrangements from 1st April 1963 onwards, as holding of additional charge of a gazetted post does not alter the status of a non-gazetted officer to that of a gazetted officer.

According to the changed procedure, the additional charge allowance will be drawn and paid by the Head of Office in the same manner as his regular pay and allowances are drawn. The Drawing Officer should however satisfy himself that there is proper sanction of the competent authority for the additional charge arrangements and that the officer has actually held the additional charge of the post during the period for which the charge allowance is drawn and also that the rate of allowance sanctioned and drawn is as per rules, etc. The charge allowance thus drawn may be continued to be debited to the same head of account to which the pay of the non-gazetted officer is debited.

In the case of a non-gazetted officer holding additional charge of the duties of the Head of an office, who is gazetted officer and also a drawing and disbursing officer, the procedure adopted for the drawal of his normal pay and allowances may be followed for the drawal of charge allowance also.

[G. O. (P) 312/63/Fin., dated 29th May 1963]

GOVERNMENT DECISION No. 2

The following criteria will be followed to distinguish between 'full additional charge' and 'discharge of current duties':—

(i) An officer appointed to hold 'full additional charge' of a post has to perform all the administrative, financial and statutory functions and duties in respect of that post.

(ii) An officer appointed to discharge current duties of a post need attend only to the work of a routine nature in respect of that post.

[G. O. (P) 319/72/Fin., dated 31st July 1972]

CHAPTER VII

DISMISSAL, REMOVAL AND SUSPENSION

54. The pay and allowances of an officer who is dismissed or removed from service cease from the date of such dismissal or removal.

55. An officer under suspension or deemed to have been placed under suspension by an order of the appointing authority is entitled to the following payments:—

[G. O. (P) No. 573/78/Fin., dated 14th July 1978.]

For the first year of suspension, subsistence allowance at an amount equal to * the leave salary which the officer would have drawn had he been on leave on half-pay on the date of suspension; but the benefit of any increase in pay due to increment falling due during the period of suspension will not be admissible during the period, and

* [G. O. (P) 158/Fin., dated 24th May 1977]

This amendment shall be deemed to have come into force with effect from 1st April 1973.

[G. O. (P) 547/78/Fin., dated 26th June 1978.]

For any period subsequent thereto at three-quarters of such amount.

In addition, he may be granted to such extent and subject to such conditions as the authority ordering his suspension may direct—

(i) Dearness allowance and Dearness pay not exceeding the amount admissible as such had he been on leave on leave salary equal to the rate of subsistence allowance payable from time to time.

(ii) Any other compensatory allowance of which he was in receipt on the date of suspension.

Note 1.—If an officer under suspension is dismissed with retrospective effect no recovery is necessary of the subsistence grant already paid to him.

Note 2.—(a) Deductions shall be made from the subsistence allowance on account of the following:—

- (i) Income Tax and Super Tax (provided the employee's annual income calculated with reference to the subsistence allowance is taxable).
- (ii) House rent and allied charges i.e., electricity, water, furniture, etc.
- (iii) Repayment of loans and advances taken from Government at such rates as the Head of the Department deems appropriate.
- (iv) Amounts due to Co-operative Stores and Co-operative Credit Societies.

[G. O. (P) 141/72/Fin., dated 12th May 1972]

- (v) Subscription to the Family Benefit Scheme, if the officer is a subscriber to the scheme.

[G. O. (P) 83/80/Fin., dated 23rd January 1980.]

- (b) Deduction on account of the following shall be optional:—
 - (i) Premia due on Postal Life Assurance Policies and State Life Insurance Policies—Official Branch.
 - (ii) Refund of advances taken from General Provident Fund.

The written consent of the officer should be obtained in the case of these optional deductions.

(e) Deductions of the following nature should not be made from the subsistence allowance:—

- (i) Subscription to a General Provident Fund.
- (ii) Amount due to Court attachments
- (iii) Recovery of loss to Government for which an officer is responsible.
- (d) As regards recovery of overpayments, there is no bar to effect the same from the subsistence allowance, but such recoveries of overpayments 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 him.

Note 3.—No payment under the rules shall be made unless the officer furnishes a certificate that he is not engaged in any other employment, business, profession or vocation. In the case of non-gazetted officers, the certificate signed by the officer should be countersigned by a gazetted officer, in token of acceptance. It should then be attached to the bill in which subsistence allowance for the period covered by the certificate is claimed. In the case of gazetted officers payment of subsistence allowance will be authorised by the Accountant General on the basis of the sanction issued by the competent authority and the Treasury Officer will pay the allowance only if a similar countersigned certificate is attached to the bill claiming it.

Note 3A.—Compensatory allowance under clause (ii) above may be granted provided the officer certifies that for the period for which the allowance is claimed, he continued to incur the whole or a considerable part of the expense to meet which the allowance was granted. The maximum period for which the compensatory allowance may be paid shall be limited to 120 days.

[G. O. (P) 320/68/Fin., dated 26th June 1968.]

Note 4.—In the case of an officer under suspension before 27th July 1962 recovery of House Construction Advance shall be limited to 1/3 of the subsistence allowance or the usual rate of monthly instalment whichever is lower. No penal interest shall be levied on the defaulted portion of the instalment.

55A. Notwithstanding anything contained in rule 55, where an officer is placed under suspension for participation in a strike or for committing any act during the period of such strike he shall not be eligible for any subsistence allowance for the period of such suspension.

This amendment shall be deemed to have come into force with effect on and from 10th January 1973.

[G. O. (P) 33/73/Fin., dated 3rd February 1973].

56 (1) When an officer who has been dismissed, removed or compulsorily retired including an officer who has been compulsorily retired under rule 60A, 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 officer 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, and

(c) In the case of an officer who was compulsorily retired under rule 60A and subsequently reinstated, for the recovery of the relevant benefits, if any, already paid to him.

(2) Where the authority competent to order reinstatement is of opinion that the officer who had been dismissed, removed or compulsorily retired, has been fully exonerated, the officer 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

officer had been delayed for reasons directly attributable to the officer, 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 officer shall subject to the provisions of sub-rule (7), be paid for the period of such delay, only such amount (not being the whole) of such pay and allowances as it may determine.

(3) In a 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 a 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 requirements of clause (2) of Article 311 of the Constitution and no further inquiry is proposed to be held, the officer shall, subject to the provisions of sub-rules (6) and (7) be paid such amount (not being the whole) of the 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 officer 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:

Provided that except in the case of such officers as are governed by the provisions of the Payment of Wages Act, 1936 (Central Act 4 of 1936), any payment under this sub-rule shall be restricted to a period of three years immediately preceding reinstatement or retirement on superannuation, 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 directs that it shall be so treated for any specified purpose:

Provided that if the officer 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 officer.

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) Leave without allowances in excess of three months in the case of a temporary officer; and
- (b) Leave of any kind in excess of five years in the case of a permanent officer.

(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 amount (not being the whole) of such pay and allowances determined under the provision to sub-rule (2) or under sub-rule (4) shall not be less than the subsistence allowance and other allowances admissible under rule 55.

(8) Any payment made under this rule to an officer on his reinstatement 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 reinstatement. 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 officer.

56A (1) Where the dismissal, removal or compulsory retirement of an officer is set aside by a Court of Law and such officer is reinstated without holding any further inquiry the period of absence from duty shall be regularised and the officer shall be paid pay and allowances in accordance with the provisions of sub-rule (2) or sub-rule (3) subject to the directions, if any, of the court.

(2) Where the dismissal, removal or compulsory retirement of an officer 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 pay and allowances to be paid to the officer for 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 determined by the competent authority and the said period shall be regularised, in accordance with the provisions contained in sub-rules (4), (5) and (7) of rule 56.

(3) If the dismissal, removal or compulsory retirement of an officer 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, in 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 an officer on his reinstatement 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 reinstatement. 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 officer.

56-B (1) When an officer who has been suspended is reinstated or would have been so reinstated but for his retirement on superannuation while under suspension, or has retired from service on superannuation before the conclusion of the disciplinary proceedings against him the authority competent to order reinstatement shall consider and make a specific order.

(a) regarding the pay and allowances to be paid to the officer for the period of suspension ending with reinstatement 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 55, where an officer 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 reinstatement is of the opinion that the suspension was wholly unjustified, the officer shall, subject to the provisions of sub-rule (8) be paid the full pay and allowances to 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 officer had been delayed owing to reasons directly attributable to the officer, 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 officer shall be paid for the period of such delay only such amount (not being the whole) of such pay and allowances as it may determine.

(4) In a case 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-rules (2) and (3), the officer shall subject to the provisions of sub-rules (8) and (9) be paid such amount (not being the whole) of the 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 officer of the quantum proposed and after considering the representation, if any, submitted by him in the connection within such period 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 (i) before the conclusion of the proceedings against the officer shall be reviewed on its own motion after the conclusion of the proceedings by the authority mentioned in sub-rule (i) who shall make an order according to the provisions of sub-rule (3) or sub-rule (5), as the case may be.

(7) In a case falling under sub-rule (5), the period of suspension shall not be treated as a period spent on duty unless the competent authority specifically directs that it shall be so treated for any specified purpose:

Provided that if the officer so desires, such authority may order that the period of suspension shall be converted into leave of any kind due and admissible to the officer.

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) leave without allowances in excess of three months in the case of a temporary officer, and
- (b) leave of any kind in excess of five years in the case of a permanent officer.

(8) The payment of allowances under sub-rule (2), sub-rule (3) or sub-rule (5) shall be subject to all other conditions under which such allowances are admissible.

(9) The amount (not being the whole) of such 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 55.

[G.O. (P) No. 573/78/Fin., dated 14th July 1978].

Note 1.—The amount of subsistence allowance already drawn should be adjusted against the pay and allowances or proportion of them granted under rules 56, 56A or 56B or leave salary which may be granted to the officer.

[G.O. (P) 573/78/Fin., dated 14th July 1978].

Note 2.—The orders of revocation of suspension or of reinstatement after dismissal, removal or compulsory retirement from service take effect from the date of the order and the intervening period, i.e., the period from the date of order to the date of joining duty shall be regularised by granting joining time and/or leave due and admissible to the officer concerned. However, cases where there is an abnormal time-lag between the date of such order and the date on which the officer concerned reports for duty shall be decided by Government, on merits.

[G.O. (P) No. 573/78/Fin., dated 14th July 1978].

Note 3.—When the period of suspension is ordered to be treated as leave and subsistence allowance and compensatory allowances already paid/admissible, if in excess of the leave salary and allowances admissible in conversion, need not be recovered/reduced.

[G.O. (P) No. 573/78/Fin., dated, 14th July 1978].

Note 3A.—If the officer is a subscriber to the Family Benefit Scheme who has received the payment due under the scheme and desires to avail himself of the benefit of the scheme, he shall refund the entire amount received. In addition, he shall also make the contribution for the period of service from the date of dismissal, removal or compulsory retirement to the date of reinstatement, in case the period is ordered to be counted as duty for all purposes including pay and allowances. In cases however where the period is ordered to be treated as eligible leave, the subscriber need make his contribution only for period of eligible leave for which he is entitled to get full or half pay.

[G.O. (P) 83/80/Fin., dated 23rd January 1900].

Note 4.—A permanent post vacated by the dismissal, removal, compulsory retirement or 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 the period of one year from the date of such dismissal, removal, compulsory retirement or reduction, as the case may be. Where, on the expiry of the period of one year, the permanent post is filled and the original incumbent of the post is reinstated thereafter, he should be accommodated against any post which may be substantively vacant in the grade to which his previous substantive post, belonged. If there is no such vacant post, he should be accommodated against a supernumerary post which should be created in this grade with proper sanction and with the stipulation that it would be terminated on the occurrence of the first substantive vacancy in that grade.

Note 5.—If an officer under suspension is dismissed *or removed with retrospective effect from the date of suspension, no recovery should be made of the subsistence allowance already paid to him, and arrears of subsistence allowance, if any, due to him up to the date of the order dismissing *or removing him should be paid to him. The arrears of subsistence allowance due to the officer should not be adjusted against any amounts due from him to Government.

* [G.O. (P) 46/80/Fin., dated 15th January 1980].

Note 6.—If an officer under suspension is compulsorily retired with retrospective effect from the date of suspension, the pension due to the officer from the date of such retirement to the

date of the order compulsorily retiring him shall be withheld if the rate of pension is lower than or equal to the rate of subsistence allowance granted to him. In case the pension happens to be higher than the subsistence allowance granted the difference shall be paid to the officer.

(Note 6 shall be deemed to have come into force with effect from 22nd August 1960.)

GOVERNMENT DECISION

The term 'Pension' used in Note 6 does not include Death-cum-retirement Gratuity.

This Government decision shall take effect from 22-8-1960.

[G.O. (P) 73/66/Fin., dated 1-3-1966].

RULING No. 1

Notwithstanding the provision contained in clause (4), an officer who is reinstated under clause (1) and who would have been eligible for promotion to a higher post during the period of suspension but for the suspension will be entitled to the pay and allowances of the higher post only from the date on which he assumes charge of that post.

[G.O. (P) 593/63/Fin., dated 21st November 1963].

RULING No. 2

It is not necessary to create an additional post to draw the pay and allowances of an officer who has been placed under suspension and is reinstated in service, treating the period of absence as duty.

[G.O. (P) 273/73/Fin., dated 11-7-1973].

57. An officer who is detained in custody, whether on a criminal charge, or otherwise, for a period exceeding forty-eight hours, or is undergoing imprisonment, shall be deemed to be under suspension with effect from the date of commencement of the detention or imprisonment, as the case may be, and shall not be allowed to draw any pay and allowances during such period of suspension other than any subsistence allowance and other allowances that may be

granted in accordance with rule 55, until he is reinstated in service. An adjustment of his pay and allowances for such periods should thereafter be made according to the circumstances of the case, the full amount being given only in the event of the officer being acquitted of blame or (if the proceedings taken against him were for his arrest for debt) of its being provided that the officer's liability arose from circumstances beyond his control.

[G.O. (P) No. 266/67/Fin., dated 6th July 1967].

58. An officer against whom a criminal charge or a proceeding for arrest for debt is pending in a court of law 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., whilst released on bail) if the charge made or proceeding taken against him is connected with his position as an officer or is likely to embarrass him in the discharge of his duties as such or involves moral turpitude unless there are exceptional reasons for not adopting this course. In regard to his pay and allowances the provisions of the rule above shall apply.

[G.O. (P) 266/67/Fin., dated 6th July 1967].

59. Leave may not be granted to an officer under suspension.

CHAPTER VIII

COMPULSORY RETIREMENT

60. (a) Except as otherwise provided in these rules the date of compulsory retirement of an officer shall take effect from the afternoon of the last day of the month in which he attains the age of 55 years. He may be retained after this date only with the sanction of Government on public grounds which must be recorded in writing, but he must not be retained after the age of 60 years except in very special circumstances.

[G.O. (P) 344/75/Fin., dated 31-7-1975].

(b) Officers in the Last Grade Service on 7th April 1970 will retire on the afternoon of the last day of the month in which they attain the age of 60 years provided that this benefit will be available to them only as long as they continue to be in the Last Grade Service as defined in rule 12 (13-A).

[G.O. (P) 344/75/Fin., dated 31-7-1975]

(c) The teaching staff of all educational institutions (including Principals of Colleges) who complete the age of 55 years during the course of an academic year shall continue in service till the last day of the month in which the academic year ends. They shall be entitled to the benefit of increment if it falls due before the actual date on which they attain the age of 55 years. But they shall not be eligible for promotion to another post during the period of such extension. If they are on leave on the day they attain the age of 55 years and if there is no prospect of their returning to duty before the closing day of the academic year for vacation they shall be retired with effect from the last day of the month in which they attain the age of 55 years. But in cases where officers coming under this rule are under suspension on the date of superannuation or thereafter but before the closing day of the academic year, they shall be retired from service on the date of superannuation or on the date of suspension whichever is later.

If, however, the day on which the teaching staff (including Principals of Colleges) attain the age of 55 years falls within the period of one month beginning with the day of reopening of the institutions they shall cease to be on duty with effect from the date of such reopening and they shall be granted additional leave from the date of reopening to the last day of the month in which they attain the age of 55 years. They shall be entitled to the benefit of increment if it falls due before the actual date on which they attain the age of 55 years.

[G.O. (P) 1005/79/Fin., dated 15th November 1979]

This takes effect from the 22nd day of May 1970.

If they are eligible to continue in service till the close of the academic year under the 1st paragraph of this sub-rule they shall be granted additional leave from the date of closing for vacation till the last day of the month when the date of closing is earlier than the last day of the month.

The additional leave granted under this sub-rule will not be counted against the eligible leave and will count for pension. During the period of leave they will draw leave allowance at the same rate as the pay and allowances they would have drawn if they were on duty.

[G.O. (P) 344/75/Fin., dated 31-7-1975]

Explanation.—For the purpose of this sub-rule, 'teaching staff' includes—

(1) Assistant Educational Officers, including Deputy Inspectors of Malabar area.

(2) District Educational Officers and officers belonging to the cadre, but working in other assignment.

(3) The following officers of the State Institute of Education, namely:—

- (a) Junior Evaluation Officer,
- (b) Special Assistant in English,
- (c) Technical Assistant,
- (d) Text Books Research Officer,
- (e) Education Techniques Officer,
- (f) Junior Science Consultant,
- (g) Instructors in Science, and
- (h) Staff drafted from the teaching staff of Education Department, provided the continuance of this staff in service till the closing day of schools is absolutely essential in the interest of work and that they are entitled to this benefit in their parent Department

† (4) Director of Collegiate Education.

(5) Special Officer for Direct Payment in the Department of Collegiate Education.

This amendment shall be deemed to have come into force with effect from 11th December 1972.

[G.O. (P) 248/73/Fin., dated 22nd June 1973]

Items (1) and (2) above shall be deemed to have come into force with effect from 9th August 1968 and item No. (3) shall be deemed to have come into force with effect from 8th May 1969.

[G.O. (P) 344/70/Fin., dated 22nd May 1970]

Note 1.—All officers other than those in the Last Grade Service, who are past the age of 55 years on the 4th day of May, 1967 or who attain the age of 55 years in a period of three months from that date will retire only on the date of expiry of three months from the said date.

Note 2.—The teaching staff referred to in the above rule who are past the age of 55 years on the 4th day of May, 1967 or who attain the age of 55 years within a period of three months from that date will continue in service till the closing day of the academic year 1967-68 (Notes 1 and 2 shall be deemed to have come into force with effect from the 4th day of May 1967).

Note 3.—Even in cases where it is found absolutely necessary to retain the services of an officer who has attained the age of 55 years as far as possible only re-employment after retirement should be resorted to, which shall not ordinarily be sanctioned for more than one year at a time.

Note 4.—In the case of an officer whose year of birth is known but not the exact month and date the first July shall be taken as the date of birth; where the year and month are known but not the exact date, the 16th day of the month shall be taken as the date of birth.

Note 5.—Except when extension of service is specifically sanctioned the retirement of an officer is automatic and no separate sanction is required.

† Takes effect from 9th June 1971—Vide G.O. (P) 622/71/Fin., dated 12th October 1971.

Note 6.—For the purpose of this rule as well as the rules in Appendix X, in the case of an officer who entered service prior to first January 1950 and whose date of birth has been noted in Malabar Era in the Service Records, the age may be calculated in the Malabar Era.

Note 7.—Completion of 55 years of age in service is in the afternoon and not in the forenoon. A person whose date of birth is first of July completes his 55th year on 30th June, and that date (30th June) is the last day of the month in which he completes the 55th year. On first of July he is on his 56th year and that day is a non-working day for him. He shall cease to be in service on and from 1st July.

Note 8.—A teacher whose date of birth is first July and who attains the age of 55 years shall not continue in service till the end of the academic year. However, such of those who continue in service during the academic year 1974-75 under the practice hitherto in vogue shall be allowed to continue in service till the end of March 1975.

Note 9.—The benefit contemplated in sub-rule (b) above will not be available to those reverted to the Last Grade Service, otherwise than for want of vacancy. (This will take effect from the date of orders.)

The above amendments (Except Notes 1 to 6 and 9 above) shall be deemed to have come into force with effect from 3-4-1974.

[G.O. (P) 344/75/Fin., dated 31-7-1975.]

Note 10.—In this rule the words “Last day of the month” used mean the last day of the month in Christian Era. In cases where the date of superannuation is calculated in the Malabar Era in accordance with Note 6, the corresponding date in the Christian Era shall be reckoned for arriving at the last day of the month.

This amendment shall be deemed to have come into force with effect on and from 5th April 1974.

[G.O. (P) 11/76/Fin., dated 13-1-1976.]

RULING No. 1

The term “educational institution,” mentioned in the above rule will include besides the institutions coming under the Education Department, Institutions such as Medical Colleges, Agricultural Colleges, Veterinary Colleges, Engineering Colleges, Law Colleges, Training Colleges,

Polytechnics, Industrial Schools, Fisheries Schools and such other Educational Institutions which have regular authorised vacations.

RULING No. 2

The teaching staff of educational institutions who are allowed to continue in service beyond the date of superannuation till the end of the academic year will not be eligible for any leave other than casual leave during the period of their service beyond the date of superannuation and if they apply for any leave other than casual leave during the period they shall be retired from service from the date of such application for leave.

[G.O. (P) 296/72/Fin., dated 18-7-1972.]

60-A. (1) Notwithstanding anything contained in rule 60, or in any other provision of these rules, or in any other law, or in any contract or other document the Government may, in the public interest, order that an officer may be compulsarily retired at any time after he has attained the age of 48 years.

(2) For the purpose of calculating the pension of an officer compulsarily retired under sub-clause (1) his qualifying service shall be reckoned as if he had retired at the normal age of superannuation specified in rule 60.

Explanation (1).—For the removal of doubts it is hereby declared that the average emoluments for the purpose of calculating the pension of an officer compulsarily retired under sub-rule (1) shall be the average emoluments for 12 months immediately preceding the date with effect from which he is so retired.

Explanation (2).—The term pension in this rule shall not include Death-cum-Retirement Gratuity.

Explanation (3).—The Death-cum-Retirement Gratuity of an officer compulsarily retired under sub-rule (1) shall be calculated in accordance with the provisions of rule 68, Part III, Kerala Service Rules.

[G.O. (P) 343/75/Fin., dated 3-7-1975.]

(3) The Government may, on application of any officer compulsarily retired under sub-rule (1) review their order under that sub-rule and pass such order as they think:

Provided that no such application shall be entertained unless it is made within thirty days from the date on which the order was received by the applicant.

[G.O. (P) No. 11/77/Fin., dated 11-1-1977.]

CHAPTER IX

LEAVE

Section 1—Extent of Application

61. Unless in any case it be otherwise distinctly provided, the rules in this Chapter apply to all officers to whom these service rules as a whole apply.

62. (1) Unless in any case it be otherwise distinctly provided by or under these rules, an officer 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:

Provided that in the case of an officer who holds a substantive, officiating or temporary post on the day previous to the one on which these rules come into force, the maximum limit of accumulation of earned leave specified in rule 78 shall not apply during the period of the first five years from the date of his appointment to the service or from that of the commencement of these rules whichever is later and such an officer may be allowed during the said period of five years to avail himself of the accumulated leave to his credit:

Provided further that on the expiry of the said period of five years the leave at the credit of the officer in excess of the normal maximum limit of accumulation of leave laid down in rule 78 shall lapse:

Provided also that he shall not earn leave during that period unless the accumulated leave at his credit falls below 180 days.

(2) Subject to the provisions contained in rule 77(vi) the half pay leave to be carried forward will be the balance of furlough leave or leave on half average pay for which an officer is eligible on the date on which these rules come into force diminished by the leave on medical certificate taken before such date, under the old rules governing him.

63. (a) If an officer, 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 Government and to such extent as the Government may decide, count his former service towards leave.

(b) An officer who is dismissed or removed from the public service, but is reinstated on appeal or revision, is entitled to count his former service for leave.

Note 1.—The re-employment of a person who has retired on a superannuation or retiring pension is generally an exceptional and temporary expedient. In such cases, the service of the re-employed pensioner should be regarded as temporary and his leave during the period of re-employment regulated by the rules in Appendix VIII.

Note 2.—Resignation of public service even though it is followed immediately by re-employment entails forfeiture of past service and constitutes an interruption of duty. But resignation to take up another appointment does not constitute an interruption.

Section 2—General Conditions

64. The Government may issue orders specifying the authority by whom leave, other than study leave and leave without allowances exceeding a period of four months at a time, may be granted.

[Takes effect from 6th March 1968—G.O. (P) 481/70/Fin., dated 6th July 1970]

The power to sanction leave without allowances exceeding a period of four months at a time will rest with Government.

This amendment shall be deemed to have come into force with effect from 14-11-1966.

[G.O. (P) 313/76/Fin., dated 5-10-1976]

65. Leave cannot be claimed as a matter 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.

Note.—The nature of the leave due and applied for by an officer cannot be altered at the option of the sanctioning authority and 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.

66. 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 the day immediately preceding the day on which an officer's leave begins or immediately following the day on which his leave expires is a holiday or one of a series of holidays, the officer 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 or 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 correspondingly early transfer from another station of an officer to perform his duties; and

(c) the delay in his return does not involve a corresponding delay in the transfer to another station of the officer who was performing his duties during his absence or in the discharge from Government service of a person temporarily appointed to it.

RULING

A restricted holiday enjoyed with the permission of the competent authority shall be treated as holiday for the purpose of this rule.

[G.O. (P) 458/66/Fin., dated 13th October 1966.]

67. On condition that the departing officer remains responsible for the moneys in his charge, a competent authority may declare that proviso (a) under rule 6 is not applicable to any particular case.

68. Unless the competent authority in any case otherwise directs—

(a) if holidays are prefixed to leave, the leave and any consequent re-arrangement of pay and allowances takes effect from the first day after holidays; and

(b) if holidays are affixed to leave, the leave is treated as having terminated on, and any consequent re-arrangement of pay and allowances takes effect from, the day on which the leave would have ended, if holidays had not been affixed.

Note.—The following procedure is prescribed when vacation or gazetted holidays are permitted to be prefixed or affixed to leave:—

- (i) When they are prefixed to leave, the officer proceeding on leave will report before leaving the station, or if for urgent reasons the leave is granted during vacation or gazetted holidays, as soon as it is granted that he will cease to discharge the duties of his post with effect from the end of vacation or holidays. The relieving officer will then assume the duties of the post at the end of the vacation or holidays in the ordinary course.
- (ii) When a vacation or holidays are affixed to leave, the officiating officer will be relieved in the ordinary way before the vacation, or holidays, and the officer on leave will return at the end of the vacation or holidays, but will be regarded as having assumed the duties of the post with effect from the commencement of the vacation or holidays.

- (iii) Except in cases covered by (i) and (ii) above, transfer of charge certificates should be signed by both the relieved and relieving officers on the day on which charge is transferred.

RULING

A restricted holiday enjoyed with the permission of the competent authority shall be treated as holiday for the purpose of this rule.

[G.O. (P) 458/66/Fin., dated 13th October 1966]

69. An officer on leave may not take any service or accept any employment without obtaining the previous sanction of the authority empowered to fill up the post held by him.

Note.—This rule does not apply to casual literary work, or to service as an examiner or similar employment; nor does it apply to acceptance of foreign service, which is governed by the rules under Chapter XI.

70. All orders recalling an officer to duty before the expiry of his leave should state whether the return to duty is optional or compulsory. If the return is optional, the officer is entitled to no concession. But if it is compulsory he is entitled 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 for the journey, but to draw until he joins his post, leave salary only.

71. No officer who has been granted leave on medical certificate may return to duty without first producing a medical certificate of fitness in the following form from a Medical Officer not below the rank of an Assistant Surgeon or the Director of Indigenous Medicines.

Signature of applicant.

We, the members of a Medical Committee
I, Civil Surgeon/Assistant Surgeon of
Registered Medical Practitioner of
Director of Indigenous Medicines

do hereby certify that I/we 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. I/we also certify that before arriving at this decision I/we 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 these into consideration in arriving at my/our decision.

Place.....

Date.....'

The original medical certificate(s) and statement(s) of the case on which the leave was originally granted or extended shall be produced before the authority asked to issue the above certificate(s).

Note.— If the officer on leave is not a Gazetted Officer the authority under which the officer will be employed on return from leave may, in its discretion accept a certificate signed by any registered medical practitioner. For this purpose original certificate(s) of the case should be prepared in duplicate, one copy being retained by the officer concerned.

72. (1) An officer 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) an officer 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.

Note 1.—No formal cancellation of the unexpired portion of leave is necessary when an officer returns to duty before the expiry of his leave. The cancellation will be effected by the Audit Officer in the case of Gazetted Officers and by the Head of Office in the case of non-gazetted officers.

Note 2.—(a) When an officer 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 Government 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 rejoining duty will be cancelled. The leave so cancelled will be treated as leave refused and subject to the provisions of rule 75 it may be granted from the date of compulsory retirement of the officer. Such recall will be treated as optional for the purpose of rule 70.

(b) When an Officer is employed in any post under Government, while he is on leave under rule 75, he may continue to enjoy his leave concurrently, with such employment, but his leave salary, which may be drawn in addition to pay of the post in which he is employed, will be restricted to the amount of leave salary admissible for leave on half pay, reduced by the amount of pension and/or pension equivalent of gratuity or other retirement benefits. No leave will be earned in respect of such period of employment during leave. During such employment, he may also be granted dearness allowance and compensatory allowance, 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.

[G. O. (P) 152/75/Fin., dated 22-4-1975]

RULING

— When the officer proceeds on leave from the post in which he is re-employed and avails of the refused leave during the period of re-employment or after, the leave salary would be same as would have been admissible in the normal course, but for re-employment reduced by the

amount of pension and/or pension equivalent of gratuity and other retirement benefits.

[G.O. (P) 218/68/Fin., dated 15th May 1968]

GOVERNMENT DECISION

Initial pay on re-employment should be fixed at the minimum stage of the time-scale of pay prescribed for the post in which an individual is employed.

In cases where it is felt that the fixation of initial pay of the re-employed officer at the minimum of the time-scale will cause undue hardship, the pay may be fixed at a higher stage by allowing one increment for each year of service which the officer has rendered before retirement in a post not lower than that in which he is re-employed subject however to the proviso to rule 119, Part III of these rules.

[G.O. (P) 426/64/Fin., dated 20th June 1964 and 218/68/Fin., dated 15th May 1968]

This decision will take effect from 20th June 1964.

[G.O.(P) 426/64/Fin., dated 20th June 1964]

Note 2.—(c) The leave salary of an officer who is permitted during leave preparatory to retirement before attaining the age of superannuation, or during leave under rule 75 to take up employment under any other Government or under a private employer or employment payable from a local fund, will also be restricted during such employment as in (b) above.

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

RULING No. 1

The eligibility for leave is determined with reference to the eligibility on the date on which an officer proceeds on leave.

[G.O.(P) 309/76/Fin., dated 29-9-1976]

74. Vacation may be taken in combination with or in continuation of any kind of leave, provided the total duration of vacation and earned leave taken together, whether the earned leave is taken in combination with or in continuation of other leave or not, shall not exceed the amount of earned leave due and admissible to the officer at a time under rules 78 and 79. The combination of earned leave and commuted leave will be limited to 240 days. There will be no limit on the half-pay leave that can be availed of at a time on medical certificate or private affairs. This will apply even when such leave is taken preparatory to retirement.

GOVERNMENT DECISION No. 1

It is permissible to allow a vacation to intervene between two periods of leave. Similarly vacation may be prefixed or suffixed to leave or both prefixed and suffixed. The only restriction is that the total duration of vacations and earned leave together should not exceed the amount of earned leave due and admissible to the officer under rules 78 and 79, Part I, Kerala Service Rules and that the duration of the total period of vacation, earned leave and commuted leave taken together shall not exceed 240 days.

[Circular No. 90/63/Fin., dated 16th December 1963]

GOVERNMENT DECISION No. 2

Special casual leave may be combined with vacation, but in such cases combination of special casual leave with ordinary casual leave will not be permitted.

[G. O. (P) 216/76/Fin., dated 24-7-1976]

75. 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

amount of pension and/or pension equivalent of gratuity and other retirement benefits.

[G.O. (P) 218/68/Fin., dated 15th May 1968]

GOVERNMENT DECISION

Initial pay on re-employment should be fixed at the minimum stage of the time-scale of pay prescribed for the post in which an individual is employed.

In cases where it is felt that the fixation of initial pay of the re-employed officer at the minimum of the time-scale will cause undue hardship, the pay may be fixed at a higher stage by allowing one increment for each year of service which the officer has rendered before retirement in a post not lower than that in which he is re-employed subject however to the proviso to rule 119, Part III of these rules.

[G O. (P) 426/64/Fin., dated 20th June 1964 and 218/68/Fin., dated 15th May 1968]

This decision will take effect from 20th June 1964,

[G.O.(P) 426/64/Fin., dated 20th June 1964]

Note 2.—(c) The leave salary of an officer who is permitted during leave preparatory to retirement before attaining the age of superannuation, or during leave under rule 75 to take up employment under any other Government or under a private employer or employment payable from a local fund, will also be restricted during such employment as in (b) above.

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

RULING No. 1

The eligibility for leave is determined with reference to the eligibility on the date on which an officer proceeds on leave.

[G.O.(P) 309/76/Fin., dated 29-9-1976]

74. Vacation may be taken in combination with or in continuation of any kind of leave, provided the total duration of vacation and earned leave taken together, whether the earned leave is taken in combination with or in continuation of other leave or not, shall not exceed the amount of earned leave due and admissible to the officer at a time under rules 78 and 79. The combination of earned leave and commuted leave will be limited to 240 days. There will be no limit on the half-pay leave that can be availed of at a time on medical certificate or private affairs. This will apply even when such leave is taken preparatory to retirement.

GOVERNMENT DECISION No. 1

It is permissible to allow a vacation to intervene between two periods of leave. Similarly vacation may be prefixed or suffixed to leave or both prefixed and suffixed. The only restriction is that the total duration of vacations and earned leave together should not exceed the amount of earned leave due and admissible to the officer under rules 78 and 79, Part I, Kerala Service Rules and that the duration of the total period of vacation, earned leave and commuted leave taken together shall not exceed 240 days.

[Circular No. 90/63/Fin., dated 16th December 1963]

GOVERNMENT DECISION No. 2

Special casual leave may be combined with vacation, but in such cases combination of special casual leave with ordinary casual leave will not be permitted.

[G. O. (P) 216/76/Fin., dated 24-7-1976]

75. 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 so long as the leave so granted including the leave, if any, granted between the date on 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 in 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 to commence and the date of compulsory retirement:

Provided also that in respect of Judicial Officers, the High Court is the authority to deny such leave in the exigencies of service as also to allow it subsequently under these rules:

Provided further that every officer—

- (a) Who, after having been under suspension is reinstated within 180 days 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 180 days reduced by the period between the date of reinstatement 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 180 days, after the termination of proceedings;

as if it 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:

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, the 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 period of extension as had been applied for in sufficient time during the period of extension and had been refused to him on account of the exigencies of the public service. In determining the amount of earned leave due in respect of the period of extension with reference to rule 78 the earned leave, if any, admissible on the date of compulsory retirement shall be taken into account.

Explanation.—For the purpose of this rule an officer will be deemed to have been denied leave only if within sufficient time before the date on which he must compulsorily retire or the date on which his duties finally cease he has formally applied for the leave and the leave has been refused in writing by Government in the exigencies of public service.

[G. O. (P) 265/72/Fin., dated 5th July 1972]

Note 1.—Any earned leave taken after date of refusal and before the date of compulsory retirement should be held to be a grant of leave against the amount of leave originally refused and the amount of leave refused minus the amount of post-refusal leave enjoyed is the leave admissible after the date of compulsory retirement.

Note 2.—The debit balance, if any, on the date of compulsory retirement should be considered as wiped off.

Note 3.—Earned leave taken during the period of extension should first be debited against the leave earned under the second proviso until it is exhausted and then only against the credit of leave which could have been granted to him under the first proviso,

Note 4.—In the case of teaching staff governed by rule 60 (c) the date of retirement will be the crucial date and note the date of superannuation.

Note 5.—The permission given by this rule for an officer being granted the earned leave due and admissible to him beyond the age at which he must compulsorily retire shall not be treated as carrying with it automatic extension of service and the officer shall cease to retain a lien on his permanent post or any other post during the period of such leave.

This Note shall be deemed to have come into force with effect from 21st July 1962.

Note 5A.—When an officer is granted/refused leave extending beyond the date of compulsory retirement or the expiry of an extension of service, he shall be deemed, for purpose of pensionary benefits, to have retired from service on the date of his compulsory retirement or on the expiry of the extension of service, as the case may be and shall become eligible for all pensionary benefits from such date. The leave salary admissible in such cases during the period of refused leave will be the same as admissible in the normal course but reduced by the amount of pension and pension equivalent of other retirement benefits.

[G.O. (P) 217/68/Fin., dated 15th May 1968]

Note 6.—An officer can be granted after the age of superannuations only the leave preparatory to retirement that was refused. Any leave, other than leave preparatory to retirement, refused, cannot be granted after the age of superannuation.

Note 7.—Compulsory recall from leave preparatory to retirement should be deemed to be a constructive refusal of the balance of leave unenjoyed and compulsory retention in service will amount to constructive refusal of leave for the purpose of the above rule.

76. Any leave granted under these rules may be retrospectively commuted into any other kind of leave admissible to the officer at the time the original leave was granted:

*Provided that earned leave shall not be commuted into leave of a different kind.

*Takes effect from 22nd November 1971.

Section III—Grant of leave

77. In these rules:—

(i) 'Ordinary leave' includes earned leave, half-pay leave, commuted leave, leave not due and leave without allowances.

(ii) 'Special leave' includes disability leave, study leave, maternity leave and hospital leave.

(iii) 'Earned leave' means leave earned in respect of periods spent on duty.

(iv) 'Half-pay leave' means leave earned in respect of completed years of service.

(v) 'Earned leave due' means the amount of privilege leave/earned leave to the credit of an officer under the rules previously in force on the day immediately preceding the date on which these rules came into force plus the earned leave calculated as prescribed in these rules diminished by the amount of earned leave taken after the date on which these rules came into force.

(vi) 'Half-pay leave due' means the amount of half-pay leave calculated as prescribed in rule 83 for the entire service diminished by the amount of leave on private affairs and leave on medical certificate taken before these rules came into force and half-pay leave taken on or after the date:

Provided that in the case of officers who are given credit for the half-pay leave admissible to them as on the date of coming into force of these rules in accordance with the provision contained in rule 62 (2), the half-pay leave according to these rules will be calculated only on the service rendered from the date on which these rules come into force:

Provided also that where such leave on private affairs and leave on medical certificate already availed of is in excess of the period of half-pay leave due, reckoned under this rule as on the date on which these rules come into force, such excess shall be wiped off.

(vii) 'Commutated leave' means leave taken under rule 84.

(viii) '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.

(ix) 'Completed years of service' and 'one year's continuous service' mean continuous service of the specified duration under the Government of Kerala and include periods spent on duty as well as on leave including leave without allowances.

RULING

The period of leave without allowances availed of under G.O. (P) 274/70/Fin., dated 29th April 1970 for taking up employment will be excluded in reckoning completed years of service for purposes of calculating half-pay leave to be earned under rule 83.

[G.O. (P) 552/75/Fin., dated 11th December 1975]

GOVERNMENT DECISION No. 1

Under Article 195, Travancore Service Regulations and Article 130 (4) of the old Leave Rules in the Cochin Service Regulations, privilege leave on half salary can be

granted in case of urgent necessity to an officer serving in a vacation department who enjoys the benefit of vacation. As the privilege leave is not earned but only granted in cases of urgent necessity, neither credit towards leave on this account need be made in the leave account of the officer as on 1st November 1959 under Kerala Service Rules nor such leave already availed of prior to 1st November 1959 reduced from the half-pay leave admissible under rule 77 (vi), Kerala Service Rules.

Furlough on average salary taken prior to 1st November 1959 is to be reduced from the half-pay leave by twice the amount of such leave for purposes of rule 77 (vi) Kerala Service Rules.

[Fin., CR. 17422/60, dated 30th March 1960]

GOVERNMENT DECISION No. 2

According to G.O. Ms. 101, dated 22nd January 1958 of the Madras Government the benefit of rule 27 of the Madras Leave Rules, 1933 to certain approved probationers stand extended upto 31st December 1962. In the case of those officers allotted from Madras governed by Madras Leave Rules and who were eligible for the above concession and who have opted to be governed by the Kerala Service Rules from 1st November 1959 the accrued leave reckoned on the basis of the concession but not availed of by them on 1st November 1959 will be treated as leave standing to their credit for purposes of rule 77 (v), Kerala Service Rules.

[G.O. Ms. 477/60, dated 11th October 1960]

78. The earned leave admissible to an officer in permanent employ is one-eleventh of the period spent on duty, provided that he will cease to earn such leave when the earned leave due amounts to 180 days.

79. Subject to the provisions of rules 65 and 75 the maximum earned leave that may be granted at a time to an officer shall be 120 days.

Exception.—In the case of an officer applying for leave preparatory to retirement, the maximum earned leave that may be granted at a time shall be 180 days.

80. Earned leave is not admissible to an officer in permanent employ serving in a vacation department in respect of duty performed in any year in which he avails himself of the full vacation.

RULING

Officers undergoing training in institutions which have regular vacations and who enjoy vacations of those institutions, will be treated as officers serving in a vacation department for the purpose of rule 80, Part I, Kerala Service Rules.

81. The earned leave admissible to an officer in permanent employ serving in a vacation department, in respect of any year in which he is prevented from availing himself of the full vacation, is such proportion of 30 days as the number of days of vacation not taken bears to the full vacation.

If in any year the officer does not avail himself of the vacation, earned leave will be admissible to him in respect of that year in accordance with the provisions of rules 78 and 79 above.

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

Note 2.—The Principal, the Superintendent, the entire office staff, Sergeant (if any) and the gardeners of the following institutions will be treated as non-vacation officers with effect from the dates specified against each:—

- | | | |
|---|----|-----------|
| 1. Government Arts Colleges | .. | 1-11-1959 |
| 2. Law Colleges, Training Colleges and Physical Education Colleges | .. | 8-3-1960 |
| 3. Engineering Colleges and Polytechnics | .. | 13-6-1960 |
| 4. Junior Technical Schools | .. | 18-5-1963 |

The teaching staff in the Hindi Teachers' Training Institutes at Trivandrum and Trichur will be treated as non-vacation officers with effect from 4th June 1970.

[G.O. (P) 205/72/Fin., dated 16th June 1972]

The Headmasters of schools and non-teaching staff of the schools under the Director of Public Instruction will be treated as non-vacation officers with effect from the date noted against each:—

Headmasters of schools 9-6-1969

Non-teaching staff 22-4-1960

[G.O. (P) 39/73/Fin., dated 5th February 1973]

Exception.—The Superintendents of the Junior Technical Schools attached to the Polytechnics at Cannanore, Calicut and Trichur will be treated as vacation officers.

This amendment shall be deemed to have come into force from 1st April 1967—Vide G.O. (P) 78/70/Fin., dated 29th January 1970.

Note 3.—The term "year" should be interpreted to mean, not a calendar year in which duty is performed, but twelve months of actual duty in a vacation department.

Note 4.—When an officer is transferred from a vacation department to a non-vacation department, his period of service in the former will, for the purpose of calculation of leave, be considered to have terminated with effect from the close of the last vacation enjoyed by him. When an officer is transferred from a non-vacation to a vacation department his period of service in the latter will be held to have commenced from the date of expiry of the last vacation previous to such transfer.

Note.—5. The Library staff of Arts and Science, Training and Law Colleges shall be treated as non-vacation staff.

This amendment shall be deemed to have come into force with effect on and from 7th November 1974.

[G.O. (P) 553/75/Fin., dated 11th December 1975]

Note.—6. The Heads of Nursery Schools shall be treated as non-vacation staff,

This amendment shall be deemed to have come into force with effect from 11th February 1976.

[G.O. (P) 230/76/Fin., dated 3rd August 1976]

Exception.—In the case of an officer applying for leave preparatory to retirement, the maximum earned leave that may be granted at a time shall be 180 days.

80. Earned leave is not admissible to an officer in permanent employ serving in a vacation department in respect of duty performed in any year in which he avails himself of the full vacation.

RULING

Officers undergoing training in institutions which have regular vacations and who enjoy vacations of those institutions, will be treated as officers serving in a vacation department for the purpose of rule 80, Part I, Kerala Service Rules.

81. The earned leave admissible to an officer in permanent employ serving in a vacation department, in respect of any year in which he is prevented from availing himself of the full vacation, is such proportion of 30 days as the number of days of vacation not taken bears to the full vacation.

If in any year the officer does not avail himself of the vacation, earned leave will be admissible to him in respect of that year in accordance with the provisions of rules 78 and 79 above.

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

Note 2.—The Principal, the Superintendent, the entire office staff, Sergeant (if any) and the gardeners of the following institutions will be treated as non-vacation officers with effect from the dates specified against each:—

- | | | |
|---|----|-----------|
| 1. Government Arts Colleges | .. | 1-11-1959 |
| 2. Law Colleges, Training Colleges and Physical Education Colleges | .. | 8-3-1960 |
| 3. Engineering Colleges and Polytechnics | .. | 13-6-1960 |
| 4. Junior Technical Schools | .. | 18-5-1963 |

The teaching staff in the Hindi Teachers' Training Institutes at Trivandrum and Trichur will be treated as non-vacation officers with effect from 4th June 1970.

[G.O. (P) 205/72/Fin., dated 16th June 1972]

The Headmasters of schools and non-teaching staff of the schools under the Director of Public Instruction will be treated as non-vacation officers with effect from the date noted against each:—

| | |
|------------------------|-----------|
| Headmasters of schools | 9-6-1969 |
| Non-teaching staff | 22-4-1960 |

[G.O. (P) 39/73/Fin., dated 5th February 1973]

Exception.—The Superintendents of the Junior Technical Schools attached to the Polytechnics at Cannanore, Calicut and Trichur will be treated as vacation officers.

This amendment shall be deemed to have come into force from 1st April 1967—Vide G.O. (P) 78/70/Fin., dated 29th January 1970.

Note 3.—The term “year” should be interpreted to mean, not a calendar year in which duty is performed, but twelve months of actual duty in a vacation department.

Note 4.—When an officer is transferred from a vacation department to a non-vacation department, his period of service in the former will, for the purpose of calculation of leave, be considered to have terminated with effect from the close of the last vacation enjoyed by him. When an officer is transferred from a non-vacation to a vacation department his period of service in the latter will be held to have commenced from the date of expiry of the last vacation previous to such transfer.

Note.—5. The Library staff of Arts and Science, Training and Law Colleges shall be treated as non-vacation staff.

This amendment shall be deemed to have come into force with effect on and from 7th November 1974.

[G.O. (P) 553/75/Fin., dated 11th December 1975]

Note.—6. The Heads of Nursery Schools shall be treated as non-vacation staff.

This amendment shall be deemed to have come into force with effect from 11th February 1976.

[G.O. (P) 230/76/Fin., dated 3rd August 1976]

Note.—7. In the case of an officer of non-vacation department sent on deputation for training to an institution having regular vacation his eligibility for earned leave shall be decided as follows:—

- (i) if the officer is not permitted to enjoy the vacation and is retained by the institution for duty, and if the head of the institution so certifies the officer shall be considered as on duty during that period and earned leave for that period shall be admissible to him in accordance with the provisions of rules 78 and 79.
- (ii) if the officer enjoys only part of the vacation, deduction of earned leave will be in such proportion of 30 days as the number of days of vacation enjoyed bears to the full vacation.

This takes effect from 1st July 1975.

[G.O. (P) 887/80/Fin., dated 21st November 1980]

*RULING No. 1

An officer serving in a vacation department when put in full additional charge of the duties of a post in a non-vacation department shall be considered to have been denied the benefit of vacation if that charge arrangement falls within a vacation period.

*RULING No. 2

Teachers deputed for training under the Summer School Training Programme during vacation shall be considered to have been prevented from availing themselves of the vacation provided such period of training has been treated as on duty under rule 12 (7).

*[G.O. (P) 366/70/Fin., dated 27th May 1970]

RULING No. 3

Teaching staff who are N.C.C. Officers in Colleges, Polytechnics and Schools, when detailed to undergo training or refresher course or for duty in connection with the conduct of N.C.C. training or refresher course, during periods of vacation, will be treated as on duty and allowed the benefit of earned leave under the above rule.

The ruling shall be deemed to have come into force from 15th February 1972.

[G.O. (P) 364/72/Fin., dated 16th August 1972]

82. Half-pay Leave.—Half-pay leave as provided in rule 83 may be availed of on private affairs or on medical certificate.

83. The half-pay leave admissible to an officer in permanent employ in respect of each completed year of service is 20 days.

84. Commuted Leave.—Commuted leave not exceeding half the amount of half-pay leave due may be granted on medical certificate only to an officer in permanent employ, subject to the following conditions:—

(i) Commuted leave during the entire service shall be limited to a maximum of 240 days.

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

(iii) The total duration of earned leave and commuted leave taken in conjunction shall not exceed 240 days:

Provided that 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.

Provided further that no medical certificate shall be necessary for granting commuted leave for period not exceeding sixty days in continuation of maternity leave.

This takes effect from 5th June 1978.

[G.O. (P) 428/79/Fin., dated 24th April 1979]

RULING No. 1

In reckoning the limit of 240 days referred to in rule 84 (i), periods of furlough on average salary/leave on average pay on medical certificate/commuted leave already

availed of upto 31st October 1959 under Travancore Service Regulations/Madras Fundamental Rules/Madras Revised Leave Rules shall be taken into account.

RULING No. 2

When commuted leave is granted to a Government servant under this rule and if he intends to retire on the expiry or during the currency of such leave, the commuted leave should be converted into half-pay leave and the difference between the leave salary in respect of commuted leave and half-pay leave should be recovered. An undertaking to this effect should therefore, be taken from the Government servant, who avails himself of commuted leave, but whether the Government servant concerned should be called upon 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 compulsorily thrust upon him by reason of ill-health incapacitating him for further service, no refund is necessary.

[G.O. (P) 802/64/Fin., dated 5th December 1964]

85. Leave not due.—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. This will be debited against the half-pay leave which the officer earns subsequently. Leave not due should be granted *[only when no other leave with allowance is available at credit of the officer and if the authority empowered to sanction leave] is satisfied that there is a reasonable prospect of the officer returning to duty on the expiry of the leave and earning an equal amount of half pay leave thereafter.

*[G.O. (P) 409/77/Fin., dated 24th October 1977]

Note 1.—Where a Government servant who has been granted leave not due under this rule, applies for permission to retire voluntarily, the leave not due shall, if the permission is granted, be cancelled.

Note 2.—Except as provided in note 1, leave not due when granted should in all cases (subject to the officer's wishes) be allowed to stand, including cases in which the officer fails to earn it by subsequent duty.

GOVERNMENT DECISION

A question has been raised whether in cases where the officers whose credit in half-pay leave account results in a minus balance on 1st November 1959 can be granted a further period of 360 days' leave not due under rule 85, Part I, Kerala Service Rules. This has been examined by Government and they consider that in view of the second proviso to the amendment to clause (vi) of rule 77, Part I, issued in G.O.(P) 261/Fin., dated 23rd May 1960, the half-pay leave availed of prior to 1st November 1959 in excess of the half-pay leave reckoned under Kerala Service Rules has been wiped off. Therefore such officers should be treated as leaving a nil balance of half-pay leave on 1st November 1959 and they should get the same consideration in regard to the grant of leave not due as in the case of those who had not enjoyed half-pay leave in excess of what is admissible under Kerala Service Rules. The Government accordingly direct that officers whose credit on half-pay leave account results in a 'nil' balance on 1st November 1959 consequent on the wiping off of the excess half-pay leave already available shall be eligible for a further period of 360 days, leave not due under rule 85, Part I, Kerala Service Rules, provided they otherwise satisfy the requirements of the rules.

[G.O. Ms. 524/60/Fin., dated 7th November 1960]

86. The provisions of rules 78, 80, 81 and 83 apply also to an officer not in permanent employ except that in respect of the first year of service the earned leave admissible is one twenty-second of the period spent on duty:

Provided that no earned leave shall be admissible to such an officer in a vacation department in respect of the first year of his service

Note 1.—The leave of an officer appointed as a probationer (for a certain period before confirmation of his appointment) will be regulated under the rules prescribed for permanent officers. If for any reason it is proposed to terminate the services of a probationer any leave which may be granted to him shall not extend beyond the date on which the probationary period as already sanctioned or extended expires, or any earlier date on which his services are terminated by the orders of the authority competent to appoint him.

Note 2.—Whenever the rate of earning leave changes, the fraction in the earned leave accumulated at the earlier rate should be rounded off to the nearest day i.e., fraction below half should be ignored and that of half and more should be reckoned as a day. *Similarly, the fraction, if any, in the leave earned in accordance with the provisions of the first paragraph of rule 81 by an officer serving in a vacation department should also be rounded off to the nearest day.

*[G.O. (P) 230/67/Fin., dated 20th June 1967.]

RULING

When a full-time teacher is appointed to a part-time post, the leave earned by him prior to becoming part-time cannot be granted to him while holding the part-time post. Such leave may, however, be granted when he is re-appointed to a full-time post.

[G.O. (P) 275/65/Fin., dated 5th July 1965.]

86-A. Notwithstanding anything contained in rules 84, 88 (ii) and 90, an officer not in permanent employ who has completed three years of continuous service shall be eligible for (i) commuted leave and (ii) leave without allowances as would be admissible to him if he had held his post substantively.

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

88. Leave without allowances.—(i) Leave without allowances 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 officer concerned applies in writing for the grant of leave without allowances.

(ii) Except in the case of an officer in permanent employ, the duration of leave without allowances shall not exceed 3 months on any one occasion.

Exception.—When a period of suspension is retrospectively treated as leave without allowances by the revising or appellate authority the limitation of admissible leave without allowances to three months to officers not in permanent employ will not apply.

Section IV—Commutation of leave with retrospective effect

89. (i) The authority which granted leave to an officer can commute it retrospectively into leave of a different kind which may be admissible but the officer concerned cannot claim it as a matter of right:

*Provided that earned leave shall not be commuted into leave of a different kind.

*Takes effect from 22nd November 1971.

(ii) Commutation of one kind of leave into another automatically carries with it the drawal of arrears of leave salary or recovery of amounts overdrawn.

(iii) Commutation of leave without allowances taken during temporary service when no other leave was due, into earned leave on confirmation without interruption of service, by giving retrospective effect to the benefit of rule 87 would be irregular and not in accordance with the intention of Government. The real intention of rule 87 is to provide only for a retrospective recalculation of leave at credit on the date of confirmation with a reduction on

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

GOVERNMENT DECISION

When confirmation is given retrospectively with effect from a date earlier than the date on which leave was already sanctioned, such leave can be commuted and readjusted as provided in rule 89 (iii). Such cases do not come within the purview of the ruling under rule 11. What has changed is only the status of the officer and not the rule in force at the time the leave was sanctioned. The position will be clear from the following illustration:—

Illustration

Entry in service of an officer—1st November 1960.

Date of his confirmation—1st November 1961 (orders issued on 1st November 1962).

Leave without allowances taken at any time during the period from 1st November 1960 to 31st October 1961 cannot be retrospectively commuted into any other kind of leave. But leave earned and taken after 1st November 1961 can be retrospectively commuted.

[G.O. (P) 204/66/Fin., dated 17th May 1966.]

90. In addition to any leave which may be admissible to him, an officer in temporary employ, who contracts tuberculosis and undergoes treatment in a recognised

sanatorium or under a qualified T.B. Specialist or a Civil Surgeon or who is suffering from leprosy and undergoes treatment in a recognised leprosy institution or under a Civil Surgeon or a Specialist in Leprosy, recognised as such *or who is suffering from cancer and undergoes treatment in a recognised Cancer Institute or under a Civil Surgeon or a Specialist in Cancer or who is suffering from mental disease and undergoes treatment in a recognised Mental Hospital or under a Civil Surgeon or a Specialist in Mental disease may be granted leave without pay upto a maximum period of 18 months [including 3 months leave without allowances authorised under rule 88 (ii) above] on any one occasion subject to the following conditions:—

*[G.O. (P) No. 570/78/Fin., dated 11th July 1978.]

(i) the officer is likely to continue in service till his return to duty;

(ii) the leave without allowances shall be granted subject to the production of a certificate from the Medical Officer-in-charge of the Sanatorium or a qualified T.B. Specialist or a Civil Surgeon *or a Specialist in Leprosy, Cancer or Mental disease as the case may be specifying the period for which leave is recommended; and

*[G.O. (P) 570/78/Fin., dated 11th July 1978.]

(iii) the medical officer in recommending leave shall bear in mind the provisions of rule 115.

90-A. (a) A non-gazetted officer drawing a basic pay not exceeding Rs. 340 per mensem who is granted leave without allowances for the treatment of T.B., *Leprosy, Cancer or mental disease may be granted an ex gratia allowance equal to 35 per cent of the basic pay he was drawing immediately before the commencement of the leave, subject to a maximum of Rs. 100 and minimum of Rs. 70 per mensem.

*[G.O. (P) 570/78/Fin., dated 11th July 1978.]

This amendment shall be deemed to have come into force with effect from 1st July 1973.

[G.O. (P) 65/75/Fin., dated 24th February 1975.]

(b) The allowance will be admissible only when the officer is not eligible for any other leave with allowances.

(c) The allowance will be granted irrespective of whether the patient undergoes treatment as an inpatient or as outpatient under the direction of a Civil Surgeon.

(d) The payment of the allowance will be made only on the production of a certificate issued by the Medical Officer-in-charge of the Sanatorium/Hospital or by one not below the rank of a Civil Surgeon to the effect that the patient has been under his treatment for T.B., *Leprosy, Cancer or Mental disease during the period for which the allowance is claimed.

*[G.O. (P) No. 570/78/Fin., dated 11th July 1978.]

(e) The allowance in the case of an officer in temporary employ will be limited to a maximum period of 18 months and that in the case of a permanent employ to a maximum period of 36 months in all during his entire service.

Note 1.—The concession of leave without allowance upto eighteen months will be admissible also to an officer who for want of accommodation in any recognised Sanatorium *or Cancer Institute or Mental Hospital at or near the place of his duty receives treatment at his residence under a recognised *Tuberculosis Specialist, Leprosy Specialist, Cancer Specialist or Mental Disease Specialist 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 the leave recommended.

*[G.O. (P) 570/78/Fin., dated 11th July 1978.]

Note 2.—The leave without allowances under this rule will be admissible only to those officers who have been in continuous Government service for a period exceeding one year.

Note 3.—The lists of recognised *Tuberculosis Institutions, Leprosy Institutions, Cancer Institutions and Mental Hospitals are given in Appendix V.

*[G.O. (P) No. 570/78/Fin., dated 11th July 1978.]

GOVERNMENT DECISION

Recoveries on advances such as 'Onam Advance' 'Advance Pay on transfer', etc., need not be made from the ex gratia allowance admissible under this rule. Such recoveries may be postponed till such time as the subordinate is fit to rejoin duty or effected from any other amounts payable to the subordinate, otherwise.

[G.O. (P) 159/63/Fin., dated 2nd April 1963.]

RULING

The payment of ex gratia allowance in the case of leave without allowances for treatment of T.B./Leprosy taken in continuation of other kinds of leave may be regulated on the basis of the pay drawn by the officer immediately before the commencement of the combined spell of leave.

[G.O. (P) 454/68/Fin., dated 20th August 1968.]

91. Officers with a continuous officiating or temporary service of two years or more, will be granted in addition to any leave which they are eligible for, leave under this rule for obtaining superior qualifications (e.g., B.A. and B.L.), provided, however, that the two years' minimum service will not be insisted on in the case of temporary or officiating officers belonging to the Scheduled Castes and Scheduled Tribes. Such leave will not, however be given for broken periods but will cover the entire period of the course concerned. In cases of failure, extension of leave will be granted to cover the further period required for the completion of the course of study.

Note 1.—(Deleted) [G.O. (P) 204/76/Fin., dated 15th July 1976.]

Note 2.—The term 'superior qualifications' occurring in the above rule denotes only such of the qualifications as on acquisition are intended to enhance the usefulness of the Government servant concerned as a member of the service or will improve his prospects in the service of which he is a member.

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

GOVERNMENT DECISION

When confirmation is given retrospectively with effect from a date earlier than the date on which leave was already sanctioned, such leave can be commuted and readjusted as provided in rule 89 (iii). Such cases do not come within the purview of the ruling under rule 11. What has changed is only the status of the officer and not the rule in force at the time the leave was sanctioned. The position will be clear from the following illustration:—

Illustration

Entry in service of an officer—1st November 1960.

Date of his confirmation—1st November 1961 (orders issued on 1st November 1962).

Leave without allowances taken at any time during the period from 1st November 1960 to 31st October 1961 cannot be retrospectively commuted into any other kind of leave. But leave earned and taken after 1st November 1961 can be retrospectively commuted.

[G.O. (P) 204/66/Fin., dated 17th May 1966.]

90. In addition to any leave which may be admissible to him, an officer in temporary employ, who contracts tuberculosis and undergoes treatment in a recognised

sanatorium or under a qualified T.B. Specialist or a Civil Surgeon or who is suffering from leprosy and undergoes treatment in a recognised leprosy institution or under a Civil Surgeon or a Specialist in Leprosy, recognised as such *or who is suffering from cancer and undergoes treatment in a recognised Cancer Institute or under a Civil Surgeon or a Specialist in Cancer or who is suffering from mental disease and undergoes treatment in a recognised Mental Hospital or under a Civil Surgeon or a Specialist in Mental disease may be granted leave without pay upto a maximum period of 18 months [including 3 months leave without allowances authorised under rule 88 (ii) above] on any one occasion subject to the following conditions:—

*[G.O. (P) No. 570/78/Fin., dated 11th July 1978.]

(i) the officer is likely to continue in service till his return to duty;

(ii) the leave without allowances shall be granted subject to the production of a certificate from the Medical Officer-in-charge of the Sanatorium or a qualified T.B. Specialist or a Civil Surgeon *or a Specialist in Leprosy, Cancer or Mental disease as the case may be specifying the period for which leave is recommended; and

*[G.O. (P) 570/78/Fin., dated 11th July 1978.]

(iii) the medical officer in recommending leave shall bear in mind the provisions of rule 115.

90-A. (a) A non-gazetted officer drawing a basic pay not exceeding Rs. 340 per mensem who is granted leave without allowances for the treatment of T.B., *Leprosy, Cancer or mental disease may be granted an ex gratia allowance equal to 35 per cent of the basic pay he was drawing immediately before the commencement of the leave, subject to a maximum of Rs. 100 and minimum of Rs. 70 per mensem.

*[G.O. (P) 570/78/Fin., dated 11th July 1978.]

This amendment shall be deemed to have come into force with effect from 1st July 1973.

[G.O. (P) 65/75/Fin., dated 24th February 1975.]

(b) The allowance will be admissible only when the officer is not eligible for any other leave with allowances.

(c) The allowance will be granted irrespective of whether the patient undergoes treatment as an inpatient or as outpatient under the direction of a Civil Surgeon.

(d) The payment of the allowance will be made only on the production of a certificate issued by the Medical Officer-in-charge of the Sanatorium/Hospital or by one not below the rank of a Civil Surgeon to the effect that the patient has been under his treatment for T.B., *Leprosy, Cancer or Mental disease during the period for which the allowance is claimed.

*[G.O. (P) No. 570/78/Fin., dated 11th July 1978.]

(e) The allowance in the case of an officer in temporary employ will be limited to a maximum period of 18 months and that in the case of a permanent employ to a maximum period of 36 months in all during his entire service.

Note 1.—The concession of leave without allowance upto eighteen months will be admissible also to an officer who for want of accommodation in any recognised Sanatorium *or Cancer Institute or Mental Hospital at or near the place of his duty receives treatment at his residence under a recognised *Tuberculosis Specialist, Leprosy Specialist, Cancer Specialist or Mental Disease Specialist 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 the leave recommended.

*[G.O. (P) 570/78/Fin., dated 11th July 1978.]

Note 2.—The leave without allowances under this rule will be admissible only to those officers who have been in continuous Government service for a period exceeding one year.

Note 3.—The lists of recognised *Tuberculosis Institutions, Leprosy Institutions, Cancer Institutions and Mental Hospitals are given in Appendix V.

*[G.O. (P) No. 570/78/Fin., dated 11th July 1978.]

GOVERNMENT DECISION

Recoveries on advances such as 'Onam Advance' 'Advance Pay on transfer', etc., need not be made from the ex gratia allowance admissible under this rule. Such recoveries may be postponed till such time as the subordinate is fit to rejoin duty or effected from any other amounts payable to the subordinate, otherwise.

[G.O. (P) 159/63/Fin., dated 2nd April 1963.]

RULING

The payment of ex gratia allowance in the case of leave without allowances for treatment of T.B./Leprosy taken in continuation of other kinds of leave may be regulated on the basis of the pay drawn by the officer immediately before the commencement of the combined spell of leave.

[G.O. (P) 454/68/Fin., dated 20th August 1968.]

91. Officers with a continuous officiating or temporary service of two years or more, will be granted in addition to any leave which they are eligible for, leave under this rule for obtaining superior qualifications (e.g., B.A. and B.L.), provided, however, that the two years' minimum service will not be insisted on in the case of temporary or officiating officers belonging to the Scheduled Castes and Scheduled Tribes. Such leave will not, however be given for broken periods but will cover the entire period of the course concerned. In cases of failure, extension of leave will be granted to cover the further period required for the completion of the course of study.

Note 1.—(Deleted) [G.O. (P) 204/76/Fin., dated 15th July 1976.]

Note 2.—The term 'superior qualifications' occurring in the above rule denotes only such of the qualifications as on acquisition are intended to enhance the usefulness of the Government servant concerned as a member of the service or will improve his prospects in the service of which he is a member.

RULING No. 1

The time limit imposed by rule 88 (ii) above will not apply to leave for securing higher qualifications granted under this rule.

RULING No. 2

The term "course" occurring in the above rule denotes a course of study/training covering a specified academic period culminating in a public examination, the success in which will qualify the candidate for a degree/diploma/certificate or for admission to another course and includes the training at the Pre-examination Training Centres for I.A.S. and other All India Service Examinations.

GOVERNMENT DECISION

Leave under this rule can be sanctioned by the authority competent to sanction eligible leave and leave without allowances. Study leave under rule 99, Part I, can be sanctioned only by Government.

[Circular No. 46858/Rules-I/62/Fin., dated 30th October 1962.]

91-A. Officers with a continuous officiating or temporary service of 5 years or more may be granted in addition to any leave to which they are eligible for, leave for undergoing Postgraduate Courses in the sphere of their duties which are primarily of benefit to the State, such as Postgraduate Courses for Teachers, Engineers and Doctors. The leave shall be granted only with due regard to the usefulness of the higher studies to the public service.

[G.O. (P) 204/76/Fin., dated 15th July 1976.]

Section V—Leave Salary

92. An officer on earned leave is entitled to leave salary equal to,—

(i) full (duty) pay i.e., pay admissible had he been on duty during the period of leave;

(ii) dearness allowance applicable to the above duty pay; and

(iii) such other compensatory allowances as are admissible under the rules during the period of leave:

*Provided that where an officer is promoted during the period he is on earned leave the monetary benefit of promotion shall be given only from the date on which he assumes charge of the post, if there is change of duties.

*[G.O. (P) 452/79/Fin., dated 4th May 1979.]

This takes effect from 1st April 1973,

Note.— See explanation and Notes below rule 93.

This amendment shall be deemed to have come into force with effect from 1st April 1973.

[G.O. (P) 491/75/Fin., dated 24th October 1975.]

93. An officer on half pay leave or leave not due is entitled to leave salary equal to,—

(i) half of duty pay, i.e., half of the pay admissible had he been on duty during the period of leave;

(ii) dearness allowance applicable to the amount admissible under clause (i) above;

*Provided that where an officer is promoted during the period he is on half pay leave the monetary benefit of promotion shall be given only from the date on which the officer assumes charge of the post, if there is change of duties.

*[G.O. (P) 452/79/Fin., dated 4th May 1979.]

This takes effect from 1st April 1973.

Exception.—A non-gazetted officer whose pay before proceeding on leave, does not exceed *Rs. 605 in the revised scale of pay ordered in G.O. (P) No. 860/78/Fin., dated 16th December 1978 shall be entitled to dearness allowance which would have been admissible had he been on duty, which, together with the leave salary so admissible, is subject to a minimum of sixty-five per cent of the pay and dearness allowance while on duty. The excess over the actual leave salary in such cases shall be termed as special leave allowance.

*[G.O. (P) 493/79/Fin., dated 28th May 1979.]

and

(iii) "House Rent Allowance", for the first four months of leave.

Explanation.—For the purpose of rule 92 and this rule, period of duty shall be deemed to be the period of duty in a post during which the officer would have drawn the pay in the time-scale of that post but for his proceeding on leave.

In the case of officiating appointments a certificate of continuance in the same post but for leave should be furnished to the Audit Officer along with the sanction/noted in the Service Book and the bill claiming the leave salary.

Note 1.—Special pay granted in lieu of higher time-scale of pay for additional and/or higher responsibilities attached to a post may be drawn during periods of leave if the officer would have continued in that post after the expiry of leave. The officer who records certificate to the above effect in the leave salary bill may do so only after proper verification. The special pay sanctioned for specially arduous nature of work or for work in addition to normal duties attached to his post or charge allowance will not be admissible during periods of leave unless the officer discharges the work for which the special pay is sanctioned.

Note 2.—In the case of non-gazetted officers who elect to remain in the pre-revised scale, the monetary limit for the purpose of the Exception to rule 93 shall continue to be Rs. 290 which was fixed with effect from 1st July 1968, and the amount of leave salary together with the dearness allowance is not subject to any minimum till such date as on which they come over to the revised scale of pay ordered in G.O. (P) 91/74/Fin., dated 5th April 1974.

This amendment shall be deemed to have come into force with effect from 1st April 1973.

[G.O. (P) 491/75/Fin., dated 24th October 1975.]

94. An officer on commuted leave is entitled to leave salary equal to twice the amount of the pay admissible under rule 93 (i) and dearness allowance applicable to the pay so admissible.

This amendment shall be deemed to have come into force with effect from 1-4-1973.

[G.O. (P) 491/75/Fin., dated 24th October 1975.]

95. An officer on leave without allowances is not entitled to any leave salary.

Section VI—Overstayal

96. In the case of an officer governed by these leave rules who remains absent after the end of his leave, the period of such overstayal of leave is, unless the leave is extended by the competent authority treated as follows:—

(i) as half pay leave to the extent such leave is due, whether the overstayal is supported by a medical certificate or not;

(ii) leave without allowances to the extent of the period of half pay leave due falls short of the period of overstayal.

*[G.O. (P) 703/64/Fin., dated 1st October 1964.]

The officer is not entitled to leave salary during such overstayal of leave not covered by an extension of leave by competent authority.

Note.—Wilful absence from duty after the expiry of leave will be treated as misbehaviour for the purpose of rule 21, Part 1.

*96-A. Where a Government servant not in permanent employ fails to resume duty on the expiry of the maximum period of leave without allowances granted to him or where such a Government servant who is granted a lesser amount of leave without allowances than the maximum amount admissible remains absent from duty for any period which together with the leave without allowances granted exceeds the limit upto which he could have been granted such leave under these rules, he shall, unless the Government, in view of the exceptional circumstances of the case otherwise determines, be removed from service after following the procedure laid down in the Kerala Civil Services (Classification, Control and Appeal) Rules, 1960.

*[G.O. (P) 254/70/Fin., dated 27th April 1970.]

Section VII—Special Disability Leave

97. (1) Subject to the conditions hereinafter specified, special disability leave may be granted to an officer 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.

[Takes effect from 6th March 1968—G.O. (P) 481/70/Fin., dated 6th July 1970.]

(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 Government, if they are 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 the occurrence of its cause.

(3) The period of leave granted shall be such as is certified by the medical attendant of the officer to be necessary. It shall not be extended except on the certificate of the medical attendant of the officer 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 be debited against the leave account.

(7) Leave salary during such leave shall be granted—

(a) for the first four months of any period of such leave including a period of such leave granted under clause (5) of this rule as under rule 92, and

(b) for the remaining period of any such leave, as under rule 93.

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

98. The application of the provisions of rule 97 may be extended to an officer who is disabled by injury accidentally incurred in *or in consequence of the due performance of his official duties or in consequence of his official position, or by illness incurred in the performance of any particular duty which has the effect of increasing his liability to illness or injury beyond the ordinary risk attaching to the civil post which he holds.

*[G.O. (P) 353/76/Fin., dated 19th November, 1976.]

[Takes effect from 6th March 1968—G.O. (P) 481/70/Fin., dated 6th July 1970.]

The grant of this concession is subject to the further conditions:—

(1) that the disability, if due to disease must be certified by the medical attendant of the officer to be directly due to the performance of the particular duty;

(2) that, if the officer has contracted such disability during service, it must be, in the opinion of the Government, so exceptional in character, or in the circumstances of its occurrence as to justify such unusual treatment as the grant of this form of a leave; and

(3) that the period of absence recommended by the medical attendant of the officer 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 full pay i.e., pay admissible had he been on duty during the period of leave may be less than four months.

Note.—Disability leave is admissible to temporary officers also.

This amendment shall be deemed to have come into force with effect from 1st April 1973.

[G.O. (P) 491/75/Fin., dated 24th October 1975.]

Section VIII—Study Leave

99. Leave may be granted to officers on such terms as the Government may by general order prescribe to enable them to study scientific, technical or similar problems or to undergo special courses of instruction. The detailed rules framed under this rule are given in Appendix VI.

Note.—For rule regarding the grant of leave without allowance for study purposes in the case of officers not in permanent employ, see rule 91.

Section IX—Maternity Leave

100. A competent authority may grant to a female officer maternity leave on full pay for a period which may extend upto the end of three months from the date of its commencement or to the end of eight weeks from the date of confinement, whichever be earlier.

Note 1.—Maternity leave is also admissible to temporary female officers under this rule.

Note 2.—The grant of maternity leave is provisional in the first instance and will be regularised only after ascertaining the date of confinement as furnished by the Government servant herself. In case the leave availed of is in excess of what is admissible under this rule, such excess will be regularised by the grant of eligible leave under the provisions of rule 102.

Note 3.—The female candidates undergoing pre-appointment stipendiary training may be allowed “leave for maternity purpose” to the extent envisaged under this rule on “full rate of stipend admissible”. The benefit of this leave may also be granted in the case of miscarriage/abortion subject to the same conditions as laid in rule 101 below.

This amendment shall be deemed to have come into force with effect from 1st August 1973.

[G.O. (P) No. 308/74/Fin., dated 20th September 1974.]

Note 4.—Maternity leave under this rule and rule 101 shall be admissible to provisional female recruits continuing in service beyond one year provided they would continue in service but for proceeding on such leave.

*This amendment shall be deemed to have come into force with effect from the 2nd July 1969.

[G.O. (P) 825/60/Fin., dated 31st October 1980.]

RULING

The expression 'full pay' occurring in the above rule means pay as defined in rule 12 (23) Part I, Kerala Service Rules in respect of a post held substantively or in an officiating capacity by a female officer immediately before the commencement of the maternity leave or the combined spell of leave, if the maternity leave is prefixed by any other kind of leave.

[G.O. (P) 506/67/Fin., dated 24th November 1967.]

101. Leave under rule 100 above may also be granted to female officers in cases of miscarriage including abortion subject to the condition that the leave does not exceed six weeks and application for the leave is supported by a certificate from the medical attendant.

102. Maternity leave may be combined with leave of any other kind but leave applied for in continuation of the former may be granted only if the request be supported by a medical certificate:

*Provided that no medical certificate shall be necessary for grant of any leave for a period not exceeding sixty days in continuation of maternity leave.

[G.O. (P) 428/79/Fin., dated 24th April 1979.]

This takes effect from 5th June 1978.

Note —Regular leave in continuation of maternity leave may also be granted to a female officer on her producing a medical certificate to the effect that the new born baby requires personal attention of the mother and her presence by the side of the baby is absolutely necessary.

Note.—Disability leave is admissible to temporary officers also.

This amendment shall be deemed to have come into force with effect from 1st April 1973.

[G.O. (P) 491/75/Fin., dated 24th October 1975.]

Section VIII—Study Leave

99. Leave may be granted to officers on such terms as the Government may by general order prescribe to enable them to study scientific, technical or similar problems or to undergo special courses of instruction. The detailed rules framed under this rule are given in Appendix VI.

Note.—For rule regarding the grant of leave without allowance for study purposes in the case of officers not in permanent employ, see rule 91.

Section IX—Maternity Leave

100. A competent authority may grant to a female officer maternity leave on full pay for a period which may extend upto the end of three months from the date of its commencement or to the end of eight weeks from the date of confinement, whichever be earlier.

Note 1.—Maternity leave is also admissible to temporary female officers under this rule.

Note 2.—The grant of maternity leave is provisional in the first instance and will be regularised only after ascertaining the date of confinement as furnished by the Government servant herself. In case the leave availed of is in excess of what is admissible under this rule, such excess will be regularised by the grant of eligible leave under the provisions of rule 102.

Note 3.—The female candidates undergoing pre-appointment stipendiary training may be allowed “leave for maternity purpose” to the extent envisaged under this rule on “full rate of stipend admissible”. The benefit of this leave may also be granted in the case of miscarriage/abortion subject to the same conditions as laid in rule 101 below.

This amendment shall be deemed to have come into force with effect from 1st August 1973.

[G.O. (P) No. 308/74/Fin., dated 20th September 1974.]

Note 4.—Maternity leave under this rule and rule 101 shall be admissible to provisional female recruits continuing in service beyond one year provided they would continue in service but for proceeding on such leave.

*This amendment shall be deemed to have come into force with effect from the 2nd July 1969.

[G.O. (P) 825/80/Fin., dated 31st October 1980.]

RULING

The expression 'full pay' occurring in the above rule means pay as defined in rule 12 (23) Part I, Kerala Service Rules in respect of a post held substantively or in an officiating capacity by a female officer immediately before the commencement of the maternity leave or the combined spell of leave, if the maternity leave is prefixed by any other kind of leave.

[G.O. (P) 506/67/Fin., dated 24th November 1967.]

101. Leave under rule 100 above may also be granted to female officers in cases of miscarriage including abortion subject to the condition that the leave does not exceed six weeks and application for the leave is supported by a certificate from the medical attendant.

102. Maternity leave may be combined with leave of any other kind but leave applied for in continuation of the former may be granted only if the request be supported by a medical certificate:

*Provided that no medical certificate shall be necessary for grant of any leave for a period not exceeding sixty days in continuation of maternity leave.

*[G.O. (P) 428/79/Fin., dated 24th April 1979.]

This takes effect from 5th June 1978.

Note.—Regular leave in continuation of maternity leave may also be granted to a female officer on her producing a medical certificate to the effect that the new born baby requires personal attention of the mother and her presence by the side of the baby is absolutely necessary

Explanation.—The kinds of leave coming under regular leave mentioned in the Note are Earned Leave, Half Pay Leave, Leave not due and Leave without Allowances only.

Section X—Hospital Leave

103. A competent authority may grant hospital leave to officers of the following classes while under medical treatment for illness or injury, if such illness or injury is directly due to risks incurred in the course of their official duties.—

(a) Police Officers of rank not higher than that of Head Constable and Fire Service Personnel of and below the rank of Leading Fireman, including Driver, Mechanics and Fireman Drivers,

(b) Forest subordinates, other than clerks in receipt of pay not exceeding Rs. 490**

This amendment shall be deemed to have come into force with effect from 1st July 1978.

**[G.O. (P) 493/79/Fin., dated 29th May 1979.]

(c) Head warders or warders, male or female of jails or lunatic asylums and matrons of the Jails Department,

(d) Subordinates employed in Government Laboratories,

(e) Subordinates of other departments employed in the working of Government machinery,

(f) Last grade employees of all departments,

(g) Guards and Preventive Officers of the Excise Department, and

*(h) Government Servants drawing a pay of Rs. 120 or less per mensem who serve as Home Guard Volunteer.

*[G.O. (P) 143/68/Fin., dated 16th April 1968.]

Note 1.—Hospital leave will be granted only on the production by the employee concerned of a medical certificate from his authorised medical attendant to the effect that the illness or injury was directly due to risk incurred in the course of official duties and also that the leave recommended is necessary to effect a cure. The period of leave shall be such as may be certified by the authorised medical attendant to be necessary. This leave will be admissible irrespective of whether the treatment is received in a hospital or not.

Note 2.—Hospital leave is admissible to temporary employees also under this rule.

**Note 3.*—Hospital leave will be granted to the officers coming under clause (h) above only in cases of injuries sustained while on duty as Home Guard Volunteers and only if the application is supported by a certificate from the Commandant General, Home Guards, to the effect that the injury was sustained by the employee while on active duty as a Home Guard Volunteer. This will be in addition to the certificate prescribed in note 1 above.

[G.O. (P) 143/68/Fin., dated 16th April 1968.]

104. Hospital leave may be granted for such period as the authority granting it may consider necessary, on leave salary (1) equal to leave salary while on earned leave, for the first 120 days of any period of such leave; and (2) equal to leave salary during half pay leave, for the remaining period of any such leave. In the case of a person to whom the Workmen's Compensation Act, 1923, applies, the amount of leave salary payable under this rule shall be reduced by the amount of compensation payable under section 4 (1) (d) of the said Act.

[G.O. (P) 320/75/Fin., dated 17th July 1975.]

105. *Omitted.

[G.O. (P) 522/67/Fin., dated 4th December 1967.]

106. Hospital leave is not debited against the leave account and may be combined with any other leave which may be admissible.

GOVERNMENT DECISION

A register in the form given below will be maintained by all Heads of Departments and offices showing the various kinds of special leave (e.g., special disability leave, hospital leave, maternity leave, study leave, leave not due, commuted leave, etc.) granted to Government servants from time to time to facilitate the check by the local audit parties as to whether the conditions for the grant of the leave have been fulfilled in individual cases, by the authorities competent to sanction the leave.

Register for recording particulars of special kinds of leave e.g., maternity leave, special disability leave, hospital leave, leave not due, etc.

| Name and designation of the officer | Nature of leave | Period | | Particulars of sanction | | Initials of authority competent to attest entries in the Service Book | Remarks |
|-------------------------------------|-----------------|--------|----|-------------------------|------|---|---------|
| | | From | To | No. | Date | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| | | | | | | | |

[G.O. (P) 337/60/Fin., dated 2nd July 1960]

Section XI--Leave to part-time officers

107. A law officer, if his pay is fixed at a definite rate but his whole time is not retained for the service of Government may be granted leave as follows:--

(a) Leave on full pay during vacation of the Court within whose jurisdiction he serves, provided that no extra expense is hereby caused to Government. Such leave will be counted as duty.

(b) Leave on half pay for not more than three months once only in his service after three years of duty.

(c) On medical certificate, leave on half-pay upto a maximum of six months at any one time, provided that two years of duty must intervene between any two periods of leave on medical certificate.

(d) On the conditions prescribed in rule 88 leave without allowances.

108. Leave under any one of the clauses of rule 107 may be combined with leave under any other clause.

109. An officer remunerated by honoraria may be granted leave on the terms laid down in rules 107 and 108 provided that he makes satisfactory arrangements for the performance of his duties, that no extra expense is caused to Government and that during leave of the kind contemplated by clause (b) of rule 107 the whole of the honoraria is paid to the person who officiates in his post.

110. 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 not exceeding one month in any year of apprenticeship.

(b) Leave without allowances under rule 88.

Section XI-A—Leave to Radiation Workers

110-A. Rules for the grant of leave to radiation workers in the State Medical Service are given in Appendix XII.

[G.O. (P) 92/68/Fin., dated 6th March 1968]

Section XII—Casual Leave

111. Rules regarding Casual Leave to officers are given in Appendix VII.

Section XIII—Procedure relating to leave

112. A leave account shall be maintained for each officer.

Note:—A leave account of a Gazetted Officer will be maintained by the Audit Officer. The leave account of a non-gazetted officer will be maintained by the Head of the Office in which he is employed.

113. An application for leave or an extension of leave must be made to the authority competent to grant such leave or extension in Form No. 13

114. Leave to officers on foreign service in India will be sanctioned by the foreign employer.

[G.O. (P) 228/76/Fin., dated 2nd August 1976]

115. Medical officers must not recommend the grant of leave in any case in which there appears to be no reasonable prospect that the officer concerned will never be fit to resume his duties. In such cases the opinion that the officer is permanently unfit for Government service should be recorded in the Medical Certificate.

116. Every certificate of a medical committee or a medical officer recommending the grant of leave to an officer must contain a proviso that no recommendation contained in it shall be evidence of a claim to any leave not admissible to the officer under the terms of his contract or of the rules to which he is subject.

117. Before an officer can be granted leave or an extension of leave on medical certificate, he must obtain a certificate in the following form from such medical authority as the Government may by general or special order prescribed.

Medical Certificate

.....
(Signature of the applicant)

I (Name).....after careful personal examination of the case hereby certify that (Name and official address).....whose signature is given above, is suffering from

and that I consider that a period of absence from duty of...
with effect from.....is
 absolutely necessary for the restoration of his/her health.

Signature of Medical Officer

Registration No.....

Part of Registration.....

System of Medicine.....

[G.O. (P) 430/73/Fin., dated 20th November 1973]

Note 1.—The possession of a certificate as prescribed in this rule does not in itself confer upon the officer concerned any right to leave.

Note 2.—The nature and probable duration of the illness should be specified.

Note 3.—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 a (or from) a particular locality, or that he is not fit to proceed to a particular locality. Such certificate should only be given at the explicit desire of the administrative authority concerned, to whom it is open to desire 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 4.—No recommendation contained in this certificate shall be evidence of a claim to any leave not admissible to the officer under the terms of his contract or of the rules to which he is subject.

Note 5.—Reciprocal arrangements have been entered into with the Mysore Government to the effect that officers including police personnel of one State while staying in the other will be examined free of cost by a Medical Board or a Medical Officer employed under the Government of the State concerned for purposes of grant or extension of leave and fitness to resume duty on the expiry of leave. A medical requisition from the competent authority will be required before the medical examination is conducted.

GOVERNMENT DECISION

For the purpose of this rule the, Medical Certificates issued by the following medical authorities will be accepted provided that the certificates are in accordance with the provisions of the above rule:—

1. Medical Officers of Government not below the rank of an Assistant Surgeon.
2. Private Medical Practitioners of Modern Medicine registered in Part A of the register of Modern Medicines.
3. Ayurveda Physicians and Homoeopathic Doctors attached to Government hospitals and Dispensaries.
4. Private Practitioners of Indigenous Medicines registered in Class A of the Register of Indigenous Medicines; and
5. Private Homoeopathic Practitioners registered in Class A of the Register of Homoeopathic Medicines.

Notwithstanding anything contained herein, in the case of applications for 'leave not due' under rule 85, Part I, Kerala Service Rules, Medical Certificates granted by the authorities mentioned in items 1 and 3 alone shall be accepted.

[G.O. (P) No. 512/61/Fin., dated 27th December 1961]

***118.** (a) In the case of certificate issued by an Assistant Surgeon, Ayurvedic Physician or Homoeopathic Doctor attached to a Government Hospital or dispensary or a private Practitioner of ** Modern, Indigenous or Homoeopathic Medicine, the authority competent to sanction leave may at its discretion, secure a second medical opinion by requesting a Civil Surgeon, District Indigenous Medical Officer or the Chief Medical Officer, +Department of Homoeopathy as the case may be, to have the applicant medically examined. Should it decide to do so, it must arrange for the second examination to be made on the earliest possible date after the date on which the first medical opinion was given.

(b) It shall be the duty of the Civil Surgeon, the District Indigenous Medical Officer or the Chief Medical Officer, *Department of Homoeopathy as the case may be, to express an opinion, both as regards the facts of the illness and as regards the necessity for the amount of leave recommended. For this purpose, he may require the applicant to appear either before himself or before a Medical Officer nominated by him.

*[G.O. (P) 118/65/Fin., dated 3rd April 1965]

**[G.O. (P) 405/76/Fin., dated 28th December 1976]

†[G.O. (P) 192/76/Fin., dated 8th July 1976]

(c) If the authority competent to sanction leave has doubts about the second medical opinion also he may refer the case to the Medical Board, constituted by the Director of Health Services on requisition.

118 -A. When the competent authority has genuine doubts about the fitness of an officer, it may refer him to a single man Medical Board of the standing Medical Board, for expert medical opinion. If the medical report is that the officer is not physically fit or mentally sound, the officer may be deemed to have entered on eligible leave from the date of the medical report, even if the officer does not put in a leave application. If he does not produce a certificate from the Medical Board that he is physically fit or mentally sound and has been cured of his illness within a period of five years from the date on which he was deemed to have entered on leave, he may be deemed to have retired on invalid pension. If the actual date of retirement of the officer falls within this period of five years he shall retire on that date.

Note.—Eligible leave means leave due and admissible to an officer and the order of sanctioning this leave will be earned leave and half-pay leave. If there is no eligible leave, leave without allowance will be granted to regularise the period of absence.

[G.O. (P) 233/76/Fin., dated 4th August 1976]

119. In support of an application for leave, or for an extension of leave, on medical certificate, from an officer of the last grade, the authority competent to grant the leave may accept such certificate as it may deem sufficient.

120. No leave may be granted to a Gazetted Officer until a report as to the admissibility of the leave has been obtained from the audit officer.

121. In cases where all applications for leave cannot, in the interest 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 officer who can, for the time being, best be spared.

(b) The amount of leave due to the various applicants.

(c) The amount and character of the 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 interests.

122. (i) When a medical authority has reported that there is no reasonable prospect that a particular officer will ever be fit to return to duty, leave should not necessarily be refused to such officer. It may be granted, if due, by a competent authority on the following conditions:—

(a) If the medical authority is unable to say with certainty that the officer will never again be fit for service, leave not exceeding twelve months in all may be granted. Such leave should not be extended without further reference to a Medical Board.

(b) If an officer is declared by a medical authority to be completely and permanently incapacitated for further service, leave or an extension of leave may be

granted to him after the report of the medical authority has been received, provided that the amount of leave as debited against the leave account together with any period of duty beyond the date of the medical authority's report does not exceed six months.

(ii) An officer who is declared by a medical authority to be completely and permanently incapacitated for further service shall—

(a) if he is on duty, be invalidated from service from the date of relief of his duties, which should be arranged without delay on receipt of the report of the medical authority. If, however, he is granted leave under sub-rule (i) above he shall be invalidated from service on the expiry of such leave; and

(b) if he is already on leave, he is invalidated from service on the expiry of that leave or extension of leave, if any, granted to him under sub-rule (i).

123. Leave shall not be granted to an officer whom a competent authority has decided to dismiss, remove or compulsorily retire from Government service.

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

GOVERNMENT DECISION No. 1

Whenever an order sanctioning leave to an officer is issued and communicated, it should contain directions as to where the officer should rejoin duty on the expiry of the leave, any change that may take place in the position of the officer during the period of leave being also communicated to the authorities concerned under intimation to the Accountant General wherever necessary.

[Circular No. Fin., R.A. 33409/60, date 18th August 1960]

GOVERNMENT DECISION No. 2

An officer on leave should intimate sufficiently early his intention of rejoining duty after leave so as to avoid any possible delay in the issue of posting orders in time.

[G.O. (P) 558/62/Fin., dated 12th November 1962]

CHAPTER X

JOINING TIME

125. Joining time may be granted to an officer to enable him—

(a) to join a new post to which he is appointed while on duty in his old post; or

(b) to join a new post,—

(i) on return from earned leave;

(ii) when he has not had sufficient notice of his appointment to the new post, on return from leave other than that specified in sub-clause (i).

Note 1.—An officer deputed for training will be allowed for the onward and return journeys the time actually required for the journeys, by the usual mode of conveyance, between the place of training and the station from/to which he proceeds, and the time so taken will be treated as part of deputation period for training.

Note 2.—Probationers and approved probationers in one service (including other officiating officers for whom no probation has been prescribed) when appointed to the same or another service by direct recruitment shall be allowed the minimum joining time (i.e., actual journey time) and transit pay, provided that the posts held by them prior to transfer or the posts to which they are appointed remain vacant during the period. They shall not, however, be allowed travelling allowance.

[This note shall have effect from 22nd August 1960]

RULING No. 1

Joining time under rule 125 (b) (i), Part I, Kerala Service Rules, will be admissible only in cases where an officer has proceeded on and has returned from earned leave, proper and is posted to join a new post. In all other cases, it should be regulated under sub-clause (b) (ii) *Ibid.*

RULING No. 2

A gazetted officer deputed for training should relinquish charge of his post and prepare a charge report even if no officiating arrangement is made in his place. He should also intimate to the Audit Officer concerned, through the Training Institute/Officer, etc., the date and hour of reporting for training and on relief on the completion of training.

GOVERNMENT DECISION

Retired officers re-employed in Government service will be treated on a par with provisional hands appointed under General Rule 9 (a) (i) of the Kerala State and Subordinate Services Rules, 1958 for purposes of joining time and only the actual journey time allowed as joining time.

[G.O. MS. 11/67/PD., dated 17th January 1967]

126. Not more than one day is allowed to an officer 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 or Sunday counts as a day for the purpose of this rule. No joining time is admissible in cases where the change of post does not involve an actual change of office.

Note.—A transfer shall be held to involve a change of station only if the distance between the two places is not less than eight kilometres.

126A. When holiday(s) follow(s) joining time, the normal joining time may be deemed to have been extended to cover such holiday(s).

[G.O. (P) 48/66/Fin., dated 10th February 1966]

RULING

When officers are transferred while on leave, joining time need be reckoned only from the date following the holiday(s), if any, suffixed to leave with the permission of the leave sanctioning authority unless otherwise directed in the transfer order.

[G.O. (P) 38/73/Fin., dated 5th February 1973]

127. The joining time of an officer, in cases involving a transfer from one station to another, 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) An officer is allowed—

- | | | |
|---|---|-------------------------------------|
| (i) For the portion of the journey which he travels by air craft | } | Actual time occupied in the journey |
| (ii) For the portion of the journey which he travels or might travel: | | |

| | | | |
|---|----------------|---|--|
| By railway | 500 kilometres | } | One day for each or any longer time actually occupied in the journey |
| By ocean steamer | 350 " | | |
| By river steamer | 150 " | | |
| By motor vehicles | 150 " | | |
| or conveyance plying for public hire in any other way | 25 " | | |

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

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

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

(d) Travel by road not exceeding eight kilometres to or from a railway station or steamer ghat at the beginning or end of journey does not count for joining time.

(e) A Sunday does not count as a day for the purpose of the calculations in this rule, but Sundays are included in the maximum period of 30 days.

Exception (1).—The authority sanctioning the transfer may, in special circumstances, reduce the period of joining time admissible under this rule.

Exception (2).—In the case of officers who are entrusted with the custody of stores, a period of not more than ten days and in the case of officers in charge of Timber Depots of the Forest Department a period of not more than one week will be allowed for transfer of charge to check conjointly stores and other materials, the minimum time actually required in each case alone being, however, utilised for the purpose.

Exception (3).—A period of not more than one week will be allowed to Forest Guards for transfer of charge and joint perambulation of the beats, the minimum time actually required alone being, however, utilised for the purpose. This period will be treated as an extension of joining time in respect of the relieving officer.

128. Except in the case of a journey performed by air, by whatever route an officer actually travels, his joining time shall, unless a competent authority for special reasons otherwise orders, be calculated by the route which travellers ordinarily use.

126A. When holiday(s) follow(s) joining time, the normal joining time may be deemed to have been extended to cover such holiday(s).

[G. O. (P) 48/66/Fin., dated 10th February 1966]

RULING

When officers are transferred while on leave, joining time need be reckoned only from the date following the holiday(s), if any, suffixed to leave with the permission of the leave sanctioning authority unless otherwise directed in the transfer order.

[G.O. (P) 38/73/Fin., dated 5th February 1973]

127. The joining time of an officer, in cases involving a transfer from one station to another, 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) An officer is allowed—

(i) For the portion of the journey which he travels by air craft } Actual time occupied in the journey

(ii) For the portion of the journey which he travels or might travel;

| | | |
|---|----------------|--|
| By railway | 500 kilometres | } One day for each or any longer time actually occupied in the journey |
| By ocean steamer | 350 " | |
| By river steamer | 150 " | |
| By motor vehicles | 150 " | |
| or conveyance plying for public hire in any other way | 25 " | |

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



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

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

(d) Travel by road not exceeding eight kilometres to or from a railway station or steamer ghat at the beginning or end of journey does not count for joining time.

(e) A Sunday does not count as a day for the purpose of the calculations in this rule, but Sundays are included in the maximum period of 30 days.

Exception (1).—The authority sanctioning the transfer may, in special circumstances, reduce the period of joining time admissible under this rule.

Exception (2).—In the case of officers who are entrusted with the custody of stores, a period of not more than ten days and in the case of officers in charge of Timber Depots of the Forest Department a period of not more than one week will be allowed for transfer of charge to check conjointly stores and other materials, the minimum time actually required in each case alone being, however, utilised for the purpose.

Exception (3).—A period of not more than one week will be allowed to Forest Guards for transfer of charge and join perambulation of the beats, the minimum time actually required alone being, however, utilised for the purpose. This period will be treated as an extension of joining time in respect of the relieving officer.

128. Except in the case of a journey performed by air, by whatever route an officer actually travels, his joining time shall, unless a competent authority for special reasons otherwise orders, be calculated by the route which travellers ordinarily use.

GOVERNMENT DECISION

Except in cases of journeys performed by air, which will be covered by the provisions in sub-rule (a) or rule 127, the entitlement to joining time of a Government servant, in cases where his old headquarters and new headquarters are connected by railway, should be calculated as admissible for a journey by railway.

[G.O. (P) 52/66/Fin., dated 14th February 1966.]

129. If an officer is authorised to make over charge of a post elsewhere than at its headquarters, his joining time shall be calculated from the place at which he makes over charge.

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

Note.—A second period of 6 days for preparation should not be allowed in calculating the joining time of an officer who is appointed to a new post, while in transit from one post to another.

GOVERNMENT DECISION

In the case of a Government servant who is transferred from one post to another but whose transfer 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 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, subject to the provisions of Rule 130 and the Note thereunder.

[G.O. (P) 461/68/Fin., dated 24th August 1968.]

131. -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 be allowed normal joining time.

132. If an officer is appointed to a new post while on earned leave he is entitled to joining time calculated from his old station in addition to the earned leave. Should the officer join the new appointment before the expiry of leave plus 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. When vacation or holidays immediately preceding vacation begin during or immediately after the expiry of joining time admissible to an officer or when an officer is transferred during vacation, he may be allowed to join at the end of the vacation.

133. The Government may in any case extend the joining time admissible under these rules, provided that the general spirit of the rules, is observed.

134. Within the prescribed maximum of 30 days, the Government may, on such conditions as it thinks fit, grant to an officer a longer period of joining time than is admissible under the rules in the following circumstances:—

(a) when the officer has been unable to use the ordinary mode of travelling or, notwithstanding due diligence on his part, has spent more time on the journey than is allowed by the rules; or

(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 transfers; or

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

135. When an officer under the administrative control of the Government is transferred to the control of another Government which has made rules prescribing amounts of

joining time, his joining time for the journey to join his post under the Government, and for the return journey will be governed by those rules.

136. An officer on joining time shall be regarded as on duty and shall be entitled to be paid as follows:—

(a) If on joining time under clause (a) of rule 125 he is entitled to the pay which he would have drawn if he had not been transferred or the pay which he will draw on taking charge of his new post, whichever is less.

(b) If on joining time under clause (b) of rule 125 he is entitled—

(i) when returning from leave without allowances other than leave without allowances not exceeding 14 days granted in continuation of other leave, to no payments at all;

(ii) when returning from leave of any other kind, to the leave salary which he last drew on leave.

Note.—An officer on transfer is not entitled to be paid while on joining time unless his transfer is made in the public interest.

Explanation.—There is no objection to an officer being granted regular leave by the competent authority under the leave rules applicable to him even if the transfer is at his own request to cover the period of handing over charge at an old station and before taking over charge at another if the officer applied for it and the competent authority is willing to grant such leave.

137. An officer 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 21.

GOVERNMENT DECISION

The period of overstayal of joining time of an officer may be regularised by granting eligible leave under rule 131,

Part I, Kerala Service Rules and the joining time pay regulated under rule 136 (b) *ibid.*

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

CHAPTER XI

FOREIGN SERVICE

139. The rules, in this chapter apply to those officers only who are transferred to foreign service after these rules come into force. Officers transferred previously will remain subject to the rules in force at the time of transfer.

GOVERNMENT DECISION

In cases where the deputation of an officer to foreign service was sanctioned on a date prior to 1st November 1959 and the terms originally fixed extend beyond 1st November 1959, no change in the terms need be made even if the officer has opted to the Kerala Service Rules, but extension of the period beginning from or after 1st November 1959 should conform to the provisions in the Kerala Service Rules, provided the officer concerned has opted to the Kerala Service Rules, the extension of the term being treated as a fresh case of deputation.

[Circular No. 66494/RA3/61/Fin., dated 14th October 1961.]

140. (a) No officer may be transferred to foreign service against his will:

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

(b) A transfer to foreign service requires the sanction of the Government.

*No officer shall normally be allowed to remain on deputation to foreign service for more than five years continuously. Provisions of rule 24 will apply to an officer who continues in foreign service for more than five years at a time.

*[Takes effect from 17-12-1976—G.O. (P) 254/70/Fin., dated 27-4-1970]

141. A transfer to the 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 an officer of Government, and

(b) the officer transferred holds, at the time of transfer, a permanent or temporary appointment paid from the General Revenues or holds a lien on such an appointment or would hold a lien on such a post had his lien not been suspended.

142. If an officer 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.

143. An officer transferred to foreign service shall remain in the cadre or cadres in which he was included in a substantive or officiating capacity immediately before his transfer, and may be given such substantive or officiating promotion in those cadres as the authority competent to order promotion may decide. In giving promotion, such authority shall take into account—

(a) the nature of the work performed in foreign service, and

(b) the promotion given to juniors in the cadre in which the question of promotion arises.

144. An officer 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 any restrictions which the Government may by general order impose, the amount of his pay, the amount of joining time admissible to him and his pay during such joining time will be fixed by the authority sanctioning the transfer in consultation with the foreign employer.

Note 1:—When transfer to foreign service 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 officer will be permitted to receive any remuneration or enjoy any concession which is not so specified, and if the order is silent as to any particular remuneration or concession, it must be assumed that the intention is that it shall not be enjoyed.

Note 2:—No order of transfer to foreign service shall be issued without previous consultation with the 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.

Note 3:—In all cases of foreign service where the headquarters of the Officer is located within Kerala, deputation allowance shall be granted at the following rates namely:—

| <i>Minimum of the revised scale of pay of the post from which deputation is made</i> | <i>Rate of deputation Allowance (special pay)</i> |
|--|---|
| Where the minimum of the scale of pay does not exceed Rs. 329 | Rs. 25 p.m. |
| Where it exceeds Rs. 329 but does not exceed Rs. 449 | Rs. 50 p.m. |
| Where it exceeds Rs. 449 but does not exceed Rs. 569 | Rs. 75 p.m. |

| <i>Minimum of the revised scale of pay of the post from which deputation is made</i> | <i>Rate of deputation Allowance (special pay)</i> |
|--|---|
| Where it exceeds Rs. 569 but does not exceed Rs. 649 | Rs. 100 p.m. |
| Where it exceeds Rs. 649 but does not exceed Rs. 799 | Rs. 125 p.m. |
| Where it exceeds Rs. 799 but does not exceed Rs. 1,124 | Rs. 150 p.m. |
| Where it exceeds Rs. 1,124 but does not exceed Rs. 1,449 | Rs. 175 p.m. |
| Where it exceeds Rs. 1,449 | Rs. 200 p.m. |

This amendment shall be deemed to have come into force with effect from the 1st day of May, 1979.

[G.O. (P) 47/80/Fin., dated 15-1-1980.]

****In cases where the headquarters of the officer is outside Kerala and the deputation is to institutions/bodies aided by Government industrial undertakings in which Government hold majority of shares and also undertakings which are managed by Government, the deputationist's pay in foreign service shall not exceed his basic pay in Government service by more than 50 per cent or Rs. 300 whichever is less.**

****Takes effect from 17-12-1966.**

[G.O. (P) 254/70/Fin., dated 22-4-1970]

Provided further that such pay in foreign service shall not exceed the basic pay in Government service by more than 50 per cent or Rs. 300 whichever is less.

This proviso shall apply also to cases of extension of deputation to foreign service sanctioned from 8th April 1965.

[G.O. (P) 128/65/Fin., dated 8-4-1965]

Note 4.—Specific terms in regard to travelling allowance to be allowed to officers for journeys on transfer to foreign service and on reversion therefrom should invariably be prescribed in consultation and agreement with the foreign employer.

Note 5.—An officer who is eligible for concessions in regard to medical attendance for himself or his family should not be transferred to foreign service, unless the foreign employer undertakes to afford to the officer privileges not inferior to those which he would have enjoyed if he had been employed in the service of Government.

Note 6.—No officer, to whose children educational concessions are admissible, should be transferred to foreign service, unless the foreign employer undertakes to afford these privileges which the officer would have enjoyed had been employed in the service of Government.

Note 7.—The transit pay and allowances and transfer T. A of a Government servant who proceeds on transfer from one foreign employer to another without reverting to Government service should be borne by the foreign employer to whom the Government servant proceeds on transfer.

Takes effect from November 24, 1967 G. O. (P) 621/70/Fin., dated 1st September 1970.

GOVERNMENT DECISION

The Heads of Departments, while proposing the deputation of officers to foreign service and the sections of the secretariat while sanctioning such proposals, will attach to the proposals or sanctions, as the case may be, a separate statement giving the following details:—

- (i) Name of the Government servant
- (ii) Date of birth
- (iii) To whom lent
- (iv) Official designation (post held substantively before transfer)
- (v) Scale of pay of the post in Government service held substantively by the officer
- (vi) Head of account to which pay was debitable before transfer
- (vii) Monthly rate of pay sanctioned in foreign service
- (viii) Service rules applicable
- (ix) Rate of monthly contributions provisionally fixed under rule:
 - (a) Leave salary
 - (b) Pension

- (x) When lent
- (xi) Where to be recovered
- (xii) Whether creditable to State or Central
- (xiii) Date of termination of foreign service.

(Circular Memorandum No. 42765/Rules-3/62/Fin., dated 15th September 1962.)

RULING

An officer holding a provisional appointment deputed to foreign service, will be allowed to draw, in foreign service, the pay and allowances attached to the provisional appointment, only if it is certified by the competent authority that the officer would have held the provisional appointment but for his deputation to foreign service.

145. (a) While an officer is in foreign service, contribution towards the cost of his pension and leave salary must be paid to General Revenues on his behalf.

(b) Contributions due under clause (a) above shall be paid by the officer himself, unless the foreign employer consents to pay them. They shall be payable during earned leave taken while in foreign service.

Note.—A copy of the orders sanctioning an officer's transfer to foreign service must always be communicated to the Audit Officer. The officer himself should, without delay, communicate a copy to the 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.

146. Pension and leave salary contributions, calculated at one-sixth (1/6) and one-twelfth (1/12) respectively of the officer's pay plus dearness pay from time to time in the State service, will be realised in respect of the officers on

foreign service. Such contributions will be levied in the case of officers without substantive appointments also. *Leave salary and pension contribution at the combined rate^{of} 25 per cent will be recovered in cases where both contributions are recoverable and the split up rate, will be applied only in cases where pension contribution alone is recoverable, i.e., in cases where the foreign^{er} employer agrees to grant leave and leave salary to the deputationist.

*[This rule shall be deemed to have come into force with effect from 1st March 1965—G.O. (P) 390/66/Fin., dated 20th August 1966]

[G.O. (P) 619/68/Fin., dated 10-12-1968]

GOVERNMENT DECISION

Leave salary and pension contribution will be recovered in whole rupees, fractions equal to 50 paise being rounded off to the next higher rupee. Rounding off will be done (1) at the initial stage while calculating the rates of monthly contributions, (2) while recovering contributions for part of a month at the beginning or at the end of foreign service and (3) where rates of monthly contributions are re-fixed due to a change in the rates of pay, deputation allowance, etc., and the total contribution recoverable for a calendar month are not in whole rupees.

This decision will take effect from 1st August 1970, i.e., in respect of contributions for August 1970 recoverable in September 1970.

[G.O. (P) 883/70/Fin., dated 2-12-1970]

147. The rate of pension and leave salary contribution prescribed in rule 146 is to secure the officer the pension that he would have earned by service under the State Government if he had not been transferred to foreign service and the leave salary on the scale and under the conditions applicable to him. In calculating the rate of leave salary admissible for earned leave alone, the pay drawn in foreign service less, in the case of officers paying their own contributions, such part of the pay as may be paid as contribution,

will count as pay for the purpose of leave salary; provided that the difference between the amount of leave salary that would have been admissible to the officer had he remained in Government service and the amount of leave salary admissible as aforesaid, shall be recovered from the foreign employer.

Note 1.—As the rates prescribed for such contribution have been calculated on the basis of the *leave on full or half pay normally taken by an officer during the total period of his services and do not take into account any compensatory allowance which may form part of leave salary, 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 and a condition to this effect should be inserted in the terms of transfer to foreign service.

*[G.O. (P) 491/75/Fin., dated 24-10-1975]

Note 2.—The foreign employers should in the case of officers transferred to foreign service accept liability of 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.

Note 3.—*Leave salary in respect of maternity leave granted to and enjoyed by a female Government servant while in foreign service will be borne by the foreign employer.

*[G.O. (P) 21/66/Fin., dated 17-1-1966]

GOVERNMENT DECISION No. 1

In the case of an officer who takes leave on the conclusion of foreign service before rejoining his post, the leave salary should be calculated taking into account the pay drawn in foreign service also and the difference in leave salary should be recovered from the foreign employer as provided in the above rule. Orders sanctioning deputation to foreign service should specifically include a provision for the recovery of difference in the leave salary from the

foreign employer. Leave salary in respect of leave taken after rejoining duty under Government shall be governed by the provisions in rules 92 to 95 above.

[G.O. (P) 491/75/Fin., dated 24-10-1975]

GOVERNMENT DECISION No. 2

When a Government servant is transferred to foreign service in India, an extract of the leave account of the Government servant will be furnished to the foreign employer by the Accountant General in respect of Gazetted Officers and by the Head of Office in respect of Non-Gazetted Officers so that the foreign employer may determine the leave admissible to the Government servant and the leave salary payable to him. Whenever leave is granted by the foreign employer a copy of the orders granting leave to the Government servant may be endorsed by the foreign employer to the Accountant General in respect of Gazetted Officers and to the Head of the office of the parent department in the case of Non-Gazetted Officers. The foreign employer will pay the leave salary which will be reimbursed to him by the Accountant General in the case of Gazetted Officers and by the Head of the office (of the parent department) in the case of Non-Gazetted Officers. The claim for the reimbursement of leave salary thus paid by the foreign employer may be made half yearly for the period from April to September and October to March. While sending the claim to the Accountant General or Head of Office concerned, the foreign employer will give the name and designation of the Government servant, nature and period of leave sanctioned, the number and date of sanction, rate of leave salary and amount of leave salary paid. On receipt of the claim from the foreign employer the Accountant General or Head of Office will verify the claim with reference to the entries in the leave account and arrange to reimburse the amount by means of a bank draft within a month of receipt of the claim. The expenditure will be debited to the head of

account to which the leave salary is debitable. It should be noted that in both cases, the amount of leave salary to be reimbursed to the foreign employer will be the leave salary (excluding Dearness Allowance and other compensatory allowance) to which the Government servant would have been eligible but for foreign services as the difference between the leave salary to which the officer is eligible and that he would have received but for foreign service together with Dearness Allowance and other compensatory allowance is to be finally borne by the foreign employer.

[G.O. (P) 229/76/Fin., dated 2-8-1976]

148. The Government may—

(a) remit the contributions 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.

149. An officer in foreign service may not elect to withhold contributions and forfeit 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.

150. Contribution for leave salary or pension, due in respect of an officer 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 Government, at the rate of two paise per day per Rs. 100 from the date of expiry of the period aforesaid upto the date on which the contribution is

finally paid. The interest shall be paid by the officer or the foreign employer according as the contribution is paid by the former or the latter.

[G.O. (P) 272/78/Fin., dated 14-3-1978]

151. An officer transferred to foreign service may not without the sanction of the Government accept a pension or gratuity from his foreign employer in respect of such service.

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

Exception.—An officer on foreign service out of India may be granted leave by the foreign employer on such conditions as he may determine. In any individual case, the authority sanctioning the transfer may determine beforehand, in consultation with the foreign employer, the conditions on which leave will be granted by him. The leave salary in respect of leave granted by the foreign employer will be paid by him and the leave will not be debited against the officer's leave account.

This exception shall be deemed to have come into force with effect from 1st March 1965.

[G.O. (P) 390/66/Fin., dated 20th August 1966]

Note:—An officer on foreign service is himself personally responsible for the observance of the rules regarding leave in foreign service, by accepting leave to which he is not entitled under the rules, he renders himself liable to refund leave salary irregularly drawn, and in the event of his refusing to refund, he forfeits his previous service under Government and ceases to have any claim on Government in respect of either pension or leave salary.

GOVERNMENT DECISION No. 1

At present, there is no ruling or Government decision as to whether an officer deputed to foreign service from a vacation department can be granted earned leave if he has

been prevented from availing himself of the regular vacation in foreign service either in full or in part or if the duty in foreign service is in a non-vacation post. According to rule 80, Part 1, Kerala Service Rules read with rule 81 *ibid* an officer of a vacation department is eligible for earned leave if he has been prevented from enjoying vacation either in full or in part. Vacation duty contemplated therein is vacation duty in a Government department. Performance of duty during vacation of the foreign institution will not, therefore, entitle the officer to earned leave as provided for in the rule. So also by virtue of the fact that foreign service does not have vacation the officer cannot derive leave benefits in excess of what he would have earned in the parent department. Grant of earned leave in this case based on duty in foreign service would result not only in an additional benefit not contemplated in the terms of deputation but also render foreign service far more attractive than service in the parent department. In the circumstances, it has been decided by Government that officers deputed to foreign service from vacation departments will earn only Half Pay Leave, which they would have earned had they continued in Government service irrespective of the nature of their duty or of the fact that they are prevented from enjoying vacation either in full or in part while in foreign service.

[G.O. (P) 309/70/Fin., dated 12-5-1970]

GOVERNMENT DECISION No. 2

Government Decision No. 1 will not apply in the case of employees on deputation from vacation departments to institutions which are wholly or substantially owned or controlled by Government.

The above decision will take effect from 12th May 1970.

[G.O. (P) 288/76/Fin., dated 17-9-1976]

153. An officer 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.

154. An officer reverts from foreign service to Government service on the date on which he takes charge of his post in Government service; provided that if he takes leave on the conclusion of foreign service before rejoining his post, his reversion shall take effect from such date as the Government may decide.

155. When an officer 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.

156. 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 of the portion of the service, as the case may be, and shall not vary with the actual expenditure of any month.

(b) The cost of the service shall include contributions at such rates as may be laid down under rule 146 and the contributions shall be calculated on the sanctioned rates of pay of the members of the establishment.

(c) The Government may reduce the amount of recoveries or may entirely forego them.

Note:—The term 'gross sanctioned cost of service' should be deemed to include dearness and other compensatory allowances.

been prevented from availing himself of the regular vacation in foreign service either in full or in part or if the duty in foreign service is in a non-vacation post. According to rule 80, Part 1, Kerala Service Rules read with rule 81 *ibid* an officer of a vacation department is eligible for earned leave if he has been prevented from enjoying vacation either in full or in part. Vacation duty contemplated therein is vacation duty in a Government department. Performance of duty during vacation of the foreign institution will not, therefore, entitle the officer to earned leave as provided for in the rule. So also by virtue of the fact that foreign service does not have vacation the officer cannot derive leave benefits in excess of what he would have earned in the parent department. Grant of earned leave in this case based on duty in foreign service would result not only in an additional benefit not contemplated in the terms of deputation but also render foreign service far more attractive than service in the parent department. In the circumstances, it has been decided by Government that officers deputed to foreign service from vacation departments will earn only Half Pay Leave, which they would have earned had they continued in Government service irrespective of the nature of their duty or of the fact that they are prevented from enjoying vacation either in full or in part while in foreign service.

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

(b) The cost of the service shall include contributions at such rates as may be laid down under rule 146 and the contributions shall be calculated on the sanctioned rates of pay of the members of the establishment.

(c) The Government may reduce the amount of recoveries or may entirely forego them.

Note:—The term 'gross sanctioned cost of service' should be deemed to include dearness and other compensatory allowances.

GOVERNMENT DECISION

The procedure for the recovery of the cost of an establishment will be as follows:—

(i) *Gross sanctioned cost of the service.*—This will include the “average cost” of the several posts included in the establishment together with the Dearness Pay, Dearness Allowance, Special Dearness Allowance, Personal Pay, Special Pay and other compensatory allowances admissible on the “average cost”. “Average cost” for this purpose will be calculated according to the formula given under rule 12 (35), Part I, Kerala Service Rules.

(ii) *Pension and leave salary contribution.*—This contribution in respect of a post will be worked out at one-fourth of the total of the “average cost” plus Dearness Pay, Special Pay/Personal Pay admissible on the average cost.

(iii) *Calculation of average age at entry in the grade.*—

(a) *In grades where direct recruitment is generally made.*—If the recruitment is generally made between 18 and 24/25 years, for example, the age of entry can with advantage be adopted uniformly as 21, instead of calculating it on the basis of age of entry of all persons in service on a date or recruited during a specified period which would involve unnecessary labour not yielding commensurate advantage. The average cost thus worked out on the above basis may hold good till there is a revision of scales or other conditions of service, e.g., age of retirement, etc.

(b) *In grades where appointments are generally made by promotion but occasionally direct recruitment is also resorted to.*—The factor of age of entry would in this case be depending on the incidence of promotion in individual establishment and no uniform age of entry can therefore be indicated. To get more accurate results the age of entry may be arrived at in these cases on the basis of the age of entry of all persons in service in that grade on 1st April of the year in which the occasion to calculate the average cost arises. As the basis of average cost itself is somewhat approximate, a change in the age of entry from year to year is of little

consequence and therefore the age of entry thus arrived at and for that matter the average cost worked out on that basis, may hold good for a reasonable period, say 5 years, after which it may be reviewed, unless there is a general revision of the scales of pay or conditions of service in the meantime.

(Circular No. 62/63/Fin., dated 9th August 1963 and No. 5/64/Fin., dated 16th January 1964).

Service under Local Funds

157. Officers paid from Local Funds which are administered by Government are subject to the provisions of these service rules.

158. The transfer of officers to service under Local Funds which are not administered by Government will be regulated by the rules in this chapter.

159. Persons transferred to Government service from a Local Fund which is not administered by Government will be treated as joining a first post under Government and their previous service will not count as duty performed. The Government may, however, allow previous service in such cases to count as duty performed on such terms as it thinks fit.

RULING

The pay of an officer transferred from a Local Fund Institution not administered by Government to Government service will be fixed at the minimum of the scale of pay of the post in Government service if the pay he was drawing in the Local Fund is less than the minimum. In case he was drawing, under the Local Fund, pay above the minimum, and equal to a stage in the scale of pay of the post in Government service, his pay will be fixed at that stage and if the pay he was drawing under the Local Fund is not a stage in the scale of pay of the post in Government service it will be fixed at the next lower stage, the difference being treated as personal pay to be absorbed in future increases in pay. His next increment will ordinarily be allowed only after the full incremental period of duty in Government service.

PART II

Travelling Allowances

CHAPTER I

Section I—Grades of Officers

*1. For the purpose of calculating travelling allowances, officers are classified into the following four grades:—

First Grade —All officers in receipt of actual pay of Rs. 1050† and above, and officers belonging to All India Services, non-All India Service Officers holding posts borne on the cadre of All India Services. Heads of Departments and Officers of the Indian Army, Navy or Air Force appointed as Aides-de-camp to the Governor irrespective of the pay drawn by them.

Second Grade.—Other officers in receipt of actual pay of Rs. 435† or above but below Rs. 1050†.

Third Grade.—All other officers except class IV officers.

Fourth Grade.—Class IV officers.

[G.O. (P) 347/66/Fin., dated 30-7-1966]

†This amendment shall be deemed to have come into force with effect from 1st June 1974.

[G.O. (P) 331/75/Fin., dated 23-7-1975]

Note 1.—All Private Secretaries to Ministers and the Private, Secretary to the Speaker will be treated as Grade I Officers from 28th June 1969 and 2nd September 1969 respectively for purposes of Travelling Allowance, irrespective of the pay drawn by them.

***Note 2*.—For the purpose of calculating the T.A. for accompanying the Governor, Advisers or Ministers on tour, non-gazetted officers, other than those in the last grade, will be treated as Second Grade (b) officers irrespective of the “actual pay” drawn by them.

**[G.O. (P) 438/68/Fin., dated 19-8-1960]

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Note 3.—The term 'pay' occurring in this part of the rules should be deemed to include only—Pay as defined in rule 12 (23) (i) and (iii) of Part I, Kerala Service Rules, and personal pay, dearness pay and special pay treated as coming under classes I and II under Appendix IV, Kerala Service Rules.

Note 4.—The classification of a re-employed pensioner for purposes of travelling allowances will be determined on the following basis —

- (a) Where the pension is held in abeyance during the period of re-employment, the grade of the re-employed pensioner shall be determined, in accordance with the pay actually received from time to time
- (b) Where a pension is allowed to be drawn in addition to pay, the re-employed pensioner should be deemed to be in receipt of actual pay equivalent to his re-employed pay plus pension, subject to the proviso that if the sum of such pay plus pension exceeds the pay of the post if it is on a fixed rate of pay or the maximum pay of the post, if it is on a time-scale of pay, such excess shall be ignored.
- (c) If a portion of the pension has been commuted, the amount of pension to be taken into account for the purpose of clause (b) will be the amount including the pensionary equivalent of the commuted value. The amount of pension to be taken into account will also include the pension equivalent of the death-cum-retirement gratuity, if any.

2. The Government may, for reasons which should be recorded, order that any officer or grade of officers shall be included in a grade higher or lower than that prescribed in the above rule.

3. An officer in transit from one post to another ranks in the grade to which the lower of the two posts would entitle him.

4. The travelling allowance of an officer who is promoted or reverted with retrospective effect, should not be revised in respect of the period intervening between the date of promotion or reversion, and that on which it is ordered.

GOVERNMENT DECISION No. 1

In all cases of belated grant of increments, other than those where such increments have been specifically withheld under competent orders, where the class or grade of officers for drawal of T.A. has been changed consequent on such belated grant of increments, the officers concerned will be eligible to draw the enhanced rate of T.A. with retrospective effect, i.e., from the date on which the increment has actually fallen due.

[G.O. (Ms.) 452/60/Fin., dated 21-9-1960]

GOVERNMENT DECISION No. 2

In cases of belated issue of pay slips for ordinary increments, which do not depend on the passing of tests, completion of probation, retrospective confirmation, promotion, revision of pay scales, etc., but are delayed for some routine reason or other, the officers concerned will be eligible to draw the enhanced rate of T.A., with retrospective effect, i.e., from the date on which the increment has actually fallen due. But such claims for arrears of T.A. will be paid by the Treasury Officers only after special audit by the Accountant General.

[G.O. (P) 667/69/Fin., dated 15-12-1969]

GOVERNMENT DECISION No. 3

It is clarified that the above Decision No. 2 is applicable to all cases of belated issue of pay slips, when the delay in issue of pay slips is not due to any fault of the officer, i.e., it is only when increments are delayed on account of specific orders of competent authorities that the benefit contemplated in the above decision shall be denied.

[G.O. (P) 570/75/Fin., dated 22-12-1975]

Section II—General

5. The following are the different kinds of travelling allowances which may be drawn in different circumstances by officers:—

- (a) Permanent Travelling Allowance
- (b) Conveyance Allowance
- (c) Mileage Allowance
- (d) Daily Allowance
- (e) Actual Travelling Expenses.

The rules in this Chapter explain the nature of these allowances and the method of calculating them. The circumstances in which they may be drawn for particular journeys, are described in Chapters II to IV.

GOVERNMENT DECISION No. 1

The expressions 'road mileage' and 'mileage allowance' wherever they occur shall be assigned meaning as referring to distance in kilometres.

[G.O. (P) 36/64/Fin., dated 20-1-1964]

GOVERNMENT DECISION No. 2

An officer of Government required to attend meetings of the Board of Directors or Committees of an Industrial Concern or a Bank or a Joint Stock Company on behalf of Government shall receive T.A. and D.A. from Government according to rules. The officer should credit the entire T.A. and sitting fee paid by the Industrial Concern or Bank to the receipt head corresponding to the head of account to which his T.A. is debited. He will also forward to the Accountant General in advance a statement of T.A. and sitting fee to which he is entitled for attending such meetings in a month so as to enable the Accountant General to watch recovery. The practice of crediting to

Government the T.A. received from the University of Kerala according to its rules and receiving T.A. according to State T.A. rules as laid down in G.O. MS. 330/59/Fin., dated 29th June 1959 will be discontinued from 1st August 1960 in respect of Government officers travelling on University business and instead of, they will be allowed to receive T.A. direct from the University according to its rules.

[G.O. (MS.) 370/60/Fin., dated 27-7-1960]

***5A.** The right of a Government servant to travelling allowance including daily allowance shall be forfeited or deemed to have been relinquished if the claim for it is not preferred to the drawing officer or controlling officer within one year from the date on which it fell due.

[G.O. (P) 6/68/Fin., dated 4-1-1968]

*[This amendment shall be deemed to have come into force with effect from 12th September 1967—Vide G.O. (P) 106/70/Fin., dated 7th February 1970.]

Section III—Permanent Travelling Allowance

6. A permanent monthly travelling allowance may be granted by Government to any officer 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 officer's sphere of duty and is drawn all the year round, whether the officer is absent from his headquarters or not.

GOVERNMENT DECISION No. 1

Since Permanent Travelling Allowance is fixed at a monthly rate it is not necessary that the officer should be on tour beyond 8 kilometres from headquarters on all days of the month. Even for days he is not on tour outside 8 kilometres from headquarters he can draw Permanent Travelling Allowance. This does not however mean that permanent travelling allowance can be drawn without

leaving headquarters on any day of the month. The drawal of the allowance will be governed by the order fixing the rate of Permanent Travelling Allowance and prescribing the terms and conditions for its drawal. For the drawal of full amount of Permanent Travelling Allowance an officer should be on tour outside 8 kilometres from headquarters for 15 days in a month and should spend at least 6 hours outside headquarters on each such day. If the minimum number of days travel is not performed reduction has to be made as per the terms and conditions of the Permanent Travelling Allowance.

[This decision shall be deemed to have come into force with effect from 9th December 1970.]

GOVERNMENT DECISION No. 2

The following procedure will be followed for drawal of P.T.A. in cases where an officer is on duty for a part of a month and also in cases where the officer has been on duty for the whole month but has not toured for the minimum number of days prescribed:—

(a) If an officer is on duty for a part of a month he will be allowed proportionate P.T.A. for the days he is on duty provided that the officer is on tour for the proportionate number of days with reference to the minimum days of tour prescribed.

(b) For every day short toured, a deduction of $\frac{I \times P.T.A.}{Y}$ will be made where Y is the minimum number of days of tour prescribed.

Example:—Suppose an officer whose P.T.A. is Rs. 40 per mensem, and whose minimum period of touring is fixed as 20 days per month, is on duty only for 20 days in a month

of 30 days. He is entitled to a P.T.A. of Rs. $\frac{20 \times 40}{30}$ Rs. 26.67 provided, he puts in not less than the proportionate number of tour days, i.e., $\frac{20 \times 20}{30} = 13$ days. For every day short toured by him a deduction of $\frac{1}{20}$ of Rs. 40 will be made (i.e., if he tours only for 12 days, an amount of Rs. 2 will be deducted from Rs. 26.67).

(c) In cases where the officer is on duty for the whole month but has not toured for the minimum number of days prescribed, a deduction of $\frac{X \times \text{P.T.A.}}{Y}$ will be made where X and Y are the short fall in the number of days of tour and the minimum number of days of tour prescribed in a month respectively.

Example:—Suppose an officer whose P.T.A. is Rs. 40 per mensem and whose minimum number of tour days is fixed as 20 per month, is on duty for the whole month and tours only for 15 days, a deduction of $\frac{5 \times 40}{20} =$ Rs. 10 is to be made from his P.T.A. of Rs. 40 per mensem.

[The above orders are to take effect from 8th June 1962.]

[G.O. (P) No. 545/62/Fin., dated 8-11-1962]

7. A permanent travelling allowance may not be drawn during leave, temporary transfer or 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.

8. When an officer holds, either substantively or in 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 Government may consider to be necessary in order to cover the travelling expenses which he has to incur.

Section IV--Conveyance Allowance

9. The Government may grant on such conditions as they think fit to impose, a monthly conveyance allowance to any officer who is required to travel extensively at or within a short distance from his headquarters under conditions which do not render him eligible for daily allowance.

10. Except as otherwise provided in these rules and unless the Government otherwise direct, a conveyance allowance is 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 an officer, who is in receipt of a conveyance allowance specifically granted for the upkeep of a motor car or motor cycle shall not draw mileage or daily allowance for a journey by the motor car or motor cycle except on such conditions as the Government may prescribe.

11. A conveyance allowance shall not be drawn during leave or temporary transfer or holidays prefixed or suffixed to leave. A conveyance allowance to which the obligation of maintaining a motor vehicle or any other conveyance is not attached, is not admissible even during joining time.

Section V--Mileage Allowance

Sub-section (1)--General

12. A mileage allowance is an allowance, calculated on the distance travelled which is given to meet the cost of a particular journey.

13. (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 when there are alternative railway routes and the difference between them in point of time and cost is not

great, mileage allowance may be calculated on the route actually used.

(b) The shortest route is that by which a traveller can most speedily reach his destination by the ordinary modes of travelling. In case of doubt, the Government will declare which shall be regarded as the shortest of two or more routes.

GOVERNMENT DECISION No. 1

The shortest distance between Ernakulam to Fort Cochin and Mattancherry and vice versa would be the distance by road for purposes of Travelling Allowance.

[G.O. (MS) No. 117/64/Fin., dated 16-3-1964]

GOVERNMENT DECISION No. 2

The route via., Mavelikkara would be the shortest route for journeys between Chengannur and Alleppey for purpose of Travelling Allowance.

[This will have effect till bridges are opened in all three ferries in the Changanacherry route.]

[G.O. (Rt.) No. 2723/C4/Fin., dated 8-12-1964]

GOVERNMENT DECISION No. 3

In the case of air journeys from Trivandrum to Madras the officers are entitled to travel via., Cochin, though the shortest route is that via., Madurai. In such cases, the T.A. bills should be supported by a certificate to the effect that no seat was available by the route via., Madurai.

[Government Memorandum No. 29/64/Fin., dated 30th March 1964]

GOVERNMENT DECISION No. 4

In the case of air journeys from Trivandrum to Delhi via., Bombay the claim should be supported by a certificate that no seat was available via., Madras. But the Chief Secretary to Government, Members of the Board of Revenue, Secretaries and Additional Secretaries to Govern-

meat and Heads of Departments are permitted to travel either via., Bombay or Madras for the journeys to Delhi and back.

[Circular Memorandum No. 53/64/Fin., dated 6th June 1964 and G.O. (P) No. 699/64/Fin., dated 30th September 1964.]

(c) If an officer travels by a route which is not the shortest but is cheaper than the shortest, his mileage allowance should be calculated on the route actually used.

14. The Government in respect of Heads of Departments and the Heads of Departments in the case of their subordinates may, for special reasons which should be recorded, permit mileage allowance to be calculated on a route other than the shortest or cheapest, provided that the journey is actually performed by such route.

Note 1.—When road mileage is claimed for a journey performed by motor car between places connected by railway, the Government shall decide whether the full rate of travelling allowance should be passed in such a case or whether it should be limited to what would have been admissible had the officer travelled by rail in the ordinary way. The principle which should be followed in deciding such questions is whether any public interest was served by the road journey which would not have been served had the officer travelled by rail, such as saving of public time or inspection work en route, etc.

Note 2.—For the purpose of this rule, the absence in a train of the class of accommodation to which an officer is entitled may be taken as a special reason for allowing mileage allowance by road and consequently the competent authority may on such occasion grant to an officer travelling by road, road mileage limited to the amount which would have been admissible had the journey been performed by rail by the class of accommodation to which he is ordinarily entitled.

Note 3.*—The sanction of Government is not required to the claim for road mileage by an officer of the first grade for a journey performed by road between places connected by rail or by air within the State. **The signature of the Officer on the travelling allowance bill will be sufficient for the purpose of this rule. In the case of an officer belonging

to the Second Grade prior sanction is necessary for journeys by road in special conveyances between places connected by rail. But such sanction shall be accorded only sparingly and under unavoidable circumstances. In both cases full rate of mileage will be allowed upto 200 km. a day irrespective of whether any inspection work is done or any public purpose is served en route and at three-fourth of the full rate for the remaining distance.

[*This will take effect from 1st September 1968—vide G.O. (P) 121/70/Fin., dated 19th February 1970.]

**[G.O. (P) 212/76/Fin., dated 20-7-1976]

15. *A journey on transfer is held to begin or end at the actual residence of the Government servant concerned. Any other journey (excluding a journey of the type referred to in the note below) is held to begin or end in any station at the duty point in that station.

Explanation.—For the purpose of this rule “duty point” at the headquarters means the place or office where a Government servant remains on duty, i.e., the place or office of employment at the headquarters. In the case of outstations the “duty point” means the place or office visited by the Government servant on duty. Whether there are two or more such places or offices at an outstation, the following shall be taken as “the duty point”:

(a) If a Government servant reaches that station by rail, steamer, or air, the place or office which is farthest from the railway station, harbour (or jetty) or the air booking centre as the case may be.

(b) If he reaches that station by road, the place or office which is farthest from the point from which the journey to that station commenced.

Note.—Where the journey commences or ends at a station which is either the Government servant’s headquarters or his places of duty, it may be treated to have commenced or ended at his residence.

*[G.O. (P) 16/65/Fin., dated 6-1-1965]

16. An officer is required to travel by the class of accommodation for which travelling allowance is admissible to him. The provisions of all rules regulating mileage allowance are subject to the condition that if an officer travels in a lower class of accommodation, he shall be entitled to the fare of the class accommodation actually used plus the incidental expenses admissible to his grade calculated on the distance travelled in the case of rail journeys and the incidental expenses admissible had he travelled by the class of accommodation by which he is entitled to travel in the case of journeys by sea or air.

[G.O. (P) 216/65/Fin., dated 29th May 1965]

Note.—The claims for first or second class railway fare for a journey actually performed by train should be supported by a certificate to the effect that the journey was actually performed in the first or second class, as the case may be.

[G.O. (P) 279/67/Fin., dated 15-7-1967]

17. Mileage allowance is differently calculated as shown in the following sections, according as the journey is or could be by railway, by sea, by road, or by plane.

Sub-section (ii)—Mileage Allowance for Journeys by Railway

18. For the purpose of calculating mileage allowance, officers when travelling by railway are entitled to class accommodation according to the following scale:—

(a) An officer of the First Grade—Accommodation of the First Class (or the highest class by whatever name it is called).

(b) An officer of the Second Grade—Accommodation of the First Class.

*(c) An officer of the Third Grade or the Fourth Grade—Accommodation of the Second Class.

Note 1.—Air conditioned accommodation is not recognised as a class of accommodation for the purpose of these rules except for journeys on tour by officers in the case of pay the minimum

of which is not less than Rs. 1,050. First Grade Officers in the scale of pay the minimum of which is less than Rs. 1,050 may however travel by air conditioned accommodation while on tour subject to the recovery of 13 paise per 10 kilometres or part thereof if it exceeds 5 kilometres, from their T.A. bills. This rule is applicable in the case of journeys by airconditioned class in Deluxe trains also.

[The amendment hereby made shall be deemed to have come into force with effect on and from the 20th January 1977.]

[G.O. (P) 187/78/Fin., dated 16-2-1978]

Note 2.—Officers of the Second and Third Grades will be allowed to travel in airconditioned second* class accommodation in Deluxe trains at public expense.

Note 3.—If a Government servant who is entitled to travel in a higher class by rail travels in second* class and pays the extra charges for sleeping accommodation provided by the railway for third class passengers during the night journeys, the controlling officers may in such cases allow the fare of the accommodation, provided it does not exceed the fare of the class in which the Government servant is entitled to travel.

[G.O. (P) 607/72/Fin., dated 27-11-1972]

*[This amendment shall be deemed to have come into force with effect on and from the 1st March 1975.]

[G.O. (P) 117/77/Fin., dated 30-3-1977]

19. The Government may, for special reasons which should be recorded, declare any particular officer or class of officers to be entitled to accommodation of a higher class than that prescribed for his class in clauses (b), (c) or (d) of rule 18.

20. Except in the case of journeys on transfer (the rules for which are contained in Section III), the mileage allowance admissible to an officer is as follows:—

(a) a single fare of the class in which an officer is entitled to accommodation PLUS

*(b) an allowance for incidental expenses calculated as follows:—

- (i) for an officer of the First Grade 35 paise for every 10 kilometres or part thereof if it exceeds 5 kilometres †subject to a minimum of half daily allowance.
- (ii) for an officer of the Second Grade, 24 paise for every 10 kilometres or part thereof if it exceeds 5 kilometres †subject to a minimum of half daily allowance.
- (iii) for an officer of the Third Grade, 13 paise for every 10 kilometres or part thereof if it exceeds 5 kilometres †subject to a minimum of half daily allowance.
- (iv) for an officer of the Fourth Grade, half the second** class fare by passenger train †subject to a minimum of half daily allowance.

*[G.O. (P) 64/66/Fin., dated 21-2-1966]

†[G.O. (P) 210/70/Fin., dated 9-4-1970]

Note.—When in respect of a particular class of accommodation there are two fares, viz., one for passenger trains and the other for mail/express trains the officers will be entitled to the fare for the train by which they were required by the controlling officer to travel, provided they actually travelled by the aforesaid train. The officer should accordingly certify on each bill in which mail/express fare is claimed that the journeys were actually performed by the mail/express train and the controlling officer should certify in respect of journey other than those on transfer that the journeys were performed by mail/express train in the public interest.

GOVERNMENT DECISION

The Railway authorities entertain claims for refund of cancellation charges on unused Railway tickets only from the passengers concerned. So in cases where the official rail journey is cancelled solely due to official reasons, the Government servant should after getting the refund in the

** [This amendment shall be deemed to have come into force on and from the first March 1977.]

[G.O. (P) 117/77/Fin., dated 30-3-1977.]

usual manner from the Railway station prefer to the appropriate Railway authority concerned his claim for refund of cancellation charges (i.e., full ticket value excluding reservation charges and refund already received) on unused tickets supported by a certificate from his controlling authority to the effect that the journey had to be cancelled solely due to exigencies of service. When the officer himself is his own controlling officer for purposes of T.A. he may furnish his own certificate. The claim for the refund preferred on the Railways, should, however, be restricted to what it would be, had the officer booked and cancelled his journey by the shortest route, save in exceptional cases, where the route actually adopted by the officer is certified by the controlling officer or by the officer himself if he is his own controlling officer for T.A. purposes to be in the interest of Public Service.

Reservation charges in cases referred to above will be reimbursed to the Government servant without waiting for the acceptance of his claim for refund of 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 T.A. is charged.

The Government servant should record a certificate as follows in the T A. Bill for the claim.

“Certified that the reservation of journey ticket made as per reservation ticket No. on was cancelled due to exigencies of Public Service.”

[G. O. (P) 388/75/Fin., dated 27-8-1975]

***21.** Whenever, a road journey is performed between places connected by rail, the road mileage will be regulated as follows:—

- (a) When the journey is performed in a public conveyance,

- (i) actual fare paid for a seat in the public conveyance plus incidentals admissible as for journeys by rail, or
 - (ii) lower rates of road mileage as admissible to his class for the entire journey limited to rail mileage, whichever is less.
- (b) When the journey is performed by special conveyance road mileage limited to the rail mileage admissible to his class for the entire journey.

*[G.O. (P) 64/66/Fin., dated 21-2-1966]

22. If an officer of the Third or Fourth Grade travels by a train which does not provide the class of accommodation to which he is entitled under rule 18, he may be allowed to draw a single railway fare of the next higher class, plus the incidental expenses admissible to his grade calculated on the distance travelled by rail, provided that the journey is actually performed by the higher class and 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.

[G.O. (P) 216/65/Fin., dated 29-9-1965]

***23.** When through booking involves the payment, for part of a journey, of rates for accommodation of a class higher than that to which the officer concerned is entitled, the officer may draw single railway fare for the whole journey at the rate at which he is actually required to pay for the through booking, plus the incidental expenses admissible to his grade calculated on the distance travelled by him by rail.

*[G.O. (P) 374/65/Fin., dated 29-9-1965]

24. If available, return tickets at reduced rates should always be purchased when an officer expects to perform the return journey by rail within the period for which a return ticket is available. The mileage allowance for the forward

and the return journeys wherever such return tickets are available and are purchased will be the actual cost of the return ticket plus the usual allowance admissible for incidental expenses each way.

Sub-section (iii)—Mileage allowance for journeys by sea in a steamer

25. For the purpose of calculating mileage allowance, officers are entitled to class accommodation according to the following scale:—

- (a) An officer of the Highest class.
First Grade
- (b) An officer of the Second Grade If there be two classes only on the steamer the higher class, and if there be more than two classes, middle or second class.
- (c) An officer of the Third Grade If there be two classes only on the steamer the lower class, if there be three classes, middle class, or second class and if there be four classes, third class.
- (d) An officer of the Lowest class.
Fourth Grade

26. Except in the case of journeys on transfer the mileage allowance admissible to an officer is single fare of the class accommodation he is entitled to plus the Daily Allowance admissible under the rules for halts outside the State or $1\frac{3}{5}$ fare whichever is greater. In cases where the steamer company has two rates of fare, one inclusive and one exclusive of diet, the word 'fare' in this rule should be held to mean fare exclusive of diet.

27. In cases of doubt or in which, owing to the arrangement of classes on a steamer, the provisions of rule 25 if strictly construed involve hardship, Government may decide, for journeys generally or for particular journeys, to what class of accommodation an officer is entitled, and whether if a concession is sanctioned, he should be granted the full allowance admissible for the higher class in which he is permitted to travel.

28. The rules in this sub-section apply to officers who cross a river or arm of the sea by steamer in the course of a journey unless such crossing occurs during a railway journey and the charge for it is included in the railway fare. In the latter case, the crossing is treated as part of the railway journey.

29. If suitable accommodation on a Government vessel is offered to an officer, he is entitled to travelling allowance under rule 109 and not to mileage allowance. It is not open to him to refuse to accept such accommodation and to draw mileage allowance.

Sub-section (iv)—Mileage allowance for journeys by road

30. 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.

31. For journeys by road, mileage allowance is admissible at the following rates for each kilometre travelled:—

| | |
|--------------------------------|--|
| Officers of the First Grade | 55 paise per kilometre, if special conveyance is engaged and 10 paise per kilometre, if the journey is performed in public conveyance. |
|--------------------------------|--|

| | |
|---------------------------------|---|
| Officers of the Second Grade | 55 paise per kilometre, if special conveyance is engaged and 8 paise per kilometre, if the journey is performed in public conveyance. |
| Officers of the Third Grade | 6 paise per kilometre, if the journey is performed in public conveyance. |
| Officers of the Fourth Grade | One bus fare or 4 paise per kilometre whichever is less. plus one daily allowance admissible. |

Note 1.—Officers of the Third Grade and the Fourth Grade are not authorised to travel by special conveyance.

Note 2.—Officers claiming travelling allowance at the higher rates shall furnish the following certificate in their T.A. bills.

“I certify that I did not perform the road journeys for which mileage allowance has been claimed at the higher rates prescribed, in any public conveyance, which plies regularly for hire between fixed points and charges fixed rates. I also certify that the journey was not performed in any other vehicle without payment of its hire charges or incurring its running charges.”

This certificate shall be furnished by the officer not travelling in his own car and claiming mileage at the higher rates.

Note 3.—An Officer claiming road mileage for a journey performed in his own car shall furnish the following certificate in lieu of the certificate referred to above.

“I certify that the road journeys for which mileage has been claimed at the higher rates were performed in my own car.”

Note 4.—All Officers claiming road mileage shall record one of the following certificates in their T.A. bills, as the case may be:—

(a) "Certified that I have not been provided with any Government conveyance for my use."

OR

(b) "Certified that the Government conveyance provided for my use was out of order/not available for journeys on (date to be specified)."

Explanation.

In the case of non-Gazetted Officers the drawing officers shall record the certificate with suitable changes and the controlling officer shall ensure that Government Servants who are provided with Government conveyance, use such conveyance for their official journey and that the prescribed certificate is recorded invariably.

Note 5.

—When two or more officers travel in a conveyance belonging to one of them or hired by one of them, the officer who owns or hires the conveyance may draw travelling allowance as if he travelled alone to a place and the other officer or officers may draw travelling allowance admissible under rule 107 read with rule 110, even if he or they meets/meet portion of the cost of propulsion of the conveyance or some portion of the hire charges of the conveyance, as the case may be. A certificate in the following form shall also be attached to the Travelling Allowance bills of officers claiming travelling allowance under the above provisions:

"Certified that we 1.....
(Name and designation) 2.....
(Name and designation) 3.....
(Name and designation) 4.....
(Name and designation) travelled together from
.....
to..... on
..... in a special conveyance (here
enter registration No. of the vehicle) owned/hired by the
officer whose name is mentioned as No
above and that I have claimed travelling allowance
admissible under Note 5 to rule 31, Kerala Service Rules
Part II."

Note 6.—An Officer who performs a journey in a conveyance owned by another officer without meeting the cost of its use and propulsion but whose own conveyance immediately precedes or follows him is eligible for mileage admissible under the rules. He shall when he claims mileage, certify that the cost of the use and propulsion of his conveyance which immediately preceded or followed the conveyance in which he travelled was paid by him.

Note 7.—Officers of the First Grade and Second Grade on transfer from one station to another shall be entitled to the higher rates of mileage for all journeys irrespective of the distance travelled per day or the nature of the conveyance used except in the case of journeys on temporary transfers and relieving duties of not more than two months' duration.

Note 8.—If an officer belonging to the First or the Second grade travels more than 200 kilometres a day by special conveyance, the rate of mileage admissible for the excess over the first 200 kilometres shall be reduced to three-fourths of what is normally admissible.

Note 9.—For journeys performed by foot between places not connected by any public conveyance officers of the First Grade and the Second Grade shall be given mileage at the rates applicable for journeys by special conveyance and officers of the Third Grade and the Fourth Grade be given mileage at the rate of 20 paise per kilometre.

An Officer claiming mileage in such cases should certify that he performed the journey entirely by walking and the officer who countersigns the Travelling Allowance bill shall also countersign the above certificate.

Note 10.—When higher road mileage under this rule is claimed in the case of a Non-Gazetted Officer of the Second Grade a certificate shall be furnished to the effect that he was ordered to travel by a hired or special conveyance. This certificate shall be furnished by the drawing officer and countersigned by the controlling officer."

[G.O. (P) 791/79/Fin., dated 20-8-1979]

*Note 11.**—This rule (including Note 1 to Note 10) shall be deemed to have come into force with effect from 21st March 1974."

[*G.O. (P) No. 532/80/Fin., dated 29-8-1980]

GOVERNMENT DECISION

The above note should be deemed to apply only to journeys performed by road. 'The nature of conveyance' referred to in the note is intended to differentiate between 'public conveyance' and 'special conveyance' and not between different modes of journeys, such as journey by road or journey by rail. The note above therefore allows higher mileage only for journeys on transfer between places not connected by rail.

Rule 66, Part II, does not permit an officer to draw road mileage for journeys on transfer performed between places connected by rail as the term "Mileage allowance" as defined in rule 12, Part II, relates not to 'road mileage' alone.

[Circular 43959/EB4/Fin., dated 19-11-1962]

GOVERNMENT DECISION No. 1

If an officer has to perform long journeys, he may be allowed to perform the journeys in more than one day subject to the condition that the halts should be made only after the officer has made a march of not less than two hundred kilometres in a day. In cases where the journey commences late in the day, halts may also be made after marches of less than two hundred kilometres. In all such cases of long journeys the restriction regarding the mileage in the above note will be applied only in respect of each day's journey. No daily allowance either full or half will be admissible to the officer for such intermediate halts.

[G.O. Ms. 454/61/Fin., dated 6-11-1961]

GOVERNMENT DECISION No. 2

The above orders will take effect from 1st November 1959.

[G.O. Ms. No. 486/61/Fin., dated 2-12-1961]

GOVERNMENT DECISION No. 3

Half Daily Allowance will be admissible for intermediate halts beyond 200 km. when the journey is performed in departmental vehicles.

[G.O. (P) 756/78/Fin., dated 16th October 1978]

RULING

“Motor Cycles” will not be considered as “special conveyance” and no higher rate of mileage will be allowed for journeys performed by motor cycle.

[G.O. (P) 364/63/Fin., dated 12-6-1963]

32. The Government may, for special reasons to be recorded, allow to a particular officer or grade of officers, mileage allowance at a higher rate than is prescribed in rule 31.

33. In calculating mileage allowance for journeys by road, fractions of a kilometre should be omitted from the total of a bill for any one journey but not from the various items which make up the bill.

Sub-section (v)—Mileage allowance for journeys by air

34. An officer authorised to travel by air is entitled to mileage allowance equal to one standard air fare plus an allowance for incidental expenses at one-fifth of the standard air fare subject to a minimum of one daily allowance and maximum of five times the daily allowance at the ordinary rate for each single journey, each single journey being defined as the journey from starting point to destination or vice versa.

[G.O. (P) 197/66/Fin., dated 11-5-1966]

Note 1:—All first grade officers are authorised to travel by plane. Officers belonging to the other grades should take the prior sanction of Government for air journeys.

Note 2:—When an officer performs both rail and air journeys on the same day he will be allowed to draw the actual incidental expenses at the prescribed rates subject to a minimum of one daily allowance for both the air and rail journeys together.

[G. O. (P) 416/66/Fin., dated 13-9-1966]

Note 3:—The incidental expenses are limited to the following ceiling:—

| | Rs. | Ps. |
|--|-----|-----|
| (i) 1st Grade Officers | 62 | 50 |
| (ii) 2nd Grade Officers | | |
| (a) Officers whose actual pay is Rs. 700* and above and those in the cadre of Deputy Collectors and Deputy Superintendents of Police drawing a pay below Rs. 1050* | 42 | 50 |
| (b) Other Officers | 30 | 00 |
| (iii) 3rd Grade Officers | 25 | 00 |
| (iv) 4th Grade Officers | 20 | 00 |

This amendment shall be deemed to have come into force with effect from 21st March 1974.

[G.O. (P) 300/75/Fin., dated 7-7-1975]

*Takes effect from 1st June 1974—G.O. (P) 331/75/Fin., dated 23rd July 1975.

GOVERNMENT DECISION No. 1^a

The following classification is prescribed in respect of various officers for purposes of air travel while performing official duty journeys, where two classes of tickets are available:—

| <i>Class of Officers</i> | <i>Class of air travel</i> |
|---|----------------------------|
| (i) Officers drawing a pay of Rs. 2,250 per month and above | Standard (First) Class |

| <i>Class of Officers</i> | <i>Class of air travel</i> |
|--|--|
| <p>(ii) Officers drawing a pay between Rs. 1,800 and Rs. 2,249 per month</p> | <p>Standard (first) class where the journey involves night travel; otherwise Tourist Class.</p> <p>For this purpose 'Night' means the time between 6 p.m. and 6 a.m.</p> <p>In case part of the journey is performed during night, standard (first) class will be admissible for the entire journey.</p> |
| <p>(iii) Officers other than those falling under (i) and (ii) above</p> | <p>Tourist class.</p> |

[G.O. (P) 16/64/Fin., dated 9-1-1964]

GOVERNMENT DECISION No. 2

The Chairman and Members of the Kerala Public Service Commission will be included along with officers of a pay of Rs. 2,250 per mensem and above for purposes of air travel.

[G.O. Ms. No. 586/64/Fin., dated 19-8-1964]

GOVERNMENT DECISION No. 3

The taxes paid on inland and foreign air travels shall be reimbursed to the State Government servants, in cases where the travel is on official business and on public interest and where the expenditure on air fare itself is borne by the Government, officers may claim reimbursement of the tax paid by them in the Travelling Allowance bills prepared for the particular journeys producing receipts in token of having paid the tax. The reimbursement of the tax will

be by debit to the same head of account to which the Travelling Allowance claims of the officers are debited.

This decision shall be deemed to have come into force with effect from 15-11-1971 and 15-10-1971 respectively, for inland air travel tax and foreign air travel tax.

[G.O. (P) 46/73/Fin., dated 12-2-1973]

GOVERNMENT DECISION No. 4

The Governor, Speaker, Deputy Speaker, Leader of the Opposition, Ministers, Chief Secretary, Secretaries to Government and the following Heads of Departments will be covered by Personal Accident Insurance Policies on year to year basis.

1. Members of the Board of Revenue.
2. The Chief Engineers.
3. The Director of Health Services.
4. The Director of Public Instruction.
5. The Member, Planning Board.
6. The Director of Technical Education
7. The Director of Collegiate Education
8. The Chief Electrical Inspector.
9. The Director of Ports
10. The Chief Town Planner
11. The Inspector General of Police

In respect of others who travel by air on Government business they will take Air Insurance Coupons from Air Port (Rupees ten for a compensation of Rupees one lakh). This amount will be reimbursed to them along with the T.A. claims.

[G.O. (P) 531/80/Fin., dated 29-8-1980]

35. An officer 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.

36. If available, return tickets at reduced rates should always be purchased when an officer expects to perform the return journey by air within the period during which a return ticket is available. The mileage allowance for the forward and the return journeys when such return tickets are available will, however, be the actual cost of the return ticket plus $\frac{2}{5}$ of the standard air fare for a single journey between the two places.

*Note:—*The incidental expenses will be limited to Rs. 50 for each single journey.

GOVERNMENT DECISION

The cancellation charges of air tickets shall be reimbursed to officers who have booked their tickets for official journeys in case they could not undertake the journeys due to circumstances beyond their control.

The Government servant should record a certificate as follows in the T. A. Bill for the claim.

Certified that reservation of journey ticket made as per reservation ticket No. on was cancelled due to exigencies of public service.

[G.O. (P) 141/77/Fin., dated 10-5-1977]

Section VI—Daily Allowance

37. A daily allowance is a uniform allowance for each day of absence from headquarters, which is intended to cover the ordinary daily charge incurred by an officer in consequence of such absence.

38. Unless in any case it be otherwise expressly provided in these rules, a daily allowance may be drawn while on tour by every officer whose duties require that he should travel, and may not be drawn except while on tour.

39. Daily allowance is admissible on the following scale:—

- (i) Officers of the First Grade †Rs. 20·00 a day
- (ii) Officers of the Second Grade:
 - (a) Officers whose actual pay is Rs. 700* and above, and those in the cadre of Deputy Collectors and Deputy Superintendents of Police drawing a pay below Rs. 1,050* †Rs. 14·00 a day.
 - (b) Other Officers †Rs. 10·00 a day
- (iii) Officers of the Third Grade †Rs. 9·00 a day
- (iv) Officers of the Fourth Grade †Rs. 8·00 a day

* This takes effect from 1-6-1974—Vide G.O. (P) 331/75/Fin. dated 23-7-1976.

This amendment shall be deemed to have come into force with effect from 21-3-1974.

[G.O. (P) 300/75/Fin., dated 7-7-1975]

***Provided that an officer, who while on tour is provided with free boarding and lodging, may draw only one-fourth of the daily allowance admissible to him at the station concerned; if only boarding is provided free to such an officer he may draw daily allowance at one-half of the admissible rate; if only lodging is provided free, he may draw daily allowance at two-thirds of the admissible rate.

Note 1.—Daily Allowance is calculated on the actual pay the officers are in receipt of, and with reference to the grade to which they belong.

Note 2.—**If a Government servant who stays during tours in circuit houses, inspection bungalows, rest houses, etc., is required to pay any charges on account of stay at such places, even though it may not cover the entire cost of the facilities provided, no reduction in the daily allowance will be made.

*[G.O. (P) 426/66/Fin., dated 17-9-1966]

40. The Government may, for reasons which should be recorded and on such conditions as they may think fit to impose, sanction for any officer or class of officers, a daily allowance higher or lower than that prescribed in rule 39, if they consider that the allowance so prescribed is inadequate or excessive.

Section VII—Actual Expenses

41. Unless in any case it be otherwise expressly provided in these rules, no officer is entitled to be provided with means of conveyance by or at the expense of Government, or to draw as travelling allowance the actual cost or part of the actual cost of travelling.

CHAPTER II

TRAVELLING ALLOWANCE FOR DIFFERENT KINDS OF JOURNEY

Section 1—General

42. The travelling allowance admissible to an officer for any journey is calculated with reference to the purpose of the journey in accordance with the rules laid down in Sections II to XI of this Chapter.

Note 1:—When an officer who is permitted on his own request to attend meetings or conferences or congresses held in India and if any Government interest is served thereby, he may be paid (under specific orders of Government) a single railway fare of the class of accommodation to which he is entitled under these rules for the journey each way, without any road mileage or daily allowance for halt, at the place of meeting.

Travelling and daily allowances under these rules, are however, admissible when an officer is officially sent to attend a conference, congress or meeting.

Note 2:—The officers of Government travelling on University business will receive travelling allowance direct from the University according to its rules.

Note 3:—An officer as a member of a Staff Council shall be eligible for Travelling Allowance and Daily Allowance as on tour for the journeys performed by him for attending the Staff Council Meeting and back.

43. Unless in any case it be otherwise expressly provided in these rules, an officer making a journey for any purpose is not entitled to recover from Government the cost of transporting his family or his personal luggage, conveyances and camp equipage.

44. The 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 a definite ratio or in any other suitable manner for any or all officers travelling in any specified locality in which travelling is unusually expensive.

Note 1:—When travelling in hilly tracts, officers are entitled to draw an additional 25 per cent of the daily allowance or mileage allowance ordinarily admissible to them in Class I tracts and 12½ per cent thereof in Class II tracts. Appendix No. IX gives the list of Classes I and II hilly tracts.

RULING No. 1

A Government servant whose headquarters is situated in a special tract and who undertakes a journey from headquarters and returns thereto on the same day, is not entitled to the higher rate of daily allowance applicable for halts in the special tract irrespective of whether the journey is performed entirely in the special tract or partly in the special and partly in the ordinary tract.

RULING No. 2

A Government servant whose headquarters is situated in a hilly tract may claim half daily allowance admissible under rule 63 for the day of arrival at and for the day of departure from a place in Class I or II hilly tract at the

enhanced rates applicable to the class of the hilly tract where he halted, provided his absence from the headquarters exceeded eight hours.

This ruling shall be deemed to have come into force with effect from 20th July 1960.

RULING No. 3

The area between Dehra Dum and Mussorie in Uttar Pradesh will be treated as Class I hilly tract for purposes of Note 1 to rule 44, Part II, K.S.R.

[G.O. (Rt.) No. 787/61/DD., dated 9-10-1961]

Note 2:—The rate of daily allowance of an officer who spends part of a day in a hilly tract and part in a place to which the ordinary rates apply is determined according to the place where he halts after the journey.

Note 3:—Officers travelling or halting outside the State may be given daily allowance at the following rates:—

- (i) To an officer of the 1st Grade: †Rs. 35.00 a day for halt.
- (ii) To an Officer of the 2nd Grade:
 - (a) Officers whose actual pay is Rs. 700* and above and those in the cadre of Deputy Collectors and Deputy Superintendents of Police drawing a pay below Rs. 1050* †Rs. 25.00 a day for halt.
 - (b) Other Officers †Rs. 20.00 a day for halt.
- (iii) To an Officer of the 3rd Grade: †Rs. 20.00 a day for halt.
- (iv) To an Officer of the 4th Grade: †Rs. 17.00 a day for halt.

*This amendment shall be deemed to have come into force with effect from 1-6-1974.

[G.O. (P) 331/75/Fin., dated 23-7-1975]

†The above amendment shall be deemed to have come into force with effect from 21-3-1974.

[G.O. (P) No. 300/75/Fin., dated 7-7-1975]

45. When an officer of a grade lower than the first grade is required by the order of a 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, stating that the use of the special means of conveyance was absolutely necessary and specifying the circumstances which rendered it necessary.

Section II—Journeys on Tour

Sub-section (i)—General Rules

46. The headquarters of an officer shall be in such place as Government may prescribe.

47. The Government may define the limits of the sphere of duty of any officer.

Note 1.—The Heads of Departments and District Collectors are empowered to sanction journeys of subordinate officers to the adjoining districts of neighbouring States.

[G.O. (P) 454/80/Fin., dated 16th July 1980]

[This takes effect from 30th August 1979]

Note 2.—The Heads of Departments and District Collectors will be competent to undertake journeys outside the State in the adjoining districts of neighbouring States in public interests.

Note 3.—The Board of Revenue is empowered to sanction journeys of Potdars outside the State accompanying remittances to the Reserve Bank of India agencies in accordance with instructions from the Currency Officer.

[This takes effect from 14th February 1962 only—Vide G.O. M.S. 157/Rev., dated 14th February 1962].

Note 4.—The Inspector-General of Police is empowered to sanction the journeys outside the State of all officers of his department below the rank of Assistant Superintendent of Police/Deputy Superintendent of Police. *He is also empowered to sanction journeys outside the State of all officers below the rank of Superintendent of Police in the Crime Branch in connection with investigation of cases.

*[G.O. (P) No. 440/67/Fin., dated 5th October 1967]

48. An officer is on tour when absent on duty from his headquarters either within or, with proper sanction beyond his sphere of duty.

49. In case of doubt the Government may decide whether particular absence is absence on duty for the purpose of rule 48.

50. The Government may impose such restrictions as it may think fit, upon the frequency and duration of journeys to be made on tour by any officer or class of officers.

51. If the Government declares that the pay of a particular officer or class of officers has been so fixed as to compensate for the cost of all journeys, other than journeys by rail or steamer, within the officer's sphere of duty, such an officer may draw no travelling allowance for such journeys though he may draw mileage allowance, for journey 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 journeys, including such part of it as is within his sphere of duty.

52. The travelling allowance drawn by an officer 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.

Sub-section (ii)—Officers in receipt of permanent travelling allowance

53. A permanent travelling allowance is intended to cover the cost of all journeys within the sphere of duty of the officer who draws it, and such an officer may not draw any other travelling allowance in place of or in addition to permanent travelling allowance for such journeys provided that:

(1) a class of officers to which Government may extend this concession may draw, in addition to permanent travelling allowance single fare for a journey by rail, and

(2) the Government may, by general or special order, permit an officer whose sphere of duty extends beyond the limits of a single district to draw, in addition to 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.

54. When an officer in receipt of permanent travelling allowance travels on duty, with proper sanction, beyond his sphere of duty, he may exchange his permanent travelling allowance for the 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 an officer 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 an officer who makes, by road alone, a journey not exceeding 32 kilometres.

Note.—All officers in receipt of permanent Travelling Allowance will be allowed to exchange Permanent Travelling Allowance for regular Daily Allowance for days of halt at places outside the area of jurisdiction for the performance of official duty at such places under specific orders of competent authority subject to the normal rules for the drawal of Daily Allowance.

The above benefit will also be extended to officers who are in receipt of Permanent Travelling Allowance and who are deputed for training at an outstation beyond their area of jurisdiction.

The amendment in the first paragraph shall be deemed, to have come into force with effect from December 15, 1970 and that in the second para from January 15, 1971.

GOVERNMENT DECISION

Deduction of proportionate permanent travelling allowance for the day on which permanent travelling allowance is exchanged for mileage allowance will be made in accordance with the formula specified below.

If 'X' is the number of days of tour performed in a month (i.e., including the days for which permanent travelling allowance is exchanged for mileage) and 'Y' the number of days on tour for which permanent travelling allowance is exchanged for mileage, permanent travelling allowance to be deducted will be $Y/X \times \text{PTA}$ admissible for the month for 'X' days of tour.

(Permanent travelling allowance admissible for 'X' days has to be calculated in accordance with the Decision No. 2 under Rule 6, Kerala Service Rules, Part II.)

[G.O. (P) No. 370/67/Fin., dated 18th August 1967]

**Sub-section (iii)—Officers not in receipt of
permanent travelling allowance
Subdivision (i)—Daily Allowance**

55. Except where otherwise expressly provided in these rules, an officer not in receipt of permanent travelling allowance draws travelling allowance for journeys on tour in the shape of daily allowance.

56. Daily allowance may not be drawn except during absence from headquarters on duty. A period of absence from headquarters begins when an officer actually leaves his headquarters and ends when he actually returns to the place in which his headquarters are situated whether he halts there or not.

Note.—If an officer of a vacation department combines tour with vacation (i.e.,) proceeds on tour and avails of vacation without returning to his headquarters, he should be granted tour travelling allowance under these rules for the onward journey only.

RULING

When two journeys are performed within a period of 24 hours, the period of absence from headquarters will be treated as one day irrespective of the fact that the journey was performed on two calendar days and the drawal of daily allowance will be regulated accordingly.

[G.O. (P) 405/65/Fin., dated 18th October 1965]

*57. Daily allowance may not be drawn for any day on which a Government servant does not reach a point outside a radius of eight kilometres from the duty point (i.e., the place or office of employment) at his headquarters or return to it from a similar point.

Note 1.—The term 'radius of eight kilometres' means a distance of eight kilometres by the shortest route by which a person can reach his destination by the ordinary modes of travel.

*[G.O. (P) 16/65/Fin., dated 6th January 1965]

GOVERNMENT DECISION

In the case of an Officer having his headquarters at Ernakulam, no daily allowance is admissible for journey to Mattancherry/Fort Cochin and vice versa, as he does not reach a point outside the radius of 8 km. This takes effect from 16th March 1964.

[Circular Memo No. 92/64/EB4/Fin., dated 24th October 1964 and G.O. (P) 129/65/Fin., dated 8th April 1965.]

Note 2.—The M.S.P. and the District Armed Reserve Personnel stationed at Malappuram who have to halt for a period of ten days at Melmuri Rifle Range situated within eight kilometres from Malappuram in connection with the annual firing course there, shall be exempted from the operation of the above rule.

Note 3.—Civilian staff of N.C.C. Department attending N.C.C. Camps within a radius of eight kilometres from their headquarters shall be exempted from the operation of the above rule.

[G.O. (P) 248/80/Fin., dated 17th April 1980]

[This amendment shall be deemed to have come into force on the 1st day of April, 1960.]

58. Subject to the conditions laid down in rules 59 and 60, daily allowance may be drawn during a halt on tour or on a holiday occurring during a tour.

Note 1.—An officer who takes casual leave while on tour is not entitled to draw daily allowance during such leave.

Note 2.—Daily allowance is not admissible for any day, whether Sunday or holiday, unless the officer is actually and not merely constructively in camp.

**Note 3* —In the case of enforced halt occurring en route on tour journeys necessitated by break down of communications due to blockade of roads and railways on account of floods, rains, landslides and other acts of God or delayed journeys or cancellations of schedules of motor conveyances, trains or aircrafts, such periods of halts shall be treated as duty and the Government servant granted daily allowance at three-fourths of the rate applicable to him at the station in which the enforced halt takes place for the entire period of

enforced halt after excluding the first day of such halt for which no daily allowance shall be allowed. Government in the Administrative Department in respect of Heads of Departments and the Heads of Departments in the case of their subordinate officers will be the authority competent to declare the periods of enforced halts as duty.

*[G.O. (P) 254/67/Fin., dated 29th June 1967]

Note 4.—In respect of journeys involving an overnight halt at an intermediate station either due to non availability of connecting service or due to the cancellation of connecting air service, half daily allowance will be allowed at the rate applicable to the intermediate station for each overnight halt (in addition to the allowance for incidental expenses admissible for air journeys) if the Indian Airlines Corporation does not provide at its expense any facility for boarding and lodging. Half Daily Allowance will also be given for similar enforced halts occurring between air and rail/road journeys on duty.

[The above amendment shall be deemed to have come into force with effect from December 24, 1970.]

**Note 5.*—No daily allowance is admissible to a Government servant for the day on which he avails himself of a restricted holiday while on tour.

*[G.O. (P) 254/67/Fin., dated 29th June 1967]

59. A daily allowance may not be drawn for more than ten days of a halt at one place. But Heads of Departments in the case of their subordinates and the Government in the case of Heads of Departments, may grant exemption from the operation of this rule where they are 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 entail extra expense on the officer after the first ten days. /

In such cases the daily allowance admissible will be—

- (a) full rate for the first ten days; ~~and~~
- (b) three-fourth rate for the next 20 days; and
- (c) half-rate thereafter.

But no allowance will be given for halts exceeding three months.

Note 1.—Officers deputed for training to any city outside the state of Kerala shall be paid daily allowance at full rate for the first 30 days and at $\frac{3}{4}$ of the rate for the next 60 days, in relaxation of the restriction imposed in the above rule.

[G.O. (P) 837/78/Fin., dated 1st December 1978]

[G.O. (P) 1027/79/Fin., dated 23rd November 1979]

Explanation.—This note shall apply to the officers deputed for training to Delhi, Bombay and Calcutta with effect from the 1st December, 1978 and to those deputed for training to other cities outside the State with effect from the 10th July 1979.

[G.O. (P) No. 588/80/Fin., dated 11th September 1980.]

Note 2.—Periods of absence on leave (including casual leave) will be included in computing the limits prescribed in this rule.

Exception.—The Circle Commander, No. 11 Circle Cadet Corps, Trivandrum will be competent to sanction Daily Allowance under the above rule, to the civilian staff of the establishment of the National Cadet Corps deputed for duty to camps.

[This exception shall be deemed to have come into force with effect from 20th October 1962.]

RULING No. 1

The sanction of competent authority for admitting daily allowance in excess of ten days would be necessary only when the number of full daily allowances drawn inclusive of the half daily allowance under rule 63 exceeds ten; but the daily or half daily allowances, if any, admissible for the days of travel covered by rule 60 (c) should be excluded in calculating the daily allowances.

RULING No. 2

Daily allowance will be allowed for the first three months at the rates specified in this rule even in cases of halts on tour exceeding three months.

60. For the purposes of rules 57 to 59—

(a) After a continuous halt of ten days' duration, the halting place shall be regarded as the officer's temporary headquarters.

(b) A halt is continuous unless terminated by an absence on duty at a distance from the halting place exceeding eight kilometres for a period including not less than three nights.

(c) In calculating the duration of a halt, any day on which the officer travels or halts at a distance from the halting place exceeding eight kilometres shall be excluded. On such a day the officer may draw daily allowance or exchange it for mileage allowance, if admissible.

Note.—If an officer proceeds on earned leave after a halt on duty at an outstation and on termination of the leave resumes duty directly at the same halting station and remains there on halt for some more days, the absence on leave should not be treated as interruption of halt, but the whole period should be treated as one continuous spell of halt, leaving out the leave period from the calculation of daily allowance.

Subdivision (ii) — Mileage allowance and actual expenses in place of or in addition to daily allowance

61. The Government may by general or special order and on such conditions as they think fit to impose, permit any officer, or class of officers to draw mileage allowance instead of daily allowance for the whole period of any absence from headquarters, if they consider that the nature of the officer's duty is such that daily allowance is not sufficient to cover his travelling expenses.

62. (a) Subject to any conditions which Government may by general or special order impose, an officer may

exchange his daily allowance for mileage allowance on any day on which—

(i) he travels by railway or steamer or plane or by any two of them or by all of them;

(ii) he travels more than 32 kilometres by road, 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 only of them.

Note.—Short journeys within a radius of eight kilometres from headquarters may not be added to other journeys, when calculating the distance travelled by road or the amount of mileage allowance admissible for road journeys.

(b) *When a journey by road is combined with a journey by railway or steamer or plane under clause (i) of sub-rule (a) of this rule, mileage allowance may be drawn on account of such journey by road, but such mileage will be limited to the amount of daily allowance unless the journey by road exceeds thirty-two kilometres.

*[As amended by G.O. (P) 16/65/Fin., dated 6th January 1965]

Note.—If an officer halts at the outstation, and the place or places of duty visited be within the radius of 8 kilometres road mileage should always be from the Railway Station to the Chief Public Office, no matter where he proceeds first to the temporary residence or the place of duty.

GOVERNMENT DECISION

If an officer performs a direct journey by road between two places connected partly by road and partly by rail he will be entitled to T.A. at the following rates. Road mileage for the road portion upto the nearest railway station plus road mileage at the rates as provided in rule 21 Part II, K.S.Rs. for the portion connected by rail.

E.g., If an officer travels from Neyyattinkara to Quilon directly by road, he will be entitled to the admissible road mileage for the distance from Neyyattinkara to

Trivandrum which is connected by road only and from Trivandrum to Quilon, which is connected by rail at the rates as provided in rule 21, K.S.R., Part II.

[G.O. (P) 115/76/Fin., dated 10th April 1976]

63. *Daily allowance for halt on tour at an outstation will be calculated on the basis of the period of halt which will begin from the time the forward journey ends at the outstation and will end at the time the return or further journey commences. The rate of daily allowance will be calculated as follows:—

- | | |
|--|---|
| 1. Halt upto six hours | Nil |
| 2. Halt exceeding six hours but not exceeding twelve hours | Half daily allowance |
| 3. Halt exceeding 12 hours but not exceeding twenty-four hours | Full daily allowance |
| 4. Halt exceeding twenty-four hours | One daily allowance for every 24 hours. For fraction of 24 hours at the end of halt, daily allowance will be calculated as indicated above. |

*[G.O. (P) No. 83/68/Fin., dated 23rd February 1968]

Note 1.—This concession is also admissible to officers who are entitled to daily allowance for halts on tour but whose journeys are regulated by rules 103, 105 and 107.

Note 2.—Officers and men of Fire Force Department are exempted from the operation of the above rule. They will be eligible to draw full daily allowance whenever they make a journey to a place more than 8 km. from the fire stations in fire service vehicles in an emergency or to attend an ambulance call, irrespective of time limit or absence.

[G.O. (P) 266/73/Fin., dated 10th July 1973]

GOVERNMENT DECISION

(i) The daily allowance admissible for halt at an outstation under this rule and the daily/mileage allowance admissible for the journey should be calculated separately, irrespective of whether the halt is preceded or followed by a journey which qualifies for daily of mileage allowance.

(ii) Rule 62 (a) refers to travelling by a Government servant on any day for a total distance exceeding 32 kilometres. The number of journeys in a day or whether any one or more of the journeys exceed 32 kilometres or whether each or the several journeys is less than 32 kilometres is not material. If the total travelling in a day exceeds 32 kilometres, he can exchange daily allowance for mileage allowance. If he does not so exchange he gets only one daily allowance for that day to cover all the journeys.

(iii) Daily allowance for halt under this rule is to be calculated after computing the total number of hours of halt at an outstation, irrespective of the total number of days of halt and whether or not the daily allowance is exchanged for mileage allowance.

(iv) In a case whether the Government servant, while on tour returns on the same day, to the first halting station from another outstation. Daily allowance, if admissible for the journey, may be exchanged for mileage allowance, subject to the provisions of rule 62 but in addition to this allowance, no daily allowance for halt under rule 63 is admissible even if the halt at another outstation exceeds six hours.

(v) If a Government servant halts at more than one station on the same day, daily allowance for halt may be calculated after computing the total hours spent on halt at all the outstations taken together. This proviso applies only if the halts at more than one station begin and terminate within the duration of 24 hours. If the duration of halt at the second station extends beyond 24 hours from the

commencement of halt at the first outstation, daily allowance admissible for halt at the second station is to be reckoned separately.

[G.O. (P) 240/78/Fin., dated 6th March 1978]

(vi) When a Government servant, on tour, visits various outstations on duty over a number of days, the total daily allowance admissible under this rule should not exceed the total daily allowance calculated on the basis of the total number of hours between the time of arrival at temporary residence duty point at the first outstation and the time of departure from the temporary residence/duty point at the last station of tour.

[G.O. (P) 321/70/Fin., dated 15th May 1970]

Sub-division (iii)—Travelling Allowance admissible for journeys and halts within eight kilometres of headquarters

64. Government may, by general or special, order permit any officer or class of officers to draw the actual cost of hiring a conveyance on a journey for which no travelling allowance is admissible under these rules.

Note 1.—When a non-gazetted or last grade officer is despatched on duty to a place at some distance from his office, or is summoned to his office by special order, of a gazetted officer outside the ordinary hours of duty, the expenditure involved may be paid by Government and charged to contingencies provided—

- (a) that the head of the office certifies that the expenditure was actually incurred, was unavoidable, and is within the scheduled scale of charges for the conveyance used.
- (b) that the officer concerned is not entitled to draw travelling allowance under the ordinary rules for the journey, and that he is not granted any compensatory leave and does not and will not otherwise receive any special remuneration for the performance of the duty which necessitated the journey.

Note 2.—The teaching staff in all Government Training Schools and Government Training Colleges who undertake journeys for practice teaching will be paid allowance at the following rates per day for the actual number of days on which they perform journeys for practice teaching:—

- (i) When the distance is less than two kilometres no conveyance allowance will be allowed.
- (ii) When the distance is two kilometres or more but less than four kilometres—Rs. 2.
- (iii) When the distance is four kilometres or more but less than six kilometres—Rs. 3.
- (iv) * When the distance is six kilometres or more and no regular travelling allowance is admissible—Rs. 4.

*[G. O. (P) 145/76/Fin., dated 25th May 1976]

[This note takes effect from 1st April 1961 only—G.O. M.S. 403/Edn., dated 17th July 1961 and G. O. (P) 468/61/Fin., dated 20th November 1961.]

Note 3.—Last grade officers deputed for treasury transactions within a radius of 8 kilometres will be paid an allowance at the rate of Rs. 2 per day by debit to the contingencies of the Department concerned, when the distance to the treasury from the headquarters exceeds two kilometres or more but does not exceed 8 kilometres subject to the following:

- (i) The allowance will be paid to such officers who are required under Article 284 of the Kerala Financial Code, Volume I to be engaged for cashing bills or remitting money into the treasuries when they are required to carry Rs. 500 or more.
- (ii) The allowance will be paid only for journeys to or from the treasury which actually involve the carrying of money and not otherwise.
- (iii) The allowance will be paid only if no regular T. A. or other remuneration is payable for the day.
- (iv) The allowance will not be paid for more than three visits in a week with reference to a particular office.
- (v) The allowance will be admissible only if the officer is using his own conveyance or engaging one for hire, if Government conveyance is used no allowance will be payable.

- (vi) The payment of the allowance will be extended to cases in which the officers have to travel more than two kilometres from the office to the State Bank for collection and remittance of cash even though the treasury is situated at a place within a distance of less than two kilometres from the headquarters.

Explanation.—For the purpose of determining the distance of two kilometres from headquarters, the duty point at the headquarters should be taken as the place or office where the Government servant normally remains on duty.

Section III.—Journeys on Transfer

65. Travelling allowance may not be drawn under this section by an officer on transfer from one station to another unless he is transferred for the public convenience and 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.

Note 1.—An officer appointed to a post under Government as a result of selection by the Public Service Commission should be granted T. A. as on transfer for joining the post if he already holds a substantive appointment under Government, the Government of India or any other State Government.

**Note 2.*—The travelling allowance of officers for journeys on temporary transfers and relieving duties of not more than two months' duration will, however, be limited to the allowances that would have been admissible if such journeys were journeys on tour. Daily allowance as for halt on tour will also be allowed for halts, at the new temporary headquarters in such cases. When, however, the period of transfer is subsequently prolonged to more than two months, the officer concerned will be allowed to draw the travelling allowance otherwise admissible for journeys on transfer, deducting that had been drawn already. Where, however, the amount already drawn is larger than what is admissible for journeys on transfer, no refund need be made.

“ Temporary transfer ” means a transfer to duty in another station which is expressed to be for a period not exceeding two months.

*[G.O. (P) 271/64/Fin., dated 14th May 1964]

GOVERNMENT DECISION No. 1

A transfer which is not specifically stated to be temporary will be treated as permanent. All transferring authorities in cases of temporary transfers of relieving duties should specify in the order of transfer, the nature of the transfer.

[G.O. Ms. 484/61/Fin., dated 29th November 1961]

GOVERNMENT DECISION No. 2

In the case of temporary transfers all transferring authorities should specify in the order itself that the transfer, is temporary not exceeding two months

[G.O. Ms. No. 272/64/Fin., dated 14th May 1964]

Note 3.—In cases where husband and wife are both State Government employees and one of them is transferred at the same time or within six months of transfer of the other, from one and the same old station to one and the same new station, transfer T. A. will not be admissible to both of them as independent Government servants. Either of them will be allowed to claim transfer T. A. the other being treated as a member of his/her family not in the State Government's employment on furnishing the following certificate.

‘ Certified that my wife/husband who is employed under the State Government and who has been transferred from..... to..... within six months of my transfer has not already claimed any transfer T. A. consequent on her/his transfer.’

66. An officer may draw mileage allowance for journey on transfer.

67. (a) Unless in any case it be otherwise expressly provided in these rules, an officer is entitled for a journey on transfer to the following:—

1. For journeys by rail or steamer

(i) He may draw one fare and four times the incidental expenses at the rate admissible under clause (b) of rule 20, if the journey is by rail and three fares of the class accommodation to which he is entitled, the fares being limited to the lowest rate of such class of accommodation, in the case of 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. Mileage limited to railway fare of the appropriate class can be drawn for journeys undertaken by the members of his family by road between places connected by rail provided the officer actually incurred the expenses involved in the transport of the members of his family by road.

(iii) He may draw the actual cost of carriage by goods train, steamer or other craft, of personal effects upto the following maxima:—

(a) Officers whose actual pay is Rs. 2240 kilograms
Rs. 700 * and above and
officers belonging to the
All India Services

(b) Officers whose actual pay is 1120 kilograms
Rs 250,* and above but
below Rs. 700*

(c) All other officers 560 kilograms

Provided that the Government may prescribe lower maxima for any class of officers.

* This amendment shall be deemed to have come into force with effect from 1st June 1974.

[G. O. (P) 331/75/Fin., dated 23rd July 1975.]

In addition to the above concession, loading and unloading charges of personal effects to officers transferred in public interests will be allowed as specified below:—

(1) *Officers of the First Category*—Actual charges for packing and loading of personal effects at one end and for unloading and unpacking at other end subject to a maximum of Rs. 40 at each end.

(2) *Officers of the Second Category*.—Actual charges for the above purpose subject to a maximum of Rs. 15 at each end.

(3) *Others*.—Actual charges for the above purpose subject to a maximum of Rs. 5 at each end.

Note 1.—The journeys on transfer may be performed by passenger or Mail/Express train at the officer's discretion, but when actual fares are claimed by Mail/Express train a certificate to the effect that the journey was performed by such train should be recorded by the claimant on the T. A. bill.

Note 2.—If an officer carries his personal effects by passenger instead of by goods train he may draw the actual cost of carriage upto a limit of the amount which would have been admissible had he taken the maximum number of kilograms by goods train.

Note 3.—An officer who carries his personal effects by road between places connected by rail may draw actual charges upto the limit of the amount which would have been admissible had he taken the same quantity by goods train. Loading and unloading charges as well as packing and unpacking charges will be allowed in such cases also. In cases where the actual expenses claimed exceed the limit mentioned above, the controlling authority may, for valid reasons, allow such claims subject to the limit of the amount which would have been admissible, if the maximum number of kilograms had been transported by goods train.

Note 4.—The claim for transport of personal effects between places connected partly by road and partly by rail shall be regulated as follows:—

(1) For the rail portion.—As in rule 67 (a) I (iii) and Note 2 or 3 of rule 67 (a) I (iii).

(2) *For the road portion.—As in rule 67 (a) II (iii).

* [G.O. (P) 311/66/Fin., dated 13th July 1966]

RULING

Places where a railway station is situated within eight kilometres from the central point of the respective localities, will be treated as places connected wholly by rail, for purposes of calculation of charges for transport of personal effects on transfer.

Notes 5.—Subject to the prescribed maximum number of kilograms an officer may draw the actual cost of transporting personal effects to his new station from a place other than his old station (e.g., from a place where they are purchased en-route or have been left on the occasion of a previous transfer or from his old station to a place 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 the maximum admissible number of kilograms been transported by goods train from the old to the new station direct.

(iv) Provided that—

- (1) the distance travelled exceeds 150 kilometres;
- (2) the officer is travelling to join a post in which the possession of a conveyance is advantageous from the point of view of his efficiency, or is travelling after being relieved from a post in which the possession of a conveyance was advantageous from the point of view of his efficiency; and
- (3) conveyances are actually carried by rail, steamer or other craft;

he may draw the actual cost of transporting at owner's risk conveyances, on the following scales:—

| | |
|--|-------------------------------|
| I Grade Officers | A motor car. |
| II Grade Officers in receipt of actual pay of Rs. 700* and above | A motor car or a motor cycle. |

II Grade officers whose actual pay is below Rs. 700* A motor cycle.

III Grade Officers An ordinary cycle.

*This amendment shall be deemed to have come into force with effect from 1st June 1974.

[G.O. (P) 331/75/Fin., dated 23rd July 1975]

RULING

The question whether the possession of a conveyance will be necessary for an officer for the proper and efficient discharge of his duties has to be decided by the controlling or countersigning authorities in individual cases. A certificate to the effect that the possession of a conveyance is advantageous to the officer from the point of his efficiency, duly signed by the controlling or the countersigning authority, has to be recorded on the bill in which the actual cost of transporting the conveyance is claimed. It will be open to the Accountant-General to bring to the notice of Government cases in which the certificate issued by the controlling or countersigning authority is questionable. The controlling officers while taking a decision in the matter, would adhere to the kind of conveyances prescribed for the various grades of officers.

Note 1.—In the case of the motor car, the cost of transporting a chauffeur or cleaner may also be drawn.

RULING

When the officer transports his motor car by rail he may draw one railway fare for III class accommodation in respect of the chauffeur or cleaner, provided he certifies that the chauffeur or cleaner actually travelled by rail on the section for which the transportation charges of motor car by rail are claimed.

[G.O. (P) 35/64/Fin., dated 20th January 1964]

Note 2.—When an officer transports his motor car or motor cycle by road under its own power between stations connected by rail or steamer or partly by rail and partly by steamer he may draw an allowance of 8 p. a kilometre in respect of the motor car and 4 p. a kilometre in respect of the motor cycle, the distance to be reckoned for the purpose of the concession being limited to the distance between the stations by rail or steamer or both combined, as the case may be. If the officer himself travels by car or motor cycle he may draw the fares admissible under clause (a) I (i). For any member of his family who travels by the car or motor cycle, the officer may draw the extra fare or half fare which should have been admissible under clause (a) I (ii) if the member had travelled by rail or steamer.

RULING

When the motor car is transported by road under its own power, no railway fare for chauffeur or cleaner is admissible. The allowance of 8 p. a kilometre for the motor car transferred under its own power includes the travelling expenses of the cleaner or chauffeur travelling in the car.

[G.O. (P) 35/64/Fin., dated 20th January 1964]

II. For Journeys by road

(i) He may draw mileage allowance at twice the rate applicable to him under rules 31 and 44 or any rate applicable to him, which has been fixed under rule 32, as the case may be.

(ii) He may draw additional mileage allowance at the rate applicable to him under rule 31 or 44 or any rate applicable to him, which has been fixed under rule 32, as the case may be, if two members of his family accompany him, and at twice that rate if more than two members accompany him.

GOVERNMENT DECISION

Children below five years can be counted as members of a family for the purpose of claiming road mileage under the rule referred to above.

[G.O. (MS) No. 817/64/Fin., dated 21st December 1964]

(iii) For the transportation of personal effects within the limits prescribed in sub-clause I (iii) of this clause he may draw the actual cost of transport limited to the mileage allowance at thrice the rate applicable to him.*

(b) The following explanations are given for the terms employed in clause (a) of this rule:—

(i) The term 'personal effect' is not subject to definition, but the controlling officer must satisfy himself that a claim to reimbursement on account of transportation is reasonable.

(ii) The term 'motor cycle' includes a side car.

*[G.O. (P) 311/66/Fin., dated 13th July 1966]

(iii) A member of an officer'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 officer's old station the officer may draw the actual fare for the journey made by such member by rail or steamer plus the road mileage, if any, at the rate and subject to the conditions prescribed in clause (a) II (ii), for the actual distance of the road journey performed by such member, provided that their sum shall not exceed the total mileage allowance that would have been admissible had such member proceeded from the old to the new station. For the purposes of this rule, the grade of an officer should be determined with reference to the facts on the date of his transfer while the number of fares admissible should be determined with reference to the facts on the date of the journey in respect of which the allowance is claimed.

RULING No. I

In case an officer's family performs the journey to the new station from a place other than the old station by a lower class of accommodation than the class of entitlement (in the case of journeys by rail or steamer), the mileage

that would have been admissible had the member proceeded from the old station to the new station would be reckoned on the basis of the class by which the journey was actually undertaken.

[G.O. (P) 290/66/Fin., dated 1st July 1966]

RULING No. 2

If the members of his family have joined the Government servant at the new station, within six months after the date of his transfer, they will be eligible for travelling allowance for their journey from the old station to the new station though they may later on decide to proceed to some other station.

(c) An officer 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 number and relationship of the said members.

*(d) An officer claiming the cost of transporting personal effects must support his claim by a certificate that the actual expense incurred was not less than the sum claimed and that only goods belonging to him and his family were carried. All vouchers claiming transporting charges of personal effects by road should invariably mention the number of the lorry or other conveyance by which, and the number of the house from and to which the personal effects were transported. The officer should also state in the certificate the weight of the personal effects actually carried and the amount actually paid for their transport separately by rail, road, steamer or other craft and the controlling officer should record a certificate that he has scrutinised the details and satisfied himself that the claim is reasonable. The payees' receipt for the charges paid for the transport of personal effects should be attached to the bills.

*(e) An officer claiming the cost of transporting a conveyance by rail or steamer must support his claim by railway or steamer receipt. He should also produce a certificate that the conveyance belonged to him. The receipt shall be attached to the bill.

*[G.O. (P) 279/67/Fin., dated 15th July 1967]

(f) 'Family' for the purpose of these rules includes the officer's wife, children and step-children residing with and wholly dependent on him. Not more than one wife is included in a family for the purpose of these rules. In the case of a female officer the 'family' will include the 'husband' also provided he is residing with and wholly dependent on her (the female officer).

Note 1.—Charges for the transport of personal effects of an officer on transfer may be admitted in audit, if they do not for good and sufficient reasons accompany him but are carried within a reasonable time before or after the date of his journey on transfer.

Note 2.—The expression 'date of his transfer' occurring in the first sentence of rule 67 (b) (iii) means the date on which the officer takes over charge at the new station in case his family follows him or, the date on which he hands over charge at the old station in case his family precedes him.

Note 3.—Claims preferred under this rule for the carriage of personal effects should be admitted in all cases at the lowest available rates for "smalls,"

"Smalls" are defined as goods which of themselves do not constitute a working load for the unit of railway transport, the wagon. The minimum load constituting a wagon load is specified, by each of the railways who quotes reduced rates for wagon loads, in its tariffs.

Note 4.—In cases where an officer is transferred from Station A to Station B and again transferred within a reasonably short time to Station C he may be allowed to recover the cost of carriage of personal effects from Station A to Station C subject to the conditions—

- (1) that the total weight carried from Station B to Station C and from Station A to Station C does not exceed the maximum limit prescribed in the rule, and

- (2) that the total cost of transporting the effects from Station A to Station B, from Station B to Station C and from Station A to Station C does not exceed the amount admissible from Station A to Station B plus that admissible from Station B to Station C.

Note 5.—When an officer transports more than the maximum quantity admissible by a cheaper route, he can draw actual charges not exceeding the amount admissible for the maximum quantity by the normal recognised route.

Note 6.—A motor car may be treated as a part of personal effects in cases where an officer is not entitled to its free transport in addition to personal effects.

68. An officer transferred from one post to another who under the orders of competent authority, is permitted to hand over charge of his old post or to take over charge of the new post at a place other than the headquarters is entitled to—

(i) travelling allowance as on tour from the place of handing over charge to the place of taking over;

(ii) incidental expenses at 3 times the rate admissible under clause (b) of rule 20 from his old to new headquarters, in the case of rail journey or the difference between three fares of class accommodation to which his grade entitles him limited to the lowest rate of such class accommodation and the number of fares admissible for a journey on tour from his old to his new headquarters in the case of journey by steamer;

(iii) all the further concessions admissible under rule 67 (a) excluding the three fares/incidental expenses referred to above in clause I (i) thereof and one-half of the mileage allowance 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 charge to his new headquarters he will draw travelling allowances as for journeys on tour.

69. An officer whose headquarters are changed while he is on tour, and who proceeds to his headquarters without returning to his old, is entitled to--

(i) traveling allowance as on tour for his journey upto the new headquarters;

(ii) incidental expenses at three times the rates admissible under clause (b) of rule 20 from his old to new headquarters in the case of journey by rail; or the difference between three fares of the class of accommodation to which his grade entitles him limited to the lowest rate of such class of accommodation and the number of fares admissible for a journey on tour from his old to his new headquarters in the case of journey by steamer;

(iii) all the further concessions admissible under rule 67 (a) excluding the three fares/incidental expenses referred to in clause 1 (i) thereof and one-half of the mileage allowance referred to in clause II (i).

70. If the family of an officer, in consequence of his transfer, travels to a station other than the new headquarters; travelling allowance for the journey of the family may be drawn subject to the conditions that it does not exceed the travelling allowance that would have been admissible if the family had proceeded to the new headquarters station.

71. An officer appointed to a new post while in transit from one post to another is entitled to draw travelling allowance under this section for so much of the journey on transfer as he had accomplished when he receives the fresh orders and for the journey from the place at which he receives such orders to his new station.

72. An officer, who goes on leave not exceeding four 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 transfer is received before or after the commencement of his leave, to travelling allowance under this section as for a journey from his old to his new post.

72A. An officer, who goes on leave not exceeding four months covered by rule 72 is posted to a station other than that at which he was stationed before he went on leave, the controlling officer may permit him to recover the Travelling Allowance under sub-rules I (iii) and (iv) or II (iii), as the case may be, of rule 67 (a) as for a journey from his old to the new station.

73. When an officer of the Government is transferred to the administrative control of another Government which has made rules prescribing amounts and conditions of travelling allowances, 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 allowances on transfer.

Note.—The Controlling Officer for the purpose of travelling allowance for the journey of an officer to join his post under a borrowing Government as well as for the return journey will be the Controlling Officer in regard to his post under that Government.

Section IV—Journey to join new appointment

74. Except as otherwise provided in these rules travelling allowance is not admissible to any person for the journey to join his first appointment in Government service.

75. When a pensioner, or an officer who has been thrown out of employment owing to a reduction of establishment or the abolition of his post, is reappointed to Government service, the Government may permit him to draw travelling allowance. Travelling allowance under this rule should be calculated as for a journey on tour, but no allowance may be drawn for halts on the journeys.

76. When mileage allowance is drawn under rule 75 the rate admissible is that of the grade to which the officer will belong after joining his post.

Section V—Journey to attend an Examination

77. An officer is entitled to draw travelling allowance for the journey to and from the place at which he appears for an obligatory departmental examination, provided that travelling allowance shall not be drawn under this rule more than twice for any particular examination.

**Note 1.*—If a Government servant actually performs the journey to the place of examination, but is not able to appear for the examination because of its cancellation at the last moment Travelling Allowance may be sanctioned to him by the Government/the Head of Department concerned after due verification of the facts. This concession will be admissible only if the intimation regarding the cancellation did not reach the Government servant before the commencement of the journey and the journey did not commence too early, i.e., the date of its commencement was not in advance of the schedule date of the examination by more than the minimum number of days required for performing the journey.

*[G.O. (P) 21/67/Fin., dated 18th January 1967]

Note 2.—If the place where the Government servant works is a centre for the departmental examinations, he shall not be eligible for Travelling Allowance for appearing for the examinations at another centre under this rule, except in case where he has to appear for the examination at that centre owing to reasons beyond his control.

[G.O. (P) No. 80/76/Fin., dated 10th March 1976]

78. The Government may permit an officer to draw travelling allowance for the journey to and from the place at which he appears for an examination other than those specified in rule 77.

79. Travelling allowance under this section should be calculated as for a journey on tour but no allowance may be drawn for halts on the journeys.

Section VI—Journey when proceeding on or returning from leave

80. Except as otherwise provided in these rules, an officer is not entitled to any travelling allowance for a

journey made during leave or while proceeding on or returning from leave.

81. The Government may, for special reasons which should be recorded, permit any officer to draw, for a journey of the kind specified in rule 80 travelling allowance, as for a journey on tour.

82. (a) When an officer is compulsorily recalled to duty before the expiry of his leave and the leave is thereby curtailed by 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. If the period by which the leave is curtailed is less than a month, mileage allowance may be allowed at the discretion of the authority recalling the officer.

(b) If the officer recalled to duty is entitled to travelling allowance under rule 72 he may not draw mileage allowance under clause (a) unless he abandons his claims to the mileage allowance specified in rules 66 and 67 (a) I (i) and II (i).

83. If a non-gazetted officer, on compulsory recall from leave exceeding four months, is posted to a station other than that from which he went on leave, he may, if his new station is distant more than 80 kilometres from his old station, draw in addition to the allowance admissible under sub-rules I (ii) and (iv) and II (iii) of rule 67 (a) travelling allowance for his family under rule 67 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 rule 67 for the journey from the old to new station.

Section VII—Journey for joining first appointment

84. In the following cases travelling allowances are admissible for joining a first appointment:—

(1) To any person appointed to the Public Works, the Medical or any other department in any capacity

requiring technical skill or knowledge for which he has been specially trained.

(2) To recruit constables enlisted for service at the other district headquarters, for joining their first appointment at Trivandrum.

Note.—Teachers deputed for training from Departmental Schools are entitled to travelling allowance under the ordinary rules, for their journey to and from the Training School or College.

Section VIII—Journeys during suspension or to give evidence or to attend a court of law as assessor or juror or in connection with the defence of a case instituted against an officer for acts done in his official capacity

85. (a) (i) An officer under suspension who is required to perform any journey for attending any departmental enquiry (other than police enquiry) or called upon to appear before the Disciplinary Proceedings Tribunal may be allowed, for the onward and return journeys, travelling allowance as for a journey on tour from his headquarters to the place at which the departmental enquiry or disciplinary proceedings, as the case may be, is or are held or from the place at which he has been permitted to reside during suspension to the place at which the departmental enquiry or disciplinary proceedings, as the case may be, is or are held, whichever is less. No travelling allowance will, however, be admissible if the enquiry or disciplinary proceeding as the case may be, is or are held at an outstation at his own request.

[G.O. (P) 385/67/Fin., dated 26th August 1967]

(ii) An officer under suspension, if reinstated in service, pending finalisation of the enquiry or disciplinary proceedings initiated against him, and posted to a station other than the one where he was working at the time of his

suspension may be allowed travelling allowance for his journey to the new station as for journey on transfer from the old station or from the place where he has been permitted to reside during suspension whichever is less. The grade of the officer and his travelling allowance for the journey shall be determined on the basis of his pay in the post he was holding at the time of his suspension or the pay in the post to which he is reinstated whichever is lower.

[G.O. (P) 601/78/Fin., dated 3rd August 1978]

(iii) If an accused officer, whether under suspension or not, against whom disciplinary proceedings have been initiated retires from service in the course of the proceedings or if an officer against whom disciplinary proceedings are initiated after his retirement and is called upon to appear before Disciplinary Proceedings Tribunal/Disciplinary Authority/Enquiry Authority properly constituted under competent authority for holding the enquiry will be allowed for the onward and return journey travelling allowance as for a journey on tour from his place of residence to the place where the enquiry is held.

Note.—His travelling allowance will be regulated by the grade to which he belonged prior to his suspension/retirement.

[G.O. (P) 159/73/Fin., dated 23rd May 1973]

*(b) An accused officer, if not under suspension, when called upon to appear before a Disciplinary Proceedings Tribunal/Disciplinary Authority/Enquiry Authority, properly constituted under competent authority for holding the enquiry, may be allowed, for the onward and return journeys, travelling allowance as for a journey on tour from his headquarters.

In case the accused officer is on leave and is permitted to reside at a place other than his headquarters during the leave, he may be allowed travelling allowance as for a journey on tour from his headquarters or from the place of

his residence whichever is less. No travelling allowance will, however, be admissible if the enquiry is held at the outstation at his own request.

Note.—In the cases covered by rule 85, no allowance for halts on journeys or at the outstation where the enquiry is held will be allowed.

[*G.O. (P) 436/65/Fin., dated 19th November 1965.]

86. The following provisions apply to an officer 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 within the State:

(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 summoned him.

(ii) When he draws such 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 travelling and subsistence allowance of the witness must be credited to Government.

(iii) If the court in which he gives evidence is situated within eight kilometres of his headquarters and no travelling allowance is therefore admissible for the journey he may, if he is not in receipt of permanent travelling allowance, accept such payment of actual travelling expenses as the court may make.

(b) Officials employed by the Central Government or by the Government of any of the States appearing in cases in which the State is a party, as witnesses on summons before the Criminal Court of this State to give evidence regarding facts of which they have official knowledge,

will, on production of certificates of attendance issued by the courts before which they appear as witnesses, be paid travelling allowance by the Government by whom they are employed at their own rates. In cases where the State is not a party, such officials will be paid travelling allowance by the summoning court according to its own rules and the charges will be borne by the State within whose limits the summoning court is situated.

When any of the Governments requisitions the services of an official of a commercial department as a witness or any other official as a technical or expert witness within the meaning of section 45 of the Indian Evidence Act, 1872, the pay of the official concerned for the period of his absence from his headquarters and travelling allowance and other expenses due to him will be borne by the requisitioning Government. The travelling allowance in such cases will be regulated by the Travelling Allowance Rules applicable to the official summoned. The charges will, in the first instance, be borne by the Government under whom he is employed and will be passed on after audit for payment to the requisitioning Government.

(c) A person formerly in the service of the Government summoned to give evidence under the circumstances mentioned in clause (a) above shall be entitled to receive travelling allowance (as for journeys on tour) at the rate admissible to the person, when last in the service of the Government or if he is at the time employed under a fund administered by the Government at the rates admissible for the appointment under the fund. He will be paid batta and travelling allowance by the court which summoned him as witness from the allotment under 'Witness batta' according to the rule of the court, but if he is entitled under this clause to more than what is allowed by the court, the difference will be paid by the department in which the officer was last serving. Bills for such claim should be

supported by certificate similar to that referred to in clause (a) (i) above and showing the amount of the allowances paid by the court.

Note 1.—An officer summoned to give evidence while on leave is entitled to travelling allowance under this rule from and to the place from which he is summoned as if he were on duty.

Note 2.—The T.A. claims of officers summoned by Civil Courts in any other State will be settled in accordance with the reciprocal arrangements entered into between this State and such other State.

Note 3.—T.A. claims of officers summoned as witnesses in departmental enquiries in other States are regulated by the reciprocal arrangements made with the respective State Governments. Government have accordingly entered into the following reciprocal arrangements with the Governments of Mysore and Tamil Nadu in this regard.

In departmental enquiries to which the State is a party, a Government servant giving evidence regarding facts of which he has official knowledge will on production of a certificate of attendance by the summoning authority, be paid T.A. by the Government under whom he is serving.

In departmental enquiries to which the State is not a party, a Government servant giving evidence regarding facts of which he has official knowledge will be paid T.A. by the summoning authority according to the rules under which the Government servant draws his travelling allowance on a journey on tour, on production of a certificate signed by the Controlling Officer showing the rates of T.A. and D.A. admissible to him for a journey on tour. If the Government servant is his own controlling officer, the certificate will be signed by him as such. The expenditure on account of T.A. and D.A. paid by the summoning authority will be borne by the Government within the territory of which that authority is situated.

86 A. If an officer undertakes a journey in connection with a civil or criminal case instituted against him or acts done in his official capacity and the defence of such case has been sanctioned by the competent authority such an officer may be granted travelling allowance admissible to an officer of his grade while on tour.

87. An officer summoned to give evidence in circumstances other than those described in rule 86 or to serve as an assessor or juror in a court of law is not entitled, by reason of his position as an officer, to any payments 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 Government before drawing full pay for the day or days of absence.

Section IX—Journeys to obtain medical treatment, advice or certificate or to appear before a medical board

88. Travelling allowance is not admissible for a journey undertaken to procure health certificate on first appointment to Government service.

89. If, in order to obtain anti-rabic treatment, an officer is compelled to leave a station at which he falls ill and at which antirabic treatment is not available, and travels to the nearest station where the treatment is available, he may on production of a certificate from his authorised medical attendant that the journey was in his opinion absolutely necessary, draw travelling allowance for the journey. This concession is admissible also to an officer on leave.

89-A. A Government servant suffering or suspected of suffering from tuberculosis may, on production of a certificate from a T. B. Specialist that the journey was in his opinion absolutely necessary, draw travelling allowance in accordance with the rules for his journey to the nearest Government Medical Institution and back in connection with his medical examination and periodical check-up. This concession is admissible also to an officer on leave.

[G.O. (P) 775/64/Fin., dated 19th November 1964]

90. If an officer, 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 a journey to obtain a medical certificate in support of an application for an extension of leave.

91. If an officer, 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 a journey to obtain a second medical opinion in support of an application for an extension of leave, but travelling allowance is admissible for a second or subsequent journey, if necessitated, to obtain the certificate for the original grant of leave.

92. The journeys contemplated by rules 90 and 91 should not be undertaken without the previous permission of the controlling officer, if such permission can be obtained without risk to the officer requiring medical service.

93. (a) An officer who is directed by his official superior in the interests of the 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 travelling expenses, subject to a maximum of the amount of travelling allowance calculated for the journey. If it is 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 interests of the public service and that 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 an officer 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.

94. Except as provided for in rules 91 and 93 no travelling allowance is admissible for a journey undertaken in order to appear before a medical board.

95. (a) Travelling allowance under rules 89 to 94 should be calculated as for a journey on tour, but no allowance may be drawn for halts on the journeys.

(b) (i) All India Service Officers who performed journeys to seek medical advice/treatment under the All India Services (Medical Attendance) Rules, 1954 will be given travelling allowance for the journeys, as on tour.

(ii) No daily allowance will be allowed for the halts made in this connection.

(iii) The family members of these officers will be allowed single first class railway fare (i.e., the class of accommodation to which the officers themselves are entitled) or single fare of any lower class by which the patient actually travels for consulting a Government Specialist on the advice of the authorised Medical Attendant.

Section X—Journeys in attendance on an incapacitated officer or member of his family

96. A medical officer of Government who considers that an officer on whom it is his duty to attend professionally should leave his station to obtain medical advice or

treatment or to proceed on leave, and that it is unsafe for him to travel unattended, may if he does not himself accompany him, arrange for an attendant, to do so; and the attendant (a) if an officer, shall be deemed to have been travelling on duty and may draw travelling allowance for the onward and return journey as for a journey on tour, and (b) if not an officer, may draw actual expenses.

When the medical officer's opinion as to the necessity for the journey and for an attendant during it, cannot be obtained before its commencement, a certificate from him that the journey with an attendant was necessary is sufficient for the purpose of this rule.

Section XI—Journeys on a course of training

97. When an officer or a student not already in Government service is selected to undergo a course of training, Government 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 institution, 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 officers of similar status on duty at the place of training.

98. (a) An officer deputed to undergo a course of training, if the course of training exceeds three months, may draw travelling allowance under the rules for journeys

on transfer irrespective of whether the training is at a fixed centre or not. If the course of training does not exceed three months, the rules which govern journeys on tour shall apply.

(b) If in a training school, a vacation is allowed, no travelling allowance is admissible for journeys from and to the school unless for the purpose of a practical course of training which is required to be undergone at another station during such vacation.

Section XII—Journey of the family of an officer who dies in service

99. (1) If an officer dies while in service, members of his family will be granted travelling allowance for the journey to his home or to any other place where they may wish to reside whether it is inside or outside the State *either from his headquarters or from the place of his death, provided that the amount shall not exceed what would be admissible for a journey from the officer's headquarters to his home.

Note.—For the purposes of this rule the headquarters of an officer on leave shall be considered to be the place of his headquarters where he was last on duty.

(2) The rates of travelling allowance shall be those which would be admissible under the rules for a journey on transfer less that admissible to the officer.

(3) The family should perform the journey within three months of the death of the Government employee and the travelling allowance should be claimed as soon as possible after the journey is over. The travelling allowance may be drawn in advance if the officer drawing the bill is satisfied that the journey will be made.

(4) Bills will be drawn and countersigned by the officers authorised to deal with the bills of the deceased Government employee, if the deceased officer is a

non-gazetted officer and if the officer is a gazetted officer, the bill will be countersigned by his superior officer.

(5) *[Deleted].

*[G. O. (P) 277/75/Fin., dated 30th June 1975]

RULING

The term "travelling allowance" mentioned in this rule includes cost of transportation of personal effects also.

Section XIII—Journey of an officer after retirement

99-A. Travelling allowance will be allowed to an officer on retirement to enable him to proceed to any place within or outside* the State where he proposes to settle down after retirement subject to the following conditions:—

(i) The concession will be given only in cases of retirement on superannuation, or on invalid, retiring or compensation pension, or with effect from 30th July 1975, in cases of compulsory retirement under rule 60 A Part I of these rules, but will not be given in other cases of compulsory retirement or cases of removal or dismissal from service.

*[G. O. (P) No. 44/78/Fin., dated 10th January 1978]

(ii)* The travelling allowance will be given as for a journey on transfer from the last headquarters to the place of residence, where he proposes to settle down. For regulating the claim accordingly, every Government servant should furnish to his controlling officer before his retirement, a declaration indicating the station where he intends to reside after retirement. The officers compulsorily retired under rule 60-A, of Part I of these rules shall furnish the declaration within one month after such retirement.

[G. O. (P) 74/77/Fin., dated 28th February 1977]

*[G.O. (P) No. 44/78/Fin., dated 10th January 1978]

^ (iii) The journey shall be performed within one year of the date of retirement:

*[G. O. (P) 595/78/Fin., dated 29th July 1978]

Provided that officers who are re-employed under the Government of Kerala and whose re-employment is ordered while on leave preparatory to retirement or within one year of the date of retirement, can avail themselves of the benefit of this rule, if the journey is performed within one year from the date of expiry of the period of re-employment.

[G. O. (P) 537/80/Fin, dated 3rd September 1980]

(iv) If travelling allowance advance is allowed it should be restricted to 75 per cent of the travelling allowance admissible for the journey and a declaration should be obtained from the Government servant giving his consent for recovery from his pension, if need be. The detailed T. A. bill should be presented** within two months of the date of drawal of the advance to the last controlling officer for adjustment and countersignature. If the Government servant is a Gazetted Officer the bill should be sent to the office of the Accountant General for pre-audit before payment.

These amendments shall be deemed to have come into effect from 8th January 1970.

[G. O. (P) 200/70/Fin., dated 6th April 1970]

*99-B Deleted. **[G.O. (P) 595/78/Fin., dated 29th July 1978]

G. O. (P) 277/75/Fin., dated 30th June 1975]

CHAPTER III

TRAVELLING ALLOWANCE ADMISSIBLE WHEN MEANS OF TRANSPORT ARE SUPPLIED WITHOUT COST TO THE OFFICER TRAVELLING

Section I—Journeys by Railway

100. When an officer is entitled to or is allowed free transit by railway, whether on a free pass or otherwise the mileage allowance which he draws for the journey must 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 is issued on any railway. The reduction made must include the full number of fares covered by the pass, unless the officer certifies that he did not use the pass in respect of any fare or fares for which no reduction is made.

101. When an officer in receipt of permanent travelling allowance uses a free pass on a railway within his sphere of duty, he must deduct from his permanent travelling allowance for the month the amount of the railway fares which he would have paid if he had not travelled on a pass.

102. When an officer 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.

Section II—Journeys by sea or river steamer

103. When an officer travels by sea or river, otherwise than on payment of passage money, in a steamer the cost of which is paid by Government or by a local fund, he may draw no travelling allowance except subject to the provision of rule 110* the daily allowance of his grade; provided that, when his servants and luggage are not conveyed on the vessel but are sent separately at his expense, he may draw in addition the actual cost of transporting them.

104. When an officer 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 free 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 officer certifies that he did not use the pass in respect of any fare or fares for which no reduction is made.

Section III—Journeys by air

105. When an officer is allowed free transit by air in a Government machine or in a machine chartered by Government for the purpose, he is entitled subject to the provisions rule 110* to travelling allowance as follows:—

(a) If he has not to provide separate conveyance at his own expense for his servants or luggage, he may draw the daily allowance of his grade and may not exchange it for mileage allowance. If, however, part of the journey is made by other means of locomotion, he may at his option draw in lieu of daily allowance the mileage allowance admissible for that part.

*This amendment shall be deemed to have come into force with effect from 15th May 1970.

[G. O. (P) 113/76/Fin., dated 6th April 1976]

(b) If he has to provide separate conveyance at his own expense for his servants or luggage he may—

(i) if the journey is between places connected by rail or steamer draw incidental expenses or three-fifth of a fare as the case may be of the class of accommodation to which he is entitled by railway or steamer, or

(ii) if the journey is between places not connected by rail or steamer draw the daily allowance of his grade or half the mileage allowance calculated for the journey.

If, however, a part of the journey is performed by other means of locomotion he may draw mileage allowance admissible for that part subject to the condition laid down in sub-clause (i) and (ii) of clause (b) of rule 62.

106. An officer, 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 an officer 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 Government. In giving such sanction, care should be taken to see that no extra expenditure is caused to Government thereby.

Section IV—Other journeys

107. Except where otherwise expressly provided in these rules, when on a journey other than a journey by railway or by sea or river steamer or by air an officer uses a means of locomotion provided at the expense of Government, a local fund or Government of another State and does not pay the cost of its use or propulsion, he is entitled subject to the provision of rule 110 to travelling allowance as follows:—

(a) If he has not to provide separate conveyance at his own expense for his servants or luggage, he may draw the daily allowance of the grade and may not exchange it for mileage allowance. If, however, part of the journey is made by other means of locomotion, he may at his option draw in lieu of daily allowance the mileage allowance admissible for that part.

RULING

When a Government servant performs a journey on transfer in a conveyance provided by the Government, he may be allowed daily allowance for each calendar day of journey. He will not, however, be eligible for any additional daily allowance for the members of his family who accompany him and for whom he does not pay any fare, nor will he be paid any allowance for the personal effects carried along with him for which he does not pay any charge except in the case of transport by rail in which

case he may be allowed the actual charges as provided under rule 67 (a) I (iii), Kerala Service Rules, Part II.

[G. O. (P) 617/63/Fin., dated 12th December 1963]

(b) If he has to provide separate conveyance at his own expenses for his servants or luggage, he may, if the conditions of rule 62 are fulfilled, exchange his daily allowance for half the mileage allowance calculated for the journey and draw in addition the mileage allowance admissible for any part of the journey made by other means of locomotion.

108. When an officer is provided with means of locomotion as in rule 107 but pays all the cost of its use or propulsion, he may draw travelling allowance under the ordinary rules, subject to the deduction of such fixed hire or charge as Government may fix.

109. The provisions of rules 107 and 108 do not apply to an officer or class of officers to whom Government may declare them to be inapplicable.

Section V—Method of calculating daily allowance

110. When an officer who is supplied with means of conveyance without charges returns to his headquarters on the same day, daily allowance admissible under rules, 103, 105 and 107 will be limited to the incidental expenses as admissible under rule 20 (b). But the officer can claim in such cases daily allowance for halt under rule 63, Part II K. S. R. also in addition to incidental expenses drawn under this rule subject to the condition that the daily allowance for halt together with incidental expenses shall not exceed one daily allowance for 24 hours. In cases where the absence from headquarters exceeds 24 hours both the daily allowance for halt and incidental expenses for the journey will be admissible.

This amendment shall be deemed to have come into force with effect from 15th May 1970.

[G. O. (P) 113/76/Fin., dated 6th April 1976]

When an officer is provided with free conveyance for part of the journey or for one way journey only (i.e., either for going from or for return to headquarters) and he returns to his headquarters on the same day the daily allowance if admissible under the rules will be limited to the incidental expenses as provided under rule 20 (b) for the onward or downward journey as the case may be. He may in addition draw mileage allowance admissible for the part of the journey for which the conveyance is not provided free of charges, provided the distance travelled exceeds 32 kilometres

Note 1.—A chauffeur or driver or cleaner or mechanic of a motor car, jeep, van, waggon, lorry, boat or other means of locomotion supplied at the expense of Government will be allowed daily allowance at the rates specified under these rules.

Note 2.—An officer of the 4th grade will be allowed incidental expenses at half the amount computed at the schedule rate of railway fare for the *second class for the distance travelled, subject to a minimum of half daily allowance.

This amendment shall be deemed to have come into force with effect from 15th May 1970.

[G. O. (P) 113/76/Fin., dated 6th April 1976]

*This amendment shall be deemed to have come into force with effect on and from 1st March 1975.

[G. O. (P) 117/77/Fin., dated 30th March 1970]

CHAPTER IV

GRANT OF TRAVELLING ALLOWANCE TO THOSE WHO ARE NOT IN REGULAR GOVERNMENT SERVICE

111. The grant of Travelling Allowance and Daily Allowance to non-official members of Committees, Boards, Councils, etc., will be regulated as follows:—

(i) Committees, Boards, Councils, etc., constituted by Government will be classified into two—first class and

second class—according to their importance, jurisdiction and the overall status of the members. Whether a committee (or other body) is of the first class or the second class will be specified in the orders constituting the committee.

(ii) Non-officials (including retired officials) serving in First Class Committees, Boards, etc., will be allowed travelling allowance and daily allowance at the rates admissible to First Grade Officers.

(iii) Non-officials (including retired officials) serving in Second Class Committees, Boards, etc., will be allowed travelling allowance and daily allowance at the rates admissible to Second Grade Officers drawing a pay of more than Rs. 500 per mensem.

(iv) The travelling allowance admissible to Members of the Legislative Assembly serving in any committee (or other body) will, however, be regulated by the provisions of the Payment of Salaries and Allowances Act.

(v) Members of Parliament serving in such committee (or other body) will be allowed travelling allowance and daily allowance at the rates admissible to M. L. As., subject to the condition that in respect of railway journeys they will be allowed only the incidental expenses, since they are in possession of free railway pass.

(vi) The Travelling Allowance Rules in the Kerala Service Rules applicable to First and Second Grade Officers of Government will apply to the non-official members of First and Second Class committees respectively. They will, however, be allowed mileage for road journeys between places connected by railway, if any public interest is served by such road journeys.

Note.—Non-official members, other than Members of the Legislative Assembly, serving on I and II Class Committees, may be paid per day of attendance at the meetings of the committees at places within a radius of eight kilometres from their

residence, sitting fees to cover out of pocket expenses at the rate equal to the amount of daily allowance admissible for halts at the station.

112. The following principles should be observed in granting travelling allowances to witnesses, who are not officers but are summoned to give evidence in a case in which the conduct of an officer is the subject of a departmental enquiry held by officers serving directly under the Government:—

(1) Travelling allowance will be paid only in respect of witnesses whose evidence is considered to be of material value by the officer conducting the enquiry.

(2) Such allowances may be paid to witnesses summoned on behalf of the officer whose conduct is the subject of a departmental enquiry in the event of the officer concerned clearing himself.

(3) In exceptional cases the officer conducting the enquiry may, for reasons to be recorded, recommend to the Government that the principles laid down above be departed from owing to special reasons and it is for the Government to accept or reject the recommendation.

***112A.** The rates of travelling allowance and batta in the case of those coming under rule 112 will be the rates allowable from time to time to non-official witnesses summoned by criminal courts, the discretion in the matter of classification of such witnesses for the purpose being vested with the concerned authority conducting the enquiry.

*[G. O. (P) 1/66/Fin., dated 1st January 1966]

CHAPTER V

CONTROLLING OFFICERS

113. The Government shall declare what authority shall be the controlling officer, for travelling allowance purposes, of each officer or grade of officers. It may, if it thinks fit, declare that any particular officer shall be his controlling officer.

114. Except where expressly permitted by a competent authority a controlling officer may not delegate to a subordinate his duty of countersignature.

115. Except as provided in rule 113 no bill for travelling allowance, other than permanent travelling allowance shall be paid unless it is signed or countersigned by the controlling officer concerned.

116. It is the duty of a 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 halts, if he considers that a journey was unnecessary or unduly protracted or that a halt was of excessive duration;

(b) to scrutinise carefully the distances entered in travelling allowance bills;

(c) to satisfy himself that mileage allowance for journeys by railway or steamer, excluding additional fare or fares allowed for incidental expenses, has been claimed at the rate applicable to the class of accommodation actually used and that where the actual cost of transporting servants, personal effects, etc., is claimed under these rules the scale on which such servants, effects, etc., were transported was reasonable; 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;

(e) to observe any subsidiary rules or orders which a competent authority may make for his guidance; and

(f) to satisfy himself before permitting a claim under rule 23 that the officer actually bought a through ticket at the rate claimed and that it was not possible for him to get through ticket at a cheaper rate by paying only for the appropriate class of accommodation over that portion of the journey where accommodation of that class was available.

LIST OF APPENDICES

- Appendix I Model Form of Agreement.
- II List of Heads of Departments.
- III Rules relating to charge of office.
- IV Rules regulating grant of Special Pay and Compensatory Allowances.
- IV-A Rules regulating the grant of overtime allowance to the staff of Departments during sessions of the Legislative Assembly.
- V List of recognised Tuberculosis and Leprosy institutions for purposes of grant of extra ordinary leave to officers not in permanent employ.
- VI Rules for the grant of study leave.
- VII Rules relating to casual leave.
- VIII Rules for the grant of leave to officers appointed for limited periods.
- IX List of Hilly Tracts.
- X (Please See) The Kerala Service Rules, Part III.
- XI [Deleted]
- XII Rules for the grant of leave to Radiation workers in the State Medical Service.

APPENDIX I

MODEL FORM OF AGREEMENT

(Referred to in Rule 8 of Part I)

ARTICLES OF AGREEMENT made this the..... day of.....one thousand nine hundred and..... BETWEEN Sri.....(here enter name and address) of the first part and the Governor of Kerala (hereinafter called 'the Government') of the other part.

WHEREAS THE GOVERNMENT have engaged the party of the first part and the party of the first part has agreed to serve the Government on the terms and conditions hereinafter contained.

NOW THESE PRESENTS WITNESS as follows:—

1. The party of the first part shall submit himself to the orders of the Government and of the officers and authorities under whom he may from time to time be placed by the Government and shall remain in the service for the term of.....years commencing from the..... day of 19.....subject to the provisions herein contained.

2. The party of the first part shall devote his whole time to his duties and at all times obey the rules including the Government Servants' Conduct Rules prescribed from time to time being for the regulation of the public service to which he may belong and shall, whenever required, proceed to any part of India and there perform such duties as may be assigned to him.

3. The service of the party of the first part may be terminated as follows:—

(1) At the end of the first year by either party without notice.

(2) At any time on three calendar months' notice in writing given to him by the Government if, in the opinion,

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of the Government, the party of the first part proves unsuitable for the efficient performance of his duties during service under this agreement.

(3) By the Government without previous notice if the Government are satisfied on medical evidence that the party of the first part is unfit and is likely for a considerable period to continue unfit by reason of ill-health for the discharge of his duties in India.

PROVIDED always that the decision of the Government that the party of the first part is likely to be unfit shall be conclusively binding on the party of the first part.

(4) By the Government or their officers having proper authority without any previous notice if the party of the first part shall be guilty of any insubordination, intemperance or other misconduct or of any breach or non-performance of any of the provisions of these presents or of any rules pertaining to the public service to which he may belong.

(5) By six calendar months' notice in writing given at any time during service under this agreement (except the first year thereof) either by him to the Government or by the Government or their authorised officer to him without cause assigned.

PROVIDED always that the Government may, in lieu of any notice herein provided for, give the party of the first part a sum equivalent to the amount of his pay of six months or shorter notice than six months if they pay him a sum equal to the amount of his pay for the period by which such notice falls short of six months.

PROVIDED further that in the event of a notice being given under sub-clause (2) of this clause the word 'Three' shall be read in place of the word 'Six' wherever it occurs in the preceding proviso.

APPENDIX I] MODEL FORM OF AGREEMENT

The term 'pay' for the purpose of this clause shall mean the pay (including special pay and personal pay, if any), the party of the first part is receiving under these presents at the time, unless he is receiving officiating pay in which case it shall mean the pay (including special pay and personal pay, if any) of his substantive appointment.

4. If the party of the first part is suspended from duty during investigation into any charge of misconduct mentioned in sub-clause (4) of clause 3 hereof, he shall not be entitled to any pay during such period of suspension but shall be entitled to receive a subsistence grant at such rate as the Government may decide to allow him.

5. The scale of pay attached to the post of..... to which the party of the first part is appointed shall comprise the following monthly rates of pay in successive stages of every twelve months' service;—

(Pay Rs.)

Stages:

- 1.....
- 2.....
- 3.....
- etc.

He shall from the..... be granted pay at the rates of Rupees..... per mensem in the aforesaid scale and shall receive pay in the succeeding stages provided for in that scale in accordance with the provisions of the rules from time to time in force and applicable to his case, service in the stages reckoning from the aforesaid date. The pay from time to time payable to him under these presents shall be paid for such time as he shall serve under this agreement and actually perform his duties commencing from the aforesaid date and ceasing on the date of his quitting service or on the day of his discharge therefrom or

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on the day of his death if he shall die whilst in service. If at any time the party of the first part proceeds on deputation on foreign service his pay during deputation shall be regulated by the ordinary rules regarding deputation on foreign service.

6. The party of the first part shall be eligible, subject to the exigencies of the public service, for leave and leave salary under the rules contained in Appendix VIII to Kerala Service Rules, as amended from time to time.

7. If the party of the first part is required to travel in the interest of the public service he shall be entitled to travelling allowance on the scale provided for in the rules framed by the Government from time to time in force and applicable to the class of officers serving in the same station to which Government may declare him to correspond in status or conditions of service.

8. The party of the first part shall be eligible for any concessions in relation to medical attendance and treatment that may be prescribed by the Government for the class of officers serving in the same station to which the Government may declare the party of the first part to correspond in status or conditions of service.

9. Notwithstanding anything herein before contained the party of the first part shall, unless otherwise decided by the Government, be entitled to receive in whole or in part as may be authorised by the Government the benefits of any improvement that may be sanctioned by the Government subsequent to the date of these presents in the terms and conditions of the service of members of the public service to which he may for the time being belong and the decisions of the Government in respect of such improvement in the terms and conditions of service of the party of the first part shall operate so as to modify to that extent the provisions of these presents.

10. Notwithstanding anything herein before contained the pay and leave salary admissible under these presents shall be subject to any emergency cut that may be ordered by the Government for the same period and on the same terms as for other officers under the administrative control of the Government.

11. In respect of any matter in regard to which no provision has been made in this agreement the provisions of the Kerala Service Rules shall apply to the extent to which they are applicable to the service hereby provided for and the decision of the Government as to their applicability shall be final.

In witness where of Sri.....the party of the first part and Sri.....Secretary to the Government for and on behalf of the Governor of Kerala hereunto set their hands the day and year first above written.

Signed by Sri.....the party of the first part.

In the presence of witnesses:—

- 1.....
- 2.....

Signed by Sri.....Secretary to the Government for and on behalf of the Governor of Kerala.

In the presence of witnesses:—

- 1.....
- 2.....

APPENDIX II

LIST OF HEADS OF DEPARTMENTS

[Referred to in Rule 12 (13) of Part I]

- 1. Secretaries, Additional Secretaries and Joint Secretaries to Government (including Secretary to the Legislative Assembly).

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2. Board of Revenue
3. Director of Public Instruction
4. Additional Director of Public Instruction,
5. Director of Collegiate Education
6. Director of Examinations and Text Books.
7. Director of Technical Education
8. Chief Engineers
9. Chief Conservator of Forests
10. Director of Agriculture
11. The High Court
12. Chairman, Public Service Commission
13. Director of Public Relations
14. Transport Commissioner
15. Inspector General of Police
16. Director of Health Services
17. Advocate General
18. Registrar of Co-operative Societies
19. Inspector General of Registration
20. [Deleted]
21. Labour Commissioner
22. Examiner of Local Fund Accounts
23. Inspector General of Prisons
24. Director of Animal Husbandry
25. [Deleted]
26. Director of Harijan Welfare
27. Principals, Medical Colleges.
28. Director of Municipalities
29. Director of Industries and Commerce
30. Director of Fisheries
31. Director, Bureau of Economics and Statistics

32. Director of Indigenous Medicine
- *33. Director of Insurance
*[G. O. (P) No. 705/79/Fin., dated 6th August 1979]
34. Chairman, Kerala Sales Tax Appellate Tribunal,
Trivandrum
35. Principal, Ayurveda College
36. Industrial Tribunals
37. The State Port Officer
38. Commissioner, Hindu Religious and Charitable
Endowment Fund
39. Director of Tourist Department
40. Presiding Officer, Labour Courts
41. Director of Museums and Zoos
42. Secretary to Governor and Comptroller,
Governor's Household
43. Director of Employment and Training
44. Director of Geology
45. Controller of Weights and Measures
46. Drugs Controller
47. Chairman, Land Board
48. Chief Town Planner and Consulting Architect
49. Director of Panchayats
50. Director of Archaeology
51. Principal, Ayurveda College, Trippunithura
52. Director of Fire Force
53. Director of Soil Conservation
54. Chief Inspector of Factories and Boilers
55. State Editor, Kerala Gazetteers
- *56. Director, Raja Sainik Board
*[G.O. (P) 1101/79/Fin., dated 21st December 1979]

57. Vigilance Commissioner
58. Director of Vigilance Investigation
59. Director of Treasuries
60. Director of State Lotteries
61. The Chief Electrical Inspector of Government
62. The Secretary to Official Language (Legislative) Commission
63. Director of Printing and Stationery
64. Director, State Water Transport Department
- *65. Chemical Examiner to Government

*This amendment shall be deemed to have come into force with effect from 19th September 1972.

[G.O. (P) 154/73/Fin., dated 22nd May 1973]

66. Director of Civil Supplies

[G.O. (P) No. 28/75/Fin., dated 17th January 1975]

- *67. Director of Coir Development

- *68. Director of Handloom

*[G.O. (P) 142/80/Fin., dated 19th February 1980]

This amendment shall be deemed to have come into force with effect from the 22nd September 1979.

Note.—In the case of officers who are not subordinates to any of the above heads of departments, questions which call for disposal by heads of departments should be referred to the Secretary to Government in the department concerned.

APPENDIX III

RULES RELATING TO CHARGE OF OFFICE

(Referred to in Rule 23 of Part I)

PART I

CHARGE OF OFFICE

1. Unless for special recorded reasons (which must be of a public nature) the authority under whose orders 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.

2. The condition imposed by this rule that both the relieving and the relieved officers must be present is not enforced in the case of officers who are permitted to combine vacation or gazetted holidays with leave.

(a) When they are prefixed to leave the outgoing officer will report, before leaving headquarters, or if for urgent reasons the leave is granted during vacation, or holidays, as soon as it is granted that he makes over charge with effect from the end of the vacation or holidays. The relieving officer will then take over charge at the end of the vacation or holidays in the ordinary way.

(b) When they are affixed to leave the officer to be relieved will make over charge in the ordinary way before the vacation or holidays, the incoming officer on return at the end of the vacation or holidays taking over charge with effect from the beginning of the vacation or holidays.

3. The headquarters of any other officer are either the station which has been declared to be his headquarters by the authority which appoints him, or, in the absence of such declaration, the station where the records of his office are kept.

PART II

LEAVING JURISDICTION

1. No officer (other than a Police Officer acting within his legal powers) is entitled to pay or allowances for any time he may spend beyond the limits of his charge without proper authority.

2. Heads of Departments and Heads of Offices may authorise any officer or subordinate under their control to

proceed on duty beyond the limits of his charge but within their own jurisdiction.

3. The sanction of Government is required for any officer proceeding beyond the limits of the State.

RULING

This rule will not be applicable to a case where an Officer is summoned to attend a court outside the State. He should, however, inform his controlling officer before he leaves station.

APPENDIX IV

RULES REGULATING GRANT OF SPECIAL PAY AND COMPENSATORY ALLOWANCES

[Vide Rules 12 (31) and 44 of Part I]

In the service rules provision is made for grant of special pays [Rule 12 (31)—Part I] and compensatory allowances (Rule 44—Part I).

The additional pay and allowances granted to officers under these rules will be sub-divided into the following classes:—

Class I—(a) Special pay in lieu of higher time scale of pay.

(b) Special pay for specifically arduous nature of work.

Class II—Special pay for work in addition to the normal duties attached to the post.

This amendment shall be deemed to have come into force with effect from 1-7-1968.

[G.O. (P) No 393/75/Fin., dated 30-8-1975]

Class III—[Deleted].

Class IV—Mofussil (compensatory allowance) hill stations.

Class V—Conveyance allowance (compensatory allowance).

Class VI—Miscellaneous (compensatory allowance).

Class I.—Special pays in this class are assigned to posts to which special responsibility is attached or which involve work of a specially difficult and arduous nature. No special pay of this class will be granted unless the particular duties for which an allowance is claimed so far differ, in kind or in intensity, from those for the performance of which the service in question was recruited, as to justify a special remuneration.

Class II.—The cardinal rule which the Government have adopted is that every officer to whom a variety of duties is assigned or to whose post a number of duties is attached should carry out those duties without extra remuneration unless they involve more than a reasonable day's work. In this respect Government are merely giving effect to Rule 14, Part I.

If the volume of work assigned to an officer is more than a full day's work the most suitable course is either to increase the staff, should the amount of work justify a fresh whole-time appointment, or to redistribute the work, among the members of the sanctioned staff. Special pay in this class will be granted only when neither of these alternatives is possible.

The grant of a special pay under this class will be restricted to cases which strictly satisfy the following test:—

If the duties are of a kind outside the normal duties of the service, is the addition to the normal work of the service, which the performance of these duties involve, really so material as to justify the grant of a separate remuneration in order to secure the contended discharge of those duties by the staff.

Note:—The allowance sanctioned to the Typists and Stenographers with higher qualification in Typewriting and Shorthand, as the case may be, shall however be treated as 'special pay' falling under this class.

GOVERNMENT DECISION No. 1

The Supervisory allowance of Rs. 15 per mensem sanctioned to Head Typists in the scale of pay of Upper Division Typist will be classified as Class II Special Pay under Appendix IV, Kerala Service Rules.

[G.O. (P) 615/64/Fin., dated 31-8-1964]

GOVERNMENT DECISION No. 2

The Supervisory allowance of Rs. 15 per mensem sanctioned to Head Clerks and Head Accountants will be classified as special pay under Appendix IV, Kerala Service Rules.

[G.O. (P) 150/58/Fin., dated 23-6-1958 and
G.O. (P) 825/64/Fin., dated 28-12-1964]

Class III.—Deleted

Class IV.—The localities which have been recognised as hilly to justify special compensatory allowances are:—

1. Portions of Devicolom, Peermade, Udumbanchola, Pathanamthitta, Pathanapuram, Nedumangad and Neyyattinkara Taluks referred to in para 1, under 'A Class I Tracts' in Appendix IX.

This amendment shall be deemed to have come into force with effect on and from 2-2-1970.

[G.O. (P) 576/75/Fin., dated 27-12-1975]

2. Compensatory allowances as specified below shall be granted to officers stationed in the hill stations specified above:

| <i>Class</i> | <i>Rate of Compensatory allowance per month</i> <i>Rs.</i> |
|---|---|
| Officers whose salary is less than Rs. 400 per mensem | 30 |
| Officers whose salary is Rs. 400 and above but below Rs. 750 per mensem | 40 |
| Officers whose salary is Rs. 750 and above per mensem. | 50 |

Explanation:

- (1) The salary referred to in this paragraph means the salary drawn in the Scale of Pay as revised on or after 1st July, 1978.
- (2) In the case of those who have opted to remain in the pre-revision scale of pay, the salary for the purpose of determining the compensatory allowance shall be calculated by adding to the pay in the pre-revision scale, the dearness allowance admissible at 272 points indicated in Annexure IV to pay revisions G.O. (P) 860/78/Fin., dated 16-12-1978 which was merged in the pay with effect from 1-7-1978."

[G.O. (P) 266/80/Fin., dated 23rd April 1980]

This amendment shall be deemed to have come into force with effect on and from the 1st day of July, 1978.

3. Pudusserry East Village in Palghat Taluk referred to as item 5, under the sub-heading 'Class I tracts' in Appendix IX.

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Compensatory allowances as specified below shall be granted to officers stationed in the hill station specified above.

| <i>Class</i> | <i>Rate of compensatory allowance per month</i> <i>Rs.</i> |
|--|---|
| Officers whose salary is less than Rs. 300 per mensem .. | 30 |
| Officers whose salary is Rs. 300 and above but below Rs. 600 per mensem .. | 40 |
| Officers whose salary is Rs. 600 and above per mensem .. | 50 |

Explanations.—(1) The “salary” referred to in this paragraph means the salary drawn in the scale of pay as revised on or after 1st July 1973.

[G.O. (P) 728/78/Fin., dated 29th September 1978]

(2) In the case of those who have opted to remain in the pre-revision scale of pay, the salary for the purpose of determining the compensatory allowance shall be calculated by adding to the pay the dearness allowance in the pre-revision scale and the Ad hoc increase which were admissible thereon immediately before the 1st May 1973.

[G.O. (P) 728/78/Fin., dated 29th September 1978]

The amendment hereby made shall be deemed to have come into force with effect on and from the 1st day of October 1976.

[G.O. (P) No. 112/77/Fin., dated 29-3-1977]

RULING

The term "Salary" denotes "pay" as defined in rule 12 (23), Kerala Service Rules, Part I.

This amended ruling shall be deemed to have come into force with effect from 1st January 1966.

[G.O. (P) 72/72/Fin., dated 9-3-1972]

Class V—

Conveyance allowance.—When an officer has a large amount of travelling at or within a short distance from headquarters, for which travelling allowance is inadmissible under the rules, a permanent conveyance allowance may, under special sanction of the Government in each case, be granted to him which is drawn throughout the year.

An allowance for the maintenance of a conveyance will not be granted unless the amount of travelling that the officer has to perform, justifies the maintenance of a conveyance by him and the amount of ordinary T.A. which would have been admissible, but for the operation of the 8 kilometres limit, would exceed the amount of the conveyance allowance proposed.

Officers whose pay is not less than Rs. 400 per mensem may alone be considered for the grant of allowance for the maintenance of a motor car.

Officers whose pay is more than Rs. 150 but less than Rs. 400 may ordinarily be given allowance for maintaining a motor cycle.

Officers of lower status may ordinarily be allowed only a cycle allowance.

Note 1.—If the amount of travelling which an officer of the first category has to perform is such that in the opinion of Government it can be suitably performed with the aid of a conveyance prescribed for the 2nd category the allowance for maintaining such a conveyance only may be given.

Note 2.—Similarly, if the amount of travelling which the officers of the second category have to do is such that in the opinion

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of Government, it can be suitably performed with the aid of a bicycle, the allowance for maintaining a bicycle only may be allowed.

Note 3.—If the amount of travelling that an officer of the third category has to do is so large that in the opinion of Government it cannot be performed with the aid of a bicycle or in case in which it is absolutely necessary, in the interests of work and efficiency, that a motor cycle has to be maintained, allowance for maintaining a motor cycle may be given.

Rates of allowances.—The following rates shall not be exceeded:—

1. *Motor car.*—The ordinary limit will be Rs. 60 per mensem. This may be raised in exceptional cases when the amount of travelling is very large, up to Rs. 75 per mensem. In the case of those whose jurisdiction extends beyond 8 kilometres radius from their headquarters and who get ordinary T.A. also, they will ordinarily be given only Rs. 40 per mensem. But in exceptional cases when the main portion of the work is confined to within 8 kilometres from headquarters the allowance may be increased to Rs. 60 per mensem.

2. *Motor cycle.*—The ordinary limit will be Rs. 25 per mensem which may be increased up to Rs. 30 in cases where a very large amount of travelling has to be done. If the jurisdiction of the officer extends beyond 8 kilometres radius and the officer gets ordinary T.A. also, the allowances may be limited to Rs. 15 per mensem which may be enhanced to Rs. 20 per mensem if the main portion of the work is confined to within 8 kilometres from headquarters.

3. *Bicycles.*—A uniform rate of Rs. 5 per mensem is fixed.

APPENDIX IV] RULES REGULATING GRANT OF SPECIAL PAY AND
COMPENSATORY ALLOWANCES

4. Where full rates without making reduction on the ground that the officers concerned earn ordinary T.A. are granted the conveyance allowance should be forfeited for the days for which ordinary T.A. (D.A. or mileage) is drawn.

Every recommendation made to Government for the grant of a conveyance allowance should contain detailed information regarding the nature of the officer's work, the approximate area of the locality within which the conveyance is to be used and the approximate average amount of travelling which the officer has to perform in a day.

Class VI—

Miscellaneous.—The allowances admissible under this class are (a) Uniform allowance, (b) Dhobi allowance, (c) Allowance to Medical men to compensate for loss of private practice, (d) Security allowance, (e) Allowance for higher qualification (f) Allowances granted to officers deputed for training and (g) Other compensatory allowances.

Note.—In cases where the period of training exceeds three months, compensatory allowance will be granted to the different classes of officers deputed for training outside the State at the following rates, namely:—

| <i>Category of Officers</i> | <i>Rates for the cities of Delhi, Bombay and Calcutta Rs.</i> | <i>Rates for other places Rs.</i> |
|---|---|---|
| Officers of the First Grade | 400 p.m. | 325 p.m. |
| Officers of the Second Grade— | | |
| Officers whose actual pay is Rs. 700 and above and those in the cadre of Deputy Collectors and Deputy Superintendents of Police drawing a pay below Rs. 1,050 | 350 p.m. | 275 p.m. |
| (g) Other Officers | 275 p.m. | 225 p.m. |
| Officers of the Third Grade | 250 p.m. | 175 p.m. |
| Officers of the Fourth Grade | 225 p.m. | 150 p.m. |

[G.O. (P) 157/77/Fin., dated 23-5-1977]

GOVERNMENT DECISION No. 1

Special pay granted under classes I and II, rule 4 of the Madras Manual of Special Pay and Allowances to officers governed by the Fundamental Rules (Madras) should be treated, after their option to Kerala Service Rules as special pay Classes I and II respectively under Appendix IV, Kerala Service Rules.

[Circular No. 38373/RB3/61/Fin., dated 19-9-1961]

GOVERNMENT DECISION No. 2

The various allowances mentioned below will be classified as shown against each:—

| <i>Allowance</i> | <i>Classification</i> |
|--|--|
| 1. Postgraduate allowance | Special pay under Class II |
| 2. Allowance to Medical Officers for visiting bi-weekly Dispensaries | Conveyance allowance under Class V |
| 3. Project allowance | } Compensatory allowance under Class IV |
| 4. Hill-tract allowance | |
| 5. Headmaster's allowance | Class II special pay |
| 6. Teaching allowance (to non-clinical staff of Medical Colleges) | Compensatory allowance for loss of private practice under Class VI (c) |

APPENDIX IV] RULES REGULATING GRANT OF SPECIAL PAY AND
COMPENSATORY ALLOWANCES

Allowance

Classification

7. Allowance for part-time work:

- (i) Allowance given to Assistant Surgeons for taking classes in Auxiliary Mid-wife's Nurse's Training
- (ii) Allowance given for part-time Lecturers in the Ayurveda College
- (iii) Allowance given for taking classes in B.D.S. Course
- (iv) Allowance for taking classes in D.M.S. Course
- (v) Allowance for taking classes in Extension Training Centres
- (vi) Allowance for taking classes in Industrial Training Centres
- (vii) Allowance for taking classes in Dental Hygienic Course

Compensatory allowance
under Class VI (c)

Allowance

Classification

- (viii) Allowance given to Doctors for visiting Hostels
- (ix) Allowance given to Doctors for visiting College of Physical Education
- (x) Allowance given to Doctors for visiting Police Training School as part-time Medical Officer
- (xi) Allowance given to Doctors for visiting Raj Bhavan Dispensary
- (xii) Allowance given to Doctors for visiting School of Optometry

Conveyance allowance under Class V

[G.O. (P) 576/63/Fin., dated 7-11-1963]

APPENDIX IV A

RULES REGULATING THE GRANT OF OVERTIME ALLOWANCE TO THE STAFF OF DEPARTMENTS DURING SESSION OF THE LEGISLATIVE ASSEMBLY

(Vide rule 14, Part I)

1. The allowance will be given to the staff of the following Departments, subject to the conditions of rules 2 to 6:—

| <i>Department</i> | <i>Staff</i> | <i>Rate of allowance</i> |
|-------------------|--------------|--------------------------|
| Stationery | One Peon | Rs. 1.00 per diem |
| | One Packer | Rs. 1.25 ,, |

RULES REGULATING THE GRANT OF OVERTIME ALLOWANCE TO THE STAFF OF DEPARTMENTS DURING SESSIONS OF THE ASSEMBLY

| <i>Department</i> | <i>Staff</i> | <i>Rate of allowance</i> |
|----------------------------|--|--------------------------|
| Legislature Secretariat | (i) Gazetted Officers drawing salary upto Rs. 300 per mensem | Rs. 1.25 per diem |
| | (ii) N.G.Os. in superior service | Rs. 1.25 „ |
| | (iii) N.G.Os. in inferior service | Rs. 1.00 „ |
| | (iv) Sergeant of the Secretariat | Rs. 1.25 „ |
| | (v) Two Chowkidars and two Gatekeepers of the Secretariat | Rs. 1.00 „ |
| Law | N.G.Os. in superior service | Rs. 1.25 „ |
| | N.G.Os. in inferior service | Rs. 1.00 „ |
| Public Relations | One Press Facilities Officer and one Clerk | Rs. 1.25 „ |
| | One Peon | Rs. 1.00 „ |

2. A person will be eligible for overtime allowance only if he has been on duty on a working day for a minimum period of two hours before 10 a.m. or after 5.00 p.m. or for a minimum period of 3 hours on an intervening holiday during the Assembly Session.

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3. Such members of the staff whose presence may be necessary in the interests of work shall be specifically required in writing by the Head of Department/Office or by his immediate subordinate Gazetted Officer to attend office earlier and/or to stay longer or to attend office on holiday. Only individuals who have been so directed will be eligible for overtime allowance.

4. The following certificate will be signed by the drawing officer in the bills claiming overtime allowance:—

“Certified that Sri.....was required under specific orders to sit late in office/to attend office early on.....or to attend office on Sunday/.....holiday and was detained froma.m. to.....a.m./p.m.....to.....p.m. for disposal of urgent work relating to the Legislative Assembly.

Also certified that the amount claimed by Sri..... is in accordance with the rates prescribed in the rules in Appendix IV A of the Kerala Service Rules.”

5. Members of the staff who are eligible for allowance in accordance with these rules will not be eligible for any other additional remuneration, conveyance/hire charges or compensation leave for the performance of the same duties.

6. The allowance will be classified as ‘honorarium’ and will be drawn in establishment/salary bills. In the case of Gazetted Officers, the allowance will be authorised by the Accountant General on certificates furnished by the Head of Department/Office or by his immediate subordinate Gazetted Officer.

7. A register showing details of overtime work done, allowance paid therefore, etc., will be maintained in Form No. 14.

[This Appendix shall have effect from 11th June 1963—vide G.O. (P) 602/63/Fin., dated 2nd December 1963.]

APPENDIX V] LIST OF RECOGNISED TUBERCULOSIS, LEPROSY AND CANCER INSTITUTIONS AND MENTAL HOSPITALS FOR PURPOSES OF GRANT OF EXTRAORDINARY LEAVE TO OFFICERS NOT IN PERMANENT EMPLOY

APPENDIX V

LIST OF RECOGNISED *TUBERCULOSIS, LEPROSY AND CANCER INSTITUTIONS AND MENTAL HOSPITALS FOR PURPOSES OF GRANT OF EXTRAORDINARY LEAVE TO OFFICERS NOT IN PERMANENT EMPLOY

(Referred to in note 3 under rule 90 of Part I)

PART I

TUBERCULOSIS INSTITUTIONS

(a) Within Kerala

1. K. V. Sanatorium, Mulankunnathukavu
2. T. B. Sanatorium, Pariyaram
3. T. B. Centre, Trivandrum
4. T. B. Hospital, Pulayanarkottah
5. T. B. Clinic, Palluruthy
6. Do. Kottayam
7. Do. Trichur
8. Do. Kozhikode
9. T. B. Seal Ward, Alleppey
10. Do. Ayyampally
11. Do. Alwaye
12. Do. Palluruthy
13. Do. Chittoor
14. T. B. Clinic, Alleppey
15. Do. Karunagappally
16. Do. Palghat
17. Do. Muvattupuzha
18. Do. Cannanore
19. Do. Kozhencherry
20. Do. Kottarakkara
21. Do. Karuvatta
22. T.B. Diagnostic Centre, Quilon
23. T.B. Isolation Ward, District Hospital, Palghat
24. Do. do. Cannanore
25. Do. Government Hospital. Chiravinkil

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26. T.B. Seal Ward, Muvattupuzha
27. Do. Palai
28. Do. Chengannur
29. Do. Kozhencherry
30. Do. Chalakudy
31. Do. Mavelikkara
32. Do. Changanacherry
33. Do. Mannarghat

*[G.O. (P) No. 570/78/Fin., dated 11th July 1978]

(b) Outside Kerala

1. Madar Union Sanatorium, Madar, Ajmer, Merwara
2. Reid Provincial Sanatorium, Shillong
3. Municipal Tuberculosis Hospital, Civil and Military Station, Bangalore
4. Government Tuberculosis Sanatorium, Bangalore Cantt.
5. S. B. Dey Sanatorium, Kurseong
6. Jadabpur Tuberculosis Hospital, Jadabpur
7. Itki Sanatorium, Itki
8. Turner Sanatorium, Bhoiwada Hill, Parel, Bombay
9. The Bel-Air Sanatorium, Delkeith, Panchgani
10. Hillside Sanatorium, Gengurla
11. The Salvation Army Tuberculosis Hospital, Anand, District Kaira
12. Wanless Tuberculosis Sanatorium, Wanlesswadi, District Satara
13. Pendra Road Sanatorium, Pendra Road, Madhya Pradesh
14. The Nagpur Tuberculosis Clinic, New Delhi
15. Silver Jubilee Tuberculosis Hospital, Kingsway, Delhi
16. The New Delhi Tuberculosis Clinic, New Delhi
17. Union Mission Tuberculosis Sanatorium, Arogyavaram *
18. Visrantipuram Sanatorium, Rajamundry

APPENDIX V] LIST OF RECOGNISED TUBERCULOSIS, LEPROSY AND
 CANCER INSTITUTIONS AND MENTAL HOSPITALS
 FOR PURPOSES OF GRANT OF EXTRAORDINARY
 LEAVE TO OFFICERS NOT IN PERMANENT EMPLOY

19. Government Tuberculosis Sanatorium, Tam-
baram, Madras
20. Coimbatore District Jubilee Tuberculosis Sana-
torium, Perundurai
21. Government Tuberculosis Hospital, Royapettah,
Madras City
22. The King Edward Sanatorium, Dharombur
(Simla Hills)
23. Lady Irwin Tuberculosis Sanatorium, Jubar
24. Lady Limplithgow Sanatorium, Kasauli
25. Raj Bahadur Sir Gūjarmal Kesradevi Tuber-
culosis Sanatorium, Amritsar
26. King Edward VII Sanatorium, Bhowali
27. Tuberculosis Clinic attached to the Calcutta
Medical College, Calcutta
28. Shree Padmavatidevi Sanatorium, Baroda City
29. Ganga Golden Jubilee Tuberculosis Dispensary
and Hospital, Bikaner
30. Tuberculosis Hospital, Lingampalli, Hyderabad
31. Princess Krishna Janammai Sanatorium, Mysore
City
32. Tuberculosis Hospital, Nagercoil, Madras State
33. Tuberculosis Government Hospital, Kanchrapra
34. The Tuberculosis Department of the Government
Headquarters Hospital, Trichinopoly
35. Rajaji Tuberculosis Sanatorium, Trichnopoly
36. Santosham Memorial Tuberculosis Sanatorium,
Tanbaram, Madras
37. The Municipal Tuberculosis Dispensary, Civil
and Military Station, Bangalore
38. The Kasturba Tuberculosis Clinic and Hospital,
Lucknow
39. Government Tuberculosis Institute, Madras
40. Government Headquarters Hospital, Coimbatore
41. Government Headquarters Hospital, Tanjore

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42. Government Erskine Hospital, Mathurai
43. Government King George Hospital, Visakha-
patnam
44. Government General Hospital, Madras
45. Government Wellesley Tuberculosis Sanatorium,
Bellary
46. Telegaon General Hospital and Convalescent[#]
Home, Telegaon (Dabhade—District Poona)
47. Victoria Jubilee Hospital, Amritsar
48. King George Medical College Hospital, Lucknow
49. Patna Medical College Hospital
50. Tuberculosis Clinic, Jubbulpoor
51. Tuberculosis Clinic, Queens Road, Delhi
52. Ramakrishna Mission Free Tuberculosis Clinic,
Karol Bagh, Delhi
53. Group of Hospital for Tuberculosis, Bombay
54. Central T. B. Clinic, Kanpur
55. Hospital for Diseases of the Chest Camp, Aundh,
Poona
56. K. M. R. Bangu T. B. Sanatorium, Digri,
Midnapur
57. Government T.B. Clinic, Mandi
58. Himachal Pradesh Sanatorium, Mandhodhar
Near Dharambur
59. Karnatak Health Institute, Hospital and Sana-
torium, Ghataprabha (Belgaum District)
60. V. C. Nath T. B. Sanatorium, Bharatpur
61. Ramakrishna Mission T. B. Sanatorium, Ranchi
(Bihar)
62. Sriram Chandra Bhanji Medical College Hospital,
Cuttack
63. T. B. Sanatorium, Dakpathan (District Dehra
Dun)
64. T. B. Sanatorium, Jaipur
65. T. B. Clinic, Jodhpur
66. M. G. Hospital, Jodhpur
67. T. B. Hospital, Iramumna
68. T. B. Sanatorium, Vikarabad (Anathgiri)

APPENDIX VJ LIST OF RECOGNISED TUBERCULOSIS, LEPROSY AND
CANCER INSTITUTIONS AND MENTAL HOSPITALS
FOR PURPOSES OF GRANT OF EXTRAORDINARY
LEAVE TO OFFICERS NOT IN PERMANENT EMPLOY

69. T. B. Clinic, Dapirpura
70. T. B. Clinic, Patiala, Punjab
71. Hardinge Sanatorium, Dharampur (Simla Hills)
72. K. J. Metha T. B. Hospital, Amargadh (via. Songadh), Bombay
73. T. B. Ward, J. A. Hospital, Gwalior, Madhya Pradesh
74. T. B. wards, M. T. Hospital, Indore, Madhya Pradesh
75. T. B. Sanatorium, Rao Indore, Madhya Pradesh
76. S.D.S. Sanatorium, Bangalore
77. T. B. Clinic, Allahabad
78. The Coimbatore Tuberculosis Sanatorium, Peelamedu P. O., Avanashi Road, Coimbatore
79. Lala Ram Sarup Tuberculosis Hospital, Mehrauli (Delhi)
80. Rocky Mount Sanatorium, Ara P. G. Mamkum (near Ranchi)
81. Mahatma Gandhi Memorial T. B. Sanatorium, Sangipa, Tanjore District
82. Medical Ward (T. B.) attached to the R. G. Ker Medical College Hospital, Calcutta
83. T.B. Hospital, Uditnarayanbur (near Bhowani, Patna, Orissa)
84. Brij Sewa Samiti T. B. Sanatorium, Vrindaban (Mathura)
85. The Government Welfare Fund T. B. Hospital, Nellore (Andhra)
86. Bhabendra Bala Chest Clinic, Serampore, (West Bengal)
87. T. B. Clinic, Chemba
88. C. D. Hospital, Srinagar
89. C. D. Hospital, Jammu

PART II

LEPROSY INSTITUTIONS

(a) Within Kerala

1. Leprosy Sanatorium, Noornad
2. Leprosy Sanatorium, Koratty
3. Leprosy Treatment Centre, Kayamkulam
4. Leprosy Treatment Centre, Haripad
5. Leprosy Subsidiary Centre, Ponnani
6. Leprosy Subsidiary Centre, Baliapatam
7. Mission Leprosy Sanatorium, Ghevayur
8. The Poor Home Society Leprosy Home, Kozhikode

(b) Outside Kerala

1. Bethesda Leprosy Hospital, Nerespur, West Godavary District
2. The Salvation Army Leprosy Hospital, Babatla, Guntur District
3. Leprosy Hospital, Keserapalla, Krishna District
4. Leprosy Hospital, Salure, Srikakulam District
5. Leprosy Home, Vizianagram, Vishakhapatnam District
6. Leprosy Home and Hospital, Ramachandrapuram (East Godavari District)
7. A.L.C. Mission Leprosy Hospital, Kodur, Cuddapah District
8. Leprosy Clinic, Karwan
9. Leprosy Hospital, Dichpally
10. Leprosy Colony, Zeheerbad
11. Leprosy Colony, Narayanpet
12. Santipara Leprosy Colony, P. O. Bengaingaon (Goalpara District)
13. Christian Leprosy Colony, P. O. Barpheta, Jorhat
14. Seldeha Leper Colony (Santhal Parganas)
15. The Acworth Leprosy Home and Clinic, Vadaia, Bombay No. 31.

**APPENDIX V] LIST OF RECOGNISED TUBERCULOSIS, LEPROSY AND
CANCER INSTITUTIONS AND MENTAL HOSPITALS
FOR PURPOSES OF GRANT OF EXTRAORDINARY
LEAVE TO OFFICERS NOT IN PERMANENT EMPLOY**

16. The Leprosy Hospital, Sholapur
17. The Sasson Hospital, Poona (O.P.D.)
18. The Leprosy Hospital, Polarpur (District Kolaba)
19. The Anti-Leprosy Clinic, Ambewadi South,
Satara District
20. The Shenda Park Leprosy Colony, Kolhapur
21. The Kegrpeth Leprosy Hospital, Ahmedabad
22. Leprosy Colony, Osmanabad
23. Kothara Leprosy Home, P. O. Achalpur (District
Amarvathi)
24. Jagadamba Kustha Nilvar, Amarvati
25. Dattabur Leprosy Colony, P. O. Nalwadi (District
Wardha)
26. Leprosy Colony, Warora, District Chanda
27. Isolation Colony, Kashikhed, P.O. Dhamangaon
District Amravati
28. Leper Asylum, Adhewada, Bhavanagar
29. Leper Clinic, Punagadh
30. Government Leprosy Hospital, Schore
31. Leprosy Home, Banganga, Indore
32. Leprosy Home, Ujjain
33. Leprosy Home, Rajgarah
34. Henderson Memorial Leper Home, Dhar
35. Chandkhuri Leprosy Home and Hospital, P.O.
Baitapur (District Bilaspur)
36. Bethesda Leprosy Asylum, Champa (District
Bilaspur)
37. Shantipur Leprosy Asylum, P. O. Shantipur
(District Raipur)
38. Rajnandgaon Leprosy Home and Clinic, District
Durg
39. Government Leprosy Home and Hospital, Raipur
40. Brehepada Leprosy Colony, Narayanapur
(District Bastar)
41. Chittalanka Leprosy Colony, Dartewara,
(District Bastar)

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42. Government Lady Willingdon Leprosy Sanatorium, Tirumani, Chingelpet
43. Government Children's Leprosy Sanatorium, Madras
44. St. Mary's Leprosy Hospital, Kumbakonam (Tanjore District)
45. Dayapuram Leprosy Hospital and Home, Manamadura (Ramnad District)
46. Kasturba Gandhi Kusta Nivarana Nilayam, Mazhavanthangal (South Arcot District)
47. St. Joseph's Leprosy Home, Tuticorin (Tirunelveli District)
48. Government Leprosy Treatment Unit, Tirukoilur Leprosy Colony, Imphal
49. Government Leper Asylum, Magadi Road, Bangalore
50. The Silver Jubilee Leprosy Hospital, Sankeshwar (District Belgaum)
51. The Leprosy Hospital, Hindaalgi (District Belgaum)
52. St. Joseph's Leprosy Hospital and Asylum, Kankareddy (South Kanara District)
53. Leprosy Home and Hospital, Cuttack
54. Leprosy Asylum, Baripada
55. Leprosy Hospital, Subatu
56. Leprosy Home, Palampur (Kangra District)
57. Leprosy Clinic attached to V. M. Hospital, Agart
58. Naini Leprosy Hospital and Home, Naini (Allahabad)
59. Leprosy Hospital under the Gandhi Memorial and Associated Hospital, Lucknow
60. Maclaren Leper Hospital, Dehradun
61. Srimati Bhagwan Dei Leper Hospital, Kanpur
62. Leprosy Home and Hospital, Almora
63. Leprosy Home and Hospital, Chaudag, Almora District
64. Skin and V. D. Dept., S. N. Hospital, Agra

**APPENDIX V] LIST OF RECOGNISED TUBERCULOSIS, LEPROSY AND
CANCER INSTITUTIONS AND MENTAL HOSPITALS
FOR PURPOSES OF GRANT OF EXTRAORDINARY
LEAVE TO OFFICERS NOT IN PERMANENT EMPLOY**

65. Leprosy Home and Hospital, Zamuratgang, Faizabad
66. Skin Dispensary, K. E. Hospital, Banares
67. The State Leper Hospital, Baharaich
68. Gouripore Leprosy Colony, Bankura
69. Leprosy Home, Bankura
70. Silda Leprosy Colony, Midnapure
71. Griffiths Leprosy Clinic, Midnapur
72. Municipal Charitable Leprosy Clinic, Burdwan
73. Asansol Leprosy Settlement, Asansol
74. Raniganj Leprosy Home, Burdwan District
75. Krishnagar Leprosy Clinic, Nadia District
76. Leprosy Clinic, Howrah
77. Behrampore Leprosy Clinic, Murshidabad District
78. Kalimpong Leprosy Colony, Darjeeling District
79. Alber Victor Leprosy Hospital, Calcutta
80. Leprosy Outpatient Dept., School of Tropical Medicine, Calcutta
81. Premananda Leprosy Clinic, Maniktala
82. Premananda Leprosy Clinic, Kalighat
83. Sriniketan Leprosy Clinic, Birhum District
84. Purulia Leper Asylum (Manbhum District)

APPENDIX VI

RULES FOR THE GRANT OF STUDY LEAVE TO OFFICERS

(Referred to in Rule 99 of Part I)

The following rules relate to study leave only. They are not intended to meet the case of officers deputed to other countries at the instance of Government either for the performance of special duties imposed on them or for the investigation of specific problems connected with their technical duties. Such cases will be dealt with on their merits under the provisions of the relevant rules and it will be for the Government to decide on the recommendation

of the Head of the Department whether an officer shall be placed on deputation or granted study leave in accordance with the following rules:

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

(2) Study leave may also be granted—

(i) for a course of training or study tour in which a Government servant may not attend a regular academic or semi academic course if the course of training or the study tour is certified to be of definite advantage to Government from the point of view of public interest and is related to the sphere of duties of the Government servant; and

(ii) for the purpose of studies connected with the frame work or background of public administration; subject to the condition that the Government servant should be required to submit on his return a full report on the work done by him while on study leave.

(iii) for the studies which may not be closely or directly connected with the work of a Government servant, but which are capable of widening his mind in a manner likely to improve his abilities as a civil servant and to equip him better to collaborate with those employed in other branches of the public service.

(3) Study leave shall not be granted unless—

(i) the proposed course of study or training shall be of definite advantage from the point of view of public interest,

(ii) it is for prosecution of studies in subjects other than academic or literary subjects, and

(iii) the Economic Affairs Department of the Ministry of Finance agrees to the release of foreign exchange involved in the grant of study leave, if such leave is outside India.

(4) Study leave out of India shall not be granted for the prosecution of studies in subjects for which adequate facilities exist in India.

(5) Study leave may be granted to a Government servant only if he has rendered not less than five years' service under the Government and is not due to retire and has not got the option to retire from Government service within three years of the date on which he is expected to return to duty after the expiry of the leave.

(6) Study leave shall not be granted to a Government servant with such frequency as to remove him from contact with his regular work or to cause cadre difficulties owing to his absence on leave.

2. *Authority competent to sanction study leave.*—(1) Study leave shall be sanctioned only by the Government.

(2) Where a Government servant borne permanently on the cadre of one department or establishment is serving temporarily in another department or establishment, the grant of study leave to him shall be subject to the conditions that:

(i) no substitute shall be appointed to carry on his work in his absence; and

(ii) the concurrence of the department or the establishment to which he is permanently attached is obtained before leave is granted.

3. *Maximum amount of study leave that may be granted at a time and during the entire service.*—The maximum amount of study leave, which may be granted to a Government servant shall be—

(i) ordinarily twelve months at any one time, which shall not be exceeded save for exceptional reason; and

KERALA SERVICE RULES

(ii) 24 months (inclusive of study leave granted under any other rules) in all during his entire service.

4. *Combination of study leave with leave of other kinds.*—(1) Study leave may be combined with other kinds of leave but in no case shall the grant of this leave in combination with leave other than leave without allowances involve a total absence of more than twenty-eight months from the regular duties of the Government servant.

(2) A Government servant granted study leave in combination with any other kind of leave may, if he so desires, commence his study before the end of the other kind of leave but the period of such leave coinciding with the course of study shall not count as study leave.

Note.—The limit of twenty-eight months of absence prescribed in sub-rule (1) includes the period of vacation.

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

6. *Grant of study allowance.*—A study allowance shall be granted for the period spent in prosecuting definite course of study at a recognised institution or in any definite tour or inspection of any special class of work, as well as for the period covered by any examination at the end of the course of study.

7. *Period for which study allowance may be granted.*—The period for which study allowance may be granted shall not exceed twenty-four months in all.

8. *Rate of study allowance.*—(1) The rates of study allowance shall be as follows but may be revised from time to time:

| Name of country | Study allowance per diem |
|--------------------------|---|
| Australia | 12s (Sterling) |
| Continent of Europe | 7 1 (Sterling) |
| India | (i) When the period of study does not exceed three months— half the full daily allowance to which the Government servant would have been entitled under the rules regulating his travelling allowance if he were on tour to the place of the study. |
| | (ii) When the period of study exceeds three months— The study allowance will be at monthly rates, granted as compensatory allowance to be fixed in each case in accordance with the instructions in Circular No. 43/63/Rules/Fin. dated 20th June 1963 subject to the maximum limit prescribed in G.O. (MS) 435/62/Fin., dated 4th October 1962. The monthly rate will also be subject to the further condition that it should not exceed what the Government servant would have received had the allowance been regulated under clause (i) above. |
| New Zealand | 12s (Sterling) |
| United Kingdom | 16s |
| United States of America | 30s |

KERALA SERVICE RULES

(2) The rates of study allowance to be granted to a Government servant who takes study leave in other countries shall be such as may specially be determined by the Government in each case.

(3) In cases where a Government servant is on 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 he would have otherwise drawn had he been on duty.

9. *Conditions governing grant of study allowance.*—

(1) 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 overpayment consequent on his failure to produce the required certificate of attendance or otherwise.

(2) A Government servant may be allowed to draw study allowance for the entire period of vacation during the course of study subject to the conditions that—

(i) he attends during vacation any special course of study or practical training under the direction of the Government; or

(ii) in the absence of any such direction, he produces satisfactory evidence before the Head of Mission that he has continued his studies during the vacation.

Note.—“Head of Mission” means Ambassador, Charge ‘D’ Affairs, Minister, Counsel-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.

(3) 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 twenty-four months for which study allowance is admissible.

KERALA SERVICE RULES

(ii) 24 months (inclusive of study leave granted under any other rules) in all during his entire service.

4. *Combination of study leave with leave of other kinds.*—(1) Study leave may be combined with other kinds of leave but in no case shall the grant of this leave in combination with leave other than leave without allowances involve a total absence of more than twenty-eight months from the regular duties of the Government servant.

(2) A Government servant granted study leave in combination with any other kind of leave may, if he so desires, commence his study before the end of the other kind of leave but the period of such leave coinciding with the course of study shall not count as study leave.

Note.—The limit of twenty-eight months of absence prescribed in sub-rule (1) includes the period of vacation.

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

6. *Grant of study allowance.*—A study allowance shall be granted for the period spent in prosecuting definite course of study at a recognised institution or in any definite tour or inspection of any special class of work, as well as for the period covered by any examination at the end of the course of study.

7. *Period for which study allowance may be granted.*—The period for which study allowance may be granted shall not exceed twenty-four months in all.

8. *Rate of study allowance.*—(1) The rates of study allowance shall be as follows but may be revised from time to time:

| <i>Name of country</i> | <i>Study allowance per diem</i> |
|--------------------------|--|
| Australia | 12s (Sterling) |
| Continent of Europe | 7 1 (Sterling) |
| India | (i) When the period of study does not exceed three months— half the full daily allowance to which the Government servant would have been entitled under the rules regulating his travelling allowance if he were on tour to the place of the study. |
| | (ii) When the period of study exceeds three months— |
| | The study allowance will be at monthly rates, granted as compensatory allowance to be fixed in each case in accordance with the instructions in Circular No. 43/63/Rules/Fin., dated 20th June 1963 subject to the maximum limit prescribed in G.O. (MS) 435/62/Fin., dated 4th October 1962. The monthly rate will also be subject to the further condition that it should not exceed what the Government servant would have received had the allowance been regulated under clause (i) above |
| New Zealand | 12s (Sterling) |
| United Kingdom | 16s |
| United States of America | 30s |

(2) The rates of study allowance to be granted to a Government servant who takes study leave in other countries shall be such as may specially be determined by the Government in each case.

(3) In cases where a Government servant is on 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 he would have otherwise drawn had he been on duty.

9. *Conditions governing grant of study allowance.*—

(1) 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 overpayment consequent on his failure to produce the required certificate of attendance or otherwise.

(2) A Government servant may be allowed to draw study allowance for the entire period of vacation during the course of study subject to the conditions that—

(i) he attends during vacation any special course of study or practical training under the direction of the Government; or

(ii) in the absence of any such direction, he produces satisfactory evidence before the Head of Mission that he has continued his studies during the vacation.

Note.—“Head of Mission” means Ambassador, Charge ‘D’ Affairs, Minister, Counsel-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.

(3) 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 twenty-four months for which study allowance is admissible.

(8) (i) In the case of a Government servant who holds a gazetted post, the payment of study allowance at the full rate shall be subject to the production of a certificate to the effect that he is not in receipt of any scholarship/ stipend or any other remuneration in respect of any part-time employment, and

(ii) In the case of a Government servant who does not hold a gazetted post, such a certificate as is referred to in clause (i) of this sub-rule shall be obtained from him by the drawing officer and the same shall be enclosed along with the bill for the drawal of study allowance.

10. *Grant of study allowance to Government servants in receipt of scholarship or stipend.*—A Government servant, who is granted study leave, may be permitted to receive and retain, in addition to his leave salary any scholarship or stipend that may be awarded to him from a Government or non-Government source. Such a Government servant shall ordinarily not be granted any study allowance; but in cases where the net amount of the scholarship or stipend (arrived at by deducting the cost of fees paid by the Government servant, if any, from the value of the scholarship or stipend) is less than the study allowance that would be admissible but for the scholarship or stipend the difference between the value of the net scholarship or stipend and the study allowance may be granted by the Government.

11. *Grant of study allowance to Government servants who accept part-time employment during study leave.*—If a Government servant, who is granted study leave, is permitted to receive and retain, in addition to his leave salary, any remuneration in respect of a part-time employment he shall ordinarily not be granted any study allowance; but in cases where the net amount of remuneration received in respect of the part-time employment (arrived at by deducting from remuneration any cost of fees paid by the Government servant) is less than the study allowance that

would be admissible but for the remuneration the difference between the net remuneration and the study allowance may be granted by the Government.

12. *Allowance in addition to study allowance.*—No allowance of any kind other than the study allowance or the travelling allowance where specially sanctioned under rule 13 shall be admissible to a Government servant in respect of the period of study leave granted to him.

13. *Grant of travelling allowance.*—A Government servant shall not ordinarily be paid travelling allowance; but the Government may in exceptional circumstances sanction the payment of such allowance.

14. *Cost of fees for study.*—A Government servant granted study leave shall ordinarily be required to meet the cost of fees paid for the study but in exceptional cases the Government may sanction the grant of such fees:

Provided that in no case shall the cost of fees be paid to a Government servant who is in receipt of scholarship or stipend from whatever source or who is permitted to receive or retain, in addition to his leave salary, any remuneration in respect of part-time employment.

15. *Execution of a bond.*—(1) Every Government servant in permanent employ who has been granted study leave or extension of such leave shall be required to execute a bond as given in Annexure A or Annexure A1, as the case may be, before the study leave or extension of such leave granted to him commences. If study leave or extension of such leave is granted to a Government servant not in permanent employ, the bond shall be executed as given in Annexure B or Annexure B1 as the case may be.

(2) A certificate to the effect that the Government servant has executed the requisite bond shall be sent to the Accountant General.

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Note.—†The actual amount of leave salary, study allowance, cost of fees, travelling and other expenses, if any, to be incurred by the Government and drawn by him for the period of study leave (*together with interest thereon) shall be prescribed as sum payable to Government.

†[G.O. (P) 120/72/Fin., dated 2nd May 1972]

[*This amendment shall be deemed to have come into force with effect from 17th November 1969.]

[G.O. (P) 588/70/Fin., dated 19th August 1970]

16. *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 the actual amount of leave salary, study allowance, cost of fees, travelling and other expenses, if any, incurred by the Government drawn by him for the period of study leave, together with interest thereon at Government rates for the time being in force on Government loans from the date of demand before his resignation is accepted or permission to retire is granted:

Provided that the Government may order that nothing in this rule shall apply to a Government servant who, on return to duty from study leave, is permitted to retire from the service on medical grounds.

(2) The study leave availed of by such a Government servant shall be converted into regular leave standing at his 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 leave without allowances. 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 this rule, the Government may, if it is necessary or expedient so to do, 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.

17. *Leave salary during study leave.*—During study leave a Government servant shall draw leave salary equal to the amount admissible during half pay leave under rule 93, Part I, Kerala Service Rules.

RULING

An officer on study leave is not eligible for dearness allowance.

[G.O. (P) 44/72/Fin., dated 14-9-1972]

18. *Commencement of a course of study during leave other than study leave.*—A Government servant, may, subject to the approval of the proper authority being obtained as required under paragraph 1 of Annexure C to these rules undertake or commence a course of study during earned leave and subject to rules 6 to 13 and 16, draw study allowance in respect thereof.

19. *Counting of study leave for promotion, pension, seniority, leave and increments.*—(1) Study leave shall count as service for promotion, pension and seniority. It shall also count as service for increments in the post in which the Government servant would have continued but for going on study leave.

(2) The period spent on study leave shall not count for earning leave other than half pay leave.

20. *Debiting of study leave to the leave account.*—Study leave shall be treated as extra half pay leave and shall not be taken into account in reckoning the aggregate amount of half pay leave taken by the Government servant towards the maximum period admissible.

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21. *Procedure of 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 Annexure G to these rules.

ANNEXURE A

(See Rule 15)

BOND FOR PERMANENT GOVERNMENT SERVANT
PROCEEDING ON STUDY LEAVE UNDER THE
STUDY LEAVE RULES CONTAINED IN
APPENDIX VI TO THE KERALA
SERVICE RULES

KNOW ALL MEN BY THESE PRESENTS THAT I.....resident of.....in the District of..... at present employed as.....in the Office of.....do hereby bind myself and my heirs, executors and administrators to pay to the Governor of Kerala (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..... one thousand nine hundred and.....

Signature.....

Witnesses (1)

(2)

WHEREAS, I.....am granted study leave by Government;

APPENDIX VI] RULES FOR THE GRANT OF STUDY
LEAVE TO OFFICERS

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 retiring 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 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 not making such payment all sums found due to the Government under or by virtue of this bond shall be recoverable from me and my properties movable and immovable under the provisions of the Revenue Recovery Act for the time being in force as though such sums are arrears of land revenue or in such other manner as the Government may deem fit.

The Government of Kerala 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 Kerala.

KERALA SERVICE RULES

ANNEXURE A-1

(See Rule 15)

BOND FOR PERMANENT GOVERNMENT SERVANTS
GRANTED EXTENTION OF STUDY LEAVE

KNOW ALL MEN BY THESE PRESENTS THAT I.....resident of.....in the District of.....at present employed as.....in the Office of.....do hereby bind myself and my heirs, executors and administrators to the Governor of Kerala (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.....one thousand nine hundred and.....

WHEREAS I.....was granted study leave by Government for the period from.....to.....in consideration of which I executed a bond dated.....for Rs.....(Rupees.....) in favour of the Governor of Kerala;

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 conditions as hereunder is written;

NOW THE CONDITION OF THE ABOVE WRITTEN OBLIGATION IS THAT in the event of my resigning or retiring from service without returning to duty

**APPENDIX VI] RULES FOR THE GRANT OF STUDY
LEAVE TO OFFICERS**

after the expiry or termination of the period of study leave so extended, or at 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 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 or Government loans.

And upon my not making such payment all sums found due to the Government under or by virtue of this bond shall be recoverable from me and my properties movable and immovable under the provisions of the Revenue Recovery Act for the time being in force as though such sums are arrears of land revenue or in such other manner as the Government may deem fit.

The Government of Kerala 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 Kerala.

ANNEXURE B

(See Rule 15)

**BOND FOR TEMPORARY GOVERNMENT SERVANTS'
PROCEEDING ON STUDY LEAVE UNDER THE
STUDY LEAVE RULES CONTAINED
IN APPENDIX VI TO THE KERALA
SERVICE RULES**

**KNOW ALL MEN BY THESE PRESENTS THAT
WE.....resident of.....in the District of.....
at present employed as.....in the Office of.....
(hereinafter called "the obligor") and Sri.....
son of.....of.....and Sri.....
son of.....of.....(hereinafter called the**

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sureties") do hereby jointly and severally bind ourselves and our respective heirs, executors and administrators to pay to the Governor of Kerala (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 charge and expenses that shall or may have been incurred by the Government.

Signed and dated this.....day of.....one thousand nine hundred and.....

Signature of the obligor.....

Sureties (1)

(2)

Witnesses (1)

(2)

WHEREAS the obligor is granted study leave by the Government;

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 Sri.....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 three

APPENDIX VI) RULES FOR THE GRANT OF STUDY
LEAVE TO OFFICERS

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.

The obligor and the sureties doth hereby further agree that all sums found due to the Government under or by virtue of this bond shall be recoverable jointly and severally from them and their properties movable and immovable under the provisions of the Revenue Recovery Act for the time being in force, as though such sums are arrears of land revenue or in such other manner as the Government may deem fit:

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 sue the obligor before suing the sureties Sri..... and Sri..... or any of them for amounts due hereunder.

The Government of Kerala have agreed to bear the stamp duty payable on this bond.

Signed and delivered by the obligor above named Sri..... in the presence of.....

Signed and delivered by the surety above named Sri..... in the presence of.....

Signed and delivered by the surety above named Sri..... in the presence of.....

ACCEPTED

for and on behalf of the Governor of Kerala.

KERALA SERVICE RULES

ANNEXURE B-1

(See Rule 15)

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 Office of.....(hereinafter called "the obligor") and Sri.....son of.....of.....and Sri.....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 Kerala (hereinafter called "the Government") on demand the some 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.....one thousand nine hundred 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 Kerala.

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 here under is written;

APPENDIX VI] RULES FOR THE GRANT OF STUDY
LEAVE TO OFFICERS

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 Sri 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

The obligor and the sureties doth hereby further agree that all sums found due to the Government under or by virtue of this bond shall be recoverable jointly and severally from them and their properties movable and immovable under the provisions of the Revenue Recovery Act for the time being in force, as though such sums are arrears of land revenue or in such other manner as the Government may deem fit.

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 sue the obligor before suing the sureties Sri and Sri or any of them for amounts due hereunder.

Government of Kerala have agreed to bear the stamp payable on this bond.

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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 Governor of Kerala, by.....

ANNEXURE C

(See Rule 15)

PROCEDURAL INSTRUCTIONS FOR MAKING APPLICATION FOR STUDY LEAVE AND GRANT OF SUCH LEAVE

1. Except as otherwise provided in these rules, all applications for study leave shall be submitted to Government with the Accountant General's certificate through the prescribed channel and the course or courses of study contemplated and any examination which the Government servant proposes to undergo shall be clearly specified therein. If the course of study is out of India, the Government shall forward to the Head of Mission, if there is an Indian Mission in that country, a copy of the approved programme of study. In 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 Mission or the Government, as the case may be. In such cases he shall not, unless prepared to do so at his own risk, commence the course of study nor incur any expenses in connection therewith until he receives an approval of the Government.

2. Where the study leave is sanctioned it shall be communicated to the Head of Mission with the particulars of the case.

3. On completion of a course of study a certificate in the proper form (which may be obtained from the Head of Mission) together with certificates of examinations passed or special courses of study undertaken indicating the date of commencement and termination of the course with remarks, if any, of the authority in charge of the course of study, shall be forwarded to the Head of Mission concerned. When the study leave has been taken in India or any other country where there is no Indian Mission, such certificate shall be forwarded to the Government.

APPENDIX VII

RULES RELATING TO CASUAL LEAVE

(Referred to in Rule 111 of Part I)

1. Casual leave is not provided for in the rules as it is not recognised as leave. Technically therefore an officer on casual leave is not treated as absent from duty and his pay and allowances are not intermitted. The grant of such leave need not be reported to the Audit Officer, nor is it necessary for the officer to submit charge certificates when he proceeds on or returns from casual leave.

2. (i) No officer may in any case be absent on casual leave for *more than twenty days in the course of one calendar year. But the members of the teaching staff of educational Institutions shall be eligible for casual leave only for fifteen days in a calendar year.

*[G.O. (P) 648/78/Fin., dated 24-8-1978]

**All officers including teaching staff of educational institutions may be allowed to combine casual leave with Sundays and other authorised holidays provided that the resulting period of absence from duty shall not exceed fifteen days at a stretch. The fact that a maximum has been fixed for the amount of casual leave which may be

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taken within a year, does not mean that an officer is entitled to take the full amount of casual leave as a matter of course.

**[G.O. (P) 648/78/Fin., dated 24-8-1978]

(iii) All officers including those who have put in less than a year's service will be allowed casual leave at the rate of 15 days during a year without taking into account the length of service put in by them subject to the discretion of the sanctioning authority:

***Provided that the teaching staff of educational institutions may be granted casual leave for fifteen days only during a year.

***[G.O. (P) 622/79/Fin., dated 19-7-1979]

The amendment shall be deemed to have come into force with effect from 1st January 1970.

[G.O. (P) 844/70/Fin., dated 5-12-1970]

3. An officer requiring casual leave should take the orders of the head of his office for such absence. When the head of an office requires casual leave, he may take the leave and report the fact to his immediate superior authority. Heads of Departments should intimate their intention of taking casual leave to Government in the department concerned. In cases in which the casual leave is intended to be spent outside the jurisdiction of the officer, the previous sanction of the competent authority should be obtained.

4. A register of casual leave taken should be maintained in every office.

5. (i) An officer may be allowed casual leave for half a day at his request, provided that casual leave for half a day shall not be granted to the staff of the department of Museums and Zoos who work in shifts.

(ii) Casual leave for half a day at a time may be granted to the technical staff of Government Presses who have to work in the first shift that is from 8 a. m. to

APPENDIX VIII] RULES RELATING TO CASUAL LEAVE

4-30 p. m. with a noon interval of one hour between 1 p.m. and 2 p. m. In respect of the second shift half day casual leave may be allowed only for the second half of the shift that is from 9 to 11-30 p.m.

[G.O. (P) 505/77/Fin., dated 7-12-1977]

6. Casual leave cannot ordinarily be taken in combination with any leave recognised by the rules, with joining time or with vacation. Heads of Departments may, however, sanction such combination in special cases, provided there is no evasion of rules for instance, when an officer obliged to be absent owing to the prevalence of infectious disease in his residence and placed on special casual leave, himself contracts the illness and has to be granted regular leave in continuation.

[G.O. (P) 863/78/Fin., dated 18-12-1978]

7. Casual leave, not being recognised as leave, cannot be retrospectively commuted into any other kind of leave, but when an officer who proceeded on casual leave under the ordinary circumstances takes some other kind of leave in continuation, such leave will be held to have commenced from the date on which he proceeded on casual leave.

8. Deleted.

Section II—Special Casual leave

1. Special casual leave not counting against ordinary casual leave may be granted to an officer in the following circumstances:

(i) When he is ordered by the head of his office to absent himself from duty on the certificate of a medical officer or sanitary authority on account of the presence of infectious disease in his residence* provided no substitute is appointed and no extra cost to Government is involved. If, however, a substitute is necessary, ordinary leave debitable to the leave account of the officer should be granted. The grant of special casual leave involving the appointment of substitute in all other cases requires the

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sanction of Government; which will be accorded only when the absence is for less than 30 days and the subordinate concerned draws a pay of less than Rs. 535** per mensem, and has no ordinary leave to his credit.

*[G.O. (P) 164/74/Fin., dated 17-7-1974]

**This amendment shall be deemed to have come into force with effect from 1st July 1978.

[G.O. (P) 493/79/Fin., dated 28-5- 1979]

Note 1.—When the officer himself catches the infection, regular leave under the rules must be taken for the period of absence.

Note 2.—The following diseases are treated as infectious diseases for the purpose of the grant of special casual leave:—

- (1) Smallpox
- (2) Deleted†
- (3) Plague
- (4) Cholera
- (5) Typhoid
- (6) Acute influenzal Pneumonia
- (7) Diphtheria
- (8) Cerebro-spinal meningitis

†[G.O. (P) 189/76/Fin., dated 5-7-1976]

Note 3.—Leave under this head shall not ordinarily be granted for a period exceeding 21 days, but in exceptional cases it may be granted upto 30 days.

Note 4.—Special casual leave taken in any circumstances may be allowed to be combined with ordinary leave or ordinary casual leave.

Note 5.—The heads of offices will also be eligible for special casual leave under the Rules.

[G.O. (P) No. 164/74/Fin., dated 17-7-1974]

(ii) When he is summoned to serve as a juror or assessor or to give evidence before a court as a witness in civil and criminal cases in which his private interests are not in issue, the leave to cover the total period of absence necessary.

(iii) When he is permitted to attend the meetings of a University, or to undertake any other work connected with a University, leave to cover the period of absence from duty.

But if he takes up examinership in University Examination and accepts remuneration at the instance of Government, his absence will be treated as duty and if the work is not taken at the instance of Government, he will have to avail himself of eligible leave.

(iv) When he is bitten by a rabid animal, or if it becomes necessary to undergo anti-rabic treatment due to infection during postmortem examination or other similar causes, leave to cover the actual period required for treatment (14 days) and for the journeys to and from the nearest anti-rabic treatment centre.

(v) Deleted.

(vi) When an officer in the last grade is temporarily incapacitated on account of typhoid and cholera inoculation leave for one day.

(vii) Special casual leave will be allowed to officers for undergoing sterilisation operation for a period not exceeding 6 days for men and 14 days for women.

A male officer whose wife undergoes a Gynaco Sterilisation (Tubectomy operation without delivery) will be granted special casual leave not exceeding 7 days subject to production of a medical certificate from the medical officer who actually performs the operation. Such special casual leave may be combined with ordinary casual leave or regular leave provided such leave application is supported by a medical certificate from the medical officer who actually performs the operation to the effect that the presence of the officer is essential for the period of leave asked for to look after the wife who undergoes the above operation. *Special casual leave for the said period will be granted for undergoing vasectomy/tubectomy operation for

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the second time also on production of a medical certificate from the prescribed medical authority to the effect that the first operation was a failure and that the second operation was actually performed.

*[G.O. (P) 176/Fin., dated 22-6-1976]

An officer undergoing treatment due to complications arising from sterilisation operation shall be granted special casual leave to cover the period of such treatment based on the certificate of the medical authority.

[G.O. (P) 365/77/Fin., dated 26-9-1977]

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Special casual leave under this rule may be combined with holidays provided that the total period of absence from duty does not exceed ten days.

(viii) Women employees who undergo I.U.C.D. insertion will be granted special casual leave for the day of insertion.

(ix) When an officer as member of a staff council has to attend a meeting of the council, he will be granted special casual leave for the days required for the journey from his place of duty to the place of the meeting of the council and back.

(x) Special casual leave will be granted to women Government employees having less than three children for undergoing medical termination of pregnancy. The leave shall be granted only once in their service and shall be for a period of six days including the day on which medical termination of pregnancy is conducted.

[G.O. (P) 388/76/Fin., dated 16-12-1976]

(xi) An officer who is a Member of the Indian Institute of Public Administration may be granted special casual leave to attend any meeting/seminar organised by the Regional or Local branch of the said Institute and for

the days required for the journey from their place of duty to the place of meeting/seminar and back.

[G.O. (P) 45/77/Fin., dated 1st February 1977]

(ii) (i) A Government officer who has lost all male children or all female children after vasectomy/tubectomy operation performed earlier; may be granted special casual leave for undergoing recanalisation operation up to a period of 21 days or actual period of hospitalisation as certified by the authorised medical attendant, whichever is less. Special casual leave shall also be granted for the minimum journey period required and spent for the to and fro journey for undergoing the operation.

(ii) The grant of special casual leave shall be subject to the following condition, namely:—

(a) the operation has been performed in a hospital or a medical college or an institution where facilities for recanalisation are available.

(b) the request for the grant of special casual leave shall be supported by a medical certificate from the doctor who performed the operation to the effect that hospitalisation of the officer for the period stipulated therein was essential for operation and post operational recovery.

(iii) The period of absence in excess of the period of special casual leave as admissible under sub-clause (i) shall be treated as regular leave of the kind admissible under the leave rules applicable to the officer or ordinary casual leave as applied for by the officer. For this purpose a Government officer may be permitted as a special case to combine regular leave or ordinary casual leave with special casual leave on the following conditions, namely:—

(a) Sundays and closed holidays intervening the period of special casual leave are not to be ignored for calculating special casual leave.

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(b) prefixing of regular leave etc. to special casual leave is not permissible.

[G.O. (P) No. 580/79/Fin., dated 4th July 1979]

2. In the cases coming under clauses (i) to (iii) above, when the absence from duty exceeds the period which may reasonably be treated as casual leave under the discretion vested in the head of the office, the officer may be granted for the entire period of absence such regular leave with leave salary as may be due to him and thereafter leave without allowances. In the cases coming under clause (iv) the excess over one month of the period of absence should be treated as regular leave and debited to the leave account.

3. Special casual leave for participation in sporting events, tournaments and matches of National and International importance held either in India or abroad or in coaching camps organised on All India or Zonal basis by any one of the organisations mentioned below may be allowed to an officer for a period not exceeding 30 days in any one calendar year. The period of absence in excess of 30 days shall be treated as regular leave of the kind admissible under the relevant leave rules applicable to the persons concerned. For this purpose, officers may, as a special case, be permitted to combine special casual leave with regular leave. Special casual leave shall not, however, be granted in combination with ordinary casual leave.

The special casual leave may be allowed (a) for participation in sporting events of National or International importance or in coaching camps organised on an All India or Zonal basis by any one of the organisations mentioned below and (b) when the officer concerned is selected for participation.

Note 1.—Special casual leave under this rule is admissible to those Government servants who participate in State Championships conducted by the State Associations within the State, for selecting State teams for participation in National Championships also. The period of such special casual leave shall not exceed 15 days in a calendar year.

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Note 2.—Government officials who are office bearers in the National Federations or Associations in sports and games and who are members of the Kerala Sports Council will be granted special casual leave for the days of the meetings and the minimum time required for the to and fro journeys. The maximum period of special casual leave for the purpose should not exceed 30 days in any one calendar year. The period of absence in excess of 30 days will be treated as regular leave of the kind admissible under the relevant leave rules applicable to the persons concerned.

[G.O. (P) 328/74/Fin., dated 5th October 1974]

(i) In respect of International sporting events by any one of the following organisations as a member of a team which is accepted as representative on behalf of India:

- (1) The All India Foot Ball Federation.
- (2) The Indian Hockey Federation
- (3) The Board of Control for Cricket in India
- (4) The Indian Olympic Association.
- (5) The All India Lawn Tennis Association
- (6) The Badminton Federation of India
- (7) The Table Tennis Federation of India.
- (8) The All India Women's Hockey Association.
- (9) The Volley-ball Federation of India.
- (10) The Basket-ball Federation of India.
- (11) The Swimming Federation of India.
- (12) The National Rifle Association of India.
- (13) The Gymnastic Federation of India.
- (14) The Wrestling Federation of India.
- (15) The Indian Weight Lifting Federation.
- (16) The Amateur Athletic Federation of India.
- (17) The Cycling Federation of India.
- (18) The Kabaddi Federation of India.
- (19) The Kho-Kho Federation of India.
- (20) All India Chess Federation.
- (21) *The Hand-ball Federation of India.
- (22) *The Cycle-polo Federation of India.
- (23) *The Ball-badminton Federation of India.
- (24) *The Indian Amateur Boxing Federation.

KERALA SERVICE RULES

- (25) *The Billiards Association and Control Council of India.
- (26) *The Indian Body Building Federation.
*[G.O. (P) No. 27/77/Fin., dated 20th January 1977]
- (27) †The Bridge Federation of India.
- (28) †The Indian Style Wrestling Association of India.
†[G.O. (P) 173/77/Fin., dated 4th June 1977]

or

(ii) In respect of events of National importance when the sporting event in which participation takes place, is held on an interstate, inter-zonal or inter-circle basis, and the officers concerned take part in the event in a team as a duly nominated representative on behalf of the State, Zone or Circle as the case may be.

This concession is not to be allowed for participation either in a National or International sporting event in which such participation of the officers concerned takes place in their personal capacity and not in a representative capacity.

GOVERNMENT DECISION

Government servants whose services are utilised in any of the organisations mentioned in sub-paragraphs (i) and (ii) of this rule, in connection with the coaching or administration of the teams participating in sporting events of National or International importance will also be treated as a member of the team for the purpose of the grant of special casual leave under this rule.

Past cases, which have already been decided, will not be reopened.

[G.O. (P) 463/64/Fin., dated 30th June 1964.]

4. When an officer has to insure his life in the State Life Insurance (Official Branch) he will be given such leave of absence as may be necessary to enable him to appear before a Medical Officer and to procure the required certificate.

APPENDIX VII] RULES RELATING TO CASUAL LEAVE

5. When volunteers who are Government servants attend camps or exercises or attend rifle meetings with the permission of the heads of their departments or offices, they will be considered to be on special casual leave during the period of their absence from duty.

GOVERNMENT DECISION

The concessions allowed to 'volunteers' in regard to the grant of special casual leave for attending camps, exercises, rifle meetings, etc., may be extended to scouters, guiders and office bearers of the Bharath Scouts and Guides Association for attending camps, conferences, rallies, etc.

[G.O. (P) 53/65/Fin., dated 5th February 1965.]

This decision takes effect from 10th June 1964.

6. Special casual leave will be allowed to Government servants who have won certificates of merit in the Lok Sahayak Sena and who are required to participate in the Republic Day Parade in New Delhi for: (1) a period not exceeding 14 days required for their stay in New Delhi in connection with the participation in the Republic Day Parade plus (2) the minimum period required for the journey of the Government servants from headquarters to New Delhi and back.

7. Special casual leave may be allowed to Doctors and Veterinarians who are invitee members, official delegates or those who have been asked to read papers at an All India Conference of the Medical or Veterinary Association or the Indian Science Congress, as the case may be. The leave will be granted for attendance at the meeting and for journeys from headquarters to the place of the meeting and back.

The power of granting special casual leave under these orders will be exercised by Heads of Departments and regional and district officers in the case of officers under their administrative control. In the case of Heads of Departments partaking in sporting events special casual leave will be granted by Government.

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8. Special casual leave may be granted to Government servants appearing at departmental promotion examinations which are neither obligatory nor entail a condition of preferment in Government service (e.g., practical test for selection of typists in service as Stenographers, selective test for selection of last grade employees as attenders etc.) to cover the actual duration of examination concerned plus the minimum period required for the to and fro journey. Such special casual leave will not, however, be granted for appearing for the open competitive examinations held by the Public Service Commission and cannot be combined with ordinary casual leave or regular leave.

9. An accused officer, not under suspension, may be granted special casual leave to cover the actual period for the onward and return journey for appearing before the Disciplinary Proceedings Tribunal and the days of attendance at the Tribunal.

Note.—This rule will apply *mutatis mutandis* to accused officers called upon to appear before a Disciplinary Authority/Enquiring Authority duly constituted.

10. When Government servants enlisted as Home Guards Volunteers are called out by the Commandants General/Commandants under sections 5 (1) and 5 (2) of the Kerala Home Guards Act, 1960, for training or to discharge any of the duties or functions assigned to the Home Guards, they will be considered to be on special casual leave during the period of their training/duty in Home Guards plus the minimum period required for journey from their headquarters to the place of training/duty and back.

A day's special casual leave will be allowed every year to Government servants who are Home Guards Volunteers for participation in the celebrations of Home Guards Day.

The detention certificate issued by the Commandant General/Commandants, Home Guards will be accepted as valid authority for the grant of special casual leave.

APPENDIX VII] RULES RELATING TO CASUAL LEAVE

11. The period spent in transit by the civil Government servants who are called out for training in the Defence Reserves, from the date of their relief from the civil posts to the date on which they report themselves to the military authorities and vice versa will be treated as special casual leave.

The period of transit should be limited to actual journey time as laid down in Note 1 under rule 125, Part I.

12. The period of absence (including the period spent in transit) of the members of the teaching staff of the Medical Colleges, College of Nursing and the Dental College, on account of their appointment as Inspectors by the Indian Medical Council, Indian Nursing Council or the Dental Council of India will be treated as special casual leave, provided they are not paid any remuneration for the inspection work.

13. Ex-servicemen boarded out of service and re-employed in Government service in the State, if and when required to appear before the Reserve Medical Boards for the purpose of reassessing their disability, will be granted special casual leave for a maximum period of 15 days including the time spent in transit both ways. Special casual leave under this rule may be granted on more than one occasion in a calendar year, if needed.

[G.O. (P) 174/Fin., dated 4th June 1977.]

*14. Government servants, who have won gallantry awards and who are required to participate in the Colour Presentation Ceremonies in connection with such awards will be granted special casual leave for the period of their stay at the place where the ceremony is conducted and the minimum period required for the journey from headquarters to such place and back, subject to the condition that the total period shall not exceed 10 days.

This amendment shall be deemed to have come into force with effect from 1st April 1970.

[G.O. (P) 304/71/Fin., dated 1st June 1971.]

GOVERNMENT DECISION

The rules in this section will apply to part-time Teachers also with effect from 7th August 1971.

15. The teachers under the Department of Technical Education may be granted special casual leave upto a maximum of 10 days, either prefixed or suffixed to the vacation, for attending short-time refresher courses/seminars, in case the period of the training falls outside the vacation period. For periods in excess of 10 days regular leave will be granted. For this purpose the teachers may, as a special case, be permitted to combine special casual leave with regular leave.

The Principals of the Engineering Colleges, Polytechnics, Women's Polytechnics and the Institute of Printing Technology, Shoranur are authorised to sanction special casual leave under this rule.

This amendment shall be deemed to have come into force with effect from 18th September 1973.

[G.O. (P) No. 299/74/Fin., dated 13th September 1974.]

16. Disabled State Government employees, shall be eligible for special casual leave for a maximum period of 15 days at a time (including the time spent in transit both ways) to attend Artificial Limb Centre and stay in hospital for replacement/treatment of their artificial limbs. Special casual leave under this rule may be granted on more than one occasion in a calendar year, if needed.

[G.O. (P) No. 174/77/Fin., dated 4th June 1977]

17. Teaching staff of Government Colleges accompanying students teams for University Youth Festivals organised by the University Union and teaching staff of schools who accompany the students teams for Youth Festivals, sports meets, coaching camps conducted at State level shall be granted special casual leave for the days of the events and the minimum period required for to and fro

journeys subject to the condition that the total period of such special casual leave shall not exceed 15 days in a calendar year.

[G.O. (P) 218/78/Fin., dated 27th February 1978]

Section III—Compensation leave

Subject to the following conditions, compensation leave at the rate of one day for each public holiday may be granted to a Government servant who attends office on public (authorised) holidays under the orders of the head of office in order to attend to urgent work arising from the absence of another Government servant or from circumstances beyond the control of the Government servant:

(i) Such leave should be taken by a Government servant only with the prior permission of the authority competent to grant him casual leave.

(ii) The maximum period of such leave that can be taken by a Government servant in a calendar year will be twelve* days.

(iii) No Government servant will be permitted to take such leave after the expiry of three* months from the public holiday(s) on which he attended office and in lieu of which the leave is granted.

(iv) Such leave will not be accumulated for more than 10* days but such leave may be combined with casual leave or other authorised holidays provided that the total period of absence from duty shall not exceed ten days.

*[G.O. (P) 548/77/Fin., dated 23rd December 1977]

Date of effect from 7th May 1973.

(v) Such leave may not be combined with regular leave such as earned leave, half pay leave, etc.

(vi) A Government servant touring on public (authorised) holiday(s) in connection with the performance of his duties is not eligible for such leave in lieu of the holiday(s) on which he was on tour.

KERALA SERVICE RULES

(vii) Such leave shall not be admissible to heads of offices.

[Takes effect from 3rd July 1970].

Note.—The benefit of compensatory off for turn duty on Sundays and other closed holidays will be allowed to the security staff, only without detriment to the normal security duties.

[G.O. (P) No. 395/74/Fin., dated 29th November 1974]

APPENDIX VIII

RULES FOR THE GRANT OF LEAVE TO OFFICERS APPOINTED FOR LIMITED PERIODS

(Referred to in Appendix 1 and Note 1 below rule 63 of Part 1)

1. Where the appointment is for one year or less, earned leave on full pay calculated at 1/11th of the period spent on duty may be granted subject to a maximum of 15 days on production of medical certificate. If earned leave has been exhausted, leave on medical certificate, on *half pay upto 15 days may be granted subject to the condition that the total period of the two kinds of leave does not exceed one month in the officer's term of service.

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 on *half pay not exceeding 1/11th of the time spent on duty, subject to a maximum of 15 days during the officer's term of service.

*This amendment shall be deemed to have come into force with effect from 1st April 1973.

[G.O.(P) 491/75/Fin., dated 24th October 1975]

2. Where the appointment is for more than one year but not more than five years, earned leave will be admissible at 1/11th of the period spent on duty, subject to the limit of 15 days in a year. Such leave may be accumulated upto a maximum period of two months. Leave on medical certificate on *half pay may also be granted in addition to

**APPENDIX VIII] RULES FOR THE GRANT OF LEAVE
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earned leave subject to a maximum of two months in all during the period of service. In addition, leave without allowance may be granted in special circumstances, when no other leave is admissible, subject to a total maximum limit of three months.

If the officer serves in a vacation department earned leave will not be admissible.

Note.—Maternity leave under rules 100 and 101 will be admissible to female officers appointed on contract basis continuing in service beyond one year provided they would continue in service but for proceeding on such leave.

[G.O. (P) 825/80/Fin., dated 31st October 1980]

*This amendment shall be deemed to have come into force with effect from 26th August 1971.

3. Where the appointment is for a longer period than five years, but not for an indefinite period, or an original appointment for five years or less is extended so as to make the total period of appointment longer than five years but not for an indefinite period, leave admissible to a permanent officer under the ordinary rules, may be allowed subject to the condition that leave on medical certificate on *half pay will be limited to six months in all. In the case of extension of the original term of appointment to more than five years, the officer will be credited with the earned leave that would have been admissible had the appointment been initially one of more than 5 years diminished by the earned leave already taken and leave on medical certificate on *half pay, if any, already taken, will count against the six months limit prescribed.

4. In the case of an officer falling under rules 2 and 3 above, earned leave due may be granted after the expiry of the period of appointment, only if the leave has been applied for during the period of appointment 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 the earned leave due to him before his service is terminated.

KERALA SERVICE RULES

(vii) Such leave shall not be admissible to heads of offices.

[Takes effect from 3rd July 1970].

Note.—The benefit of compensatory off for turn duty on Sundays and other closed holidays will be allowed to the security staff, only without detriment to the normal security duties.

[G.O. (P) No. 395/74/Fin., dated 29th November 1974]

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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 on *half pay not exceeding 1/11th of the time spent on duty, subject to a maximum of 15 days during the officer's term of service.

*This amendment shall be deemed to have come into force with effect from 1st April 1973.

[G.O.(P) 491/75/Fin., dated 24th October 1973]

2. Where the appointment is for more than one year but not more than five years, earned leave will be admissible at 1/11th of the period spent on duty, subject to the limit of 15 days in a year. Such leave may be accumulated upto a maximum period of two months. Leave on medical certificate on *half pay may also be granted in addition to

**APPENDIX VIII] RULES FOR THE GRANT OF LEAVE
TO OFFICERS APPOINTED FOR LIMITED PERIODS**

earned leave subject to a maximum of two months in all during the period of service. In addition, leave without allowance may be granted in special circumstances, when no other leave is admissible, subject to a total maximum limit of three months.

If the officer serves in a vacation department earned leave will not be admissible.

Note.—Maternity leave under rules 100 and 101 will be admissible to female officers appointed on contract basis continuing in service beyond one year provided they would continue in service but for proceeding on such leave.

[G.O. (P) 825/80/Fin., dated 31st October 1980]

*This amendment shall be deemed to have come into force with effect from 26th August 1971.

3. Where the appointment is for a longer period than five years, but not for an indefinite period, or an original appointment for five years or less is extended so as to make the total period of appointment longer than five years but not for an indefinite period, leave admissible to a permanent officer under the ordinary rules, may be allowed subject to the condition that leave on medical certificate on *half pay will be limited to six months in all. In the case of extension of the original term of appointment to more than five years, the officer will be credited with the earned leave that would have been admissible had the appointment been initially one of more than 5 years diminished by the earned leave already taken and leave on medical certificate on *half pay, if any, already taken, will count against the six months limit prescribed.

4. In the case of an officer falling under rules 2 and 3 above, earned leave due may be granted after the expiry of the period of appointment, only if the leave has been applied for during the period of appointment 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 the earned leave due to him before his service is terminated.

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5. The terms "earned leave" and "leave on medical certificate on half pay" used in these rules have the same meanings as they have in the other rules of the Kerala Service Rules and the leave salary during leave taken under these rules shall be regulated under rules 92 and 93 of Part I, Kerala Service Rules*.

*This amendment shall be deemed to have come into force with effect from 1st April 1973.

[G.O. (P) 491/75/Fin., dated 24th October 1975]

6. An officer initially engaged for a limited period becomes subject to the ordinary leave rules in their entirety, on his being taken into permanent employment. In such a case, the officer will be credited with all the leave that would have been admissible, had his appointment been one for an indefinite period from the start diminished by the leave already taken. Leave on medical certificate, if any, already taken will count against the maximum limit prescribed.

7. In the case of an officer who has been appointed for a limited period to a temporary post or to a permanent post in an officiating capacity, leave will be granted only on the further condition that his leave vacancy is not filled up and that the leave or any portion thereof will not go beyond the sanctioned period of his service.

Note.—The above rules will not apply to officers who were appointed before the coming into effect of these rules or to officers in whose case the terms of their appointment specifically provide for the grant of leave otherwise than in accordance with these rules.

GOVERNMENT DECISION No. 1

Rules in Appendix VIII will apply to provisional recruits in the matter of leave.

[G.O. No. 103/61/Fin., dated 4th March 1961]

**APPENDIX VIII] RULES FOR THE GRANT OF LEAVE TO
OFFICERS APPOINTED FOR LIMITED PERIODS**

GOVERNMENT DECISION No. 2

The leave earned by provisional recruits during provisional service diminished by the leave, if any, already taken will be carried forward on regularisation of their provisional appointment without any interruption.

[G.O. (P) 388/70/Fin., dated 3-6-1970]

GOVERNMENT DECISION No. 3

An officer on contract appointment will be credited with the leave earned by him in his previous contract appointment(s) diminished by the leave, if any, already taken even if the appointments are not in the same post provided there is no break between the appointments.

[G.O. (P) 499/71/Fin., dated 23-8-1971]

GOVERNMENT DECISION No. 4

Officers appointed on a fixed monthly honorarium against regular sanctioned post will be governed by the leave rules in this Appendix. The benefit of surrender of earned leave will be allowed to them as in the case of provisional employees.

[G.O. (P) 55/74/Fin., dated 7-3-1974]

APPENDIX IX

LIST OF HILLY TRACTS

(Referred to in Note I to Rule 44 of Part II)

A. Class I Tracts

1. Of the area detailed below the tracts falling within the taluks of Devicolam, Udumbanchola, Peermade, Pathanamthitta, Pathanapuram, Nedumangad and Neyyattinkara will form Class I tracts:

The portion lying to the east of a due north and south line from the northeastern most boundary of the Kunnathunad Taluk up to Thatakkad an thence passing eastwards

along southern bank of the Periyar river up to the junction of its northern tributary the Muthirapuzhai or Munnar river thence southwards along the western bank of the Periyar river, and its tributary, the Cheruthoniyar and the Endayar up to Mundakkayam bridge on the Kottayam-Kumili road, thence southwards straight on the junction of the Aruthayar and the Pambayar and thence to the junction of the Palathada Aur and Kokkad Aur, thence due south to the Achenkoil river crossing the Kallar and thence to Ramakal along the southern bank of the Achenkoil river.

*The portion lying to the south of a line starting from Channar ghat peak and passing along the northern bank of the Shendurni river up to the junction of the Quilon-Shencottah road and Trivandrum-Shencottah road, thence passing southward along the eastern side of the Trivandrum-Shencottah road up to Palode, thence along the eastern side of the road from Palode, to Arianad via Vidura till it meets the Nedumangad-Shorlacode road and thence passing southwards along the Nedumangad-Shorlacode road till it meets the State Boundary.

*This amendment shall be deemed to have come into force with effect from 22-2-1973.

[G.O. (P) 59/75/Fin., dated 13-2-1975 and
G. O. (P) 366/75/Fin., dated 11-8-1975]

2. *Chalaky Division*.—Starting from 19th mile in Tramline at Cherumkayam the line proceeds northwards to meet the division boundary and thence follows the division boundary up to the State boundary and thence along the Sekkalmudi, thence to Parambikulam, thence along the Parambikulam river up to Muduvaiachal and thence westwards passing Kavali Anapandam and meet the starting station at Cherumkayam.

Trichur Division (Nelliampathy Range).—

North.—The boundary starts from the interdistrict boundary of Trichur and Palghat at Vellattimalai and proceeds more or less northeast passing the northern side

of Padagirimala and Palayampara Estate and reaches the district boundary at nearly one mile south of Govindamalai Estate; thence along the above interdistrict boundary towards northeast for about one mile and reaches nearly half a mile northwest of Oottukuzhi Estate.

East.—Thence the boundary proceeds along the interdistrict boundary of Palghat and Trichur and reaches the junction point of Thekkadi and Vetti rivers.

South.—Thence more or less east along the inter-forest division boundary of Chalakudy and Trichur to the interdistrict boundary of Trichur and Palghat at nearly one mile north of Anjanapara.

West.—Thence the boundary proceeds along the interdistrict boundary of Palghat and Trichur and reaches the starting point.

Palappilly Range.—

East.—The boundary starts from Ponmudi at which the inter-range boundary between Palappilly and Paravattany meets the interdistrict boundary of Trichur and Palghat, and proceeds along the above interdistrict boundary and reaches a point nearly one mile south of Kurumalamudi.

South.—Thence the boundary proceeds more or less southwest along the inter-forest division boundary between Trichur and Chalakudy for about $5\frac{1}{2}$ miles to reach nearly two miles south of Kumali.

West.—Thence the boundary proceeds nearly west to reach the Chiminipuzha at nearly one mile west of Kallichitra, thence along the northern side of Chiminipuzha for about $\frac{3}{4}$ mile downstream; thence along the tributary of Chiminipuzha to reach the inter-taluk boundary between Mukundapuram and Trichur at nearly $1\frac{3}{4}$ miles west of Ponmudi.

North.—Thence along the above inter-taluk boundary till it reaches Ponmudi, the starting point.

3. Attappadi Valley and the Chenat Nair, Dhoni and Silent Valley Reserved Forests.

4. Sungam Range of Nemmara Forest Division.

5. Pudukkottai East Village within the following boundaries:—

East.—Madras State and part of Chittur Taluk.

South.—Chittur Taluk and part of Elapully Village.

West.—Ettadi thodu and Walayar river i. e., eastern boundary of Pudukkottai Central Village.

North.—Part of unsurveyed hills and forests and the Madras State.

B. Class II Tracts

1. The portions of the area other than those falling within the taluks of Devicolam, Peermade, Udumbanchola and Pathanamthitta detailed at A1 above, will form Class II tracts.

2. *Chalaky Division.*—Starting from Cherumkayam the boundary proceeds up to Kothamuzhi, thence along the Kannamkuzhi thodu up to Chalaky river, thence along the river the boundary proceeds up to Echipara, thence to Vellikulangara passing Konnakuzhi, Peeliarmuzhi, Kormala and Veeranchira, thence the boundary proceeds nearly northwards to cross the Vaikathu stream and meet the division boundary and along the said boundary of Class I tracts and closes on the starting station.

Nelliampathy Range.—

West.—The boundary starts from the interdistrict boundary of Palghat and Trichur at Vellattimalai and proceeds northwest to reach where the road from Nemmara crosses the above boundary; thence along the above road to Nemmara Hospital side.

North.—Thence the boundary proceeds along the above road to Shornolly Rubber Estate to the 11th mile.

East.—Thence along the above road for about $2\frac{1}{2}$ miles to reach the northern boundary of Class I area described in 'A' above in Nelliampathy Range at Pulayampara.

South.—Thence the boundary proceeds along the northern boundary of Class I area in Nelliampathy Range and reaches the starting point.

Palappilly Range.—

North.—The boundary proceeds from the inter-range boundary between Palappilly and Paravattany at nearly half a mile west of Mangattukumban and proceeds east to reach where the northern boundary of Class I area described in 'A' above starts.

East.—Thence along the western boundary of Class I area in Palappilly Range described in 'A' above to reach the inter-forest division boundary of Trichur and Chalakudy.

South.—Thence along the above inter-division boundary to reach Muplypuzha near fourteenth mile of Cochin State Forest Tramway.

West.—Thence along Muplypuzha downstream for about 5 miles and along Chiminipuzha for about $3\frac{1}{2}$ miles upstream to reach nearly $1\frac{1}{2}$ miles east of Anaipadam and thence to meet the inter-range boundary at the starting point.

Paravattany Range.—

North.—The boundary starts from the inter-taluk boundary of Talappilly and Trichur at $2\frac{1}{2}$ miles east south-east to Melaka and proceeds along the above inter-taluk boundary to reach the interdistrict boundary of Palghat and Trichur.

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East.—Thence along the above interdistrict boundary the boundary proceeds to Ponmudi where the inter-taluk boundary between Mukundapuram and Trichur meets the interdistrict boundary.

South.—Thence the boundary proceeds along the northern boundary of Class I and Class II areas described above in Palappilly Range.

West.—Thence the boundary proceeds northwest to reach $\frac{3}{4}$ mile north to Vengapara, thence to northwest to reach Peechi Dam, thence proceeds along the Peechi Right Bank Canal to reach the crossing point at Trichur-Vaniampara road and thence proceeds northwest to meet the inter-taluk boundary at the starting point.

This amendment shall be deemed to have come into force with effect from the 1st day of September 1975.

*[G.O. (P) 143/80/Fin., dated 19-2-1980.]

Machad Range.—

West.—The boundary starts from the crossing point of Trichur-Ambalappadu road at the inter-range boundary of Machad Range and Paravattany Range and proceeds along the sixth mile. Thence more or less northeast to reach Wadakkancherry-Vazhani road near Vazhani.

North.—Thence along the above road and succeeding cart-tract for about one mile; thence crossing Vazhani lake and along the thodu starting from nearby place of Munipara and falls in Vazhani lake; reaches the inter-range boundary at nearly half a mile west of Munipara.

East.—Thence the boundary proceeds southwest for about $1\frac{1}{4}$ miles along the inter-range boundary of Machad Range and Paravattany Range.

South.—Thence the boundary proceeds along the above inter-range boundary and reaches the starting point.

3. The Wynad Taluk and the Vaithiri Ghat section.

APPENDIX XII

RULES FOR THE GRANT OF LEAVE TO RADIATION WORKERS IN THE STATE MEDICAL SERVICE

(Referred to in Rule 110A of Part I)

Rules for the grant of leave to Radiation Workers in the State Medical Service.

1. For the purpose of these rules:

(i) "Radiation worker" means a worker liable to exposure to ionising radiation in the course of his official work which shall include a person working inside the X-ray and Radium Departments like, Radiologist, Radiographer, Technician and Nursing staff of Radiology Department but does not include stretcher bearers, attenders, etc., of the Radiology Department who are not exposed to radiation while a patient is being X-rayed or treated.

(ii) "A year" means a year of duty.

2. Every Radiation worker shall take 30 days leave in one spell every year to recoup his health even when it is apparently good. Out of his 30 days leave, the first 5 days shall be sanctioned as earned leave provided he has not less than 15 days earned leave to his credit, and the balance of 15 days shall be sanctioned as special casual leave. If he takes leave for more than 30 days, the excess over 30 days shall be debited to his earned leave account over and above the first 15 days debited in the earned leave account.

Note.—An employee normally earns not less than 15 days of earned leave in respect of the first year of service and 30 days of earned leave in respect of each subsequent year. If during any year of duty he takes regular leave for 30 days or more otherwise than on compulsory grounds for personal reasons or on account of ill-health, then the question of granting compulsory leave under this rule during the same year does not arise. But if the leave so taken includes earned leave for not less than 15 days at a stretch then the concession of granting special casual leave for 15 days under this rule will be admissible.

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3. These rules shall apply to all Radiation workers (Permanent or temporary employees) in the State Medical Service but not to purely provisional hands.

The above rule shall be deemed to have come into force with effect from 29th March 1963.

LIST OF FORMS

1. Please see the Kerala Service Rules, Part III
2. Do.
3. Do.
4. Do.
5. Do.
6. Do.
7. Leave Account (Rule 112—Part I)
8. Please see the Kerala Service Rules, Part III
- 8-A Do.
9. Deleted
10. Deleted
11. Please see the Kerala Service Rules, Part III
12. Bond for officiating or temporary Government servants granted leave: (Rule 91—Part I)
13. Application for leave (Rule 113—Part I)
14. Overtime Register (Rule 7—Appendix IV A)

FORM No. 7
LEAVE ACCOUNT
(Rule 112 of Part I)
Part I

FORM 7

LEAVE ACCOUNT

| Duty | | Period in days | Leave, at credit (Columns 3 plus 7) | Absence - leave | | Period (days) | Balance on return from leave (Columns 4 minus 6) | Remarks |
|------|----|----------------|--|----------------------------|----|---------------|---|---------|
| From | To | | | From | To | | | |
| | | 3 | 4 | | | 6 | 7 | 8 |
| | | | | | | | | |

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Part II
Leave on half pay

| Duty | | Leave earned | Leave at credit | Leave taken | | | | | | Total (columns 6+9) | Balance (columns 4-10) | Period of leave not due taken | Final balance |
|-------|----|----------------------------------|-----------------|----------------|------|----------------|----|--------------------------------------|----------------|---------------------|------------------------|-------------------------------|---------------|
| Dates | | 20 days for every completed year | Columns 3+13 | Half pay leave | | Commuted leave | | Period in terms of leave on half pay | | | | | |
| From | To | | | Days | Days | From | To | | Period in days | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | |
| | | | | | | | | | | | | | |

BOND FOR OFFICIATING OR TEMPORARY
GOVERNMENT SERVANTS GRANTED LEAVE
UNDER RULE 91, PART I, K.S.R. FOR
HIGHER STUDIES

FORM No. 12

BOND FOR OFFICIATING OR TEMPORARY
GOVERNMENT SERVANTS GRANTED LEAVE
UNDER RULE 91, PART I, K.S.R. FOR
HIGHER STUDIES

KNOW ALL MEN BY THESE PRESENTS that we
Shri.....(H.E. name and address) at
present employed at.....in the office of
.....(hereinafter called "the Bounden")
and Shri.....(H.E. name and address)
and Shri.....(H.E. name and address).....
(hereinafter called "the sureties") do hereby bind ourselves,
and each of us, our heirs, executors, administrators and
assigns jointly and severally to pay to the Governor of Kerala
(hereinafter called "the Government") on demand the
sum of Rs. 1,000 (Rupees one thousand only) together
with interest at.....per cent per annum or if the 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 with cost, if any, thereon.

Signed on this the.....day of.....
one thousand nine hundred and.....

Signed by Shri.....
(The Bounden)

In the presence of witnesses:

- (1) [Redacted]
- (2) [Redacted]

Signed by Shri.....

Signed by Shri.....

(The Sureties)

KERALA SERVICE RULES

In the presence of witnesses:

(1)

(2)

WHEREAS the Government have granted to the Bounden regular leave, followed by leave without allowances, for a period.....months.....days with effect from.....in order to enable the Bounden to study at.....on condition that on the expiry of the leave, the Bounden shall serve the Government in such capacity as the Government may require in the..... Department of the Government or in any other Department of the Government as the Government may require, for a period of five years and also subject to the terms and conditions hereinafter appearing and the Bounden and the sureties have agreed to the same;

Now the condition of the above written obligation is that in the event of the Bounden failing to serve in such capacity as the Government may direct for a minimum period of five years if so required by the Government, the Bounden and the sureties shall forthwith pay to the Government the said sum of Rs. 1,000 together with interest atper cent per annum and costs and upon payment of such sums the above written obligation shall be void and of no effect, otherwise this shall be and remain in full force and effect:

Provided further that the Bounden and the sureties hereby agree that all sums found due to Government under or by virtue of this bond shall be recoverable jointly and severally from the Bounden and the sureties and their properties movable and immovable under the provisions of the Revenue Recovery Act for the time being in force as though such sums are arrears of land revenue or in such other manner as the Government may deem fit.

**BOND FOR OFFICIATING OR TEMPORARY
GOVERNMENT SERVANTS GRANTED LEAVE
UNDER RULE 91, PART I, K.S.R. FOR
HIGHER STUDIES**

The liability of the sureties under this bond is co-extensive with that of the Bounden and shall not be affected by the Government giving time or any other indulgence to the Bounden.

The stamp duty on this bond shall be borne and paid by the Government.

Signed by Shri.....

(The Bounden)

In the presence of witnesses:

(1)

(2)

Signed by Shri.....

Signed by Shri.....

(The Sureties)

In the presence of witnesses:

(1)

(2)

FORM No. 13

APPLICATION FOR LEAVE

(Rule 113, Part I)

Note.—Items 1 to 16 must be filled in by all applicants whether Gazetted or Non-gazetted.

1. Name of applicant:
2. Date of birth:
3. Post held:
4. Department, office and section:
5. Pay and scale of pay:
6. Date of entry in service:
7. Date of commencement of continuous service:

KERALA SERVICE RULES

8. Whether the applicant has got confirmation in any post, if so from which date and in which post:
9. Address during leave:
10. House Rent Allowance, Conveyance Allowance or other compensatory allowance drawn in the present post:
11. Nature and period of leave applied for and date from which required:
12. Sundays and holidays, if any proposed to be prefixed/suffixed to leave:
13. Ground on which leave is applied for:
14. Date of return from last leave and the nature and period of that leave:
15. (a) I undertake to refund the difference between the leave salary drawn during commuted leave and that admissible during half pay leave which would not have been admissible in the event of my retirement from service at the end of or during the currency of leave.
(b) I undertake to refund the leave salary drawn during 'leave not due' which would not have been admissible had rule 85, Part I, not been applied in the event of my voluntary retirement or resignation from service at any time until I earn half pay leave not less than the amount of leave not due availed of by me.
16. Place:

Signature of applicant
(with date)

17. Remarks and/or recommendation of the Controlling Officer.

Signature (with date) and
Designation:

Note.—In the case of a Government servant who is mentally unsound and/or physically unable to fill in the columns of this form and sign it, the guardian of his appointed under the Indian Lunacy Act, 1912 (Central Act IV of 1912) or any person authorised by the authority competent to grant the leave may fill in the column and sign the application for and on behalf of the Government servant.

• Certificate Regarding Admissibility of leave.

(By Accountant General in the case of Gazetted Officers.)

18. "Certified that.....
(nature of leave) for.....
from.....to.....is admiss-
sible under rule.....of the Kerala
Service Rules".

Signature (with date)
Designation:

19. *Orders of the Sanctioning Authority:

Signature (with date)
Designation:

*If the applicant is drawing any compensatory allowance the sanctioning authority should state whether on the expiry of leave he is likely to return to the same post or to another post carrying a similar allowance."

[G.G. (P) 955/80/Fin., dated 30th December 1980.]

KERALA SERVICE RULES

FORM No. 14

OVERTIME REGISTER

(See Rule 7, APPENDIX IV A)

| Serial number | Name and designation of the Government servant required to perform overtime work | Emoluments | Hours of overtime work authorised by the competent authority | Hours of overtime work performed by the Government servant | Nature of work performed during overtime hours |
|---------------|--|------------|--|--|--|
| 1 | 2 | 3 | 4 | 5 | 6 |
| | | | | | |

| Why the work could not be performed during the prescribed hours of work | Amount of overtime allowance paid | Initials of the competent authority |
|---|-----------------------------------|-------------------------------------|
| 7 | 8 | 9 |
| | | |

SNS 541

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