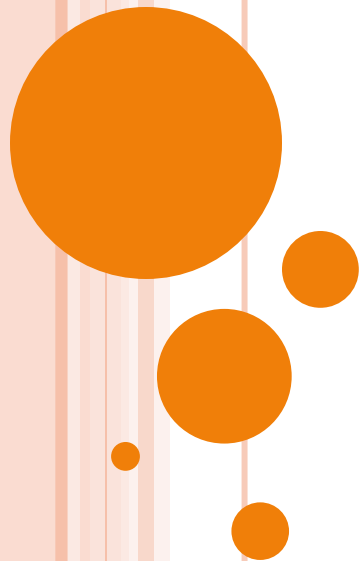


FUNDAMENTAL RULES & SUBSIDIARY RULES

PRESENTATION

BY

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- Consists of -
 - **Part I- Application and Definitions**
 - **Part II- General conditions of Service**
 - **Part III- Pay**
 - Pay
 - Additions to pay
 - Combination of Appointments
 - Deputation out of India
 - Dismissal/Removal/Suspension
 - Retirement
 - **Part IV- Leave and Joining time**
 - **Part V- Foreign Service**



❑ **FR 9(6)(i)-Duty periods:**

- ✓ Days of training shall be treated as duty
- ✓ Compulsory wait period shall be treated as duty
- ✓ Authorized training courses are given in Annexure I of FR
- ✓ Period of unforced halts due to communication breakdown shall be treated as duty
- ✓ When appointed as examiner by UPSC/TSPSC, three days shall be treated as duty

❑ **FR 9(9)-Honorarium:**

- ✓ Recurring or nonrecurring payment granted to a Govt. servant from Consolidated Fund for special work of occasional nature



❑ **F.R.12-A: Lien:**

- ✓ A Govt. servant on substantive appointment to any permanent post acquires a lien on that post and ceases to hold any lien previously acquired on any other post

❑ **F.R. 14 (a):**

- ✓ **Lien is suspended** if appointed in a substantive capacity to a tenure post

❑ **F.R-18:**

- ✓ No Govt., servant shall be granted **leave** of any kind for a continuous period **exceeding five years**

- ✓ **Wilful absence**

- not covered by any leave will be treated as a 'dies-non' for all purposes viz., increments, leave and pension.

- ✓ **E.O.L. on M.C.**

- up to 36 months counts as qualifying service.




✓ **Unauthorized absence**

- for a continuous period exceeding one year, the penalty of removal from service shall be imposed.
- **F.R-18-A:** Absent exceeding one year
 - ✓ shall be deemed to have resigned from the service if absent without authorization for a period **exceeding 'one year'** (or)
 - ✓ remains absent from duty for a continuous period **exceeding five years** with or without leave (or)
 - ✓ continues on **foreign service** beyond the period approved by the State Government



- ❑ **Principles of Pay Fixation:**
- ❑ **F.R – 22 (a) (i):** When promoted / appointed to a higher post involving assumption of duties and responsibilities of greater importance , he will draw as initial pay the stage of the time scale next above his substantive pay in respect of the old post
- ❑ **F.R-22(a)(ii):** When appointed to the new post does not involve responsibilities of greater importance he will draw as initial pay the stage of the time scale which is equal to his substantive pay in respect of the old post
- ❑ **F.R-22(a)(iii):** When appointed to the new post on his own request, if the maximum pay in the time scale of that post is less than his substantive pay in respect of the old post, he will draw that maximum as initial pay



- ❑ **F.R-22(a) (iv):** Pay shall be fixed in the new post at a stage not lower than the pay drawn in the earlier post
 - ❑ **F.R-22(b):** The Basic Pay of the employee is fixed at the minimum of the time scale of pay attached to the post to which he is appointed.
 - ❑ **FR 22-B-**The Pay in the promotion post is fixed at a stage above the notional pay which is arrived by increasing the pay in the lower post by an increment.
 - ✓ **Option to be exercised-**
 - Promotion date
 - Increment date
 - Option to be exercised with in one month from the date of assuming charge.
 - If promoted after exhausting (3/5) stagnation increments in the lower post, FR-22-B can not be allowed.
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❑ **F.R-24: Regulation of Increments:**

❑ **Increment** shall ordinarily be drawn unless it is withheld by an order of penalty

✓ When it is **withheld**,

▪ the **period** for which it is withheld shall be mentioned

✓ **Effect of penalty**

▪ **postponement of future increments** shall also be mentioned

❑ **FR 26**-Increment is not a charity but a right

✓ **Periods that count for increment-**

▪ On **duty**

▪ On **deputation**

▪ On **foreign service**

▪ On all kinds of **leave except EOL**(FR 26 (b)(ii)



- **EOL on MC or for prosecuting higher studies** and technical studies with an undertaking to serve the Govt., for 5 years- HOD can count (6) months period for grant of increment. FR-26(b)(ii), Delegation under FR-26
- **Beyond 6 months** Govt is competent authority
- ✓ **SERVICE DOES NOT COUNT FOR INCREMENT**
- ✓ Period of **suspension** treated as not duty FR26 (a a).
- ✓ Period of **E.O.L. on private affairs** FR-26 (a a)
- ✓ Period of **E.O.L. on M.C. or prosecuting higher** and technical studies exceeding 6 months.
- ✓ **Over stay of leave** which is not regularised.
- ✓ **Break in service** F.R-26



❑ Regulation of Pay under certain circumstances:

❑ **F.R-26(aa) When seniority is revised**

- ✓ and fixed from an earlier date
- ✓ pay may be re fixed on the basis of notional duty in the post from time to time

❑ **F.R-28: If a Govt., servant is transferred from a higher grade to a lower grade as penalty, he may be allowed to draw pay not exceeding the maximum of the lower grade post**

❑ F.R-29(1): Regulating Pay during Penalty:

➤ **If pay is reduced as a measure of penalty**

- ✓ The **period** for which the penalty subsists shall be mentioned
- ✓ If pay is restored after the penalty period, it shall also mention whether **future increments** are postponed, and, if so, to what extent



- **FR 29(2)**-every order of **penalty should indicate the date** from which it takes place, period for which it will be in effect
- **F.R-29-A**- If the **penalty order is set aside**, he shall be given, for the period such order has been in force, the difference between the pay to which he would have been entitled had that order not been made and the pay he had actually drawn
- ❑ **F.R-46(a) Fees:**
 - ✓ A Govt., servant may be permitted to draw remuneration for performing to perform a specified service for private person or body including a body administering a Local Fund but without detrimental to his official duties



- ✓ **Honoraria:** Govt., may permit a Govt., servant to receive an honorarium as remuneration **for work performed which is occasional** in character
- ❑ **FR 48- Rewards:**
 - **No permission required to receive-**
 - ✓ the premium awarded for an **essay** in public competitions
 - ✓ b) any reward offered for the **arrest of a criminal** or for **information** or special service in connection with the Administration of Justice
 - ✓ any **reward** payable in accordance with the provisions of Act or Regulation or rules framed there under
 - ✓ any **reward** sanctioned for services in connection with the administrative of the **customs and excise laws**, and
 - ✓ any **fees** payable to a Govt., servant for duties which he is required to perform in his official capacity under any special or local law or by order of the Govt



❑ **F.R-49:Combination of appointments-**

- ✓ For the **same scale** of post or **higher** post
- ✓ Shall draw **pay of higher post**
- ✓ **Compensatory allowances** shall be limited to actual eligible allowances only
- ✓ Additional pay should not exceed **1/5th** of his officiating pay
- ✓ pay should not exceed **1/10th** of his officiating pay
- ✓ Period of additional charge should be more than **14 working days**
- ✓ Period of discharge of current duties should be **more than one month**



- ✓ Period of additional charge should **not exceed 6 months**
- ✓ The H.O.D will sanction additional pay for the first **3 months**
- ✓ Beyond 3 m **up to 6m**, govt should sanction
- **F.R-52: The pay and allowances of a Govt., servant who is dismissed** or removed from service cease from the date of such dismissal or removal



❑ **F.R-53(1): Pay While being in suspension :**

- shall be entitled to a subsistence allowance at an amount equal to the leave salary which the Govt., servant would have drawn if he had been on leave on **half average pay** or on half pay and in addition, dearness allowance, if admissible on the basis of such leave salary
- ✓ The subsistence allowance may be **increased** by a suitable amount, not exceeding **50%**
- ✓ The subsistence allowance may be **reduced** by a suitable amount not exceeding **50%** due to reasons to be recorded in writing directly attributable to the Govt., servant



- ✓ Amount of SA may be **restricted to 50%** only in r/o all cases of suspension due to bribe, corruption , misappropriation
- ✓ A certificate of **non employment** to be furnished, each month
- ✓ A individual being suspended and after conclusion of trial/proceedings, is **dismissed**, removed from service and if such **order is set aside**, the period from date of imposition of dismissal till setting aside of such dismissal order will be **treated as suspension period**
- ✓ **Arrears of subsistence allowance** should not be withheld, but paid after adjusting Income-tax, House rent, repayment of loans and advances
- ✓ **Over payments**. Recoveries should not be made at a rate greater than one third of subsistence allowance, exclusive of DA

- ✓ When a GS under **suspension is dismissed** from service, arrears of SA should be paid till dismissal date
- ✓ **Full additional charge** arrangements shall not be made in the vacancies arising due to placing of a govt., servant under suspension
- ✓ When a GS **dies while being under suspension**, the suspension period shall be treated as On Duty till the date of death
- **FR 54-A-When a GS was suspended and later** dismissed and later his dismissal was set aside by court and **reinstated to duty**, his suspension period be regularised



- ✓ Where dismissal is **set aside not on merits** of the case, his pay and allowances shall be limited to SA only
- **FR 54-B- When a GS is suspended and later retired**, the competent authority shall make order regulating whether to treat the period under suspension as duty or not on duty
- ✓ **When GS dies while in suspension** and before the conclusion of disciplinary proceedings, the period of suspension shall be treated as on duty and all allowances be paid
- ✓ **FR 55- No leave to be granted** to a GS while he is in suspension



- ❑ **F.R-105: Joining time:**
 - ✓ granted to a Govt., servant , to enable him to join a new post to which he is appointed while on duty
 - ✓ On return from **E.L. of not more than four months**
- ❑ **F.R-106:** When appointed to a post does **not involve change of residence** one day Joining Time is allowed
 - ✓ No Joining Time is allowed when the transfer does **not involve actual change of office**
 - ✓ When holidays follows joining time, normal joining time may be extended to cover such holidays
 - ✓ **Six days** are allowed for preparation
 - ✓ **One day** for up to 500km and **Two days** for above 500 km
 - ✓ Joining time including journey time should **not exceed 30 days**



- ❑ **F.R-107:** joining time shall be regarded as **on duty**
- ✓ **Joining time pay** is equal to the pay of old station
- ✓ HRA, CCA etc are admissible as per old station
- ❑ **F.R-108:** If **not joined** the new post with in joining time, he is not entitled for pay or leave salary
- ✓ May be treated as misbehaviour
- ❑ **F.R-108-A:** If joining Govt. service from other than Govt., service at the interest of Govt., joining time is allowed
- ✓ If he is on leave before joining Govt., service pay drawn before going on leave is allowed
- ✓ If waited for posting the period is treated as compulsory wait



- ✓ Administrative Department of Secretariat will sanction **compulsory wait up to 30 days**
- ✓ For compulsory wait **exceeding 30 days** reference to Finance Department is necessary
- **Foreign Service**
- **F.R-110:** No Govt., servant is transferred to Foreign Service **with out his will.**
- **F.R-111:** The Govt., servant **holds lien** on the post from which he is transferred on Foreign Service
- ✓ The Govt., servant **on probation** is permissible to be transferred to Foreign service



❑ **FR 114: Allowances in Foreign Service:**

- ✓ During foreign service, **T.A admissible** as per Govt., T.A.rules
- ✓ **H.R.A.** and other compensatory allowances paid as **admissible in foreign service**

❑ **F.R-115: Pension contribution:**

- ✓ towards cost of **Pension** must be paid by foreign employer
- ✓ Contribution towards cost of **leave salary** must be paid
- ✓ If not paid by the foreign employer the individual has to remit



- ❑ **F.R-116: Leave Salary Contribution:**
- ✓ **L.S. is 11%** on the pay drawn during foreign service
- ❑ **F.R-119: LC & PC Remittances:**
- ✓ to be **remitted** to Govt., account **annually** within (15) days from the end of each Financial year or on deputation expires
- ✓ For **late payment** of L.S and P.C, **7.3%** of interest is charged from the date of expiry of foreign service
- ❑ **F.R-125: Pay on Repatriation:**
- ✓ If a Govt., servant is **repatriated** from foreign service goes on leave, his **leave salary**, transit pay should be paid by the foreign employer

