

Compendium of Instructions Issued for Departmental Officials 2021



सत्यमेव जयते

Government of India
Department of Biotechnology
Ministry of Science and Technology

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Government of India
Department of Biotechnology
Ministry of Science and Technology

चन्द्र प्रकाश गोयल
संयुक्त सचिव
CHANDRA PRAKASH GOYAL
Joint Secretary



सत्यमेव जयते



एक कदम स्वच्छता की ओर

भारत सरकार
विज्ञान और प्रौद्योगिकी मंत्रालय
बायोटेक्नोलॉजी विभाग
GOVERNMENT OF INDIA
MINISTRY OF SCIENCE & TECHNOLOGY
DEPARTMENT OF BIOTECHNOLOGY
Block-2, (7th Floor) CGO Complex
Lodhi Road, New Delhi-110003

PREFACE

Lex dahit remedium or the law will give a remedy. There are numerous issues that arise while dispensing our duties on daily basis and need to be resolved as per rules and regulations defined by Government of India. Hence availability of important guidelines and instructions pertaining to all the Divisions in the department namely Establishment, Administration, Vigilance, Finance , e-Governance etc. in a consolidated form is extremely vital for ensuring effective and transparent governance .

This compendium attempts to bring collection of important Guidelines / Instructions I OMs related to Appointments and Deputations, Pay and Allowances , Travel , Medical Reimbursement, Vigilance , Financial matters , e-Governance and references for various other issues that are more relevant to this department.

All the officers should go through this compendium and they can refer to this as per their requirement. This compendium is also available in the website of the Department as an eBook.

Department of Biotechnology acknowledges the contribution made by all concerned in facilitating the publication of this compendium

(Chandra Prakash Goyal)
Joint Secretary to Govt of India
01st January, 2021

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Note: The OM's/Circulars/Guidelines issued here with is for reference purpose only. For using them in official documentation please get them from official website or from concern officer of DBT. Moreover , any amendments/clarification issued by GOI will have overriding effect.

North Block, New Delhi
Date: 5th February, 2018

OFFICE MEMORANDUM

Sub:- Maximum age limit in case of appointment by deputation /deputation (including short term contract).

The undersigned is directed to refer to this Department's OM No. AB-14017/48/92-Estt (RR) dated 17th November, 1992 on the subject mentioned above. The Recruitment Rules in respect of a number of posts provide for appointment by the method of deputation /deputation (including short term contract). As per existing instructions, the maximum age limit for appointment on deputation/deputation (including short term contract) is 'not exceeding fifty six years' on the closing date of receipt of application. In recent past, this Department has received several requests for revision of the maximum age limit for appointment on deputation/deputation (including short term contract) basis.

2. The matter has, therefore, been examined in consultation with the Union Public Service Commission. Keeping in view the fact that gaining experience in analogous posts at SAG and above levels take time, the limited number of officers available at these levels and to tap the talent/service of officers who have rich domain experience, it has been decided that the following age limit shall be prescribed for appointment on deputation /deputation (including short term contract) basis:-

- (i) For posts in the SAG level and above (i.e. Level-14 of the Pay Matrix and above):-
'Not exceeding fifty eight years' on the closing date of receipt of application.
- (ii) For posts below the SAG level (below Level-14 of the Pay Matrix):-
'Not exceeding fifty six years' on the closing date of receipt of application.

3. The Administrative Ministries are requested to take necessary action for amendment of Recruitment Rules/Service Rules to incorporate the revised age limit for deputation/deputation (Including short term contract) for posts of the level of SAG and above.

(Shukdeo Sah)

Under Secretary to the Government of India

To,

1. All Ministries/Departments of Government of India
2. The President's Secretariat, New Delhi.
3. The Prime Minister's Office, New Delhi.
4. The Cabinet Secretariat, New Delhi.
5. The Rajya Sabha Secretariat, New Delhi.
6. The Lok Sabha Secretariat, New Delhi.
7. The Comptroller and Auditor General of India, New Delhi.
8. The Union Public Service Commission, New Delhi.

No.AB.14017/11/2004-Estt.(RR)
Government of India
Ministry of Personnel, Public Grievances and Pensions,
Department of Personnel and Training
New Delhi

Dated the 30th July, 2007

OFFICE MEMORANDUM

Subject: Setting up of Search Committees/Search-cum-Selection Committees

As the various administrative Ministries/Departments are aware, the circumstances under which Search Committees can be constituted and their composition etc. are presently regulated by the instructions issued under this Department's OM NO. AB-14017/36/74-Estt.(RR) dated 25.10.1994, reiterated under a subsequent OM No. AB.14017/56/2003-Estt.(RR) dated 4.12.2003. These instructions are primarily applicable to posts in the Government but also apply *mutatis mutandis* in the case of posts in autonomous/statutory organizations. Separately, instructions have been issued by the EO's Division of this Department, on policy and procedure for appointments in autonomous institutions through the ACC which contain, inter alia, guidelines on constitution of Search-cum-Selection Committees for posts in such bodies, their constitution etc., the latest guidelines, in this regard, being those issued under OM No. 28/13/2006- EO (SM.II) dated 3.7.06.

2. It has come to the notice of this Department that the principles brought out in the instructions of this Department, as referred to above, have not been kept in view fully, while setting up Search Committees/Search-cum-Selection Committees, in some cases. There exist also some shortcomings on the composition of the Search-cum-Selection Committees for posts in autonomous organizations/institutions.

3. The matter has, therefore, been reviewed in its entirety and it has been decided that, henceforth, the principles, as set forth in the ensuing paragraphs, shall be kept in view by all concerned while setting up Search Committees and Search-cum-Selection Committees (for posts in autonomous organizations).

4. Search Committees for posts in Government

In accordance with the guidelines of this Department, immediately after a post is created, the Recruitment Rules for the same should be

framed, if the post is likely to continue for one year or more. Action to fill up the post, as per the provisions in the Recruitment Rules, has to be initiated as the procedure of Search Committee cannot be a substitute for the normal recruitment process.

4.1 Situations in which Search Committees may be constituted, their composition etc.

- (i) The post involved should not fall under the purview of the UPSC;
- (ii) Since, as a rule, appointments in Government are to be made on the basis of open advertisement, this requirement has to be followed without fail, and it is only in situations where advertisement may not result in adequate response, that a Search Committee should normally be appointed;
- (iii) Constitution of Search Committees cannot be a substitute for advertisement of posts and their role is only to supplement the recruitment effort through advertisements;
- (iv) A minimum period of atleast four weeks may be given to the candidates to respond to the circular/advertisement for appointment under this mechanism;
- (v) Search Committees should be constituted only for sufficiently senior posts at the level of Director (in the scale of Rs. 14300-18300) or above, which require specialized scientific/technical knowledge and experience;
- (vi) The composition of the Search Committee needs to be approved by the Department of Personnel and Training in each case, if the post proposed to be filled by this procedure is in the scale of Rs. 18400-22400 or above.
- (vii) The Committee should be chaired by the Secretary of the Ministry/Department concerned. Where it is constituted for a Secretary-level post, a senior and distinguished academician may be invited to chair the Committee. The Committee should normally consist of not more than 5 members including the Chairman;

- (viii) Where officers of Government, Autonomous Bodies, PSUs etc. are nominated as Members, they should be atleast one level above the post to which recruitment is being made;
- (ix) No person who is a recipient of grants/funding from the Ministry concerned or who is closely related to a recipient should be invited to join the Search Committee;
- (x) The composition of the Committee should be well-balanced. It should invariably include persons of appropriate standing having acknowledged expertise in the relevant field of specialization. At least half the number of such experts should be from outside the Department;
- (xi) The tendency, repeatedly to rely on the same experts for several recruitments over long periods of time, is to be avoided. It is necessary to infuse fresh blood in such Committees in order to ensure that they identify the right personnel engaged in research in frontiers of the relevant field;
- (xii) The panel recommended by the Committee will remain valid for one year. If no selection is made from the panel within a period of one year, a fresh Committee shall be constituted to prepare a fresh panel. Such a Committee may also consider the names of persons recommended in the earlier panel;
- (xiii) In some cases, the Rules themselves prescribe Search Committee/Search-cum Selection Committee and in such cases, it should be ensured that the composition is strictly as per the Rules. Wherever it is necessary, amendments to the Rules may be carried out to ensure that the composition of the Committee is in conformity with these instructions.

5. Search-cum-Selection Committees for posts in autonomous/statutory bodies etc.

Though the principles applicable for posts in Government as in para 4 *ibid* would generally apply, the following principles would specifically apply to Search-cum-Selection Committees for posts in autonomous/statutory bodies, entities registered under the Societies Registration Act, etc:-

- (i) Each Ministry/Department shall constitute a Search-cum-selection committee, with the concurrence of the DOPT, for (a) all appointments to the post of Chief Executives and (b) for all

appointments carrying a pay scale of Rs. 18400-22400 and above.

- (ii) Ministries/Departments will have the discretion to choose the Chairman of the Committee. They may, however, ensure that the person, so chosen, is distinguished and of sufficiently high standing commensurate with the level of the post for which selection is to be recommended by the Committee;
- (iii) The Committee should normally consist of not more than 5 members including the Chairman and at least one outside expert of eminence. The Committee should also include the Chief Executive of the autonomous institution even if the scale of pay of the post of Chief Executive is same as of the post for which selection is being made unless the selection is for the post of the Chief Executive;
- (iv) The panel recommended by the Committee will be valid for one year. If no selection is made from the panel within a period of one year, a fresh Committee shall be constituted to prepare a fresh panel. Such a Committee may also consider the names of persons recommended in the earlier panel;
- (v) The panel recommended by the Committee will have to be accepted *in toto* by the Ministry/Department. Any deviation in the matter will require the prior approval of the ACC;
- (vi) Extension in tenure of persons other than the Chief Executives shall also be considered by the Search-cum-Selection committee and its recommendations shall be accepted by the Ministry/Department. Any proposal to reject the recommendations will require the approval of the ACC. Authority for approval of extension in tenure of Chief Executives will rest with the ACC;
- (vii) All appointments, which are covered by specific statutes, are to be carried out on the basis of the statutory provisions. Wherever the statutes provide for appointment to a post with the approval of the Central Government, the appointment to the post of Chief Executives of the pay scale of Rs. 18400-22400 and above, will be within the purview of ACC and the Search-cum-Selection Committee mechanism envisaged in these instructions will apply;

- (viii) Appropriate Recruitment Rules/Regulations for the post involved shall be formulated by the administrative Ministry, wherever the relevant statutes do not incorporate the eligibility conditions. The norms and criteria for selection, shall, in any case, be finalized by the autonomous institution, with the concurrence of the Ministry concerned and the same shall be made widely known well in advance of the selection;
- (ix) The vacancy shall be given wide publicity through open advertisement/circulation among various Ministries/Departments/State Governments/ Autonomous bodies/Research institutes etc., as also made available on the website of the Ministry/Department;.
- (x) A minimum period of atleast four weeks may be given to the candidates to respond to the circular/advertisement for appointment under this mechanism;
6. All autonomous institutions, which are not set up under their own statutes, shall modify their Memoranda and Articles of Association, Bye-laws, etc. in order to incorporate fully these guidelines. The institutions shall report compliance to the DOPT through their administrative Ministry/Department alongwith copies of their revised Memoranda/Articles of Association, Bye-laws etc. These institutions, thereafter, shall not be required to take approval of DOPT each time for the Search-cum-Selection Committee constituted by them. The institutions shall, however, send a copy of the Search-cum-Selection Committees constituted by them to the DOPT.
7. The above exercise may be completed by all institutions within a period of three months.
8. Hindi version will follow.


(Smita Kumar)
Director
Tel. 2309 2479

To

All Ministries/Departments of Government of India

Copy to:

1. The President's Secretariat, New Delhi.

2. The Prime Minister's Office, New Delhi.
3. The Cabinet Secretariat, New Delhi.
4. The Rajya Sabha Secretariat, New Delhi.
5. The Lok Sabha Secretariat, New Delhi.
6. The Comptroller and Auditor General of India, New Delhi.
7. The Union Public Service Commission, New Delhi.
8. The Staff Selection Commission, New Delhi.
9. All Attached Offices under the Ministry of Personnel, Public Grievances and Pensions.
10. Establishment Officer and Secretary, ACC (10 copies).
11. All Officers and Sections in the Department of Personnel necessary action
12. Secretary, Staff Side, National Council (JCM), 13-C, Ferozeshah Road, New Delhi
13. All Staff Members of National Council (JCM)
14. All Staff Members of the Departmental Council (JCM), Ministry of Personnel, PG and Pensions
15. Establishment (RR Division) (200 copies)

No. AB-14017/11/2004-Estt(RR)
Government of India
Ministry of Personnel P.G.& Pensions
Department of Personnel & Training

North Block, New Delhi
Dated: 21.10.2015

OFFICE MEMORANDUM

Subject: Setting up of Search Committees/Search-cum-Selection Committee.

The guidelines on constitution of Search Committees for posts in Government and Search-cum-Selection Committees for posts in autonomous organizations have been issued vide this Department's OM of even number dated 30th July, 2007.

2. The guideline stipulates that Search Committees should be constituted only for sufficiently senior posts at the level of Director (in the scale of Rs. 14300-18300)(Revised PB-4, GP 8700) or above, which require specialized scientific/technical knowledge and experience. It further provides that the Committee should be chaired by the Secretary of the Ministry/Department concerned. Where it is constituted for a Secretary-level post, a senior and distinguished academician may be invited to chair the Committee.

3. As regards constitution of Search-cum-Selection Committees for posts in autonomous/statutory bodies etc., the guidelines stipulates that each Ministry/Department shall constitute a Search-cum Selection Committee, with the concurrence of the DOPT, for (a) all appointments to the post of Chief Executives and (b) for all appointments carrying a pay scale of Rs. 18400-22400 (revised as PB-4 with GP of Rs. 10000/) and above. Ministries/Departments will have the discretion to choose the Chairman of the Committee. They may, however, ensure that the person, so chosen, is distinguished and of sufficiently high standing commensurate with the level of the post for which selection is to be recommended by the Committee.

4. These guidelines have been reviewed and with the approval of the competent authority it has been decided that henceforth Cabinet Secretary shall be the Chairperson of Search Committee/Search-cum Selection Committee meetings wherever retired Secretaries to Govt. of India are eligible for appointment to a post/an assignment.

G. Jayanthi

(G.Jayanthi)
Director

To

All Ministries/Departments of Government of India

Copy to:

1. The President's Secretariat, New Delhi.
2. The Prime Minister's Office, New Delhi.
3. The Cabinet Secretariat, New Delhi.
4. The Rajya Sabha Secretariat, New Delhi.
5. The Lok Sabha Secretariat, New Delhi.
6. The Comptroller and Auditor General of India, New Delhi.
7. The Union Public Service Commission, New Delhi.
8. The Staff Selection Commission, New Delhi.
9. All Attached Offices under the Ministry of Personnel, Public Grievances and Pensions.
10. Establishment Officer and Secretary, ACC
11. All Officers and Sections in the Department of Personnel
12. Secretary, Staff Side, National Council (JCM), 13-C, Ferozeshah Road, New Delhi
13. All Staff Members of National Council (JCM)
14. All Staff Members of the Departmental Council (JCM),
15. Ministry of Personnel, PG and Pensions
16. Establishment (RR Division) (20 copies)
17. NIC for uploading the OM on Department's website.

G. Jayanthi
(G. Jayanthi)
Director



No. BT/AI/26020/1/2014

Dated: 11.02.2019

OFFICE MEMORANDUM

Subject: - Instructions for OCI (Overseas Citizen of India) cardholders appointed and taking up research in Autonomous Institutes under Department of Biotechnology -reg.

The Department of Biotechnology has referred the issue of OCI cardholders who have been appointed in the Autonomous Institutes under this Department, to Ministry of External Affairs and Foreigners Division – OCI Cell, Ministry of Home Affairs.

2. It was clarified by Ministry of External Affairs vide No. OI-15013/01/2016-OIA. II. D dated 29th March 2017 that the appointment in an Autonomous Institution under Department of Biotechnology cannot be treated as appointment to posts in connection with the affairs of the Union and hence no special orders of exemption under Section 7B (2) of the Citizenship Act, 1955 are required from Ministry of External Affairs.

3. However, if an OCI Cardholder is to be appointed on a Scientific position involving research activity in an Autonomous Institution under Department of Biotechnology, he/she will have to apply in Form "G" (Annexed) to concerned Foreigners Regional Registration Office, Bureau of Immigration, Ministry of Home Affairs, for seeking special permission to undertake research work.

4. This issues with the approval of competent authority.

Encl: As above

(Banumathi G.)

Deputy Secretary to the Govt. of India
Tel: 011-2436 1813

To

1. All Scientific Coordinators/Nodal Officers of AIs under DBT (As per list attached) – for information please
2. Sr. PPS to SBT/PS to JS(A), DBT.

Copy to

1. The Director(s)/ Executive Director(s)/ CEO of Autonomous Institutes under the Department for compliance.

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No.OI-15013/01/2016-OIA.II.D
Government of India
Ministry of External Affairs
(Overseas Indian Affairs-II Division)

Akbar Bhawan, Chankyapuri
New Delhi
Dated: 29 March, 2017

OFFICE MEMORANDUM

Subject: Prof. S. Ramaswamy, Senior Professor and Dean, Institute for Stem Cell Biology & Regenerative Medicine (inStem), Bangalore and OCI Cardholder – permission to continue appointment – approval - regarding.

Reference Ministry of Home Affairs' O.M. No.26011/39/2009-OCI dated 22.03.2017 addressed to the Deptt. of Biotechnology, New Delhi on the above subject.

2. Since inStem, Bangalore is an autonomous research institution under Deptt. of Biotechnology, appointments in that institution cannot be treated as appointment to posts in connection with the affairs of the Union.
3. This Ministry has, therefore, no objection to the continued appointment of Prof. S. Ramaswamy, a US national and OCI Cardholder, as Senior Professor and Dean in the Institute for Stem Cell Biology & Regenerative Medicine (inStem), Bangalore.
4. Consequently, no special orders of exemption under Section 7B(2) of the Citizenship Act, 1955 are required in this case.



(M. S. Kanyal)
Director (OIA-II)
Tel No. 24197908
Email: diroia2@mea.gov.in

To

✓
Ministry of Science & Technology
Deptt. of Biotechnology
(Shri M. K. Sinha, Under Secretary)
Block-2, 7th Floor, CGO Complex
Lodi Road, New Delhi-110003

Copy to Ministry of Home Affairs, (Shri Pramod Kumar, Under Secretary) Foreigners Division, NDCC-II Building, Jai Singh Road, New Delhi-110001 with reference to their O.M., referred to above.

for SO(AI & PS)

FORM G

Paste photo with a
light background
and No Border
2 inch

2 inch

Application for the Approval of Research Project and Authorization of Visa
(To be submitted in 7 sets)

READ INSTRUCTIONS CAREFULLY. INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

PART - A

1. Name: _____
Surname First Name Middle Name
2. Father's name: _____
(Husband's name in case of married women)
3. Sex: _____
4. Date of birth: _____
- 5 (a) Nationality: _____
- (b) Passport Number: _____
- Place and date of issue: _____
- Period of validity: _____
6. (a) Occupation (Status and Institution): _____
- (b) Present Address: _____
- (c) Permanent Address: _____
7. Accompanying dependants /spouse (names, sex, _____
nationality, date of birth, passport number _____
place and date of issue and period of the validity _____
and occupation to be given) _____
8. Major field of specialisation: _____
9. Source of funding: _____
10. Proposed duration of stay in India: _____

11. Academic training:

College/Universities Year Degrees Earned Major Field

12. Professional employment History (Beginning with the most recent one)

Inclusive Dates Position Institution

13. Publications: _____

14. Proficiency in Indian languages: _____

15. Whether the scholar applied for or undertook _____
any other project in India in the past, and if so _____
the details thereof. Please also indicate whether _____
the present project is in continuation/extension _____
of the earlier project or a separate project. _____

16. Whether the scholar has submitted the same or any other
project for research in India through any agency, if so, indicate.

(a) Title of the project _____

(b) Agency through which applied _____

17. Previous visits to India:

Date of visit Places visited Purpose Category of Visa

PART – B

18. Title of the proposed research project in India: _____

19. Name of Indian Institution/university of affiliation: _____
where the proposed project will be undertaken _____

(Certificate of affiliation from the Institution/University should be enclosed)

20. Major objectives of investigation

21. Problems to be investigated

22. Places to be visited

23. Research methodology to be followed

(Precise information should be given - from Nos.20-23 - and the research project giving the information in detail may be enclosed)

24. Type of data to be collected and sources _____

from which it is to be gathered _____

25. Whether the project will be undertaken individually _____

or some other foreign scholar/Indian scholar _____

will also work. If so, give details (including bio-data) _____

of the other scholar(s) and also a full programme _____

26. Name of Indian Mission/Consulate where visa _____

authorisation is to be sent: _____

Date _____ Signature of the applicant _____

NOTE: Concealment of any material/information or any misstatement is likely to result in the rejection of the application.

CERTIFICATE OF AFFILIATION

This is to certify that Mr/Mrs/Miss _____

(Name in Block Letters)

Nationality _____ at present studying/working at _____

(Name of the University/Organisation in the country of residence)

shall be affiliated as a student/research worker in the department of _____

of this university for undertaking research on _____

(Title of the project)

He/She will be assisted/guided by _____

(Name of Indian research guide)

of the department.

This affiliation does not involve any financial liability on the part of the University/ Organisation/ Institute and is subject to the approval of the above mentioned Research project by the Government of India.

Date: _____

(Signature & official seal of certifying Authority)

NOTE: The certificate should be signed and stamped by the Head of the Institution/Vice Chancellor or Registrar of the University agreeing to affiliated the foreign scholar.

BROCHURE

OVERSEAS CITIZEN OF INDIA (OCI) CARDHOLDER

1. Eligibility criteria:

Following categories of foreign nationals are eligible for registration as Overseas Citizen of India (OCI) Cardholder:-

- (1) Who was a citizen of India at the time of, or at any time after the commencement of the Constitution i.e. 26.01.1950; or
- (2) who was eligible to become a citizen of India on 26.01.1950; or
- (3) who belonged to a territory that became part of India after 15.08.1947; or
- (4) who is a child or a grandchild or a great grandchild of such a citizen; or
- (5) who is a minor child of such persons mentioned above; or
- (6) who is a minor child and whose both parents are citizens of India or one of the parents is a citizen of India; or
- (7) spouse of foreign origin of a citizen of India or spouse of foreign origin of an Overseas Citizen of India Cardholder registered under section 7A of the Citizenship Act, 1955 and whose marriage has been registered and subsisted for a continuous period of not less than two years immediately preceding the presentation of the application.

Note : No person, who or either of whose parents or grandparents or great grandparents is or had been a citizen of Pakistan, Bangladesh or such other country as the Central Government may, by notification in the Official Gazette, specify, shall be eligible for registration as an Overseas Citizen of India Cardholder.

2. Application Form and Procedure:

Applications for registration as OCI Cardholder is to be submitted only on the online system. For this purpose, please log on to <http://ociservices.gov.in>

(A) Documents to be submitted with the application

1. Proof of present citizenship – Copy of present valid passport (applicable in all cases), with validity of minimum 6 months at the time of submission of application.
2. In case application is submitted in India, copy of any type of Visa (other than Missionary Visa and Mountaineering Visa)/ Residential Permit with 3 months validity as on the date of application.

- (4) The applicant may collect the OCI booklet from the concerned Indian Mission/FRRO either in person or through a duly authorized person. However, the condition is that the applicant should be physically present in the country of issuance of OCI cardholder registration booklet when it is collected through an authorized person. If a person is not in a position to travel to the country of issuance of the OCI cardholder registration booklet, he/she could procure it through the concerned Indian Mission/ FRRO of their present place of stay by making a formal request to the office issuing the OCI Cardholder registration booklet.

5. Cancellation of OCI Registration:

If it is found that the registration as an OCI Cardholder was obtained by means of fraud, false representation or concealment of any material fact or the registered OCI Cardholder has shown disaffection towards the Constitution of India or comes under any of the provisions of section 7D of the Citizenship Act, 1955, the registration of such person will not only be cancelled forthwith but he/she will also be blacklisted preventing his/ her future entry into India.

6. Benefits to an OCI Cardholder:

- (i) Multiple entry lifelong visa for visiting India for any purpose (However OCI Cardholders will require a special permission to undertake research work in India for which they may submit the application to the Indian Mission/ Post/ FRRO concerned).
- (ii) Exemption from registration with Foreigners Regional Registration Officer (FRRO) or Foreigners Registration Officer (FRO) for any length of stay in India.
- (iii) Parity with Non-Resident Indians (NRIs) in respect of all facilities available to them in economic, financial, and educational fields **except in matters relating to the acquisition of agricultural or plantation properties.**
- (iv) Registered Overseas Citizen of India Cardholder shall be treated at par with Non-Resident-Indians in the matter of inter-country adoption of Indian children.
- (v) Registered Overseas Citizen of India Cardholder shall be treated at par with resident Indian nationals in the matter of tariffs in air fares in domestic sectors in India.

Department of Personnel and A.R. O.M. No. 9/2/73-Estt.(SCT)
dated the 23rd June, 1975 to all Ministries etc.

Subject :—Reservation in services for Scheduled Castes and Scheduled Tribes—Exemption of scientific and technical posts.

According to the Ministry of Home Affairs O.M. No. 9/2/63-SCT(I), dated 2nd November, 1963 and No. 9/2/63-SCT(I), dated 17th July, 1964 read with O.M. No. 9/4/69-Estt.(SCT), dated 6th October, 1969, 'scientific and technical' posts required for conducting research or for organising, guiding and directing research which satisfy the conditions laid down therein, can be exempted from the purview of the orders relating to reservations for Scheduled Castes and Scheduled Tribes. Under the above orders, exemption in respect of gazetted posts which fulfil conditions laid down in the O.M. referred to above, can be given by the Ministries/Departments themselves after obtaining the orders of the Minister concerned whereas in respect of non-gazetted posts of similar nature, the Department of Personnel & Administrative Reforms is to be consulted before exemption is granted. The question whether reservations should be introduced in respect of the scientific and technical posts which are so exempt from the purview of the reservations for Scheduled Castes and Scheduled Tribes under the existing orders has been under examination in this Department. In partial modification of the instructions referred to above, it has now been decided that the same scheme of reservations for Scheduled Castes and Scheduled Tribes should cover appointments made to scientific and technical posts up to and including the lowest grade of Class I in the respective services wherever they have been hitherto exempt from the purview of the scheme of reservations so far on the ground that the posts were intended for conducting/directing, guiding research work. It has also been decided that the reserved vacancies in scientific and technical posts which would thus be brought within the purview of the scheme of reservations for candidates from Scheduled Castes and Scheduled Tribes need be advertised only once, instead of twice, as prescribed in Ministry of Home Affairs O.M. No. 1/1/70-Estt.(SCT), dated 31-7-70. In the event of non-availability of candidates belonging to the reserved communities, the reserved vacancies may be treated as dereserved by the administrative Ministry/Department concerned without obtaining the approval of the Department of Personnel & Administrative Reforms.

2. To give effect to the decisions mentioned in para 1 above, Ministries/Departments are requested to review the lists of scientific and technical posts under their control which are at present exempt from the purview of the orders relating to reservations for Scheduled Castes and Scheduled Tribes. Only such of the scientific and technical posts as satisfy all the following conditions should hereafter be exempted from the purview of the reservation orders :—

- (i) The posts should be in grades above the lowest grade in Class I of the Service concerned;
- (ii) They should be classified as 'scientific or technical' in terms of Cabinet Secretariat (Department of Cabinet Affairs) O.M. No. 85/11/CF-61(1), dated 28-12-1961; and
- (iii) There should be posts for conducting research or for organising, guiding and directing research.

Orders of the Minister concerned should be obtained before exempting any post satisfying the above conditions from the purview of the scheme of reservations.

3. Exemption, if any, in operation at present, from the purview of the reservation orders in respect of the scientific and technical posts up to and inclusive of the lowest grade of Class I of a service should be treated as cancelled with immediate effect and reservations should be provided for Scheduled Castes and Scheduled Tribes candidates in such posts also with immediate effect. Reserved vacancies in such posts need be advertised only once and not twice as provided in this Department's O.M. No. 1/1/70-Estt.(SCT), dated 31-7-70. In the event of non-availability of candidates belonging to reserved communities, vacancies in such posts may be treated as dereserved by the administrative Ministry/Department concerned and prior approval of this Department will not be necessary in such dereservation. However, the Commissioner for Scheduled Castes and Scheduled Tribes

and this Department should be informed about the dereservation made together with details and reasons necessitating the dereservation.

4. The decisions mentioned in para 1-3 above will not however apply to posts in the Department of Space and in the Department of Electronics and in regard to the recruitment of trainees to the training school under the Department of Atomic Energy. In these Departments, scientific and technical posts for research will continue to be exempt from the purview of the orders regarding reservations for Scheduled Castes and Scheduled Tribes under the orders in MHA OM, dated 2-11-1963, 17-7-1964 and 6-10-1959.

5. Ministry of Finance etc. are requested to bring the above decision to the notice of all authorities under them for appropriate action.

No.36039/1/2019-Estt (Res)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

North Block, New Delhi
dated the 31st January, 2019

OFFICE MEMORANDUM

Subject: Reservation for Economically Weaker Sections (EWSs) in direct recruitment in civil posts and services in the Government of India.

In continuation of this Department's Office Memorandum of even number dated 19.01.2019, the following instructions are issued in consultation with Ministry of Social Justice and Empowerment and Department of Legal Affairs regarding reservation for EWSs not covered under the reservation scheme for SCs/STs/OBCs in respect of direct recruitment in civil posts and services in the Government of India.

2. QUANTUM OF RESERVATION

The persons belonging to EWSs who are not covered under the scheme of reservation for SCs, STs and OBCs shall get 10% reservation in direct recruitment in civil posts and services in the Government of India.

3. EXEMPTION FROM RESERVATION:

3.1 "Scientific and Technical" posts which satisfy all the following conditions can be exempted from the purview of the reservation orders by the Ministries/ Departments:

(i) The posts should be in grades above the lowest grade in Group A of the service concerned.

(ii) They should be classified as "scientific or technical" in terms of Cabinet Secretariat [OM No. 85/11/CF-61(1) dated 28.12.1961], according to which scientific and technical posts for which qualifications in the natural sciences or exact sciences or applied sciences or in technology are prescribed and the incumbents of which have to use that knowledge in the discharge of their duties.

G. Jeyarajan

(iii) The posts should be 'for conducting research' or 'for organizing, guiding and directing research'.

3.2 Orders of the Minister concerned should be obtained before exempting any posts satisfying the above condition from the purview of the scheme of reservation.

4. CRITERIA OF INCOME & ASSETS:

4.1 Persons who are not covered under the scheme of reservation for SCs, STs and OBCs and whose family has gross annual income below **Rs. 8.00 lakh (Rupees eight lakh only)** are to be identified as EWSs for benefit of reservation. Income shall also include income from all sources i.e. salary, agriculture, business, profession, etc. for the financial year prior to the year of application.

Also persons whose family owns or possesses any of the following assets shall be excluded from being identified as EWS, irrespective of the family income:-

- i. 5 acres of agricultural land and above;
- ii. Residential flat of 1000 sq. ft. and above;
- iii. Residential plot of 100 sq. yards and above in notified municipalities;
- iv. Residential plot of 200 sq. yards and above in areas other than the notified municipalities.

4.2. The property held by a "Family" in different locations or different places/cities would be clubbed while applying the land or property holding test to determine EWS status.

4.3 The term "**Family**" for this purpose will include the person who seeks benefit of reservation, his/her parents and siblings below the age of 18 years as also his/her spouse and children below the age of 18 years.

5. INCOME AND ASSET CERTIFICATE ISSUING AUTHORITY AND VERIFICATION OF CERTIFICATE:

5.1 The benefit of reservation under EWS can be availed upon production of an Income and Asset Certificate issued by a Competent Authority. The Income and Asset Certificate issued by any one of the following authorities in the prescribed format as given in **Annexure-I** shall only be accepted as proof of candidate's claim as belonging to EWS: -

- (i) District Magistrate/Additional District Magistrate/ Collector/ Deputy Commissioner/Additional Deputy Commissioner/1st Class Stipendary

G. Jackson

- Magistrate/ Sub-Divisional Magistrate/ Taluka Magistrate/ Executive Magistrate/ Extra Assistant Commissioner
- (ii) Chief Presidency Magistrate/Additional Chief Presidency Magistrate/ Presidency Magistrate
 - (iii) Revenue Officer not below the rank of Tehsildar and
 - (iv) Sub-Divisional Officer or the area where the candidate and/or his family normally resides.

5.2 The Officer who issues the certificate would do the same after carefully verifying all relevant documents following due process as prescribed by the respective State/UT.

5.3 The crucial date for submitting income and asset certificate by the candidate may be treated as the closing date for receipt of application for the post, except in cases where crucial date is fixed otherwise.

5.4 The appointing authorities should, in the offer of appointment to the candidates claiming to be belonging to EWS, include the following clause :-

"The appointment is provisional and is subject to the Income and asset certificate being verified through the proper channels and if the verification reveals that the claim to belong to EWS is fake/false the services will be terminated forthwith without assigning any further reasons and without prejudice to such further action as may be taken under the provisions of the Indian Penal Code for production of fake/false certificate."

The appointing authority should verify the veracity of the Income and asset certificate submitted by the candidate through the certificate issuing authority.

5.5 Instructions referred to above should be strictly followed so that it may not be possible for an unscrupulous person to secure employment on the basis of a false claim and if any person gets an appointment on the basis of such false claim, her/his services shall be terminated invoking the conditions contained in the offer of appointment.

6. EFFECTING RESERVATION - MAINTENANCE OF ROSTERS:

6.1 Department of Personnel and Training had circulated Office Memorandum No.36012/2/96-Estt(Res) dated July 2, 1997 regarding implementation of post based reservation roster. The general principles for making and operating post

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based reservation roster would be as per the principles laid down in the said Office Memorandum.

6.2 Every Government establishment shall now recast group-wise post-based reservation roster register for direct recruitment in accordance with format given in **Annexure II, III, IV and V**, as the case may be, for effecting 10% reservation for EWSs interpolating them with the SCs, STs and OBCs. While fixing roster point, if the EWS roster point coincides with the roster points of SCs/STs/OBCs the next available UR roster point has been allotted to the EWSs and also the principle of "squeezing" has been kept in view. While drawing up the rosters, the cadre controlling authorities may similarly "squeeze" the last points of the roster so as to meet prescribed 10% reservation.

6.3 Where in any recruitment year any vacancy earmarked for EWS cannot be filled up due to non availability of a suitable candidate belonging to EWS, such vacancies for that particular recruitment year shall not be carried forward to the next recruitment year as backlog.

6.4 Persons belonging to EWS selected against the quota for persons with benchmark disabilities/ex-servicemen shall be placed against the roster points earmarked for EWS.

7. ADJUSTMENT AGAINST UNRESERVED VACANCIES:

A person belonging to EWS cannot be denied the right to compete for appointment against an unreserved vacancy. Persons belonging to EWS who are selected on the basis of merit and not on account of reservation are not to be counted towards the quota meant for reservation.

8. FORTNIGHTLY/ANNUAL REPORTS REGARDING REPRESENTATION OF EWS:

The Ministries/Departments shall send single consolidated fortnightly report including their attached/subordinate offices beginning from 15.2.2019 as per format at **Annexure-VI**.

From 01.01.2020, the Ministries/Departments shall upload data on representation of EWSs in respect of posts/services under the Central Government on the URL i.e. www.rrcps.nic.in as on 1st January of every year. All Ministries/Departments have already been provided respective usercode and password with guidelines for operating the URL.

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9. MAINTENANCE OF REGISTER OF COMPLAINTS BY THE GOVERNMENT ESTABLISHMENT:

9.1 Every Government establishment shall appoint a senior officer of the Department as the Grievance Redressal Officer.

9.2 Any person aggrieved with any matter relating to discrimination in employment against any EWS may file a complaint with the Grievance Redressal Officer of the respective Government establishment. The name, designation and contact details of the Grievance Redressal Officer may be displayed prominently on the website and in the office of the concerned establishment.

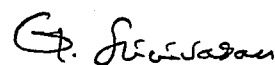
10. LIAISON OFFICER:

Ministries/Departments/Attached and Subordinate Offices shall appoint Liaison Officer to monitor the implementation of reservation for EWSs.

11. The above scheme of reservation will be effective in respect of all direct recruitment vacancies to be notified on or after 01.02.2019.

12. All the Ministries/Departments are requested to bring the above instructions to the notice of all appointing authorities under their control. In case of any difficulty with regard to implementation of the provisions of this OM, the concerned authorities may consult DOP&T through their administrative Ministry/Department.

Encl.: As above.



(G. Srinivasan)

Director

Ph.No.011-23093074

To

- (i) The Secretaries of all Ministries/Departments of the Govt. of India
- (ii) Department of Financial Services, Ministry of Finance, Jeevan Deep Building, Parliament Street, New Delhi
- (iii) Department of Public Enterprises, CGO Complex, Lodhi Road, New Delhi
- (iv) Railway Board, Rail Bhavan, Delhi.

- (v) Supreme Court of India/ Election Commission of India/ Lok Sabha Secretariat/ Rajya Sabha Secretariat/Cabinet Secretariat/Central Vigilance Commission/President's Secretariat/ Prime Minister's Office/NITI Aayog
- (vi) Union Public Service Commission, Dholpur House, Shahjahan Road, New Delhi
- (vii) Staff Selection Commission, CGO Complex, Lodi Road, New Delhi
- (viii) The Secretary, Department of Social Justice and Empowerment, Shastri Bhavan, New Delhi
- (ix) National Commission for Scheduled Castes, Lok Nayak Bhavan, New Delhi
- (x) National Commission for Scheduled Tribes, Lok Nayak Bhavan, New Delhi.
- (xi) National Commission for Backward Classes, Trikot, Bhikaji Cama Place, R.K. Puram, New Delhi.
- (xii) Office of the Comptroller & Auditor General of India, 10, Bahadur Shah Zafar Marg, New Delhi.
- (xiii) Information and Facilitation Centre, DOPT, North Block, New Delhi.
- (xiv) Director, ISTM, Old JNU Campus, Olof Palme Marg, New Delhi-110067.
- (xv) All Officers and Sections in the Ministry of Personnel, Public Grievances and Pensions and all attached/subordinate offices of this Ministry.

Copy to: Director, NIC, DOPT - with the request to immediately place this OM on the website of this Department (what's new tab) for information of all concerned.

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Annexure-I

Government of
(Name & Address of the authority issuing the certificate)

INCOME & ASSEST CERTIFICATE TO BE PRODUCED BY ECONOMICALLY WEAKER SECTIONS

Certificate No. _____

Date: _____

VALID FOR THE YEAR _____

This is to certify that Shri/Smt./Kumari _____ son/daughter/wife of _____ permanent resident of _____, Village/Street _____ Post Office _____ District _____ in the State/Union Territory _____ Pin Code _____ whose photograph is attested below belongs to Economically Weaker Sections, since the gross annual income* of his/her 'family'** is below Rs. 8 lakh (Rupees Eight Lakh only) for the financial year _____. His/her family does not own or possess any of the following assets*** :

- I. 5 acres of agricultural land and above;
- II. Residential flat of 1000 sq. ft. and above;
- III. Residential plot of 100 sq. yards and above in notified municipalities;
- IV. Residential plot of 200 sq. yards and above in areas other than the notified municipalities.

2. Shri/Smt./Kumari _____ belongs to the _____ caste which is not recognized as a Scheduled Caste, Scheduled Tribe and Other Backward Classes (Central List)

Signature with seal of Office _____

Name _____

Designation _____

Recent Passport size
attested photograph of
the applicant

*Note1: Income covered all sources i.e. salary, agriculture, business, profession, etc.

**Note 2: The term "Family" for this purpose include the person, who seeks benefit of reservation, his/her parents and siblings below the age of 18 years as also his/her spouse and children below the age of 18 years

***Note 3: The property held by a "Family" in different locations or different places/cities have been clubbed while applying the land or property holding test to determine EWS status.

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Annexure-II**FOR DIRECT RECRUITMENT**

Model Roster of Reservation with reference to posts for Direct recruitment on All India Basis by Open Competition

Sl. No. of Post	Share of Entitlement				Category for which the posts should be earmarked
	SC @15%	ST @7.5%	OBC @27%	EWS @10%	
1	0.15	0.08	0.27	0.10	UR
2	0.30	0.15	0.54	0.20	UR
3	0.45	0.23	0.81	0.30	UR
4	0.60	0.30	1.08	0.40	OBC-1
5	0.75	0.38	1.35	0.50	UR
6	0.90	0.45	1.62	0.60	UR
7	1.05	0.53	1.89	0.70	SC-1
8	1.20	0.60	2.16	0.80	OBC-2
9	1.35	0.68	2.43	0.90	UR
10	1.50	0.75	2.70	1.00	EWS-1
11	1.65	0.83	2.97	1.10	UR
12	1.80	0.90	3.24	1.20	OBC-3
13	1.95	0.98	3.51	1.30	UR
14	2.10	1.05	3.78	1.40	ST-1
15	2.25	1.13	4.05	1.50	SC-2
16	2.40	1.20	4.32	1.60	OBC-4
17	2.55	1.28	4.59	1.70	UR
18	2.70	1.35	4.86	1.80	UR
19	2.85	1.43	5.13	1.90	OBC-5
20	3.00	1.50	5.40	2.00	SC-3
21	3.15	1.58	5.67	2.10	EWS-2
22	3.30	1.65	5.94	2.20	UR
23	3.45	1.73	6.21	2.30	OBC-6
24	3.60	1.80	6.48	2.40	UR
25	3.75	1.88	6.75	2.50	UR
26	3.90	1.95	7.02	2.60	OBC-7
27	4.05	2.03	7.29	2.70	SC-4
28	4.20	2.10	7.56	2.80	ST-2
29	4.35	2.18	7.83	2.90	UR
30	4.50	2.25	8.10	3.00	OBC-8
31	4.65	2.33	8.37	3.10	EWS-3
32	4.80	2.40	8.64	3.20	UR
33	4.95	2.48	8.91	3.30	UR
34	5.10	2.55	9.18	3.40	OBC-9

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35	5.25	2.63	9.45	3.50	SC-5
36	5.40	2.70	9.72	3.60	UR
37	5.55	2.78	9.99	3.70	UR
38	5.70	2.85	10.26	3.80	OBC-10
39	5.85	2.93	10.53	3.90	UR
40	6.00	3.00	10.80	4.00	ST-3
41	6.15	3.08	11.07	4.10	SC-6
42	6.30	3.15	11.34	4.20	OBC-11
43	6.45	3.23	11.61	4.30	EWS-4
44	6.60	3.30	11.88	4.40	UR
45	6.75	3.38	12.15	4.50	OBC-12
46	6.90	3.45	12.42	4.60	UR
47	7.05	3.53	12.69	4.70	SC-7
48	7.20	3.60	12.96	4.80	UR
49	7.35	3.68	13.23	4.90	OBC-13
50	7.50	3.75	13.50	5.00	EWS-5
51	7.65	3.83	13.77	5.10	UR
52	7.80	3.90	14.04	5.20	OBC-14
53	7.95	3.98	14.31	5.30	UR
54	8.10	4.05	14.58	5.40	SC-8
55	8.25	4.13	14.85	5.50	ST-4
56	8.40	4.20	15.12	5.60	OBC-15
57	8.55	4.28	15.39	5.70	UR
58	8.70	4.35	15.66	5.80	UR
59	8.85	4.43	15.93	5.90	UR
60	9.00	4.50	16.20	6.00	OBC-16
61	9.15	4.58	16.47	6.10	SC-9
62	9.30	4.65	16.74	6.20	EWS-6
63	9.45	4.73	17.01	6.30	OBC-17
64	9.60	4.80	17.28	6.40	UR
65	9.75	4.88	17.55	6.50	UR
66	9.90	4.95	17.82	6.60	UR
67	10.05	5.03	18.09	6.70	OBC-18
68	10.20	5.10	18.36	6.80	SC-10
69	10.35	5.18	18.63	6.90	ST-5
70	10.50	5.25	18.90	7.00	EWS-7
71	10.65	5.33	19.17	7.10	OBC-19
72	10.80	5.40	19.44	7.20	UR
73	10.95	5.48	19.71	7.30	UR
74	11.10	5.55	19.98	7.40	SC-11
75	11.25	5.63	20.25	7.50	OBC-20
76	11.40	5.70	20.52	7.60	UR
77	11.55	5.78	20.79	7.70	UR
78	11.70	5.85	21.06	7.80	OBC-21

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79	11.85	5.93	21.33	7.90	UR
80	12.00	6.00	21.60	8.00	ST-6
81	12.15	6.08	21.87	8.10	SC-12
82	12.30	6.15	22.14	8.20	OBC-22
83	12.45	6.23	22.41	8.30	EWS-8
84	12.60	6.30	22.68	8.40	UR
85	12.75	6.38	22.95	8.50	UR
86	12.90	6.45	23.22	8.60	OBC-23
87	13.05	6.53	23.49	8.70	SC-13
88	13.20	6.60	23.76	8.80	UR
89	13.35	6.68	24.03	8.90	OBC-24
90	13.50	6.75	24.30	9.00	EWS-9
91	13.65	6.83	24.57	9.10	UR
92	13.80	6.90	24.84	9.20	UR
93	13.95	6.98	25.11	9.30	OBC-25
94	14.10	7.05	25.38	9.40	SC-14
95	14.25	7.13	25.65	9.50	ST-7
96	14.40	7.20	25.92	9.60	UR
97	14.55	7.28	26.19	9.70	OBC-26
98	14.70	7.35	26.46	9.80	EWS-10**
99	14.85	7.43	26.73	9.90	SC-15*
100	15.00	7.50	27.00	10.00	OBC-27*
101	15.15	7.58	27.27	10.10	UR
102	15.30	7.65	27.54	10.20	UR
103	15.45	7.73	27.81	10.30	UR
104	15.60	7.80	28.08	10.40	OBC-28
105	15.75	7.88	28.35	10.50	UR
106	15.90	7.95	28.62	10.60	UR
107	16.05	8.03	28.89	10.70	SC-16
108	16.20	8.10	29.16	10.80	ST-8
109	16.35	8.18	29.43	10.90	OBC-29
110	16.50	8.25	29.70	11.00	EWS-11
111	16.65	8.33	29.97	11.10	UR
112	16.80	8.40	30.24	11.20	OBC-30
113	16.95	8.48	30.51	11.30	UR
114	17.10	8.55	30.78	11.40	SC-17
115	17.25	8.63	31.05	11.50	OBC-31
116	17.40	8.70	31.32	11.60	UR
117	17.55	8.78	31.59	11.70	UR
118	17.70	8.85	31.86	11.80	UR
119	17.85	8.93	32.13	11.90	OBC-32
120	18.00	9.00	32.40	12.00	ST-9
121	18.15	9.08	32.67	12.10	SC-18
122	18.30	9.15	32.94	12.20	EWS-12

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123	18.45	9.23	33.21	12.30	OBC-33
124	18.60	9.30	33.48	12.40	UR
125	18.75	9.38	33.75	12.50	UR
126	18.90	9.45	34.02	12.60	OBC-34
127	19.05	9.53	34.29	12.70	SC-19
128	19.20	9.60	34.56	12.80	UR
129	19.35	9.68	34.83	12.90	UR
130	19.50	9.75	35.10	13.00	OBC-35
131	19.65	9.83	35.37	13.10	EWS-13
132	19.80	9.90	35.64	13.20	UR
133	19.95	9.98	35.91	13.30	UR
134	20.10	10.05	36.18	13.40	OBC-36
135	20.25	10.13	36.45	13.50	SC-20
136	20.40	10.20	36.72	13.60	ST-10
137	20.55	10.28	36.99	13.70	UR
138	20.70	10.35	37.26	13.80	OBC-37
139	20.85	10.43	37.53	13.90	UR
140	21.00	10.50	37.80	14.00	SC--21
141	21.15	10.58	38.07	14.10	OBC-38
142	21.30	10.65	38.34	14.20	EWS-14
143	21.45	10.73	38.61	14.30	UR
144	21.60	10.80	38.88	14.40	UR
145	21.75	10.88	39.15	14.50	OBC-39
146	21.90	10.95	39.42	14.60	UR
147	22.05	11.03	39.69	14.70	SC-22
148	22.20	11.10	39.96	14.80	ST-11
149	22.35	11.18	40.23	14.90	OBC-40
150	22.50	11.25	40.50	15.00	EWS-15
151	22.65	11.33	40.77	15.10	UR
152	22.80	11.40	41.04	15.20	OBC-41
153	22.95	11.48	41.31	15.30	UR
154	23.10	11.55	41.58	15.40	SC-23
155	23.25	11.63	41.85	15.50	UR
156	23.40	11.70	42.12	15.60	OBC-42
157	23.55	11.78	42.39	15.70	UR
158	23.70	11.85	42.66	15.80	UR
159	23.85	11.93	42.93	15.90	UR
160	24.00	12.00	43.20	16.00	ST-12
161	24.15	12.08	43.47	16.10	OBC-43
162	24.30	12.15	43.74	16.20	SC-24
163	24.45	12.23	44.01	16.30	OBC-44
164	24.60	12.30	44.28	16.40	EWS-16
165	24.75	12.38	44.55	16.50	UR
166	24.90	12.45	44.82	16.60	UR

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167	25.05	12.53	45.09	16.70	OBC-45
168	25.20	12.60	45.36	16.80	SC-25
169	25.35	12.68	45.63	16.90	UR
170	25.50	12.75	45.90	17.00	EWS-17
171	25.65	12.83	46.17	17.10	OBC-46
172	25.80	12.90	46.44	17.20	UR
173	25.95	12.98	46.71	17.30	UR
174	26.10	13.05	46.98	17.40	SC-26
175	26.25	13.13	47.25	17.50	ST-13
176	26.40	13.20	47.52	17.60	OBC-47
177	26.55	13.28	47.79	17.70	UR
178	26.70	13.35	48.06	17.80	OBC-48
179	26.85	13.43	48.33	17.90	UR
180	27.00	13.50	48.60	18.00	SC-27
181	27.15	13.58	48.87	18.10	EWS-18
182	27.30	13.65	49.14	18.20	OBC-49
183	27.45	13.73	49.41	18.30	UR
184	27.60	13.80	49.68	18.40	UR
185	27.75	13.88	49.95	18.50	UR
186	27.90	13.95	50.22	18.60	OBC-50
187	28.05	14.03	50.49	18.70	SC-28
188	28.20	14.10	50.76	18.80	ST-14
189	28.35	14.18	51.03	18.90	OBC-51
190	28.50	14.25	51.30	19.00	EWS-19
191	28.65	14.33	51.57	19.10	UR
192	28.80	14.40	51.84	19.20	UR
193	28.95	14.48	52.11	19.30	OBC-52
194	29.10	14.55	52.38	19.40	SC-29
195	29.25	14.63	52.65	19.50	UR
196	29.40	14.70	52.92	19.60	EWS-20*
197	29.55	14.78	53.19	19.70	OBC-53
198	29.70	14.85	53.46	19.80	ST-15*
199	29.85	14.93	53.73	19.90	SC-30*
200	30.00	15.00	54.00	20.00	OBC-54*

*/** Squeezing resorted with a view to maintain the prescribed percentage of reservation

G. Sreenivasan

Annexure-III**FOR DIRECT RECRUITMENT ON ALL INDIA BASIS BY OPEN COMPETITION****Model Roster for cadre strength upto 13 posts**

Cadre Strength	Initial Recruitment	Replacement No.												
		1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th
1	UR	UR	UR	OBC	UR	UR	SC	OBC	UR	EWS	UR	OBC	UR	ST
2	UR	UR	OBC	UR	UR	SC	OBC	UR	EWS	UR	OBC	UR	ST	
3	UR	OBC	UR	UR	SC	OBC	UR	EWS	UR	OBC	UR	ST		
4	OBC	UR	UR	SC	OBC	UR	EWS	UR	OBC	UR	ST			
5	UR	UR	SC	OBC	UR	EWS	UR	OBC	UR	ST				
6	UR	SC	OBC	UR	EWS	UR	OBC	UR	ST					
7	SC	OBC	UR	EWS	UR	OBC	UR	ST						
8	OBC	UR	EWS	UR	OBC	UR	ST							
9	UR	EWS	UR	OBC	UR	ST								
10	EWS	UR	OBC	UR	ST									
11	UR	OBC	UR	ST										
12	OBC	UR	ST											
13	UR	ST												

Note:

1. For cadres of 2 to 13 posts the roster is to be read from entry 1 under column Cadre Strength till the last post and then horizontally till the last entry in the horizontal row i.e. like "L"
2. All the posts of a cadre are to be earmarked for the categories shown under column initial recruitment. While initial filling up will be by the earmarked category, the replacement against any of the post in the cadre shall be by rotation as shown horizontally against the last post of the cadre.

G. Srinivasan

Annexure-IV**FOR DIRECT RECRUITMENT**

Model Roster of Reservation with reference to posts for Direct recruitment on All India Basis Otherwise than by Open Competition

Sl. No. of Post	Share of Entitlement				Category for which the posts should be earmarked
	SC @16.66%	ST @7.5%	OBC @25.84%	EWS @10%	
1	0.166	0.075	0.258	0.100	UR
2	0.332	0.150	0.516	0.200	UR
3	0.498	0.225	0.774	0.300	UR
4	0.664	0.300	1.032	0.400	OBC-1
5	0.830	0.375	1.290	0.500	UR
6	0.996	0.450	1.548	0.600	UR
7	1.162	0.525	1.806	0.700	SC-1
8	1.328	0.600	2.064	0.800	OBC-2
9	1.494	0.675	2.322	0.900	UR
10	1.660	0.750	2.580	1.000	EWS-1
11	1.826	0.825	2.838	1.100	UR
12	1.992	0.900	3.096	1.200	OBC-3
13	2.158	0.975	3.354	1.300	SC-2
14	2.324	1.050	3.612	1.400	ST-1
15	2.490	1.125	3.870	1.500	UR
16	2.656	1.200	4.128	1.600	OBC-4
17	2.822	1.275	4.386	1.700	UR
18	2.988	1.350	4.644	1.800	UR
19	3.154	1.425	4.902	1.900	SC-3
20	3.320	1.500	5.160	2.000	OBC-5
21	3.486	1.575	5.418	2.100	EWS-2
22	3.652	1.650	5.676	2.200	UR
23	3.818	1.725	5.934	2.300	UR
24	3.984	1.800	6.192	2.400	OBC-6
25	4.150	1.875	6.450	2.500	SC-4
26	4.316	1.950	6.708	2.600	UR
27	4.482	2.025	6.966	2.700	ST-2
28	4.648	2.100	7.224	2.800	OBC-7
29	4.814	2.175	7.482	2.900	UR
30	4.980	2.250	7.740	3.000	EWS-3

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31	5.146	2.325	7.998	3.100	SC-5
32	5.312	2.400	8.256	3.200	OBC-8
33	5.478	2.475	8.514	3.300	UR
34	5.644	2.550	8.772	3.400	UR
35	5.810	2.625	9.030	3.500	OBC-9
36	5.976	2.700	9.288	3.600	UR
37	6.142	2.775	9.546	3.700	SC-6
38	6.308	2.850	9.804	3.800	UR
39	6.474	2.925	10.062	3.900	OBC-10
40	6.640	3.000	10.320	4.000	ST-3
41	6.806	3.075	10.578	4.100	EWS-4
42	6.972	3.150	10.836	4.200	UR
43	7.138	3.225	11.094	4.300	SC-7
44	7.304	3.300	11.352	4.400	OBC-11
45	7.470	3.375	11.610	4.500	UR
46	7.636	3.450	11.868	4.600	UR
47	7.802	3.525	12.126	4.700	OBC-12
48	7.968	3.600	12.384	4.800	UR
49	8.134	3.675	12.642	4.900	SC-8
50	8.300	3.750	12.900	5.000	EWS-5
51	8.466	3.825	13.158	5.100	OBC-13
52	8.632	3.900	13.416	5.200	UR
53	8.798	3.975	13.674	5.300	UR
54	8.964	4.050	13.932	5.400	ST-4
55	9.130	4.125	14.190	5.500	OBC-14
56	9.296	4.200	14.448	5.600	SC-9
57	9.462	4.275	14.706	5.700	UR
58	9.628	4.350	14.964	5.800	UR
59	9.794	4.425	15.222	5.900	OBC-15
60	9.960	4.500	15.480	6.000	EWS-6
61	10.126	4.575	15.738	6.100	SC-10
62	10.292	4.650	15.996	6.200	UR
63	10.458	4.725	16.254	6.300	OBC-16
64	10.624	4.800	16.512	6.400	UR
65	10.790	4.875	16.770	6.500	UR
66	10.956	4.950	17.028	6.600	OBC-17
67	11.122	5.025	17.286	6.700	SC-11
68	11.288	5.100	17.544	6.800	ST-5
69	11.454	5.175	17.802	6.900	UR
70	11.620	5.250	18.060	7.000	OBC-18
71	11.786	5.325	18.318	7.100	EWS-7

G. J. S. Jagan

72	11.952	5.400	18.576	7.200	UR
73	12.118	5.475	18.834	7.300	SC-12
74	12.284	5.550	19.092	7.400	OBC-19
75	12.450	5.625	19.350	7.500	UR
76	12.616	5.700	19.608	7.600	UR
77	12.782	5.775	19.866	7.700	UR
78	12.948	5.850	20.124	7.800	OBC-20
79	13.114	5.925	20.382	7.900	SC-13
80	13.280	6.000	20.640	8.000	ST-6
81	13.446	6.075	20.898	8.100	EWS-8
82	13.612	6.150	21.156	8.200	OBC-21
83	13.778	6.225	21.414	8.300	UR
84	13.944	6.300	21.672	8.400	UR
85	14.110	6.375	21.930	8.500	SC-14
86	14.276	6.450	22.188	8.600	OBC-22
87	14.442	6.525	22.446	8.700	UR
88	14.608	6.600	22.704	8.800	UR
89	14.774	6.675	22.962	8.900	UR
90	14.940	6.750	23.220	9.000	OBC-23
91	15.106	6.825	23.478	9.100	SC-15
92	15.272	6.900	23.736	9.200	EWS-9
93	15.438	6.975	23.994	9.300	UR
94	15.604	7.050	24.252	9.400	OBC-24
95	15.770	7.125	24.510	9.500	ST-7
96	15.936	7.200	24.768	9.600	UR
97	16.102	7.275	25.026	9.700	SC-16
98	16.268	7.350	25.284	9.800	OBC-25
99	16.434	7.425	25.542	9.900	UR
100	16.600	7.500	25.800	10.000	EWS-10
101	16.766	7.575	26.058	10.100	OBC-26
102	16.932	7.650	26.316	10.200	UR
103	17.098	7.725	26.574	10.300	SC-17
104	17.264	7.800	26.832	10.400	UR
105	17.430	7.875	27.090	10.500	OBC-27
106	17.596	7.950	27.348	10.600	UR
107	17.762	8.025	27.606	10.700	ST-8
108	17.928	8.100	27.864	10.800	UR
109	18.094	8.175	28.122	10.900	OBC-28
110	18.260	8.250	28.380	11.000	SC-18
111	18.426	8.325	28.638	11.100	EWS-11
112	18.592	8.400	28.896	11.200	UR

G. Sivasan

113	18.758	8.475	29.154	11.300	OBC-29
114	18.924	8.550	29.412	11.400	UR
115	19.090	8.625	29.670	11.500	SC-19
116	19.256	8.700	29.928	11.600	EWS-12**
117	19.422	8.775	30.186	11.700	OBC-30
118	19.588	8.850	30.444	11.800	ST-9
119	19.754	8.925	30.702	11.900	SC--20*
120	19.920	9.000	30.960	12.000	OBC-31*

*/** Squeezing resorted with a view to maintain the prescribed percentage of reservation

G. Jaiswal

Annexure-V**FOR DIRECT RECRUITMENT****Roster for Direct Recruitment otherwise than through Open Competition for cadre strength upto 13 posts**

Cadre Strength	Initial Recruitment	Replacement No.												
		1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th
1	UR	UR	UR	OBC	UR	UR	SC	OBC	UR	EWS	UR	OBC	SC	ST
2	UR	UR	OBC	UR	UR	SC	OBC	UR	EWS	UR	OBC	SC	ST	
3	UR	OBC	UR	UR	SC	OBC	UR	EWS	UR	OBC	SC	ST		
4	OBC	UR	UR	SC	OBC	UR	EWS	UR	OBC	SC	ST			
5	UR	UR	SC	OBC	UR	EWS	UR	OBC	SC	ST				
6	UR	SC	OBC	UR	EWS	UR	OBC	SC	ST					
7	SC	OBC	UR	EWS	UR	OBC	SC	ST						
8	OBC	UR	EWS	UR	OBC	SC	ST							
9	UR	EWS	UR	OBC	SC	ST								
10	EWS	UR	OBC	SC	ST									
11	UR	OBC	SC	ST										
12	OBC	SC	ST											
13	SC	ST												

Note:

1. For cadres of 2 to 13 posts the roster is to be read from entry 1 under column Cadre Strength till the last post and then horizontally till the last entry in the horizontal row i.e. like "L"
2. All the posts of a cadre are to be earmarked for the categories shown under column initial recruitment. While initial filling up will be by the earmarked category, the replacement against any of the post in the cadre shall be by rotation as shown horizontally against the last post of the cadre.

G. Sivasan

Annexure-VI

Name of the Ministry/Department:

Report for the fortnight ending	Unfilled vacancies as on 01.02.2019					Vacancies filled up during the fortnight ending					Total vacancies filled up since 01.02.2019				
	SC	ST	OBC	EWS	UR	SC	ST	OBC	EWS	UR	SC	ST	OBC	EWS	UR

Note 1: Single consolidated fortnightly report may be sent in respect of the Ministry/Department and its attached and sub-ordinate offices

Note 2: The first report should begin from 15.02.2019

Note 3: Filled up fortnightly report may be emailed at jsest@nic.in and g.sreenivasan@nic.in

G. Sreenivasan

F. No. 3-25/2020-E.IIIA
Government of India
Ministry of Finance
Department of Expenditure

Dated the 9th December, 2020

Office Memorandum

Subject: Regulation of Remuneration in case of Contract Appointment of Retired Central Government Employees.

The undersigned is directed to say that Ministries/Departments appoint retired Central Government employees on contract basis, including as Consultants on contract basis. However, at present there are no uniform guidelines for regulation of remuneration in such cases.

2. The existing instructions of Department of Personnel and Training, as contained in their Central Civil Services (Fixation of Pay of Re-employed Pensioners) Orders, 1986, as amended from time to time, provide for regulation of pay in case of re-employment. However, the instructions of Department of Personnel & Training as contained in their OM No. 26012/6/2002- Estt (A) dated 9.12.2002 provides that re-employment beyond the age of superannuation of 60 years shall not be permissible. Also, as per their OM No. 3(3)/2016-Estt (Pay II) dated 1.5.2017, the pay plus gross pension on re-employment is not to exceed Rs.2,25,000/-, i.e. Pay Level 17 as applicable to an officer of the level of Secretary to the Government of India.

3. Aforementioned instructions of Department of Personnel & Training on pay fixation in case of re-employment apply only to persons appointed on re-employment. These are not applicable to persons employed on contract basis except where the contract provides otherwise. Accordingly, in cases of appointment of retired Central Government employees on contract basis after the age of superannuation at 60 years, the instructions on pay fixation on re-employment will not directly apply.

4. Department of Personnel & Training has also informed that they are in the process of drafting a Note for Committee of Secretaries (CoS) regarding guidelines for engagement of retired Government servants as Consultant in Government Ministries and Department. In view of this, till Department of Personnel and Training finalizes their guidelines, there is a need to regulate remuneration in such cases of contract appointment of retired Central Government employees on a uniform basis. The matter has, therefore, been considered and it has been decided that regulation of remuneration in case of appointment of retired Central Government employees on contract basis, including as consultants, shall be regulated as provided hereinafter.



5. At the outset, such appointments shall not be made as a matter of practice and must be kept at a bare minimum. Such appointments may be made only in the justified exigencies of the official work where public interest is served by appointment of the retired employee. While making such appointments, adequate functional necessity with clear grounds must be placed before the appointing authority.

6. Remuneration

6.1 A fixed monthly amount shall be admissible, arrived at by deducting the basic pension from the pay drawn at the time of retirement. The amount of remuneration so fixed shall remain unchanged for the term of the contract. There will be no annual increment / percentage increase during the contract period.

Example

An employee retired in the Pay Level 13 and the pay at the time of retirement was Rs. 1,55,900. Thus, the basic pension will be Rs. 77,950. If the employee is appointed on contract basis, including as Consultant, the remuneration shall be fixed at Rs.77,950 (1,55,900-77950).

6.2 The basic pension to be deducted from the last pay drawn shall be the pension as fixed at the time of retirement and as such, if the employee has availed of the commuted value of pension, the commuted portion of pension shall also be included in the portion of pension to be deducted. Thus, in the above example, if 40% of pension was commuted, the commuted portion shall be Rs. 31,180 (40% of 77,950) and the pension actually drawn shall be Rs. 46,770. However, the amount of pension to be deducted from the last salary shall be Rs 77,950.

6.3 No Increment and Dearness Allowance shall be allowed during the term of the contract.

7. Allowances

7.1 House Rent Allowances

No HRA shall be admissible.

7.2 Transport Allowance

An appropriate and fixed amount as Transport Allowance for the purpose of commuting between the residence and the place of work shall be allowed not exceeding the rate applicable to the appointee at the time of retirement. The amount so fixed shall remain unchanged during the term of appointment. However, retired employees engaged as consultants may be allowed TA/DA on official tour, if any, as per their entitlement at the time of retirement.



7.3 **Leave of absence**

Paid leave of absence may be allowed at the rate of 1.5 days for each completed month of service. Accumulation of leave beyond a calendar year may not be allowed.

8. **Term of Appointment**

8.1 The term of appointment shall ordinarily be for an initial period not exceeding one year which is extendable by another one year. Beyond two years after the age of superannuation where adequate justification exists, the term may be extended based on a review of the task and the performance of the contract appointee, provided it shall not be extended beyond 5 years after superannuation.

8.2 The consultant shall sign an agreement of confidentiality with the Government of India containing a clause on Ethics and Integrity.

9. **Exemptions**

The terms of appointment provided for in these orders shall not apply to cases and to the extent where the Appointments Committee of Cabinet has allowed special terms OR where special provisions have been allowed with the approval of the Department of Personnel & Training OR Department of Expenditure.

10. These orders shall apply to appointments made in the Central Government and shall be effective from the date of issue of the orders, until further orders or until instructions are issued by DoPT regulating remuneration of retired Government employees on their engagement as consultants. The past cases shall not be reopened in the light of these orders until the normal term of those past cases. Any relaxation of the above will be required to be referred to Department of Expenditure.

(B.K.Manthan)
Deputy Secretary

To,

All the Ministries and Departments of the Government of India as per the standard list.

No.21/5/2017-E.II(B)
Government of India
Ministry of Finance
Department of Expenditure

New Delhi, dated the 7th July 2017.

OFFICE MEMORANDUM

Subject:- Implementation of the recommendations of the 7th Central Pay Commission relating to grant of Transport Allowance to Central Government employees.

Consequent upon the decision taken by the Government on the recommendations of the Seventh Central Pay Commission, the President, is pleased to decide that Transport Allowance shall be admissible to Central Government employees at the following rates:-

Employees drawing pay in Pay Level	Rates of Transport Allowance per month	
	Employees posted in the Cities as per Annexure	Employees posted at all Other Places
9 and above	Rs. 7200 + DA thereon	Rs.3600+ DA thereon
3 to 8	Rs. 3600 + DA thereon	Rs.1800+ DA thereon
1 and 2	Rs.1350 + DA thereon	Rs.900 + DA thereon

2. The grant of Transport Allowance shall be subject to the following conditions:-

- (i) The allowance shall not be admissible to those employees who have been provided with the facility of Government transport.
- (ii) In respect of those employees who opt to continue in their pre-revised Pay-structure/Pay Scales, the corresponding Level in the Pay Matrix of the post occupied on 01.01.2016 as indicated in CCS (Revised Pay) Rules, 2016 would determine the allowance under these orders.
- (iii) Physically disabled employees as mentioned in DoE O.M. No. 19029/1/78-E.IV(B) dated 31.08.1978 and subsequent orders in respect of the categories viz. visually impaired, orthopaedically handicapped, deaf and dumb/hearing impaired, spinal deformity, shall continue to be paid Transport Allowance at double the normal rates, subject to fulfilment of the stipulated conditions, which shall, in no case, be less than Rs.2250/- p.m. plus applicable rates of Dearness Allowance
- (iv) Officers drawing pay in Levels 14 and above in the Pay Matrix, who are entitled to the use of official car in terms of Department of Expenditure's O.M. No.20(5)-E.II(A)/93 dated 28.01.1994, shall be given the option to avail the official car facility or to draw Transport Allowance at the rates of Rs.15,750/- p.m. plus Dearness Allowance thereon. Before, allowing Transport Allowance @ Rs.15,750/- plus D.A. thereon, the option exercised by an officer will be examined by the administrative Ministry and his/her entitlement to the use of official car in terms of the O.M. dated 28.01.1994 ibid will require to be certified by the competent authority. In case, an officer opts to draw Transport Allowance @ Rs.15,750/- p.m. plus D.A. thereon, he/she will not be allowed to change his/her option during the remaining period of his/her current assignment.

3. Admissibility of Transport Allowance during the following circumstances:-

- (a) During leave: The allowance will not be admissible for the calendar month(s) wholly covered by leave.
- (b) During deputation abroad: The allowance will not be admissible during the period of deputation abroad.
- (c) During tour.: If an employee is absent from the Headquarters/Place of Posting for full calendar month(s) due to tour, he/she will not be entitled to Transport Allowance during that/those calendar month/months. However, If the absence does not cover any calendar month(s) in full, Transport Allowance will be admissible for full month.
- (d) During training treated as duty: The allowance may be granted during such training, if no Transport Facility/Travelling Allowance/Daily Allowance is provided for attending the training institute. During official tour in the training course, the allowance will not be admissible when the period of the tour covers the whole calendar month. Also, during training abroad, no Transport Allowance will be admissible when the period of such training covers the whole calendar month.

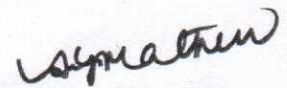
- (e) During inspection/survey duty by Members of Special Parties within the city but exceeding 8 kms. from the Headquarters OR during continuous field duty either in or outside the Headquarters: Transport Allowance is given to compensate for the expenditure incurred for commuting for both to and from between the place of duty and residence. In case when one gets Road Mileage/Daily Allowance or free transportation for field/inspection/survey duty or tour for a period covering the whole calendar month, he/she will not be entitled to Transport Allowance during that calendar month.
- (f) To vacation staff : Vacation staff is entitled to Transport Allowance provided no free transport facility is given to such staff. However, the allowance shall not be admissible when such vacation spell, including all kinds of leave, cover the whole calendar month(s).
- (g) During suspension: As a Government employee under suspension is not required to attend office, he/she is not entitled to Transport Allowance during suspension where suspension covers full calendar month(s). This position will hold good even if the suspension period is finally treated as duty. Where suspension period covers a calendar month partially, Transport Allowance payable for that month shall be reduced proportionately.

4. These orders shall be effective from 1st July, 2017.

5. These orders will apply to all civilian employees of the Central Government. The orders will also apply to the civilian employees paid from the Defence Service Estimates. In respect of the Armed Forces Personnel and Railway employees, separate orders will be issued by the Ministry of Defence and Ministry of Railways, respectively.

6. In so far as the persons serving in the Indian Audit and Accounts Department are concerned, these orders issue in consultation with the Comptroller & Auditor General of India.

Hindi version is attached.



(Annie George Mathew)

Joint Secretary to the Government of India

To

All Ministries and Departments of the Govt. of India as per standard distribution list.

Copy to C&AG and U.P.S.C., etc. as per standard endorsement list.

LIST OF CITIES/TOWNS ELIGIBLE FOR HIGHER RATES OF TRANSPORT ALLOWANCE ON RE-CLASSIFICATION OF CITIES/TOWNS AS PER CENSUS-2011 (w.e.f 01.04.2015)

S. No.	NAME OF THE STATES/ UNION TERRITORIES	NAME OF THE CITY/TOWN
1.	ANDAMAN & NICOBAR ISLANDS	---
2.	ANDHRA PRADESH/ TELANGANA	Hyderabad (UA)
3.	ARUNACHAL PRADESH	---
4.	ASSAM	---
5.	BIHAR	Patna (UA)
6.	CHANDIGARH	---
7.	CHHATTISGARH	---
8.	DADRA & NAGAR HAVELI	---
9.	DAMAN & DIU	---
10.	DELHI	Delhi (UA)
11.	GOA	---
12.	GUJARAT	Ahmadabad (UA), Surat (UA)
13.	HARYANA	---
14.	HIMACHAL PRADESH	---
15.	JAMMU & KASHMIR	---
16.	JHARKHAND	---
17.	KARNATAKA	Bengalore / Bengaluru (UA)
18.	KERALA	Kochi (UA), Kozhikode (UA)
19.	LAKSHADWEEP	----
20.	MADHYA PRADESH	Indore (UA)
21.	MAHARASHTRA	Greater Mumbai (UA); Nagpur (UA); Pune (UA)
22.	MANIPUR	---
23.	MEGHALAYA	---
24.	MIZORAM	---
25.	NAGALAND	---
26.	ODISHA	---
27.	PUDUCHERRY/ PONDICHERRY	---
28.	PUNJAB	---
29.	RAJASTHAN	Jaipur (UA)
30.	SIKKIM	---
31.	TAMIL NADU	Chennai (UA), Coimbatore (UA)
32.	TRIPURA	---
33.	UTTAR PRADESH	Ghaziabad (UA), Kanpur (UA), Lucknow (UA)
34.	UTTARAKHAND	---
35.	WEST BENGAL	Kolkata(UA)

No. 2/5/2017-E.II(B)
Government of India
Ministry of Finance
Department of Expenditure

New Delhi, 7th July, 2017.

OFFICE MEMORANDUM

Subject:- Implementation of recommendations of the Seventh Central Pay Commission relating to grant of House Rent Allowance (HRA) to Central Government employees.

Consequent upon the decision taken by the Government on the recommendations of the Seventh Central Pay Commission, the President is pleased to decide that, in modification of this Ministry's O.M. No.2(37)-E.II(B)/64 dated 27.11.1965 as amended from time to time, O.M. No.2(13)/2008-E.II(B) dated 29.08.2008 and O.M. No.2/5/2014-E.II(B) dated 21.07.2015, the admissibility of House Rent Allowance (HRA) shall be as under:-

Classification of Cities/Towns	Rate of House Rent Allowance per month as a percentage of Basic Pay only
X	24 %
Y	16 %
Z	8%

2. The rates of HRA will not be less than Rs.5400/-, 3600/- & 1800/- at X, Y & Z class cities respectively.
3. The rates of HRA will be revised to 27% 18% & 9% for X, Y & Z class cities respectively when Dearness Allowance (DA) crosses 25% and further revised to 30%, 20% & 10% when DA crosses 50%.
4. The term "basic pay" in the revised pay structure means the pay drawn in the prescribed pay levels in the Pay Matrix and does not include Non-Practising Allowance (NPA), Military Service Pay (MSP), etc. or any other type of pay like special pay, etc.
5. The list of cities classified as 'X', 'Y' and 'Z' vide DoE's O.M. No.2/5/2014-E.II(B) dated 21.07.2015, for the purpose of grant of House Rent Allowance is enclosed as Annexure to these orders.
6. Special orders on continuance of HRA at Delhi ("X" class city) rates to Central Government employees posted at Faridabad, Ghaziabad, NOIDA and Gurgaon, at Jalandhar ("Y" class city) rates to Jalandhar Cantt., at "Y" class city rates to Shillong, Goa & Port Blair and HRA at par with Chandigarh ("Y" class city) to Panchkula, S.A.S. Nagar (Mohali) which have been allowed to continue vide Para '4' of this Ministry's O.M. No.2/5/2014-E.II(B) dated 21.07.2015 and O.M. No. 2/2/2016-E.II(B) dated 03.02.2017, shall continue till further orders.
7. All other conditions governing grant of HRA under existing orders, shall continue to apply.
8. These orders shall be effective from 1st July, 2017.
9. The orders will apply to all civilian employees of the Central Government. The orders will also be applicable to the civilian employees paid from the Defence Services Estimates. In respect of Armed Forces personnel and Railway employees, separate orders will be issued by the Ministry of Defence and the Ministry of Railways, respectively.
10. In so far as the persons serving in the Indian Audit and Accounts Department are concerned, these orders issue in consultation with the Comptroller & Auditor General of India.

Hindi version is attached.



(Annie George Mathew)
Joint Secretary to the Government of India

To

All Ministries and Departments of the Govt. of India etc. as per standard distribution list.

Copy to: C&AG and U.P.S.C., etc. as per standard endorsement list.

To O.M. No.2/5/2017-E.II(B) dated 07.07.2017.

**LIST OF CITIES/TOWNS CLASSIFIED FOR GRANT OF
HOUSE RENT ALLOWANCE TO CENTRAL GOVERNMENT EMPLOYEES**

Sl. No.	STATES/ UNION TERRITORIES	CITIES CLASSIFIED AS "X"	CITIES CLASSIFIED AS "Y"
1.	ANDAMAN & NICOBAR ISLANDS	—	—
2.	ANDHRA PRADESH/ TELANGANA	Hyderabad (UA)	Vijayawada (UA), Warangal (UA), Greater Visakhapatnam (M.Corpn.), Guntur (UA), Nellore (UA)
3.	ARUNACHAL PRADESH	—	—
4.	ASSAM	---	Guwahati (UA)
5.	BIHAR	---	Patna (UA)
6.	CHANDIGARH	---	Chandigarh (UA)
7.	CHHATTISGARH	—	Durg-Bhilai Nagar (UA), Raipur (UA)
8.	DADRA & NAGAR HAVELI	—	—
9.	DAMAN & DIU	---	---
10.	DELHI	Delhi (UA)	
11.	GOA	---	---
12.	GUJARAT	Ahmadabad (UA)	Rajkot (UA), Jamnagar (UA), Bhavnagar (UA), Vadodara (UA), Surat (UA)
13.	HARYANA	---	Faridabad*(M.Corpn.), Gurgaon*(UA)
14.	HIMACHAL PRADESH	---	---
15.	JAMMU & KASHMIR	---	Srinagar (UA), Jammu (UA)
16.	JHARKHAND	—	Jamshedpur (UA), Dhanbad (UA), Ranchi (UA), Bokaro Steel City (UA)
17.	KARNATAKA	Bengalore/Bengaluru (UA)	Belgaum (UA), Hubli-Dharwad (M.Corpn.), Mangalore (UA), Mysore (UA), Gulbarga (UA)
18.	KERALA	—	Kozhikode (UA), Kochi (UA), Thiruvananthapuram (UA), Thrissur (UA), Malappuram (UA), Kannur (UA), Kollam (UA)
19.	LAKSHADWEEP	---	---
20.	MADHYA PRADESH	—	Gwalior (UA), Indore (UA), Bhopal (UA), Jabalpur (UA), Ujjain (M. Corpn.)

Sl. No.	STATES/ UNION TERRITORIES	CITIES CLASSIFIED AS "X"	CITIES CLASSIFIED AS "Y"
21.	MAHARASHTRA	Greater Mumbai (UA), Pune (UA)	Amravati (M.Corpn.), Nagpur (UA), Aurangabad (UA), Nashik (UA), Bhiwandi (UA), Solapur (M.Corpn.), Kolhapur (UA), Vasai-Virar City (M. Corpn.), Malegaon (UA), Nanded-Waghala (M. Corpn.), Sangli (UA)
22.	MANIPUR	---	---
23.	MEGHALAYA	---	---
24.	MIZORAM	---	---
25.	NAGALAND	---	---
26.	ODISHA	---	Cuttack (UA), Bhubaneswar (UA), Raurkela (UA)
27.	PUDUCHERRY (PONDICHERRY)	---	Puducherry/Pondicherry (UA)
28.	PUNJAB	---	Amritsar (UA), Jalandhar (UA), Ludhiana (M. Coprn.)
29.	RAJASTHAN	---	Bikaner (M.Corpn.), Jaipur (M.Corpn.), Jodhpur (UA), Kota (M.Corpn.), Ajmer (UA)
30.	SIKKIM	---	---
31.	TAMIL NADU	Chennai (UA)	Salem (UA), Tiruppur (UA), Coimbatore (UA), Tiruchirappalli (UA), Madurai (UA), Erode (UA)
32.	TRIPURA	---	---
33.	UTTAR PRADESH	---	Moradabad (M.Corpn.), Meerut (UA), Ghaziabad*(UA), Aligarh(UA), Agra (UA), Bareilly (UA), Lucknow (UA), Kanpur (UA), Allahabad (UA), Gorakhpur (UA), Varanasi (UA), Saharanpur (M.Corpn.), Noida* (CT), Firozabad (NPP), Jhansi (UA)
34.	UTTARAKHAND	---	Dehradun (UA)
35.	WEST BENGAL	Kolkata (UA)	Asansol (UA), Siliguri (UA), Durgapur (UA)

* Only for the purpose of extending HRA on the basis of dependency.

NOTE

The remaining cities/towns in various States/UTs which are not covered by classification as "X" or "Y", are classified as "Z" for the purpose of HRA.

No.4/3/2017-Estt(Pay-I)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

List of earlier OMs on the
subject
DoE's OM No.F.2(78)-
E.III(A)63 dated 02.02.1966

DoP&T's OM No.4/7/92-
Estt(Pay-I) dated 04.11.1993

North Block, New Delhi,
Dated the...²⁶ October, 2018

OFFICE MEMORANDUM

Subject:- Stepping up of pay-Consolidated guidelines-reg.

The undersigned is directed to say that the issue of anomaly relating to senior Government employees drawing less pay than their juniors due to application of provisions of FR 22(I)(a)(1) is considered on merits for allowing stepping up pay of the seniors so as to bring it at par with that of the junior in accordance with the guidelines scattered in various OMs noted in the margin. A need has been felt to consolidate guidelines on stepping up of pay at one place keeping in view the provisions of the Central Civil Services (Revised Pay) Rules, 2016, [in short CCS(RP)Rules, 2016] as the frequent references on such issues continue to be received in this Department.

2. Consequent upon implementation of CCS(RP)Rules, 2016, the President is pleased to decide the following:

(i) In order to remove the anomaly of a Government servant promoted or appointed to a higher post on or after 1-1-2016 drawing lower pay in that post than another Government servant junior to him in the lower grade and promoted or appointed subsequently to another identical post, the pay of the senior Government servant in the higher post should be stepped up to a figure equal to the pay as fixed for the junior Government servant in that higher post. The stepping up should be done with effect from the date of promotion or appointment of the junior Government servant and will be subject to the following conditions, namely:

- (a) both the junior and the senior Government servants should belong to the same cadre and the posts in which they have been promoted are identical in the same cadre;
- (b) the Level in the Pay Matrix of the lower and higher posts in which they are entitled to draw pay should be identical;

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(c) the anomaly is directly as a result of the application of the provisions of Fundamental Rule 22(I)(a)(1) read with Rule 13 of CCS(RP)Rules, 2016. For example, if the junior officer was drawing more pay in the existing pay structure than the senior by virtue of any advance increments granted to him, the provisions of this sub-rule should not be invoked to step up the pay of the senior officer.

(ii) The order relating to re-fixation of the pay of the senior officer in accordance with clause (i) shall be issued under Fundamental Rule 27 and the senior officer shall be entitled to the next increment on completion of his required qualifying service with effect from the date of re-fixation of pay.

3. The following instances/events wherein juniors draw more pay than seniors, do not constitute anomaly and, therefore, stepping up of pay will not be admissible in such events:

- (a) Where a senior proceeds on Extra Ordinary Leave which results in postponement of his Date of Next Increment in the lower post and consequently he starts drawing less pay than his junior in the lower grade itself. He, therefore, cannot claim pay parity on promotion even though he may be promoted earlier to the higher grade than his junior(s);
- (b) If a senior forgoes/refuses promotion leading to his junior being promoted/appointed to the higher post earlier and the junior draws higher pay than the senior.
- (c) If the senior is on deputation while junior avails of the ad-hoc promotion in the cadre, the increased pay drawn by the junior due to ad-hoc/officiating and/or regular promotion following such ad-hoc promotion in the higher posts vis-à-vis senior, is not an anomaly in strict sense of the term;
- (d) If a senior joins the higher post later than the junior, for whatsoever reasons, whereby he starts drawing less pay than the junior. In such cases, senior cannot claim stepping up of pay at par with that of his junior.
- (e) If a senior is appointed later than the junior in the lower post itself whereby he is in receipt of lesser pay than the junior, in such cases also the senior cannot claim pay parity in the higher post if he draws

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less pay than his junior though he may have been promoted earlier to the higher post.

- (f) Where an employee is promoted from lower post to a higher post, his pay is fixed with reference to the pay drawn by him in the lower post under FR22(I)(a)(1) read with Rule 13 of CCS(RP)Rules, 2016 and due to his longer length of service in the lower grade, his pay may get fixed at a higher stage than that of a senior direct recruit appointed to the same higher grade and whose pay is fixed under different set of rules. For example a Senior Secretariat Assistant (SSA) on promotion to the post of Assistant Section Officer (ASO) gets his pay fixed under FR 22(I)(a)(1) with reference to the pay drawn in the post of SSA, whereas the pay of ASO(DR) is fixed under Rule 8 of CCS(RP)Rules, 2016 at the minimum pay or the first Cell in the Level, applicable to ASO to which he is appointed. In such a case, the senior ASO (DR) cannot claim pay parity with that of the promotee junior ASO.
- (g) Where a senior is appointed in higher post on ad-hoc basis and is drawing less pay than his junior who is appointed in the same cadre and in same post on ad-hoc basis subsequently, the senior cannot claim pay parity with reference to the pay of that junior since the ad-hoc officiating service in higher post is reversible and also since full benefits of FR22(I)(a)(I) are not available on ad-hoc promotion but only on regular promotion following such ad-hoc promotion without break.
- (h) Where a junior gets more pay due to additional increments earned on acquiring higher qualifications.

Note: The above instances/events are only illustrative and not exhaustive.

4. These orders shall be in supersession of D/o Expenditure's OM No.F.2(78)-E.III(A)63 dated 2nd February, 1966 and DOP&T's OM No.4/7/92-Estt(Pay-I) dated 4th November, 1993.

5. This OM is effective from 01.01.2016.

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

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26/11/18

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7. Hindi version will follow.

R Bahree
26/X/18

(Rajeev Bahree)

Under Secretary to the Government of India.

To

1. All Ministries / Departments of Government of India.
2. NIC, DO&PT – with a request to upload this OM on the Department's website under OMs & Orders (Establishment → Pay Rules) and also under "What is New".

Copy also forwarded to:

1. Office of Comptroller & Auditor General of India
2. Secretary General, Supreme Court of India, Secretaries to Union Public Service Commission /Lok Sabha Sectt./Rajya Sabha Sectt./Cabinet Sectt./Central Vigilance Commission/ President's Sectt./Vice-President's Sectt./Prime Minister's Office / Niti Ayog.
3. Controller General of Accounts, Ministry of Finance.
4. Department of Personnel and Training (AIS Division) / JCA /Admn. Section.
5. Governors of all States/Lt. Governors of all Union Territories.
6. Secretary, National Council of JCM (Staff Side), 13-C, Feroz Shah Road, New Delhi.
7. All Members of Staff Side of the National Council of JCM / Departmental Council
8. All Officers/Sections of DoPT/Deptt. Of Administrative Reforms & Public Grievances/Department of Pensions & Pensioners Welfare/ PESB.
9. Joint Secretary (Pers), Ministry of Finance, D/o Expenditure.
10. Additional Secretary(Union Territories), Ministry of Home Affairs

R Bahree
26/X/18

(Rajeev Bahree)

Under Secretary to the Government of India

9. वित्त मंत्रालय अधिसूचना सं.1(9)-ई-III(ए)/74, तारीख 30.10.1974;
10. गृह मंत्रालय अधिसूचना सं.1(6)- पी.यू.आई/79 तारीख 23.11.1979;
11. कार्मिक और प्रशासनिक सुधार विभाग अधिसूचना सं.एफ-1(8)-पी.यू.आई/80 तारीख 29.01.1981;
12. गृह मंत्रालय अधिसूचना सं.1/9/79-स्था. (वेतन-1), तारीख 06.10.1983;
13. गृह मंत्रालय अधिसूचना सं.13/5/84-स्था. (वेतन-1), तारीख 17.08.1984;
14. कार्मिक और प्रशिक्षण विभाग अधिसूचना 13/5/84-स्था.(वेतन-1), तारीख 24.9.1985;
15. कार्मिक और प्रशिक्षण विभाग अधिसूचना सं.11/1/85-स्था.(वेतन-1), तारीख 24.04.1986; तथा
16. कार्मिक और प्रशिक्षण विभाग अधिसूचना सं. 1/10/89-स्था.(वेतन-1), तारीख 30.08.1989.

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Personnel and Training)

New Delhi, the 19th November, 2018

G.S.R.370.— In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution and after consultation with the Comptroller and Auditor General of India in relation to the persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules further to amend the Fundamental Rules, 1922, namely:-

1. (1) These rules may be called the Fundamental (Amendment) Rules, 2018.
- (2) They shall come into force on the date of their publication in the Official Gazette.
2. In the Fundamental Rules, 1922, in rule 22, in sub-rule (I), in clause (a), for sub-clause (1), the following sub-clause shall be substituted, namely:-

“(1) where a Government servant holding a post, other than a tenure post, in a substantive or temporary or officiating capacity is promoted or appointed in a substantive, temporary or officiating capacity, as the case may be, subject to the fulfillment of the eligibility conditions as prescribed in the relevant Recruitment Rules, to another post carrying duties and responsibilities of greater importance than those attaching to the post held by him, his initial pay in the time-scale shall be fixed by giving one increment in the level from which the Government servant is promoted and he or she shall be placed at a cell equal to the figure so arrived at in the level of the post to which promoted or appointed and if no such cell is available in the level to which promoted or appointed, he shall be placed at the next higher cell in that level.

Save in cases of appointment on deputation to an *ex cadre* post, or to a post on *ad hoc* basis or on direct recruitment basis, the Government servant shall have the option, to be exercised within one month from the date of promotion or appointment, as the case may be, to have the pay fixed under this rule from the date of such promotion or appointment or to have the pay fixed initially at the next higher cell in the level of the post to which he or she is promoted on regular basis and subsequently, on the date of accrual of next increment in the level of the post from which Government Servant is promoted, his pay shall be re-fixed and two increments (one accrued on account of annual increment and the second accrued on account of promotion) shall be granted in the level from which the Government Servant is promoted and he or she shall be placed, at a cell equal to the figure so

arrived, in the level of the post to which he or she is promoted; and if no such cell is available in the level to which he or she is promoted, he or she shall be placed at the next higher cell in that level.

In cases where an *ad hoc* promotion is followed by regular appointment without break, the option is admissible from the date of initial appointment or promotion, to be exercised within one month from the date of such regular appointment.

In cases where an officer has retired as *ad hoc* before being regularised to that post and later on has been assessed during the process of regularisation and found fit by the competent authority along with his or her juniors, who are still in service and are eligible to avail of the option facility from a date on which the retired employee was still in service, the same option facility shall also be extended to the retired employee, to be exercised within three months from the date when his or her junior became eligible to avail of option facility and in cases where such retired employee was himself the junior most, he or she may exercise the option facility within three months from the date when his or her immediate senior became eligible to avail of option facility:

Provided that where a Government servant is, immediately before his promotion or appointment on regular basis to a higher post, drawing pay at the maximum of the level of the lower post, his initial pay in the level of the higher post shall be fixed at the cell equal to the figure so arrived at in the level of the post to which promoted or appointed by increasing his pay in respect of the lower post held by him on regular basis by an amount equal to the last increment in the level of the lower post and if no such cell is available in the level to which he is promoted or appointed, he shall be placed at the next higher cell in that level."

[F.No. 13/1/2017-Estt.(Pay-I)]

RAJEEV BAHREE, Under Secy.

Note: The Fundamental Rules came into force from 1st January, 1922 and these rules were amended earlier as per details below:-

1. Ministry of Finance Notification No.2(9)-E.III/61 dated 01.02.1963;
2. Ministry of Finance Notification No.1(1)-E.III(A)/65 dated 20.02.1965;
3. Ministry of Finance Notification No.1(25)-E.III(a)/64 dated 30.11.1965;
4. Ministry of Finance Notification No. F.I(25)-E.III(A)/64 dated 01.10.1966;
5. Ministry of Finance Notification No. 1(3)-E.III(a)/64-Pt.II dated 18.07.1967;
6. Ministry of Finance Notification No. 1(6)-E.III(A)/68 dated 26.04.1968;
7. Ministry of Finance Notification No. 1(25)-E.III(A)/64 dated 27.05.1970;
8. Ministry of Finance Notification No. 18(13)-E.IV(A)/70 dated 29.01.1971;
9. Ministry of Finance Notification No. 1(9)-E.III(A)/74 dated 30.10.1974;
10. Ministry of Home Affairs Notification No. 1(6)-P.U.I/79 dated 23.11.1979;
11. Department of Personnel and Administrative Reforms Notification No. F. 1(8)-P.U.I/80 dated 29.01.1981;
12. Ministry of Home Affairs Notification No.1/9/79-Estt.(Pay-I) dated 06.10.1983;
13. Ministry of Home Affairs Notification No.13/5/84-Estt.(Pay-I) dated 17.08.1984;
14. Department of Personnel and Training Notification No. 13/5/84-Estt.(Pay-I) dated 24.09.1985;
15. Department of Personnel and Training Notification No. 11/1/85-Estt.(Pay-I) dated 24.04.1986; and
16. Department of Personnel and Training Notification No. 1/10/89-Estt.(Pay-I) dated 30.08.1989.

No.A-27012/02/2017-Estt.(AL)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel & Training

Block-IV, Old JNU Campus, New Delhi

Dated: 16th July 2018

Office Memorandum

17th

Subject: Recommendations of the Seventh Central Pay Commission –Implementation of decisions relating to the grant of Children Education Allowance (CEA) and Hostel Subsidy – Consolidated instructions –

Consequent upon the decisions taken by the Government to implement the recommendations made by the VII Central Pay Commission, this Department has issued an OM of even number dated 16-8-2017 revising the rates of CEA/Hostel Subsidy and simplifying the procedure for claiming reimbursement of the same. However this Department has been receiving various queries regarding CEA/Hostel Subsidy especially with regard to the applicability of various provision/instructions issued during sixth CPC regime/period. Further references have also been received regarding the difficulty being faced by some government employees in obtaining certificate of the Head of the Institution as mentioned in this Department's OM of even number dated 16-8-2017.

2. Keeping in view the above, it has been decided to issue consolidated instructions in supersession of all earlier OMs on the subject of Children Education Allowance and Hostel subsidy as under:-

a) The reimbursement of Children Education Allowance/Hostel subsidy can be claimed only for the two eldest surviving children with the exception that in case the second child birth results in twins/multiple birth. In case of failure of sterilization operation, the CEA/Hostel Subsidy would be admissible in respect of children born out of the first instance of such failure beyond the usual two children norm.

b) The amount for reimbursement of Children Education allowance will be Rs.2250/- per month (**fixed**) per child. This amount of Rs.2250/- is fixed irrespective of the actual expenses incurred by the Govt. Servant. In order to claim reimbursement of CEA, the Govt. servant should produce a certificate issued by the Head of the Institution for the period/year for which claim has been preferred. The certificate should confirm that the child studied in the school during the previous academic year. In case such certificate can not be obtained, self- attested copy of the report card or self attested fee receipt(s){including e-receipt(s)} confirming/indicating that the fee deposited for the entire academic year can be produced as a supporting document to claim CEA. The period/year means academic year i.e. twelve months of complete academic session.

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- c) The amount of ceiling of hostel subsidy is Rs.6750/- pm. In order to claim reimbursement of Hostel Subsidy for an academic year, a similar certificate from the Head of Institution confirming that the child studied in the school will suffice, with additional requirement that the certificate should mention the amount of expenditure incurred by the Government servant towards lodging and boarding in the residential complex. In case such certificate cannot be obtained, self- attested copy of the report card and original fee receipt(s)/e-receipt(s) which should indicate the amount of expenditure incurred by the Government servant towards lodging and boarding in the residential complex can be produced for claiming Hostel Subsidy. The expenditure on boarding and lodging or the ceiling of Rs.6750/- as mentioned above, whichever is lower, shall be paid to the employee as Hostel Subsidy. The period/year will mean the same as explained above in clause (b) of this para.
- d) The reimbursement of Children Education Allowance for Divyaang children of government employees shall be payable at double the normal rates of CEA prescribed above in clause (b) i.e. Rs.4500/- per month (**fixed**).
- e) The above rates/ceiling would be automatically raised by 25% every time the Dearness Allowance on the revised pay structure goes up by 50%.
- f) The Hostel Subsidy and Children Education Allowance can be claimed concurrently.
- g) In case both the spouses are Government servants, only one of them can avail reimbursement under Children Education Allowance and Hostel Subsidy.
- h) The reimbursement of CEA and Hostel Subsidy will be done just once in a financial year after completion of the financial year.
- i) Hostel subsidy is applicable only in respect of the child studying in a residential educational institution located at least 50 kilometers from the residence of the Government servant.
- j) The reimbursement of Children Education Allowance and Hostel Subsidy shall have no nexus with the performance of the child in his class. In other words, even if a child fails in a particular class, the reimbursement of Children Education Allowance/Hostel Subsidy shall not be stopped. However, if the child is admitted in the same class in another school, although the child has passed out of the same class in previous school or in the mid-session, CEA shall not be reimbursable.

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k) If a Government servant dies while in service, the Children Education Allowance or hostel subsidy shall be admissible in respect of his/her children subject to observance of other conditions for its grant provided the wife/husband of the deceased is not employed in service of the Central Govt., State Government, Autonomous body, PSU, Semi Government Organization such as Municipality, Port Trust Authority or any other organization partly or fully funded by the Central Govt./State Governments. In such cases the CEA/Hostel Subsidy shall be payable to the children till such time the employee would have actually received the same, subject to the condition that other terms and conditions are fulfilled. The payment shall be made by the office in which the Government servant was working prior to his death and will be regulated by the other conditions, laid down in this OM.

l) In case of retirement, discharge, dismissal or removal from service, CEA/Hostel Subsidy shall be admissible till the end of the academic year in which the Government servant ceases to be in service due to retirement, discharge, dismissal or removal from service in the course of an academic year. The payment shall be made by the office in which the government servant worked prior to these events and will be regulated by the other conditions laid down in this OM.

m) The upper age limit for Divyaang children has been set at 22 years. In the case of other children the age limit will be 20 years or till the time of passing 12th class whichever is earlier. There shall be no minimum age.

n) Reimbursement of CEA and Hostel Subsidy shall be applicable for children from class nursery to twelfth, including classes eleventh and twelfth held by Junior Colleges or schools affiliated to Universities or Boards of Education.

o) CEA is allowed in case of children studying through "Correspondence or Distance Learning" subject to other conditions laid down herein.

p) The CEA and Hostel Subsidy is admissible in respect of children studying from two classes before class one to 12th standard and also for the initial two years of a diploma/certificate course from Polytechnic/ITI/Engineering College, if the child pursues the course after passing 10th standard and the Government servant has not been granted CEA/Hostel Subsidy in respect of the child for studies in 11th and 12th standards.

q) In respect of schools/institutions at nursery, primary and middle level not affiliated to any Board of education, the reimbursement under the Scheme may be allowed for the children studying in a recognized school/institution. Recognized school/institution in this regard means a Government school or any education institution whether in receipt of Govt. Aid or not, recognized by the Central or State Government or Union Territory Administration or by University or a recognized educational authority having jurisdiction over the area where the institution/school is situated.

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r) In case of a Divyaang child studying in an institution i.e. aided or approved by the Central/State Govt. or UT Administration or whose fees are approved by any of these authorities, the Children Education Allowance paid by the Govt. servant shall be reimbursed irrespective of whether the institution is 'recognized' or not. In such cases the benefits will be admissible till the child attains the age of 22 years.

s) The CEA is payable for the children of all Central Government employees including citizens of Nepal and Bhutan, who are employees of Government of India, and whose children are studying in the native place. However, a certificate may be obtained from the concerned Indian Mission that the school is recognized by the educational authority having jurisdiction over the area where the institution is situated.

t) The Children Education Allowance or hostel subsidy shall be admissible to a Govt. servant while he/she is on duty or is under suspension or is on leave (including extra ordinary leave). Provided that during any period which is treated as 'dies non' the Govt. servant shall not be eligible for the CEA/Hostel subsidy for that period.

3. These above instructions would come into effect from 1st July, 2017.

Hindi version follows.

 17th July, 2018
(Sandeep Saxena)

Under Secretary to the Government of India
Tel: 26164316

To

1. Ministries/Departments of the Government of India.
2. NIC with a request to upload the OM on the website of DoPT.

No. 21011/08/2013-Estt.(AL)

Government of India

Ministry of Personnel, Public Grievances and Pensions

Department of Personnel & Training

Establishment (Allowances) Section		
Children Education Allowance Scheme (CEA)		
Sl. No.	Frequently asked Questions	Answer
1.	Whether Reimbursement of Children Education Allowance (CEA) for 3 rd child is permissible if CEA has not been claimed for 1 st and or 2 nd child? As per OM dated 2.9.2008 CEA is admissible for two school going children does it mean any two school going children?	No. Reimbursement of CEA is not permissible for third child even if reimbursement has not been claimed in respect of first and/or second child. However, as per OM No.12011/03/2008-Estt.(AL) dated 11.11.2008, the Children Education Allowance would be admissible for more than two children where as a result of the second child birth results in birth of twins or multiple children. Further, reimbursement of CEA for the 3 rd child is also admissible in case of failure of sterilization operation. Such reimbursement is admissible only for the first child birth after failure of sterilization operation . This point was further clarified vide O.M. No.12011/16/2009-Allowance) dated 13.11.2009.
2.	What types of fee are reimbursable? Whether Annual Charges and Transportation fees are reimbursable? Whether reimbursement towards purchase of school bag, water bottle, uniform, shoes and stationery is admissible?	As per OM No.12011/03/2008-Estt.(AL) dated 2.9.2008, tuition fee, admission fee, laboratory fee, special fee charged for agriculture, electronics, music or any other subject, fee charged for practical work under the programme of work experience, fee paid for the use of any aid or appliances by the child, library fee, games/sports fee and fee for extra-curricular activities are reimbursable subject to the condition that the aforementioned fee are charged by the school directly from the student. No reimbursement is permissible for Annual Charges and Transportation fees. Besides, reimbursement for purchase of one set of text books and notebooks, two sets of uniforms prescribed by the school in which the child is studying, one pair of shoes, in an academic year are reimbursable. Uniform include all items of clothing prescribed for a day, as uniform by the school, irrespective of colours/winter/summer/PT uniforms. Reimbursement of school bags, pens/pencils, water bottle, stationery etc., may not be allowed. O.M. No.12011/08/2010-Estt.(AL) dated 30.12.2010 and O.M. No.12011/07(i)/2011-Estt.(AL) dated 21.02.2012 refers
3.	Whether CEA has been increased by 25% as a result of	This Department's OM No. 12011/03/ 2008-Estt.(AL) dated 2.9.2008 clearly indicates that the

	enhancement of Dearness Allowances beyond 50%?	limits "would be automatically raised by 25% every time the Dearness Allowance on the revised pay structure goes up by 50%". There is no need for any separate order from this Department to effect enhancement of CEA as a result of increase in DA by 50%. However, O.M. No.12011/01/2011-Estt.(Allowance) dated 4 th May, 2011, has been issued to clarify this further.
4.	Whether CEA can be claimed for the child for the same class twice?	The reimbursement of CEA is not linked to the performance of the child in his class. Even if a child fails in a particular class, the reimbursement is permissible. However, if the child is admitted in the same class in another school, although the child has passed out of the same class in previous school or in the mid-session, CEA shall not be reimbursable.
5.	Whether CEA/Hostel Subsidy is allowed for initial two years of Diploma Courses?	Children Education Allowance/Hostel Subsidy is allowed for the initial two years of a diploma/certificate course from Polytechnic/ITI/Engineering College, if the child pursues the course after passing 10 th standard and the Government servant has not been granted CEA/Hostel Subsidy in respect of the child for studies in 11 th and 12 th standards. This is further subject to fulfillment of other conditions laid down in the O.M. No.12011/03/2008-Estt.(AL) dated 2.9.2008 and subsequent instructions issued from time to time.
6.	What is hostel subsidy?	The term Hostel Subsidy would mean expenses incurred by the Government servant if he/she keeps his/her children in a hostel of a residential school/institution located beyond a distance of 50 kilometers from his/her residence.
7.	Whether Hostel subsidy is reimbursable irrespective of transfer liability?	Hostel Subsidy is reimbursable to all Central Government Employees covered by the scheme, for keeping their ward in the Hostel of a residential school away from the station in which the employee is posted or residing irrespective of any transfer liability.
8.	Whether Hostel subsidy can be reimbursed if the child is staying in a Hostel which is not part of residential school where he is studying?	No. Hostel subsidy is reimbursable only in case of child studying in a residential school and staying in hostel of the said residential school.
9.	What are the components of hostel subsidy?	Hostel subsidy includes fee charged for boarding, lodging in addition to fee as mentioned in para 1(e) of OM No. 12011/03/ 2008-Estt.(AL) dated 2.9.2008.
10.	Whether a Government servant is allowed to get 50% of the	Reimbursement of 50% of the entitled amount for the academic year can be allowed in the first

	total amount subject to the overall annual ceiling in the first quarter and the remaining amount in third and/or fourth quarter?	and/or second quarter and the remaining amount can be reimbursed in the third and/or fourth quarter. The entire entitled amount can also be reimbursed in the last quarter. However, frontloading of the entire admissible amount is not permissible. O.M. No.12011/07(i)/2011-Estt.(AL) dated 21.02.2012 refers.
11.	Whether any age limit has been prescribed for reimbursement of CEA in respect of children studying in nursery classes?	<p>There is no minimum age prescribed for reimbursement of CEA in respect of children admitted in nursery classes.</p> <p>However, with regard to physically challenged children the minimum age of 5 (five) years was prescribed for disabled children undergoing non-formal/vocational education. With effect from 21st February, 2012, the minimum age stipulated as 5 years for disabled children stand removed.</p> <p>Hence, there is no minimum age of child for whom reimbursement is claimed irrespective of the fact whether the child is disabled or not.</p> <p>The maximum age for normal child is 20 years and for physically challenged children the maximum age is 22 years. O.M. No.12011/07(ii)/2011-Estt.(AL) dated 21.02.2012 refers.</p>
12.	Whether the school/institution should be recognized?	The school/institution has to be recognized by the Central or State Government or UT administration or by University or a recognized educational authority having jurisdiction over the area where the institution is situated. This also applies in respect of children studying in two classes prior to Class-I, i.e., nursery/LKG/UKG, etc. OM No. 12011/03/ 2008-Estt.(AL) dated 23.11.2009.
13.	Whether CEA is payable for the children of Central Government employees and studying abroad, including children of citizens of Nepal/Bhutan but working in Government of India, and their children are studying in the schools in their native place?	The CEA is payable for the children of all Central Government employees including citizens of Nepal and Bhutan, who are employees of Government of India, and whose children are studying in the native place. However, a certificate may be obtained from the concerned Indian Mission that the school is recognized by the educational authority having jurisdiction over the area where the institution is situated.
14.	What constitutes "Fee" as per para 1(e) of the O.M. dated 2/9/2008 and whether fee paid	"Fee" shall mean fee paid to the school in which the child is studying, directly by the parents/guardian for the items mentioned in para

	for extra-curricular activities to some other institute and reimbursement of, school bags, pens/pencils, etc., can be allowed? Is there any item-wise ceiling?	1(e) of the O.M. dated 2/9/2008. Reimbursement of school bags, pens/pencils, etc., may not be allowed. There is no item-wise ceiling. O.M. No.12011/07(i)/2011-Estt.(AL) dated 21.02.2012 refers.
15.	Whether reimbursement can be allowed in case the original receipts are misplaced and duplicate receipts are produced by the Government servant? Are the original receipts required to be attested/countersigned/ rubber stamped by the school authorities?	In case of misplacement of receipts given by the school/institution towards charges received from the parents/guardian, reimbursement may be allowed if the Government servant produces a duplicate receipt, duly authenticated by the school authorities. Receipts from private parties, other than the school, if misplaced shall not be entertained, even if a duplicate receipt is produced. Original receipts from school authorities need not be attested/countersigned/rubber stamped by the school authorities. O.M. No.12011/07(i)/2011-Estt.(AL) dated 21.02.2012 refers.
16.	Whether Development Fee/Parents' Contribution charged by the school/institution is reimbursable?	Reimbursement of Development Fee/Parents' Contribution is allowed w.e.f. 21 st February, 2012, vide O.M. No.12011/07(ii)/2011-Estt.(AL) dated 21.02.2012, on pro-rata basis, subject to the condition that the Government servant will have to certify that the school does not charge tuition fee. However, in respect of children studying in Kendriya Vidyalaya, the Vidyalaya Vikas Nidhi is reimburseable as it forms part of para 1(e) of O.M. No.12011/3/2008-Estt.(Allowance) dated 2.9.2008. O.M. No.12011/16/2009-Estt.(Allowances) dated 13.11.2009 refers.
17.	Whether reimbursement of fee charged directly by the school for catering to the special needs of the child with disabilities duly certified by the concerned school authorities, in addition to items mentioned in para 1(e) of O.M. dated 2.9.2008, is permissible?	Reimbursement of fee charged directly by the school for catering to the special needs of the child with disabilities duly certified by the concerned school authorities, in addition to items mentioned in para 1(e) of O.M. dated 2.9.2008, is allowed w.e.f. 21 st February, 2012.


Joining Time Rules		
Sl. No.	Frequently asked Questions	Answer
1.	Whether Joining time//Joining Time pay is admissible in case of technical resignation of a Government servant to join another Government organization.	For appointment to posts under the Central Government on the results of a competitive examination and or interview open to Government servants and others, Central Government employees and permanent/provisionally permanent State

		<p>Government employees will be entitled to joining time.</p> <p>A Government servant shall be treated on duty during the period of joining time and shall be entitled to joining time pay equal to the pay and allowances like DA, HRA, CCA, drawn before relinquishment of charge at the old post. But temporary Central Government employees with less than 3 years of regular continuous service, though entitled to joining time would not be entitled to joining time pay. {Rule 4 (4) of CCS(JT) Rules}</p>
2.	When can the unutilized joining time be credited as Earned Leave?	<p>Rule 6 (1) of the CCS (Joining Time) Rules provides that when a Government servant joins a new post without availing full joining time by reasons that—</p> <p>(a) he is ordered to join the new post at a new place of posting without availing of full joining time to which he is entitled; or</p> <p>(b) he proceeds alone to the new place of posting and joins the post without availing full joining time and takes his family later within the permissible period of time for claiming Travelling Allowance for the family, then the number of days of joining time admissible under sub-rule (4) of Rule 5 of the Central Civil Services (JT) Rules, 1979, subject to a maximum of 15 days reduced by the number of days of joining time actually availed of shall be credited to his leave account as earned leave.</p>
3.	Whether joining time can be combined with leave?	<p>Rule 6(2) of the CCS (Joining Time) Rules provides that Joining time may be combined with vacation and/or regular leave of any kind or duration except casual leave.</p>

Honorarium		
Sl. No.	Frequently asked Questions	Answer
1.	Upto what amount the Head of Department can grant honorarium?	The Ministries/Departments can grant honorarium upto `5000/- per annum per employee and the Head of Department can grant honorarium upto `2500/- per annum per employee. O.M. No.1711/9/85-Estt. (Allowance) dated 23.12.1985 refers.
2.	What are the rates of honorarium for translation work from regional language to English/Hindi and vice versa?	The rates for translation from regional languages to English/Hindi and vice-versa is `120/- per thousand words of Ordinary Material and `130/- per thousand words of Technical Material (including Codes/Manuals, etc.). This is subject to a

		maximum of `5000/- per annum in each case, whether recurring or non-recurring. O.M. No.17011/04/2011-Estt.(AL) dated 1.4.2011 refers.
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Special Allowance for child care for women with disability		
Sl. No.	Frequently asked Questions	Answer
1.	Whether the women employees with disabilities are entitled for special allowance for child care at double the rates for multiple births at the time of first child birth?	No. In case of multiple births at the time of first child birth, the woman employee shall not be entitled to this allowance at double the rates for multiple births.
2.	Whether the allowance would be admissible for the 3 rd child in case either of the first two children i.e. first child or the 2 nd child expires before the attaining the age of two years?	It is clarified that the grant of Special Allowance for the child care for women with disabilities is admissible for two years from the birth of the child so long as the woman employee does not have more than two surviving children.


 (S. G. Mulchandaney)
 Under Secretary
 Tel:26164316

No.3(6)/2020-EII(A)
Government of India
Ministry of Finance
Department of Expenditure

New Delhi, the 27th March 2020

Office Memorandum

Subject : Instruction for purchase of laptops/note books and similar devices for eligible officers – revised guidelines

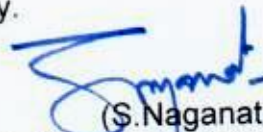
In partial modification of this Ministry's OM's bearing No. 08(64)/2017-EII(A) dated 20.02.2018 and 22.10.2018 on the above subject, it has been decided that laptop, note pad and similar devices may also be issued, on the grounds of functional necessity, to officers of the rank of Under Secretary/ Section Officers and equivalent rank subject to the condition that this shall be restricted to 25% of the sanctioned strength of these posts.

2. These powers shall be exercised by Secretaries of the Ministries/ Department and any other authorities who have been specifically delegated these powers by this Ministry from time to time, in consultation with FA of the Department. Other terms and conditions as detailed in this Ministry's OM dated 20.02.2018 shall remain the same. Although this Ministry's OM dated 20.02.2018 prescribes a maximum limit of Rs.80,000/- [excluding taxes] towards cost of the device including standard software, cost of the device may be kept to the minimum within the prescribed limit duly taking into consideration minimum technical requirements.

3. Requests have been received for issuance of laptop/note book or similar devices to Consultants engaged by Ministries/Departments. In this connection it is stated that Secretaries of the Ministries/Departments may take a decision in this regard purely on the basis of functional necessity, in consultation with FA, on case to case basis separately. The terms and conditions as given in this Ministry's OM dated 20.02.2018 relating to retention, return and re-issue will, however, not apply in this case. Ministries/Departments may accordingly decide the duration of issue, upkeep and return of these devices separately.

4. It is also stated that expenditure may be incurred for these purposes within the existing budget provisions and no additional budget allocation will be made on this ground.

5. This issues with the approval of the Competent Authority.


(S. Naganathan)

Deputy Secretary to Government of India

To

- (i) All Ministries and Departments of the Government of India
- (ii) All Financial Advisers

Copy to :-

Cabinet Secretary
Prime Minister's Office

F.No. 08(34)/2017-E.II(A)
Ministry of Finance
Department of Expenditure
E.II(A) Branch

New Delhi, the 20th February, 2018

OFFICE MEMORANDUM

Subject: Instructions for the purchase of laptops/notebooks and similar devices for eligible officers – revised guidelines.

In supersession to this Ministry's Office Memorandum bearing No. 08(64)/2017-E.II(A) dated 27th September 2016, regarding purchase of Note Book/Lap-Top computers by Ministries/ Departments & delegation of powers thereof, it has been decided that lap-top; tablet; notepad; ultra-book; notebook, net-book or devices of similar categories may be issued to officers of the rank of Deputy Secretary and above for discharge of official work. These powers shall continue to be exercised in consultation with the Financial Adviser by the Secretary of the Ministry/ Department or any other authority who are specifically delegated these powers by this Ministry from time to time, duly taking into consideration the functional requirements and budgetary provisions.

2. This would, however, be subject to the following conditions:

- (i) **Cost of device:** The Cost of device including Standard software* shall not exceed Rs. 80,000/-.

Standard Software: Any software (Operating System, Antivirus software or MS-Office etc.) that is essential for the running of device towards discharge of official functions/duties.

- (ii) **Purchase Procedures:** As prescribed under GFRs/CVC guidelines may be followed.

- (iii) **Safety, Security & Maintenance of Device:** The officer, who is given the device, shall be personally responsible for its safety and security as well as security of data/information, though the device shall continue to remain Government property. The officer concerned will be at liberty to get the device insured at his personal cost.

- (iv) **Retention/Replacement of device:**

- a) No new device may be sanctioned to an officer, who has already been allotted a device, in a Ministry /Department, up to five years. Any further issue of laptop in case of loss/damage beyond repairs within the prescribed period, should be considered only after the cost is recovered from the officer based on the book value after deducting the depreciation.
- b) For the purpose of calculation of the book value, a depreciation of 25% per year, on straight line method, be adopted.
- c) Post the completion of five years of usage, the officer shall retain the issued device.

- (v) **Conditions at the time of transfer, Superannuation etc.:**

- a) In case where, at the time of purchase of device if the residual service of the officer is less than 5 years or in case the officer is transferred/deputed to State Govt. but with residual service of less than 5 years or the officer leaves the Government Service within 5 years of purchase of such device, the officer concerned will have the option of retaining the device by paying the amount after deducting the depreciation.

- b) Upon transfer/deputation of the officer to other Ministry/ Department/Attached/Sub-ordinate offices of the Government of India or to the State Government in case of Officers of the All India Services, the officer will have the option of retaining the existing device and in case of such retention, this fact should be specifically mentioned in the Last Pay Certificate (LPC).

3. **Instructions for Ministries/Departments:**

- (i) For the officials who are currently holding laptops, notebooks or similar devices in accordance with the provisions of O.M. dt. 27/09/2016, the terms & conditions for retention/disposal of the device shall continue to be governed under the existing instructions of the said O.M.
- (ii) The applicability of the provisions of this order to the officers of Armed Forces/Para-Military Forces, officers of MoD & other similar establishments would be subject to restrictions imposed by the concerned departments/organizations duly taking into consideration the security of information. In all such cases the security of the information shall be the responsibility of the concerned department.

4. This is issued with the approval of Secretary (Expenditure).

(Dr. Bhartendu Kumar Singh)
Director(E.IIA)

To

- 1) All Ministries/Departments of Government of India
- 2) All Financial Advisers
- 3) NIC, D/o Expenditure

No. 25(12)/E.Coord-2018
Government of India
Ministry of Finance
Department of Expenditure
(E. Coord. Branch)

North Block, New Delhi
Dated: 3rd April 2018

OFFICE MEMORANDUM

Subject: Reimbursement in respect of Newspapers purchased/ supplied to officers at their residence-guidelines regarding.

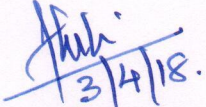
Department of Expenditure, Ministry of Finance, vide order no. 1(24)/E.IIA/96 dated 13th September, 1996, had issued guidelines on the subject cited above. It has been felt that these guidelines are dated and need to be updated. It has therefore, been decided that in place of the existing practice of getting monthly reimbursement of newspaper on production of newspaper bills, reimbursement for newspaper may be made at the rates mentioned below based on the certification given by the entitled officer:

S.No	Level of Officers	Reimbursement to be made per month (In Rs.)
1.	Secretary/Secretary equivalent	As per actuals
2.	Additional Secretary/ Additional Secretary equivalent	Rs.1100
3.	Joint Secretary/Joint Secretary equivalent	Rs. 850
4.	Director/ Deputy Secretary / Under Secretary/Section Officer or equivalent	Rs. 500

2. A certificate as per the Annexure, to the effect that expenditure has been incurred on newspaper shall be provided by the officers on half yearly basis to the office for reimbursement.

3. This issues in supersession to all earlier guidelines of Department of Expenditure on the subject.

4. The orders will be effective with immediate effect.


(H.Atheli)
Director

To:

1. All Ministries/ Departments of the Government of India
2. All Financial Advisors of Ministries/ Department of the Government of India
3. Office of Comptroller & Auditor General of India

Annexure

Government of India
Ministry of _____
Department of _____

[Statement to be furnished on half-yearly basis by the Government Officer to Administration]

Name of the Applicant: _____

Designation: _____

Department: _____

Pay Level & Basic Pay (Rs.): _____

I certify that I have spent Rs. _____ towards purchase of Newspaper(s) for the months of :

i) Jan-June, 20__

OR

ii) July-December, 20__

[only one option is to be ticked]

I further declare that : i) The Newspaper (s) in respect of which reimbursement is claimed, is/are purchased by me. ii) The amount for which reimbursement is being claimed has actually been paid by me and has not/will not be claimed by any other source.

Date: _____

Signature:

Name:

F.No. 24(3)/E.Coord/2018
Ministry of Finance
Department of Expenditure

New Delhi, the 26th March 2018

OFFICE MEMORANDUM

Subject : - Provision of telephone facilities and reimbursements to officers of Government of India.

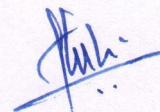
The Department of Expenditure has from time to time issued instructions on provision of telephone facilities, monetary ceilings on reimbursement to the officers of the Government of India. Given the increasing dependence on telecommunication technology including mobile telephones for carrying out official work, the existing instructions have been comprehensively reviewed, revised and the following instructions are hereby circulated for compliance by all Ministry/Departments, in supersession of all earlier instructions issued by this Department on the subject.

1. Official Telephones

- 1.1 All officers of the level of Deputy Secretary equivalent and above are entitled for office telephone with STD facility. For officers of the level below Deputy Secretary, Ministry/Departments may decide in consultation with the Financial Advisers on providing STD facility depending on their functional requirements.
- 1.2 ISD facility is allowed on official telephones in respect of Administrative Secretaries only.
- 1.3 All other cases for providing ISD facility on official telephone for officers of the level below Secretary to the Government of India may be decided by the Administrative Secretary in consultation with the concerned Financial Adviser.
- 1.4 Administrative Secretary/ Head of Departments may in consultation with the concerned Financial Adviser provide officers below the level of Deputy Secretary official telephones with STD facility on functional basis. This facility should not be given in a routine manner but extreme caution and austerity should be exercised.
- 1.5 Financial Advisors shall submit a half-yearly report to D/o Expenditure on the number of ISD facility concurred/approved during a financial year.

2. Residential telephones

- 2.1 All officers of the level of Deputy Secretary equivalent and above are entitled for one official residential landline telephone with STD facility.
- 2.2 Residential telephone can be allowed to officials below the rank of Deputy Secretary equivalent on functional basis subject to the condition that this facility shall be restricted to 25% of the sanctioned strength of Group 'A' officers in a Ministry/Department. This limit will equally apply to Attached and Subordinate offices.



2.3 ISD facility shall not be allowed on residential telephones.

2.4 Personal staff of Ministers [Private Secretary, Additional Private Secretary and 1st PA of Ministry] and Administrative Secretary [Principal Staff Officer (PSO)/ Senior Principal Private Secretary/ Principal Private Secretary/Private Secretary], Section Officer (Parliament) and Assistant Section Officer (Parliament) are entitled to the facility of one residential landline telephone.

3. Mobile Phone Handsets

3.1 Officers of the level of Secretary and equivalent will be entitled to reimbursement for one mobile handset costing not more than Rs.25,000/- (Rupees Twenty Five thousand only) once during the whole tenure. Global roaming facility shall not be allowed on the mobile connection.

4. Reimbursement of telephone call charges

4.1 Reimbursement of telephone call charges of residential telephone/ mobile phone/broadband/mobile data/data card shall be as per entitlement given below:

Sl. No.	Level/Designation	Limit on reimbursement
1.	Secretary to the Government of India and equivalent level	Rs. 4200/- per month + taxes as applicable
2.	Additional Secretary to the Government of India and equivalent level	Rs. 3000/- per month + taxes as applicable
3.	Joint Secretary to the Government of India and equivalent level	Rs. 2700/- per month + taxes as applicable
4.	Director/Deputy Secretary to the Government of India and equivalent level	Rs. 2250/- per month + taxes as applicable
5.	Below the rank of Deputy Secretary and equivalent to the Government of India (restricted to 25% of the sanctioned strength of Group 'A' officers in a Ministry/ Department/Attached/Subordinate office)	Rs. 1200/- per month + taxes as applicable

4.2 No SIM/data-card will be provided by office.

4.3 There will be no separate ceiling for the landline/ mobile/broadband/mobile data/data card. The amount reimbursable will cover landline and / or mobile /broadband/mobile data/data card connection and shall be limited to the ceiling prescribed or as per actuals whichever is lower. Call charges over and above the ceiling prescribed along with taxes thereon shall be paid by the officers

4.4 The amount shall be reimbursed on submission of bills/receipt by the concerned officer. Officers are at liberty to choose the service provider and the tariff package for residential landline/mobile phones.

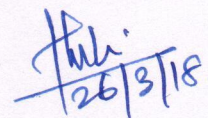
4.5 In case where husband and wife are sharing the same residential landline telephone and both are entitled for reimbursement, only one of them will be allowed reimbursement against the residential landline telephone. The claim for mobile phone charges shall be treated separately for each of the officer subject to the entitled ceiling.

4.6 Reimbursement for mobile will be restricted to the officer in whose name the mobile connection is registered.

- 4.7 The entitlement of an officer drawing pay in a scale intervening between that of Director and Joint Secretary would be at par with that of Deputy Secretary/Director.
- 4.8 Excess expenditure upto 30% of the ceiling amount (applicable to the officer) can be reimbursed to officers of Joint Secretary equivalent and above and also to Private Secretary/ Officers on Special Duty to the Ministers subject to their submitting a certificate, duly justifying that excess expenditure incurred was for official purpose and unavoidable. This reimbursement would require the concurrence of the Financial Adviser concerned and sanction of the Administrative Secretary/ Secretary Equivalent of the Department/ Organization. In so far as Secretary/ Secretary equivalent officer are concerned, they shall be competent to exercise the aforesaid powers in their own cases. The power to sanction this expenditure shall not be delegated.
- 4.9 Telephone reimbursement will not be admissible in cases of Leave (of any nature) and trainings which are for more than one calendar month (s).

5. Mobile Facility during official visits abroad

- 5.1 Officials and delegations visiting abroad for the purpose of short official visits/meeting/conferences/workshops may be provided SIM card by our Mission / Embassy. In case SIM card is not provided by our Mission / Embassy, there will be a monetary ceiling of Rs.2000/- per day for officer above the level of Additional Secretary and equivalent and Rs.1000/- per day for other officers towards reimbursement of call charges.
- 5.2 No mobile phone facility shall be provided during training period whatsoever including training abroad.
6. These orders shall be effective from the date of issue of this Office Memorandum.


26/3/18.

(H. Atheli)
Director

Tel. 011 - 2309 2604

To:

1. All Ministries/Departments of the Government of India
2. All Financial Advisers of Ministries/Department of the Government of India
3. Office of Comptroller & Auditor General of India

Copy to:

NIC Unit, M/o Finance with the request to upload the Office Memorandum on Department of Expenditure website



No.I-42011/1/2018-Admin-DBT

Dated the 30th January, 2020

OFFICE ORDER

Subject: Revision of monetary ceiling for purchase/reimbursement of briefcase/official bag/ladies purse - Regarding.

Considering the prevailing market rates and increasing prices of consumer goods, the competent authority in this Department has decided to revise the monetary ceiling for purchase/reimbursement of briefcase/official bag/ladies purse by the officers/staff of this Department as under:-

S.No.	Designation of the Officers & Pay Level	Revised Ceiling (₹)
1.	Secretary/Special Secretary or equivalent. Level - 17	11000/-
2.	Additional Secretary or equivalent. Level - 15	9000/-
3.	Joint Secretary/Stat. Advisor/Scientist 'G' or equivalent. Level - 14	8000/-
4.	Director/Dy. Secretary/Sc. 'F'/Sc. 'E'/Sc. 'D'/Sr. PPS or equivalent. Level - 13A,13,12	6000/-
5.	Under Secretary/PPS/Sc. 'C' or equivalent. Level - 11	5000/-
6.	SO/PS/JA/ASO/PA/STO (Sr. Translation Officer) or equivalent. Level - 7 to 10	4500/-
7.	DEO-B/DEO-D/JTA/JAO/JTO (Jr. translation Officer) or equivalent. Level - 5 to 6	4000/-


2. The entitled officers/officials can purchase briefcase/official bag/ladies purse of their own choice from any private/public outlets as per their entitlement. However, re-imbursement shall be restricted to the above mentioned ceiling limits.

3. The briefcase/official bag/ladies purse shall be provided to the above officers/officials on joining this Department or on completion of three years from the date of issue of earlier one. The above revised ceiling will be effective with immediate effect.

4. This issues with the concurrence of AS&FA and approval of Secretary, Department of Biotechnology.

To,

- All concerned officers/officials in the Department of Biotechnology.
- PAO, DBT, New Delhi.
- DDO, Cash Section.
- IFD.
- Guard File.


(Anil Tehtan)
Under Secretary(A)
अतिरिक्त सचिव / ANIL TEHTAN
अवर सचिव / Under Secretary
आणविक प्रौद्योगिकी विभाग / Dept. of Biotechnology
लोधी रोड, नई दिल्ली / Lodhi Road, New Delhi

No. 1/5/2017-Estt (Pay-I)
Government of India
Ministry of Personnel, Public Grievances & Pensions
(Department of Personnel & Training)

North Block, New Delhi
Dated the 15th March, 2019

OFFICE MEMORANDUM

Subject: Incentive for acquiring fresh higher qualifications, in the 7th CPC Scenario – reg.

Central Government Servants acquiring fresh higher qualifications after coming into service are granted incentive in the form of one-time lump-sum amount ranging from ₹2000/- to ₹10,000/-, as provided in this Department's OM No. 1/2/89-Estt.(Pay-I) dated 09.04.1999 and other related OMs.

2. The 7th CPC has reviewed the rates of incentive presently available to employees on this account in addition to pay, and have suggested their rationalization and simplification in Para 8.9.11 to 8.9.14 of their report.

3. Ministry of Finance, Department of Expenditure (DOE) Resolution No. 1-2/2016-IC dated 25.07.2016 vide Para 7 provided that the matter regarding allowances (except Dearness Allowance) based on the recommendations of the 7th CPC shall be referred to a Committee under the Chairmanship of Finance Secretary, and until a final decision thereon, all allowances including this incentive were required to be paid at the existing rates in the existing pay structure (the pay structure based on 6th CPC) as if the pay has not been revised w.e.f. 1st January, 2016.

4. The decision of the Government on various allowances based on the recommendations of the 7th CPC and in the light of the recommendations of the Committee under the Chairmanship of Finance Secretary has been issued as per the Resolution No. 11-1/2016-IC dated 06.07.2017 of DOE.

5. The President is pleased to decide that in supersession of all the existing orders/OMs/instructions/guidelines on the subject of granting incentive for acquiring fresh higher qualifications, the following one-time lump-sum rates as incentive for acquiring fresh higher qualification by a Government employee shall be permissible for courses in fields that are directly relevant to the employee's job:

Sl. No.	Qualification	Amount (₹)
1.	Ph.D. or equivalent.	30,000
2.	PG Degree/Diploma of duration more than one year, or equivalent.	25,000
3.	PG Degree/Diploma of duration one year or less, or equivalent.	20,000
4.	Degree/Diploma of duration more than three years, or equivalent.	15,000
5.	Degree/Diploma of duration three years or less, or equivalent.	10,000

6. Professional courses directly relevant to the functional requirement of the Organization/Ministry/Department but not covered by any one of the categories mentioned in para 5 above, shall be notified specifically under Sl. No. 4 or 5 of para 5 above, by the concerned Ministry/Department in consultation with their respective IFD.

.....2/-
(Signature)
15/03/2019

7. Ministries/Departments are free to choose courses on their own. However, the grant of incentive in respect of above qualifications will be subject to the fulfillment of the criteria laid down in para 8 below. The grant of incentive for the qualifications listed above shall be considered by the administrative authorities in consultation with their IFD and necessary orders shall be issued after ensuring that the criteria laid down in para 8 below are fulfilled.

8. **Criteria/guidelines for granting incentive for acquiring fresh higher qualifications, in the 7th CPC Scenario, are as under:**

- 8.1. The incentive will not be available for the qualifications which are laid down as essential or desirable qualifications in the recruitment rules for the post.
 - 8.2. No incentive shall be allowed for acquiring higher qualification purely on academic or literary subjects. The acquisition of the qualification should be directly related to the functions of the post held by him/her, or to the functions to be performed in the next higher post. There should be direct nexus between the functions of the post and the qualification acquired and that it should contribute to the efficiency of the government servant.
 - 8.3. The quantum of incentive will be uniform for all posts, irrespective of their classification or grade or the department.
 - 8.4. The incentive shall not be admissible where the government servant is sponsored by the government or he/she avails study leave for acquiring the qualification.
 - 8.5. The incentive would be given only for higher qualification acquired after induction into service.
 - 8.6. No incentive would be admissible if an appointment is made in relaxation of the educational qualification. No incentive would be admissible if employee acquires the requisite qualification for such appointment at a later date.
 - 8.7. The qualifications meriting grant of incentive should be recognized by University Grants Commission, respective regulatory bodies like AICTE, Medical Council of India, etc. set up by Central/State Government or recognized by the Government.
 - 8.8. The incentive shall be limited to maximum two times in an employee's career, with a minimum gap of two years between successive grants.
 - 8.9. The Government servant should prefer the claim within six months from the date of acquisition of the higher qualification.
9. The incentive as per this OM will be admissible for above qualifications acquired on or after 01.07.2017.

.....3/-

P. Bahadur
15/03/2018

10. Government Servants, who have acquired the fresh higher qualification on or after 01.07.2017 till the date of issuance of this OM, may also claim these incentives within six months from the date of issuance of this OM.

11. Insofar as the persons working in the Indian Audit and Accounts Department are concerned, these orders issue in consultation with the Comptroller and Auditor General of India.

12. Hindi Version will follow.

R Bahree
15/03/2019
(Rajeev Bahree)

Under Secretary to the Government of India

To

All Ministries / Departments of Government of India

Copy also forwarded to:

1. The Comptroller & Auditor General of India.
2. Secretary General, Supreme Court of India.
3. Controller General of Accounts / Controller of Accounts, Ministry of Finance.
4. Union Public Service Commission / Lok Sabha Sectt. / Rajya Sabha Sectt. / Cabinet Sectt. / Central Vigilance Commission / President's Sectt. / Vice-President's Sectt. / Prime Minister's Office / Niti Aayog.
5. Governments of all States and Union Territories.
6. Department of Personnel and Training (AIS Division) / JCA / Admn. Section.
7. Secretary, National Council of JCM (Staff Side), 13-C, Feroz Shah Road, New Delhi.
8. All Members of Staff Side of the National Council of JCM / Departmental Council.
9. All Officers / Sections of Department of Personnel and Training / Department of Administrative Reforms & Public Grievances / Department of Pensions & Pensioners' Welfare / PESB.
10. Joint Secretary (Pers), Department of Expenditure, Ministry of Finance.
11. Additional Secretary (Union Territories), Ministry of Home Affairs.
12. JD (OL), DoPT, North Block, New Delhi- for Hindi version of this OM.

R Bahree
15/03/2019
(Rajeev Bahree)

Under Secretary to the Government of India

No. 42/04/2019-P&PW(D)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Pension & Pensioners' Welfare

3rd Floor, Lok Nayak Bhavan,
Khan Market, New Delhi - 110003
Date:- 21st Oct, 2019

OFFICE MEMORANDUM

**Sub: Grant of Dearness Relief to Central Government pensioners/family pensioners –
Revised rate effective from 01.07.2019-reg**

The undersigned is directed to refer to this Department's OM No. 42/04/2019-P&PW(D) dated 06.03.2019 on the subject mentioned above and to state that the President is pleased to decide that the Dearness Relief admissible to Central Government pensioners/family pensioners shall be enhanced from the existing rate of 12% to 17% w.e.f 01.07.2019.

2. These rates of DR will be applicable to (i) Civilian Central Government Pensioners/Family Pensioners including Central Govt. absorbee pensioners in PSU/Autonomous Bodies in respect of whom orders have been issued vide this Department's OM No. 4/34/2002-P&PW(D)Vol.II dated 23.06.2017 for restoration of full pension after expiry of commutation period of 15 years (ii) The Armed Forces Pensioners, Civilian Pensioners paid out of the Defence Service Estimates, (iii) All India Service Pensioners (iv) Railway Pensioners/family pensioners (v) Pensioners who are in receipt of provisional pension (vi) The Burma Civilian pensioners/family pensioners and pensioners/families of displaced Government Pensioners from Burma/ Pakistan, in respect of whom orders have been issued vide this Department's OM No. 23/3/2008-P&PW(B) dated 11.09.2017.

3. The payment of Dearness Relief involving a fraction of a rupee shall be rounded off to the next higher rupee.

4. Other provisions governing grant of DR in respect of employed family pensioners and re-employed Central Government Pensioners will be regulated in accordance with the provisions contained in this Department's OM No. 45/73/97-P&PW (G) dated 2.7.1999 as amended vide this Department's OM No. F.No. 38/88/2008-P&PW(G) dated 9th July, 2009. The provisions relating to regulation of DR where a pensioner is in receipt of more than one pension will remain unchanged.

5. In the case of retired Judges of the Supreme Court and High Courts, necessary orders will be issued by the Department of Justice separately.

6. It will be the responsibility of the pension disbursing authorities, including the nationalized banks, etc. to calculate the quantum of DR payable in each individual case.

7. The offices of Accountant General and authorised Pension Disbursing Banks are requested to arrange payment of relief to pensioners etc. on the basis of these instructions without waiting for any further instructions from the Comptroller and Auditor General of India and the Reserve Bank of India in view of letter No. 528-TA, II/34-80-II dated 23/04/1981 of

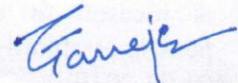
Contd/---

the Comptroller and Auditor General of India addressed to all Accountant Generals and Reserve Bank of India Circular No. GANB No. 2958/GA-64 (ii) (CGL)/81 dated the 21st May, 1981 addressed to State Bank of India and its subsidiaries and all Nationalised Banks.

8. In their application to the pensioners/family pensioners belonging to Indian Audit and Accounts Department, these orders issue after consultation with the C&AG.

9. This issues in accordance with the Ministry of Finance, Department of Expenditure's OM No. 1/3/2019-E.II(B) dated 14th October, 2019.

Hindi version will follow.



(Charanjit Taneja)

Under Secretary to the Government of India

1. All Ministries/Departments of the Government of India/Chief Secretaries and AGs of all States/UTs.
2. Copy for information to Reserve Bank of India (RBI) and all authorized Pension Disbursing Banks.

F.No. 42/14/2016-P&PW(G)
Government of India
Ministry of Personnel, PG & Pensions
Department of Pension & Pensioners Welfare

3rd Floor, Lok Nayak Bhawan
Khan Market, New Delhi- 110003
Date:- 24th Oct, 2016

OFFICE MEMORANDUM

Subject :- Implementation of the recommendation of the 7th CPC-Option regarding commutation of additional amount of pension.

The undersigned is directed to state that in pursuance of Government's decision on recommendation of 7th Central Pay Commission, orders have been issued for revision of provisions regulating pension/gratuity/commutation of pension etc. vide this Department's OM 38/37/2016-P&PW(A) dated 04.08.2016. In para 8.1 of the said OM, it has been mentioned that there will be no change in the provisions relating to commutation values, the limit upto which the pension can be commuted or the period after which the commuted pension is to be restored.

2. As per Rule 10 of CCS (Commutation of Pension) Rules, 1981, an applicant who has commuted a percentage of his final pension and after commutation his pension has been revised and enhanced retrospectively as a result of Government's decision, the applicant shall be paid the difference between the commuted value determined with reference to enhanced pension and the commuted value already authorised. For the payment of difference, the applicant shall not be required to apply afresh.

3. References have been received in this Department that many pensioners who retired after 01.01.2016 and have drawn pension/commuted value of pension based on their pre-revised pay/pension do not wish to commute the pension which has become additionally commutable on revision of pay/pension on implementation of recommendations of 7th CPC. The matter has been examined in consultation with Ministry of Finance (Department of Expenditure). It has been decided that those pensioners who retired from 01.01.2016 till 04.08.2016 i.e. the date of issue of orders for revised pay/pension based on the recommendations of the 7th CPC may be given an option, in relaxation of Rule 10 of CCS (Commutation of Pension) Rules, 1981, not to commute the pension which has become additionally commutable on revision of pay/pension on implementation of recommendations of the 7th CPC. The cases where the additional pension after 7th CPC has already been commuted will not be re-opened.

4. In their application to the employees of Indian Audit and Accounts Department, these orders issue in consultation with Comptroller and Auditor General of India.

5. This issues with the concurrence of Ministry of Finance, Department of Expenditure ID No. 192/E.V/2016, dated 30.09.2016.

6. Hindi version will follow.


(Sujasha Choudhury)
Director(Pension)

To

1. All Ministries/Departments of Government of India
2. Principal Director, Office of Comptroller & Auditor General of India, New Delhi
3. Controller General of Accounts, New Delhi
4. CCA, Central Pension Accounting Office, New Delhi

GOVERNMENT OF INDIA
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
(Department of Pension and Pensioners' Welfare)


RESOLUTION

New Delhi, the 4th August, 2016

No.38/37/2016-P&PW (A) - The Terms of Reference of the Seventh Central Pay Commission as contained in Ministry of Finance (Department of Expenditure) Resolution No.1/1/2013-E.III (A) dated 28.2.2014 included the following:

"To examine the principles which should govern the structure of pension and other retirement benefits, including revision of pension in the case of employees who have retired prior to the date of effect of these recommendations, keeping in view that retirement benefits of all Central Government employees appointed on and after 01.01.2004 are covered by the New Pension Scheme (NPS)."

2. The Commission, on 19th November, 2015, submitted its report to the Government on Terms of Reference as contained in aforementioned Resolution dated 28.02.2014. Government, after consideration, has decided to accept the recommendations of the Commission on pensionary benefits to the Central Government civil employees, including employees of the Union Territories and Members of All India Services subject to certain modifications, as specified hereinafter. .
3. Detailed recommendations of the Commission relating to pensionary benefits and the decisions taken thereon by the Government are listed in the statement annexed to this Resolution.
4. The revised provisions regarding pensionary benefits, which have been accepted as indicated in the Annexure, will be effective from 01.01.2016.


(Vandana Sharma)
Joint Secretary to the Govt. of India

Annexure

Statement showing the recommendations of the Seventh Central Pay Commission relating to principles which should govern the structure of pension and other terminal benefits and the decisions of the Government thereon.

Item No.	Recommendation	Decision of Government
1.	<u>Fixed Medical Allowances</u> The Commission notes that this allowance was enhanced from Rs.300/- p.m. to Rs.500/- p.m. from 19.11.2014. As such, further enhancement of this allowance is not recommended. (Para 8.17.52 of the Report)	To be examined by a Committee comprising Finance Secretary and Secretary (Expenditure) as Chairman and Secretaries of Home Affairs, Defence, Posts, Health & Family Welfare, Personnel & Training and Chairman, Railway Board as Members. Till a final decision is taken based on the recommendations of the Committee, Fixed Medical Allowance shall be paid at existing rates.
2.	<u>Constant Attendance Allowance.</u> The allowance may be increased by a factor of 1.5 i.e. to Rs. 6750/- per month. The allowance needs further increase by 25% each time DA rises by 50% . (Para 8.17.29 of the Report)	To be examined by a Committee comprising Finance Secretary and Secretary (Expenditure) as Chairman and Secretaries of Home Affairs, Defence, Posts, Health & Family Welfare, Personnel & Training and Chairman, Railway Board as Members. Till a final decision is taken based on the recommendations of the Committee, Constant Attendant Allowance shall be paid at existing rates.
3.	<u>General Provident Fund</u> Status quo may be maintained in this respect. (Para 9.4.4 of the Report)	Accepted
4.	<u>Rates of Pension & Family Pension</u> The Commission does not recommend any further increase in the rate of Pension and Family Pension from the existing levels. (Para 10.1.25 of the Report)	Accepted

5.	<p><u>Quantum of Minimum Pension</u></p> <p>The recommendations of the Commission in relation to pay of a personnel will lead to a significant increase in the minimum from the existing Rs.7,000 per month to Rs.18,000 per month. This, based on computation of pension, will raise minimum pension from the existing Rs.3500 to Rs.9,000. The minimum pension based on the recommendations of the Commission will increase by 2.57 times over the existing level.</p> <p>(Para 10.1.27 of the Report)</p>	Accepted
6.	<p><u>Rate of Additional Pension and Family Pension to the older pensioners.</u></p> <p>The Commission is of the view that the existing rates of additional pension and additional family pension are appropriate.</p> <p>(Para 10.1.30 of the Report)</p>	Accepted
7.	<p><u>Time Period for enhanced family pension.</u></p> <p>The Commission notes that the recommendation with regard to period of eligibility of the enhanced family pension of 10 years in case of death of a serving employee was made based on the recommendations of VIth CPC Report. No further change is being recommended by the Commission.</p> <p>(Para 10.1.33 of the Report)</p>	Accepted
8.	<p><u>Gratuity ceiling and its indexation.</u></p> <p>The Commission recommends enhancement in the ceiling of gratuity from the existing Rs.10 lakh to Rs.20 lakh from 01.01.2016. The Commission further recommends the ceiling on gratuity may increase by 25% whenever DA rises by 50%.</p> <p>(Para 10.1.37 of the Report)</p>	Accepted

9.	<p><u>Rationalization of death gratuity</u></p> <p>The Commission, after examination of the matter, recommends the following rates for payment of death gratuity:</p> <table><tr><td>Length of Service</td><td>Rate of Death Gratuity</td></tr><tr><td>Less than One year</td><td>2 times of monthly emoluments</td></tr><tr><td>One Year or more but less than 5 years</td><td>6 times of monthly emoluments</td></tr><tr><td>5 years or more but less than 11 years</td><td>12 times of monthly emoluments</td></tr><tr><td>11 years or more but less than 20 years</td><td>20 times of monthly emoluments</td></tr><tr><td>20 years or more</td><td>Half month of emoluments for every completed six monthly period of qualifying service subject to a maximum of 33 times of emoluments.</td></tr></table> <p>Para 10.1.41 of the Report)</p>	Length of Service	Rate of Death Gratuity	Less than One year	2 times of monthly emoluments	One Year or more but less than 5 years	6 times of monthly emoluments	5 years or more but less than 11 years	12 times of monthly emoluments	11 years or more but less than 20 years	20 times of monthly emoluments	20 years or more	Half month of emoluments for every completed six monthly period of qualifying service subject to a maximum of 33 times of emoluments.	Accepted
Length of Service	Rate of Death Gratuity													
Less than One year	2 times of monthly emoluments													
One Year or more but less than 5 years	6 times of monthly emoluments													
5 years or more but less than 11 years	12 times of monthly emoluments													
11 years or more but less than 20 years	20 times of monthly emoluments													
20 years or more	Half month of emoluments for every completed six monthly period of qualifying service subject to a maximum of 33 times of emoluments.													
10	<p><u>Commutation of Pension and restoration of commuted pension</u></p> <p>The Commission does not recommend any change either in the maximum percentage of commutation or in the period of restoration.</p> <p>(Para 10.1.43 of the Report)</p>	Accepted												

11	<p><u>Revision of Pension of pre 7th CPC retirees</u></p> <p>The Commission recommends the following pension formulation for civil employees including CAPF personnel who have retired before 01.01.2016</p> <p>(i) All the Civilian personnel including CAPF who retired prior to 01.01.2016 (expected date of implementation of the Seventh CPC recommendations) shall first be fixed in the Pay Matrix being recommended by this Commission, on the basis of the Pay Band and Grade Pay at which they retired, at the minimum of the corresponding level in the matrix. This amount shall be raised, to arrive at the notional pay of the retiree, by adding the number of increments he / she had earned in that level while in service, at the rate of three percent. Fifty percent of the total amount so arrived at shall be the revised pension.</p> <p>(ii) The second calculation to be carried out is as follows. The pension, as had been fixed at the time of implementation of the VI CPC recommendations, shall be multiplied by 2.57 to arrive at an alternate value for the revised pension.</p> <p>(iii) Pensioners may be given the option of choosing whichever formulation is beneficial to them.</p> <p>It is recognized that the fixation of pension as per formulation in (i) above may take a little time since the records of each pensioner will have to be checked to ascertain the number of increments earned in the retiring level. It is therefore recommended that in the first instance the revised pension may be calculated as at (ii) above and the same may, be paid as an interim measure. In the event calculation as per (i) above yields a higher amount the difference may be paid subsequently. (Para 10.1.67 and Para 10.1.68 of the Report)</p>	<p>Both the options recommended by the 7th Central Pay Commission as regards pension revision be accepted subject to feasibility of the implementation. Revision of pension using the second option based on fitment factor of 2.57 be implemented immediately. The first option may be made applicable if its implementation is found feasible after examination by the Committee comprising Secretary (Pension) as Chairman and Member (Staff). Railway Board, Member (Staff), Department of Posts, Additional Secretary & Financial Adviser, Ministry of Home Affairs and Controller General of Accounts as Members</p>
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22

12

Ex-gratia Lumpsum Compensation

Accepted

The commission recommends a Common regime for payment of ex-gratia lump-sum compensation for civil and defence forces personnel, payable to the next of Kin at the following rates:

Circumstances	Existing	Proposed
Death occurring due to accidents in course of performance of duties	10 lakh	25 lakh
Death in the course of performance of duties attributed to acts of violence by terrorists, anti social elements etc.	10 lakh	25 lakh
Death occurring in border skirmishes and action against militants, terrorists, extremists, sea pirates	15 lakh	35 lakh
Death occurring while on duty in the specified high altitude, inaccessible border posts, on account of natural disasters, extreme weather conditions	15 lakh	35 lakh
Death occurring during enemy action in war or such war like engagements, which are specifically notified by Ministry of Defence and death occurring during evacuation of Indian Nationals from a war-torn zone in foreign country	20 lakh	45 lakh

(Para 10.2.77)

F. No 38/37/2016-P&PW(A) (i)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Pension & Pensioners' Welfare
Lok Nayak Bhawan, New Delhi-110003

Dated the 4th August, 2016

OFFICE MEMORANDUM

Sub: Implementation of Government's decision on the recommendation of the Seventh Central Pay Commission - Revision of provisions regulating pension/gratuity/commutation of pension/family pension/disability pension/ex-gratia lump-sum compensation, etc.

The undersigned is directed to state that in pursuance of Government's decision on the recommendation of the Seventh Central Pay Commission, the President is pleased to introduce the following modifications in the rules regulating pension, Retirement/Death/Service Gratuity, Family Pension, disability pension, ex-gratia lump-sum compensation, etc. under the CCS (Pension) Rules, 1972 and Commutation of Pension under CCS (Commutation of Pension) Rules, 1981, CCS (Extraordinary Pension) Rules, 1939, etc.

2. These orders apply to Central Government Employees governed by the CCS (Pension) Rules, 1972. Separate orders will be issued by the Ministry of Defence, Ministry of Railways and the AIS Division of the DOPT in respect of Armed Forces personnel, Railway employees and the officers of All India Services respectively on the basis of these orders.

DATE OF EFFECT

3.1 The revised provisions as per these orders shall apply to Government servants who retire/die in harness on or after 1.1.2016. Separate order have been issued in respect of employees who retired/died before 1.1.2016.

3.2 Where pension/family pension/Gratuity/Commutation of pension, etc has already been sanctioned in cases occurring on or after 1.1.2016, the same shall be revised in terms of these orders. In cases where pension has been finally sanctioned on the pre-revised orders and if it happens to be more beneficial than the pension

becoming due under these orders, the pension already sanctioned shall not be revised to the disadvantage of the pensioner in view of Rule 70 of the CCS (Pension) Rules, 1972.

EMOLUMENTS

4.1 The term 'Emoluments' for purposes of calculating various pensionary benefits other than various kinds of Gratuity shall have the same meaning as in Rule 33 of the Central Civil Services (Pension) Rules, 1972.

4.2 Basic pay in the revised pay structure means the pay drawn in the prescribed level in the Pay Matrix with effect from 01.01.2016 but does not include any other type of pay like special pay, etc.

4.3 In the case of all kinds of gratuity, dearness allowance admissible on the date of retirement/death shall continue to be treated as emoluments along with the emoluments as defined in Paragraph 4.1 above.

PENSION

5.1 Subject to para 5.2, there shall be no change in the provisions regulating the amount of pension as contained in Rule 49 of the CCS(Pension) Rules.

5.2 The amount of pension shall be subject to a minimum of Rs.9000/- and the maximum pension would be 50% of highest pay in the Government (The highest pay in the Govt. is Rs 2,50,000 with effect from 1.1.2016). The provisions of sub-rule (2) of Rule 49 of the CCS (Pension) Rules, 1972 shall stand modified to this extent.

5.3 The quantum of additional pension/family pension available to the old pensioners/ family pensioners shall continue to be as follows:-

<u>Age of pensioner/family pensioner</u>	<u>Additional quantum of pension</u>
From 80 years to less than 85 years	20% of revised basic pension/ family pension
From 85 years to less than 90 years	30% of revised basic pension / family pension
From 90 years to less than 95 years	40% of revised basic pension / family pension
From 95 years to less than 100 years	50% of revised basic pension / family pension
100 years or more	100% of revised basic pension / family pension

The Pension Sanctioning Authorities should ensure that the date of birth and the age of a pensioner is invariably indicated in the pension payment order to facilitate payment of additional pension by the Pension Disbursing Authority as soon as it becomes due. The

amount of additional pension will be shown distinctly in the pension payment order. For example, in case where a pensioner is more than 80 years of age and his pension is Rs.10,000 pm, the pension will be shown as (i) Basic pension=Rs.10,000 and (ii) Additional pension = Rs.2,000 pm. The pension on his attaining the age of 85 years will be shown as (i).Basic Pension = Rs.10,000 and (ii) additional pension = Rs.3,000 pm.

Retirement/ Death Gratuity

6.1 The rates for payment of death gratuity shall be revised as under:

Length of qualifying service	Rate of Death Gratuity
Less than One year	2 times of monthly emoluments
One Year or more but less than 5 years	6 times of monthly emoluments
5 years or more but less than 11 years	12 times of monthly emoluments
11 years or more but less than 20 years	20 times of monthly emoluments
20 years or more	Half month's emoluments for every completed six monthly period of qualifying service subject to a maximum of 33 times of emoluments.

Accordingly, Rule 50(1)(b) of CCS (Pension) Rules, 1972 shall stand modified to this extent.

6.2 The maximum limit of Retirement gratuity and death gratuity shall be Rs. 20 lakh. The ceiling on gratuity will increase by 25% whenever the dearness allowance rises by 50% of the basic pay. Accordingly, first proviso under Rule 50(1)(b) of CCS (Pension) Rules, 1972 shall stand modified to this extent.

FAMILY PENSION 1964

7.1 Family pension shall be calculated at a uniform rate of 30% of basic pay in the revised pay structure and shall be subject to a minimum of Rs.9000/-p.m. and maximum of 30% of the highest pay in the Government. Rule 54(2) relating to Family Pension, 1964 under CCS (Pension) Rules, 1972 shall stand modified to this extent.

7.2 The amount of enhanced family pension shall be 50% of basic pay in the revised pay structure and shall be subject to a minimum of Rs.9000/-p.m. and maximum of 50% of the highest pay in the Government. (The highest pay in the Govt. is Rs. 2,50,000 with effect from 1.1.2016).

7.3 There will be no other change in the provisions regulating family pension, enhanced family pension and additional family pension to old family pensioners.

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COMMUTATION OF PENSION

8.1 There will be no change in the provisions relating to commutation values, the limit upto which the pension can be commuted or the period after which the commuted pension is to be restored.

9.1 The pension/family pension under para 5 and 7 above shall qualify for dearness relief sanctioned from time to time, in accordance with the relevant rules/instructions.

FIXED MEDICAL ALLOWANCE

10.1 Fixed Medical Allowance to the pensioners who are residing in non-CGHS areas and are not availing OPD facility of CGHS shall continue to be paid at the existing rate till a final decision is taken on the basis of recommendations of the Committee constituted for the purpose.

CONSTANT ATTENDANT ALLOWANCE

11.1 The amount of Constant Attendant Allowance to pensioners who retired on disability pension with 100% disability under the CCS (Extraordinary) Pension Rules, 1939, (where the individual is completely dependent on somebody else for day to day functions) shall continue to be paid at the existing rate till a final decision is taken on the basis of recommendations of the Committee constituted for the purpose.

EX GRATIA LUMP SUM COMPENSATION

12.1 The amount of ex gratia lump sum compensation available to the families of Central Government Civilian employees, who die in the performance of their *bona fide* official duties under various circumstances shall be revised as under:

Circumstances	Amount
Death occurring due to accidents in course of performance of duties	25 lakh
Death in the course of performance of duties attributed to acts of violence by terrorists, anti social elements etc.	25 lakh
Death occurring in border skirmishes and action against militants, terrorists, extremists, sea pirates	35 lakh
Death occurring while on duty in the specified high altitude, unaccessible border posts, etc. on account of natural disasters, extreme weather conditions	35 lakh
Death occurring during enemy action in war or such war like engagements, which are specifically notified by Ministry of Defence and death occurring during evacuation of Indian Nationals from a war-torn zone in foreign country	45 lakh

13.1. Formal amendments to CCS (Pension) Rules, 1972 and CCS (Extraordinary) Pension Rules, 1939 in terms of the decisions contained in this order will be issued in due course. Provisions of the CCS (Pension) Rules 1972, CCS (Extraordinary) Pension Rules, 1939, and CCS(Commutation of Pension) Rules, 1981 which are not specifically modified by these orders, will remain unchanged.

14.1. These orders issue with concurrence of the Ministry of Finance Department of Expenditure vide their U.O. No. 30-1/33(c)/ 2016-IC dated 03.08.2016

15.1. In their application to the employees of the Indian Audit and Accounts Department, these orders issue in consultation with Comptroller and Auditor General of India.

16. Ministry of Agriculture etc. are requested to bring the contents of these orders to the notice of Controller of Accounts/Pay and Accounts Officers and Attached and Subordinate Offices under them on a top priority basis.



(Vandana Sharma)

Joint Secretary to the Government of India

To

1. All Ministries/ Departments of Government of India
2. Principal Director, Office of Comptroller & Auditor General of India, New Delhi
3. Contorller General of Accounts, New Delhi
4. CCA, Central Pension Accounting Office, New Delhi.

IMMEDIATE
CONFIDENTIAL

No.004/VGL/87
Government of India
Central Vigilance Commission

Satarkta Bhawan, Block-A,
GPO Complex, INA,
New Delhi- 110 023
Dated the 25th October 2004

Office Order No.67/10/04

Subject: Foreign visits by the Government employees.

The High Court of Delhi, in its judgment dated the 28th May, 2004 in the Criminal Writ Petition No. 1004/03, (Shri C.K. Jain v/s Union of India) has observed that a Govt. servant who had visited Dubai & Singapore 161 times on private visits without permission was never ever questioned by any authority like Customs and Immigration and other. In a subsequent direction based on the reply filed by the Government, the High Court directed that the "Central Vigilance Commission may collect information about Government servants going abroad on private visits and possibly a data bank should be kept on them".

2. Keeping in view the directives of the High Court, all the Chief Vigilance Officers are requested to collect information about government servants/employees in their respective Organizations, who had gone abroad on private visits during 2003 (January to December) and 2004 (till October 2004), in the enclosed proforma and send the same to the Commission immediately so that the Hon'ble High Court may be intimated timely.

3. Information of such Foreign visits on private account by Government employees be sent in consolidated form (calender year wise) in January of every year.

Sd/-

(Anjana Dube)
Deputy Secretary

- (i) All Chief Vigilance Officers of Ministries/Departments/Autonomous Organisations/Public Sector Undertakings/Public Sector Banks/Insurance Companies/Societies
- (ii) President's Secretariat/Vice-President's Secretariat/Lok Sabha Secretariat/Rajya Sabha Secretariat/Prime Minister's Office.

No. 4(4)/E.Coord/2015
Government of India
Ministry of Finance
Department of Expenditure


North Block, New Delhi.
Dated 25th January, 2016.

OFFICE MEMORANDUM

Subject : **Instructions for processing foreign visits of officers of the Government of India for approval of Screening Committee of Secretaries (SCoS).**

This Department has been receiving references seeking clarification on certain issues with reference to this Department's OM of even number dated 05-01-2016 on the above subject. Accordingly the following clarification is issued :-

- a) Approval of SCoS is not required in case of foreign visits of upto Joint Secretary level officers as part of foreign training component, Mid-Career Training Programme (MCTP) or any other training, irrespective of number of members and days".
- b) The provision of seeking approval of Cabinet Secretary for condoning delay in submission of proposals sent less than 15 days before the date of departure of delegation has been done away with.
- c) Calculation of number of foreign visits in respect of any officer will be with reference to calendar year.


(N. Radhakrishnan)
Director (E. Coord)
Tel. : 2309 2769

All Secretaries to the Government of India.
All Financial Advisors of Ministries / Departments.

Copy for kind information to :-

Additional Secretary, PMO
Staff Officer to Cabinet Secretary
PSO to Finance Secretary

F. No. 11013/8/2015-Estt.A-III
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel & Training
Establishment A-III Desk

North Block, New Delhi – 110001
Dated June 29th, 2015

OFFICE MEMORANDUM

Subject: Requirement of taking prior permission for leaving station/ headquarters
from going abroad while on leave.

Undersigned is directed to say that a need for further streamlining the procedure for grant of permission for going abroad on private visit has been felt. A draft of instructions and the formats for grant of permission are attached. Comments/ views, if any, in this regard may be sent to the e-mail address mp.ramarao@nic.in latest by **10th July, 2015**.



(M. P. Rama Rao)

Under Secretary to the Government of India

Tel: 23040264

To

All Ministries/ Department of the Government of India.

Copy to:

✓ NIC, DoP&T with the request to place the above O.M. alongwith its enclosures on the website of this Ministry on the homepage for 15 days (what is New?).

F. No. 11013/8/2015-Estt.A-III
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel & Training
(Establishment Division)

North Block, New Delhi - 110001
Dated, 2015

OFFICE MEMORANDUM

Subject: Requirement of taking prior permission for leaving station/headquarters for going abroad while on leave.

Undersigned is directed to refer to the Office Memoranda mentioned in the margin and to say that as per the existing instructions, when Government servant applies for leave for going abroad on a private visit, separately prior permission of the Competent authority for such visit is also required. While granting such permission, many factors are required to be kept in view. For example, permission may be denied in the interest of security. Individuals facing investigation/inquiry on serious charges, who may try to evade apprehension by police authorities, or facing the inquiry, may also not be permitted to leave the country. On the other hand, it is also desirable that requests of Government servants for such permission are dealt with expeditiously.

2. Keeping the above in view, it has been decided that requests for permission for private visits abroad may be processed in the attached formats. As clarified vide the OM dated 1st September, 2008, the competent authority for granting permission will be as per instructions issued by the Cadre Authority/administrative Ministry/Department. In the absence of any such instructions, it is the leave sanctioning authority. In case due to specific nature of work in a Department, administrative exigencies, or some adverse factors against the Government servant etc., it is not expedient to grant permission to the Government servant, such decision for refusal should not be taken below the level of Head of Department. It may be ensured that the decisions are conveyed to the Government servants within 15 days of receipt of complete application. Any lacunae in the application should be brought to the notice of the Government servant within one week of the receipt of the application.

3. If in case some modifications are considered necessary due to specialised nature of work handled by any organisation, changes may be made with the approval of this Department.

(M P Rama Rao)

Under Secretary to the Government of India

(As per standard mailing list)

1.No.11013/7/2004-
Estt(A) dt the 1st
September, 2008

2.No.11013/7/2004-
Estt(A) dt the 15th
December, 2004

3.No.11013/8/2000-
Estt(A) dt the 7th
November, 2000

4.No.11013/7/94-
Estt(A) dt the 18th
May, 1994

**PROFORMA FOR TAKING PRIOR PERMISSION BY
GOVERNMENT SERVANTS FOR PRIVATE VISITS ABROAD**

Part A – To be filled by the Government servant applying for visit abroad

1. Name and Designation
2. Pay
3. Ministry/ Department
4. Passport No.
5. Details of private foreign travels to be undertaken;

Period of travel	Name of foreign countries to be visited	Purpose	Estimated expenditure (travel, board, lodging, visa, misc., etc.)	Source of funds

6. Details of private foreign travel undertaken during the last four years

Period of travel	Name of foreign countries visited	Purpose

Signature

Name and Designation

Part B – To be filled by the Administration

1. Whether the Government servant is handling large amounts of government cash.
2. Whether the Government servant is dealing with secret/ top secret matters.
3. Whether any case involving serious charges against the Government servant is under investigation (Details)
4. Whether any disciplinary proceeding is pending against the Government servant (Details).

Signature

Date:

Name and Designation

**No. 12/33/2011-FA (UN)
Government of India
Ministry of Personnel, Public Grievances and Pension
Department of Personnel & Training**

North Block, New Delhi, the 16th May, 2011

OFFICE MEMORANDUM

Subject: - Checklist for clearance in respect of Group 'A' officers working under the Central Staffing Scheme, visiting abroad-reg.

Please refer to this Department's O.M. No. 26/22/2003-FAS, dated 23/05/2003, regarding delegation of powers to the Central Ministries in case of officers of Gp. 'A' Central Services serving under the Central Staffing Scheme for their visit abroad for attending trainings, study tours, seminars, workshops etc. As per para '4' of the aforesaid O.M., clearance of this Department is required for the following category of official visits/tours/study tours/seminars/workshops etc. abroad: -

- (i) All cases of more than three (3) weeks duration.
- (ii) All cases where the invitation is direct to the officer and the State Government is not bearing the expenditure, irrespective of the duration of the visit.
- (iii) All cases where the foreign hospitality from a private agency is involved.
- (iv) All cases where an officer is getting any remuneration / fees for the work performed by him.

2. It has been noted that proposals for grant of cadre clearance to officers of the Gp. 'A' Central Services serving under the Central Staffing Scheme for the above category of foreign visits, are received in this Department without complete details leading to avoidable delay. In order to ensure that all the relevant details are made available in one go, a Checklist has been prescribed for the purpose.

3. It is requested that all proposals for grant of Cadre clearance to officers of the Gp. 'A' Central Services serving under the Central Staffing Scheme for their visit abroad, may kindly be sent to this Department in the enclosed **Checklist format**, giving complete details required to process the case.

4. It is also requested to submit the proposals to this Department at least 15 days before the commencement of the proposed foreign visit. It is to be informed that in case the proposal is found incomplete, the same will not be considered by this Department and no action will be taken thereon. Neither, any back reference will be made to seek additional information. However, the implication of para 8 of DOP&T O.M. No 26/22/2003-FAS, dated 23/05/2003, will hold good and the onus to get the clearance from DOP&T in time will lie on the Ministries / Departments of the GoI or the officer concerned, before proceeding abroad.



(G. Srinivasan)

Under Secretary to the Government of India

To,

The Secretaries,
All Ministries / Departments of the Government of India.

Copy to:

✓ NIC Cell, DOP&T, for placing it under the 'Instructions on Foreign Assignments' category of the Circulars of EO Division.

Checklist for clearance in respect of Group 'A' officers working under the Central Staffing Scheme, visiting abroad

1. Name and designation of the officer
2. Date of birth
3. Details of the training programme/ workshop/seminar etc. with a copy of the invitation/admission
 - (i) Name of the course/workshop/seminar etc.
 - (ii) Name of the institution/country
 - (iii) Duration
 - (iv) Details of the cost of the training/workshop/Seminar
4. Expenditure
 - (i) Details of expenditure on the visit abroad(including travel, hospitality etc.)
 - (ii) Source of funding
5. Agency that bears the cost of the training/ workshop/seminar
 - (i) Details of such cost
 - (ii) Details of the Agency
6. Service/cadre to which the officer belongs
7. Year of allotment to the cadre
8. Job description of the officer
9. Relevance of the training/workshop/seminar to the job of the officer
10. Whether the officer is clear from vigilance angle
11. Recommendation of the Cadre Controlling State Government/Ministry
12. No objection/approval of Deptt. of Personnel & Trg. will be subject to clearance by Ministry of External Affairs from political angle, MHA in FCRA and Ministry of Finance if need be from Screening Committee etc.

North Block, New Delhi
Dated: 26th October, 2016

OFFICE MEMORANDUM


Subject: Deputation/Delegations abroad of Officials and /or non-Official sponsored by Government of India – ex-India leave - regarding.

The undersigned is directed to refer to this Department's O.M. No.19036/7/75-E-IV (B) dated 05.08.1976 on the subject mentioned above. As per Para 11 of the said O.M. "An officer may, subject to the exigencies of public service, be granted leave while abroad for the period not exceeding 50% of the actual period of the duty abroad (excluding the transit time from India to the country of deputation and back and enforced halt) or a fortnight, whichever is less, for personal reasons". Subsequently, it was clarified vide this Department's O.M. No.19036/2/2008-E-IV dated 04.07.2008 that "during such ex-India leave the closed holidays "Saturday and Sunday" etc. may be allowed to be pre-fixed/ suffixed as the case may be, subject to the condition that no extra financial implications like payment of hotel charges/ per diem allowance etc. are involved".

2. References are being received in this Department seeking clarification on applicability of Department of Personnel & Training instructions issued vide letter No. 11019/06/2001-AIS-III dated 05.12.2007 regarding "Delegation of Powers to the State Governments and Ministries/Departments of the Government of India in cases of Members of All India Services proceeding abroad on ex-India leave (excluding Study Leave)" wherein it is provided that 'in case of official visits of a duration less than 8 days, the limit of 50% may be relaxed and ex-India leave upto a maximum 4 days may be granted'.

3. The matter has been considered in the Department of Expenditure and it has been decided that in case of official visit/ tour abroad (including training and excluding Study Leave) where the period of deputation is less than eight (08) days, the Government Official may be granted ex-India leave for a maximum period of four (04) days. In respect of official visit/ tour abroad including training for more than eight days, the limit of 50% ex-India leave will continue. During ex-India leave, the closed holidays "Saturday and Sunday" etc. may be allowed to be pre-fixed / suffixed as the case may be, subject to the condition that no extra financial implications like payment of hotel charges/ per-diem allowance etc. are involved.

4. Para 11 of this Department's O.M. No.19036/7/75-E-IV (B) dated 05.08.1976 and O.M. No.19036/2/2008-E-IV dated 04.07.2008 will stand modified to the extent as mentioned in Para 3 above.


26/10/2016
(Nirmala Dev)

Deputy Secretary to the Government of India
Telefax. 23093276

All Ministries/ Departments of Government of India.

Copy to: NIC for uploading on Official Website of Department of Expenditure.

भारत सरकार

विज्ञान और प्रौद्योगिकी मंत्रालय

बायोटेक्नोलॉजी विभाग

GOVERNMENT OF INDIA

MINISTRY OF SCIENCE & TECHNOLOGY

DEPARTMENT OF BIOTECHNOLOGY

BT/AI/14013/28/2018



सत्यमेव जयते



एक कदम स्वच्छता की ओर

ब्लॉक-2, 7वां तल, सीओ जीओ ओओ कॉम्प्लेक्स

लोधी रोड, नई दिल्ली-110003

Block-2, 7th Floor, C.G.O. Complex
Lodhi Road, New Delhi-110003

Dated: 27th June, 2018

To

The Director(s)/Executive Director(s)/CEO/Managing Director(s):-

1. Centre for DNA Fingerprinting & Diagnostics (CDFD), Hyderabad
2. National Brain Research Centre (NBRC), Manesar
3. Institute of Life Science (ILS), Bhubaneswar
4. National Institute of Immunology (NII), New Delhi
5. National Centre for Cell Science (NCCS), Pune
6. Institute of Bioresources & Sustainable Development (IBSD), Manipur
7. National Institute for Plant Genome Research (NIPGR), New Delhi
8. Rajiv Gandhi Centre For Biotechnology (RGCB), Thiruvananthapuram
9. National Institute of Animal Biotechnology (NIAB), Hyderabad
10. Translational Health Science and Technology Institute (THSTI), Gurgaon
11. Regional Centre for Biotechnology (UNESCO) (RCB), Gurgaon
12. National Institute of Biomedical Genomics (NIBMG), Kalyani
13. National Agri-Food Biotechnology Institute (NABI), Mohali, Punjab
14. Stem Cell Science & Regenerative Medicine Institute (InStem), Bangalore
15. Center of Innovation and Applied Bioprocessing (CIAB), Mohali, Punjab
16. International Centre for Genetic Engineering & Biotechnology (ICGEB), New Delhi.
17. Bharat Immunologicals and Biologicals Corporation Limited (BIBCOL), Bulandshahr
18. Biotechnology Industry Research Assistance Council (BIRAC), New Delhi
19. Indian Vaccine Corporation Limited (IVCOL), New Delhi

Subject:- Compliance of Foreign Contribution (Regulation) Act, 2010 (FCRA) guidelines - reg.

Sir/Madam,

Please refer to this Department letter No. BT/Vig/06/01(A)/2013-PPVC dated 13.04.2015 on the above mentioned subject and to state that the directions issued by the above referred letter are not being complied with by some of the Autonomous Institutions and CPSEs of this Department. It has been brought to the notice of this Department that some officials working in the Autonomous Institutions/CPSEs under the Department are still accepting Foreign Hospitality without prior permission of the Government and are thus violating the provisions of Foreign Contribution (Regulation) Act, 2010 (FCRA).

2. A copy of O.M. No. II/21022/58(97)/2011-FCRA-I dated 20.09.2011 issued by Ministry of Home Affairs regarding 'Guidelines for consideration of proposals for acceptance of foreign hospitality under the Foreign Contribution (Regulation) Act, 2010', is enclosed, for information and strict compliance by all the officials of your respective organization.

3. Please ensure strict compliance of these instruction.

Encl: As above

(Chandra Prakash Goyal)
Joint Secretary to the Govt. of India
Tel. : 011-24362982

Copy to:-

- (i) Nodal Officers of AIs and CPSEs under DBT.
- (ii) PSO to SBT.

27.06.2018

Website : <http://www.dbtindia.nic.in> <http://www.btisnet.gov.in>

दूरभाष/Telephone : 24363012, 24362329 फैक्स/Fax : 011-24362884

Ann. - ①

Most Immediate

No. II/21022/58(97)/2011-FCRA-I
Government of India/Bharat Sarkar
Ministry of Home Affairs/Grih Mantralaya
Foreigners Division
(FCRA Wing)

Jaisalmer House
26 Mansingh Road
New Delhi - 110003

Dated: the 20th September, 2011

OFFICE MEMORANDUM

Subject: **Guidelines for consideration of proposals for acceptance of foreign hospitality under the Foreign Contribution (Regulation) Act, 2010.**

The Foreign Contribution (Regulation) Act, 2010 (FCRA, 2010) and the Foreign Contribution (Regulation) Rules, 2011 (FCRR, 2011) have come into force with effect from 01.05.2011. The provisions under the Act/Rules relating to 'foreign hospitality' and guidelines to be followed for consideration of proposals for acceptance of the same are hereby circulated for information and compliance by all concerned.

2. Statutory Provisions: The relevant provisions of FCRA, 2010 are reproduced below:

Section 2 (1) (i): "Foreign Hospitality" means any offer, not being a purely casual one, made in cash or kind by a foreign source for providing a person with the costs of travel to any foreign country or territory or with free boarding, lodging, transport or medical treatment.

Section 2 (1) (i): "Foreign source" includes -

- (i) the Government of any foreign country or territory and any agency of such Government;
- (ii) any international agency, not being the United Nations or any of its specialized agencies, the World Bank, International Monetary Fund or such agency as the Central Government may, by notification, specify in this behalf;
- (iii) a foreign company;
- (iv) a corporation, not being a foreign company, incorporated in a foreign country or territory;
- (v) a multi-national corporation referred to in sub-clause (iv) of clause (g)*;
- (vi) a company within the meaning of the Companies Act, 1956, and more than one-half of the nominal value of its share capital is held, either singly or in the aggregate, by one or more of the following, namely:-
 - (A) the Government of a foreign country or territory;
 - (B) the citizens of a foreign country or territory;
 - (C) corporation incorporated in a foreign country or territory;
 - (D) trusts, societies or other associations of individuals (whether incorporated or not), formed or registered in a foreign country or territory;

Page 1 of 5

- (E) foreign company;
- (vii) a trade union in any foreign country or territory, whether or not registered in such foreign country or territory;
- (viii) a foreign trust or a foreign foundation, by whatever name called, or such trust or foundation mainly financed by a foreign country or territory;
- (ix) a society, club or other association of individuals formed or registered outside India;
- (x) a citizen of a foreign country.

*A corporation incorporated in a foreign country or territory shall be deemed to be a multi-national corporation if such corporation –

- (a) has a subsidiary or branch or place of business in two or more countries or territories; or
- (b) carries on business, or otherwise operates, in two or more countries or territories.

Section 2 (1) (k): “Legislature” means -

- (A) either House of Parliament;
- (B) the Legislative Assembly of a State, or in the case of a State having a Legislative Council, either House of the Legislature of that State;
- (C) Legislative Assembly of a Union Territory constituted under the Government of Union Territories Act, 1963;
- (D) Legislative Assembly for the National Capital Territory of Delhi referred to in the Government of National Capital Territory of Delhi Act, 1991;
- (E) Municipality as defined in clause (e) of article 243P of the Constitution;
- (F) District Councils and Regional Councils in the States of Assam, Meghalaya, Tripura and Mizoram as provided in the Sixth Schedule to the Constitution;
- (G) Panchayat as defined in clause (d) of article 243 of the Constitution; or
- (H) Any other elective body as may be notified by the Central Government.

Section 2 (1) (m): “person” includes:-

- (i) an individual;
- (ii) a Hindu undivided family;
- (iii) an association;
- (iv) a company registered under section 25 of the Companies Act, 1956.

Section 2 (1) (n): “political party” means:-

- (i) an association or body of individual citizens of India –
 - (A) to be registered with the Election Commission of India as a political party under section 29A of the Representation of the People Act, 1951; or
 - (B) which has set up candidates for election to any Legislature, but is not so registered or deemed to be registered under the Election Symbols (Reservation and Allotment) Order, 1968;
- (ii) a political party mentioned in column 2 of Table 1 and Table 2 to the notification of the Election Commission of India No. 56/J&K/02, dated the 8th August, 2002, as in force for the time being.

Section 6 - Restriction on acceptance of foreign hospitality:

No member of a Legislature or office-bearer of a political party or Judge or Government servant or employee of any corporation or any other body owned or controlled by the Government shall, while visiting any country or territory outside India, accept, except with the prior permission of the Central Government, any foreign hospitality:

Provided that it shall not be necessary to obtain any such permission for an emergent medical aid needed on account of sudden illness contracted during a visit outside India, but, where such foreign hospitality has been received, the person receiving such hospitality shall give, within one month from the date of receipt of such hospitality an intimation to the Central Government as to the receipt of such hospitality, and the source from which, and the manner in which, such hospitality was received by him.

Section 9 - Power of the Central Government to prohibit receipt of foreign hospitality in certain cases –

The Central Government may –

....

(b) require any person or class of persons, not specified in section 6, to obtain prior permission of the Central Government before accepting any foreign hospitality;

.....

(e) require any person or class of persons, not specified in section 6, to furnish intimation, within such time and in such manner as may be prescribed, as to the receipt of any foreign hospitality, the source from which and the manner in which such hospitality was received;

Provided that no such prohibition or requirement shall be made unless the Central Government is satisfied that the acceptance of foreign contribution by such person or class of persons, as the case may be, or the acceptance of foreign hospitality by such person, is likely to affect prejudicially –

- (i) the sovereignty and integrity of India; or
- (ii) public interest; or
- (iii) freedom or fairness of election to any Legislature; or
- (iv) friendly relations with any foreign State; or
- (v) harmony between religious, racial, social, linguistic or regional groups, castes or communities.

3. Provisions under the Rules: The relevant provisions of FCRR, 2011 are reproduced below:

Rule 7 - Receiving foreign hospitality by specifies categories of persons. –

- (1) Any person belonging to any of the categories specified in Section 6 who wishes to avail of foreign hospitality shall apply to the Central Government in Form FC-2 for prior permission to accept such foreign hospitality.
- (2) Every application for acceptance of foreign hospitality shall be accompanied by an invitation letter from the host or the host country, as the case may be, and administrative clearance of the Ministry or Department concern in case of visits sponsored by a Ministry or Department of the Government.
- (3) The application for grant of permission to accept foreign hospitality must reach the appropriate authority ordinarily two weeks before the proposed date of onward journey.

- (4) In case of emergent medical aid needed on account of sudden illness during a visit abroad, the acceptance of foreign hospitality shall be required to be intimated to the Central Government within sixty days of such receipt giving full details including the source, approximate value in Indian Rupees, and the purpose for which and the manner in which it was utilized.

Provided that no such intimation is required if the value of such hospitality in emergent medical aid is upto one lakh rupees or equivalent thereto.

4. Copy of Form FC-2 is available on MHA's web-site - <http://mha.nic.in/fcr/forms/fc-2.pdf>

5. List of agencies of the United Nations and other International Organisations, which are **not** treated as "foreign source", are available on MHA's website <http://mha.nic.in/fcr/intro/FCRA-exemptedAgenciesUN.pdf>

6. The following cases need **not** be submitted to this Ministry for grant of permission to accept foreign hospitality:-

- (i) Where the entire expenditure on the proposed foreign visit is being met by the Central/ State Government or any Central/State PSU etc.
- (ii) Where the proposed foreign visit is being undertaken by a person in his/her personal capacity and the entire expenditure thereon is being met by the person concerned.
- (iii) Where the foreign hospitality is being provided by an Indian national living in a foreign country or territory.
- (iv) Cases involving acceptance of an assignment on salary, fee or remuneration etc.
- (v) Cases involving funding offered by an agency/organization mentioned in Annexure-2.
- (vi) Cases involving visits undertaken by the Members of an Indian Parliamentary delegation under bilateral exchange.
- (vii) Cases involving visits undertaken in pursuance of a bilateral agreement between the Government of India and the Government of the country concerned, approved by the Ministry of Finance (Department of Economics Affairs).
- (viii) Cases involving long term/short term foreign training courses approved by the Ministry of Personnel, Training and Public Grievances.

7. The responsibility of ensuring full compliance with the provisions FCRA, 2010 lies with the person proposing to avail the foreign hospitality. It should, therefore, be ensured that the foreign visit involving acceptance of foreign hospitality is undertaken only after obtaining the requisite permission under the said Act.

8. Permission accorded under FCRA, 2010 to accept foreign hospitality should not be construed as equivalent to administrative clearance, which has to be obtained separately by the person concerned from the competent authority in the concerned Ministry/Department.

9. All Ministries/Departments are requested to ensure that the following points have been complied with while forwarding application to the Ministry of Home Affairs, Foreigners Division:

- (i) All columns in Form FC-2 must be filled up.
- (ii) All proposals for acceptance of foreign hospitality should be accompanied with a specific recommendation of the Administrative Ministry/Department.

- (iii) The Administrative Ministry /Department should certify the essentiality of the foreign visit. It should also be clearly indicated whether the proposal has the approval of the Ministry of External Affairs, the cadre controlling authority (applicable in respect of training programme/workshop/seminar/study tour organized by international agencies), and the competent authority.
- (iv) A copy of the offer/invitation containing details of the foreign hospitality being offered should be invariably enclosed with each application.
- (v) Each application for grant of permission to accept foreign hospitality, complete in all respects, should reach the Ministry of Home Affairs, Foreigners Division at least **10 working days before** the scheduled date of departure of the person(s) concerned.

(J.K. Chattopadhyay)
Deputy Secretary to the Government of India
Tel: 23071157

To:

- 1. All Ministries/Department of Government of India
- 2. The Chief Secretaries/Administrators of all States/UTs.
- 3. Resident Commissioners of all States/UTs
- 4. Cabinet Secretariat, New Delhi
- 5. Spare Copies -5

No. S.12020/4/97-CGHS (P)
Government of India
Ministry of Health & Family Welfare
Department of Health & Family Welfare

Nirman Bhawan, New Delhi
Date: 27th December, 2006

Office Memorandum

Subject : Delegation of powers to heads of Departments in various Ministries/ Departments for settling permission cases and post facto approval relating to referral system in CGHS.

The undersigned is directed to refer to this Ministry's Office Memoranda of even number dated the 7th April, 1999, and 7th March, 2000, on the above subject vide which powers were delegated by the CGHS. Delegation No. 12 of O.M. of 7th April, 1999, under post facto approval in respect of CGHS for settlement of individual medical reimbursement claims/to accord permission/grant of medical advance reads as follows:

Subject to the approval of head of the CGHS organisation of the concerned CGHS covered city / Ministry of Health & Family Welfare, where prescribed in the preceding paras, the monetary limit for issuing sanction were raised as under:-		
A	Rs. 2 lakhs (in case of serving employee beneficiaries)	: By the HOD
B	Rs. 2 lakhs (in case of pensioner CGHS beneficiaries)	: By the Head of the concerned CGHS covered city
C	Rs. 2 to 5 lakhs	: Director, CGHS
D	Above Rs. 5 lakhs	: Ministry of Health & Family Welfare

2. Powers were further delegated vide Office Memorandum No. S-12020/4/97-CGHS (P) dated 7th March 2000 as follows:-

- (i) A serving Central Government Servant covered under CGHS who is taking treatment in some CGHS Dispensary / Government hospital and desires to obtain treatment in a private hospital recognized under CGHS, the Heads of Departments may grant him permission for indoor treatment on the basis of medical prescription issued to the CGHS beneficiary.

.....2

- (ii) The Heads of Departments (HODs) may decide the cases of reimbursement of medical claims in respect of treatment obtained in **emergency** at private hospital / private nursing home / private clinic, subject to item-wise ceiling as per rates prescribed for CGHS beneficiaries without financial limit on the total amount to be reimbursed.

3. The Ministry of Health & Family Welfare has been receiving files from different Ministries/Departments in respect of medical claims / request for advance when the admissible amounts exceeded Rs. 2.00 lakhs even though in most of the cases the admissible amount calculated were as per the approved rate list. This has created avoidable work in the Ministry without any scope for value addition in the process of examination.

4. The Ministry of Health & Family Welfare has been examining the question of further delegation of powers to the Heads of Departments / Ministries in the matter and it has been decided with the approval of the competent authority to delegate powers to Departments / Ministries to settle all cases where there is no relaxation of rules and the entitlement was worked out with reference to the rate list prescribed without any monetary ceiling. The delegation would, however, be subject to the condition that the Heads of the Departments / Ministries may settle cases upto the limit of Rs. 2,00,000/- (Rupees Two lakhs only) (worked out with reference to the prescribed rate list). In respect of cases involving payment exceeding Rs. 2,00,000/- (Rupees Two lakhs only) but as per the prescribed rate list, the concerned Departments / Ministries may settle such cases in consultation with their respective Internal Finance Division. Only in those cases where the settled scheme / rules are required to be relaxed, should the case be referred to the Ministry of Health & Family Welfare.

5. This issues with concurrence of Internal Finance Division, Vide CD No: C – 2572-IFD/2006 dated the 27th November, 2006.

(R. Ravi)
Deputy Secretary to the Government of India
(Telefax: 2306 3483)

TO

- (1) All Ministries / Departments in the Government of India
- (2) Director General of Health Services
- (3) All Officers / Sections / Desks in the Ministry of Health & Family Welfare
- (4) Director, CGHS
- (5) Director (ASK), IFD, Ministry of Health & Family Welfare
- (6) All Additional Directors / Joint Directors, CGHS, Delhi
- (7) All Additional Directors / Joint Directors, CGHS outside Delhi
- (8) Registrar, Supreme Court of India

.....3

-: 3 :-

- (9) Office of the Comptroller & Auditor General of India, 10 Bahadur Shah Zafar Marg,

New Delhi, with the request that these orders may be made applicable to the persons serving in the Office of the Comptroller & Auditor General of India.

- (10) Registrar, High Court of Judicature at Delhi
- (11) Secretary, Union Public Service Commission, New Delhi
- (12) Shri Umraomal Purohit, Secretary, Staff Side, 13-C, Ferozshah Road, New Delhi 110 001
- (13) All Staff Side members of the National Council (JCM)
- (14) M/s Swamy Publishers (P) Ltd., P. B. No: 2468, R. A. Puram, Chennai 600 028
- (15) M/s Swamy Publishers (P) Ltd., 4855, 24 Ansari Road, Near Sanjeevan Hospital, Daryaganj, New Delhi 110 002
- (16) Copy for folder
- (17) Guard file

Copy forwarded, for information, to:

(1) Sr. PPS to Secretary (H & FW)

(2) AS (J) (3) AS (DG) (4) AS & PD, NACO (5) AS & FA

(R. Ravi)
Deputy Secretary to the Government of India

CENTRAL GOVERNMENT HEALTH SCHEME

MEDICAL REIMBURSEMENT CLAIM FORM

(To be filled up by the Principal Card holder in **BLOCK LETTERS**)

1. (a) Name of the Principal CGHS Card Holder :
(b) CGHS Ben ID No. :
(c) Employee Code No. :
(d) Ward Entitlement – Pvt./Semi-Pvt./General :
(e) Full Address :

(f) Mobile telephone No. and e-mail address, if any :
2. (a) Patient's Name :
(b) Patient's CGHS Ben ID No. :
(c) Relationship with the Principal CGHS card holder :
3. Name & address of the hospital / diagnostic center /
imaging center where treatment is taken or tests done:
4. Whether the hospital/diagnostic/imaging center is
empanelled under CGHS : Yes/No
5. Treatment for which reimbursement claimed
(a) OPD Treatment /Test & investigations :
(b) Indoor Treatment :
6. Whether treatment was taken in emergency : Yes/No
7. Whether prior permission was taken for the treatment : Yes/No
8. Whether subscribing to any health/medical insurance : Yes/No
scheme, If yes, amount claimed/received
9. Details of Medical Advance taken, if any :
10. **Total amount claimed**
(a) OPD Treatment :
(b) Indoor Treatment :
(c) Tests/Investigation :
11. Name of the Bank : SB A/c No.:
Branch MICR Code: IFSC Code.....

DECLARATION

I hereby declare that the statements made in the application are true to the best of my knowledge and belief and the person for whom medical expenses were incurred is wholly dependent on me. I am a CGHS beneficiary and the CGHS card was valid at the time of treatment. I agree for the reimbursement as is admissible under the rules.

Date :

Place:

Signature of the Principal CGHS card holder

Documents to be attached

1. Photo copy of the CGHS card of the employee along with the patient's CGHS Card.
2. Copy of permission letter, if any.
3. Emergency certificate (original), in case of emergency.
4. Copy of the discharge summary.
5. Ambulance Certificate (original), if any.
6. Original bills /cash memo / vouchers etc. for the reimbursement amount claimed.

IMPORTANT

Kindly ensure to provide the following information / documents, wherever applicable:

- a) Obtain Break up of Investigations from the hospital/diagnostic center/imaging center (details and rates of individual tests and the exact number of tests, X-ray films, etc.) as the reimbursable amount is calculated as per approved CGHS rates per test.
- b) In case of loss of original papers, Affidavits as per Annexure I to be submitted. All photocopies of the bills to be attested by the treating doctor/specialist.
- c) In case of death of the card holder, Affidavit as per Annexure II to be filled and attached to claim reimbursement,
- c) In case of implants, Invoice No. along with sticker with serial number of the implant to be attached.
- d) In case of Coronary Stents, outer pouch of stents is to be enclosed.
- e) In case of replacement of pacemaker / ICD etc., copy of the warranty certificate of earlier pacemaker/ICD may be enclosed.

Note: *Misuse of CGHS facilities is a criminal offence. Penal action including cancellation of CGHS card may be taken in case of willful suppression of facts or submission of false statements. Suitable disciplinary action shall be taken in case of serving employees.*

Annexure –I

Draft for Affidavit for Duplicate Claim Papers/bills on stamp Paper

I, son / wife / daughter of.....and resident of
.....have lost / misplaced the original paper or
the same are not traceable. I hereby give an undertaking that I have not received any payment
against the original bills/claim papers from any source and that if the original papers are traced, I
shall not stake claim against original bills in future and that in the event, I receive any cheque
against the original bills in future, I shall return the same to competent authority.

Deponent

Verified by Notary Public

No. 5.14025/23/2013-MS.EHSS
Government of India
Ministry of Health and Family Welfare
Department of Health and Family Welfare

Nirman Bhavan, New Delhi
Dated : 29.09.2016

OFFICE MEMORANDUM

Sub:- Reimbursement of medical claims to pensioners under CS (MA) Rules, 1944 as directed by various CATS/Courts – Regarding.

The undersigned is directed to state that various references are being received in Ministry of Health and Family Welfare on the above mentioned subject. it is hereby clarified that CS (MA) Rules, 1944 are not applicable to pensioners till date.

2. It is further informed that the following options to avail medical facilities are available to Central Government pensioners:

a) Pensioners residing in CGHS covered areas:

1) They can get themselves registered in CGHS dispensary after making requisite contribution and can avail both OPD and IPD facilities.

2). Pensioners residing in CGHS areas cannot optout of CGHS and avail anyother medical facility {i.e. Fixed Medical Allowance). Such pensioners, if they do not choose to avail CGHS facility by depositing the required contributions, cannot be granted Fixed Medical allowance in lieu of CGHS.

b) Pensioners residing in non -CGHS areas:

1). They can avail Fixed Medical Allowance (FMA) @ Rs.500/- per month

2) They can also avail benefits of CGHS- [OPD and IPD] by registering themselves in the nearest CGHS “city after“ making the required subscription.

3) They also have the option to avail FMA, for OPD treatment and CG HS for IPD treatments after making the required subscriptions as per CGHS guidelines.

3.In view, of the above, reimbursement of medical claims to pensioners under CS (MA) Rules, 1944 as directed by various CATS/Courts, need not be referred to the Ministry of Health and Family Welfare. The respective Administrative Department/Ministry may take their own decision in this regard.

4. Further, all Departments/Ministries are requested to intimate their employees proceeding for retirement regarding the above options for medical facilities available to the Central Government pensioners.

5.This issues with the approval of competent authority.

S/d,
(SUNIL KUMAR GUPTA)
UNDER SECRETARY TO THE GOVT. OF INDIAS



Z 15025/105/2017/DIR/CGHS/EHS
Government of India
Ministry of Health & Family Welfare
Department of Health & Family Welfare
EHS Section

Nirman Bhawan, New Delhi
Dated the 9th November, 2017

OFFICE MEMORANDUM

Sub: Simplification of procedure for treatment at private hospitals empanelled under CGHS/CS (MA) Rules, 1944

With reference to the above mentioned subject the undersigned is directed to state that this Ministry has been receiving representations for simplification of procedure for undergoing treatment at private hospitals empanelled under CGHS. The matter has been examined and it has now been decided that CGHS beneficiaries are allowed to undergo treatment at private hospitals empanelled under CGHS of specific treatment procedures listed under CGHS rate list are advised by a Specialist in a Central Government / State Govt. Specialist hospital or a CGHS Medical Officer without any requirement of any other referral (permission) letter.

2. Private empanelled hospitals shall perform the treatment on cashless basis in respect of pensioners, ex-MPs, Freedom Fighters, Regular employees {both CGHS and CS (MA) beneficiaries} of this Ministry & other categories of CGHS beneficiaries, who are presently eligible for credit facility and shall enclose the prescription issued by Government Specialist or a CGHS Medical Officer, in original (or a self-attested photocopy) along with the hospital bill submitted to the competent authorities.
3. Serving government employees shall enclose the prescription issued by a Government Specialist or a CGHS Medical Officer in original (or a self-attested photocopy), while submitting the medical claim to the concerned Ministry /department/office for reimbursement.
4. CGHS Medical Officer / Government Specialist shall not refer the beneficiaries to any particular empanelled hospital by name but, shall **specify the treatment procedure** and mention '**referred to any CGHS empanelled centre**'.
5. These orders are applicable only in respect of treatment procedures for which CGHS rates are available.
6. This issue with the concurrence of IFD vide FTS No. 3130849, dated 09.11.2017.

[Sunil Kumar Gupta]
Under Secretary to Government of India
Tel- 011-2306 1986

To:

- 1 All Ministries / Departments, Government of India
- 2 Director, CGHS, Nirman Bhawan, New Delhi

- 3 Adl.DDG(HQ)/All Additional Directors /Joint Directors of CGHS cities outside Delhi
- 4 All Pay & Accounts Officers under CGHS
- 5 Additional Director (Hqrs) / Additional Director (SZ)/ (CZ)/(EZ)/(NZ), CGHS, New Delhi
- 6 JD (Gr.)/JD(R&H), CGHS Delhi
- 7 CGHS Desk-I/Desk-II/CGHS-I/CGHS-II, Dte.GHS, Nirman Bhawan. New Delhi
- 8 Estt.I/ Estt.II/ Estt.III/ Estt.IV Sections, Ministry of Health & Family Welfare
- 9 Admn.I / Admn.II Sections of Dte.GHS
- 10 Rajya Sabha / Lok Sabha Secretariat
- 11 Registrar, Supreme Court of India /Punjab & Haryana High Court, Chandigarh
- 12 U.P.S.C.
- 13 Finance Division
- 14 Deputy Secretary (Civil Service News), Department of Personnel & Training,
5th Floor, Sardar Patel Bhawan, New Delhi.
- 15 PPS to Secretary (H&FW)/ Secretary (AYUSH)/ Secretary(HR)/ Secretary(AIDS Control),
Ministry of Health & Family Welfare
- 16 PPS to DGHS /SS&MD, NRHM / AS (H) /AS & DG (CGHS)
- 17 Swamy Publishers (P) Ltd., P. B. No. 2468, R. A. Puram, Chennai 600028.
- 18 Shri Umraomal Purohit, Secretary, Staff Side, 13-C, Ferozshah Road, New Delhi
- 19 All Staff Side Members of National Council (JCM) (as per list attached)
- 20 Office of the Comptroller & Auditor General of India, 10 Bahadur Shah Zafar Marg, New
Delhi
- 21 All Offices / Sections / Desks in the Ministry
22. UTI-ITSC , 153/1, First floor, Old Madras Road, Ulsoor, Bengaluru-560008.
- 23 Nodal Officer, MCTC, CGHS with a request to upload a copy of OM on CGHS Web-site
- 24 Office Order folder

CENTRAL CIVIL SERVICES

LEAVE RULES

CHAPTER I

Preliminary

1. Short title and commencement

(1) These rules may be called the Central Civil Services (Leave) Rules, 1972.

(2) They shall come into force on the 1st day of June, 1972.

2. Extent of application

Save as otherwise provided in these rules, these rules shall apply to Government servants appointed to the civil services and posts in connection with the affairs of the Union, but shall not apply to-

- (a) Railway servants;
- (b) persons in casual or daily-rated or part-time employment;
- (c) persons paid from contingencies;
- (d) workmen employed in industrial establishments;
- (e) persons employed in work-charged establishments;
- (f) members of the All India Services;
- (g) persons locally recruited for service in Diplomatic, Consular or other Indian establishments in foreign countries;
- (h) persons employed on contract except when the contract provides otherwise;
- (i) persons in respect of whom special provisions have been made by or under the provisions of the Constitution or any other law for the time being in force;
- (j) persons governed, for purposes of leave, by the Fundamental Rules or the Civil Service Regulations;
- (k) persons serving under a Central Government Department, on deputation from a State Government or any other source, for a limited duration.

3. Definitions

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

- (a) “Administrator” means an Administrator of a Union Territory;
- (b) “Audit Officer” means the Accounts and Audit Officer, whatever his official designation, in whose circle the office of the Government servant is situated;

- (c) “Authority competent to grant leave” means the authority specified in Column (3) of the First Schedule to these rules, competent to grant the kind of leave specified in the corresponding entries in Column (2) of the said Schedule;
- (d) “Completed years of service” or “one year’s continuous service” means continuous service of specified duration under the Central Government and includes the period spent on duty as well as on leave including extraordinary leave;
- (e) [“Date of retirement” or “date of his retirement” in relation to a Government servant, means the afternoon of the last day of the month in which the Government servant attains the age prescribed for retirement under the terms and conditions governing his services.]
- (f) “Department of the Central Government” means a Ministry or a Department of the Central Government as notified from time to time and includes the Planning Commission, the Department of Parliamentary Affairs, the President’s Secretariat, the Vice-President’s Secretariat, the Cabinet Secretariat and the Prime Minister’s Secretariat;
- (g) “Foreign service” means service in which a Government servant receives his pay with the sanction of Government from any source other than the Consolidated Fund of India or the Consolidated Fund of any State [or the Consolidated Fund of a Union Territory];
- (h) “Form” means a Form appended to the Second Schedule to these rules;
- (i) Government servant in quasi-permanent employ” means-
 - (A) an officer who, having been declared by the Union Public Service Commission to be eligible for appointment to the Ministerial Services of the Government of India, has been appointed to a temporary or officiating vacancy on the understanding given to him in writing before he took up the appointment, that that vacancy is expected to become permanent but is not confirmed after completion of three years’ continuous service;
 - (B) an officer who may be declared as quasi-permanent under the Central Civil Services (Temporary Services) Rules, 1965.
- (j) “Government servant in permanent employ” means an officer who holds substantively or provisionally substantively a permanent post or who holds a lien on a permanent post or who would have held a lien on permanent post had the lien not been suspended;

- (k) “Head of Mission” means Ambassador, Charge d’ Affairs, Minister, Consul-General, High Commissioner or 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;
- (l) “Military Officer” means an officer of the Armed Forces who is-
 - (i) a Commissioned Officer of the Army, the Navy or the Air Force, or
 - (ii) (a) a Junior Commissioned Officer (including an honorary commissioned officer), or an ‘other rank’ of the Army, or
 - (b) a Branch List Officer or rating of the Navy, or
 - (c) an airman including a Master Warrant Officer of the Air Force;
- (m) “Vacation Department” means a department or part of a department, to which regular vacations are allowed, during which Government servants serving in the department are permitted to be absent from duty.

(2) Words and expressions used herein and not defined but defined in the Fundamental Rules and Supplementary Rules shall have the meanings respectively assigned to them in the Fundamental Rules and Supplementary Rules.

4. Government servants on temporary transfer or on foreign service

(1) Government servants to whom these rules apply shall continue to be governed by these rules while on temporary transfer to the Indian Railways or to a State Government or while on foreign service within India.

(2) In the case of Government servants on foreign service outside India (including service with UN agencies within or outside India) or on temporary transfer to the Armed Forces of the Union, these rules shall apply only to the extent provided in the terms and conditions of foreign service or temporary transfer, as the case may be.

5. Transfer from services or posts governed by other leave rules

Unless it be otherwise provided in these rules, a permanent Government servant to whom these rules do not apply –

- (a) when transferred temporarily to a service or post to which these rules apply, shall remain subject to the leave rules which were applicable to him before such transfer; and

Provided that where a Military Officer not in permanent civil employ has elected to draw civil rates of pay, his leave shall be regulated as per the provisions under these rules:

Provided further that in the event of his release/discharge from the Armed Forces, he shall carry forward the annual leave due to him with effect from the date of such release/discharge.

- (a) when appointed substantively to a permanent post to which these rules apply, shall become subject to these rules from the date of such appointment, in which case the leave at his credit under the rules previously applicable to him shall be carried forward subject to the maximum limits of accumulation as laid down in Rule 26. The leave so carried forward shall first be exhausted before the leave earned under these rules is availed of. The leave salary in respect of the leave carried forward shall be borne by the (Department or the Government from which the Government servant proceeds on leave):

Provided that in the case of Military Officer, half pay leave equal to the number of days of furlough shall also be carried forward in addition to the earned leave equal to the number of days of annual leave on the date he is so appointed, it would be permissible to grant him under the leave rules of the Armed Forces.

6. Transfer to industrial establishment

If a Government servant governed by these rules is appointed in an industrial establishment wherein his leave terms are governed by the Factories Act, 1948 (63 of 1948), the authority competent to grant leave shall suo motu issue an order granting cash equivalent of leave salary in respect of earned leave at his credit subject to a maximum of 300 days(w.e.f.1-7-1997) and also in respect of all the half pay leave at his credit. The cash so granted shall be a sum equal to the leave salary as admissible for earned leave and/or leave salary as admissible for half pay leave plus dearness allowance admissible on that leave salary at the rates in force on the date the Government servant ceases to be governed by the provision of the Central Civil Services (Leave) Rules, 1972. From the leave salary paid for the period of half pay leave, if any, for which the cash is payable, deductions shall be made equal to the pension, which he would have got had he retired from service on that date and pension equivalent of other retirement benefits and ad hoc relief/graded relief on pension. If the leave salary for the half pay leave component falls short of the deemed pension and other pensionary benefits, cash equivalent of half pay leave shall not be granted:

Provided that the earned leave and the half pay leave so granted does not exceed the period between the date on which he is appointed in an

industrial establishment and the date on which he would have retired in the normal course after attaining the age prescribed for retirement under the terms and conditions governing his service:

Provided further that in the event of his return to a post or service to which the Central Civil Services (Leave) Rules, 1972, apply, the benefit of compensation against the terminal leave under Rule 39 will be modified as under –

- (a) On superannuation.- Encashment of unutilized earned leave on that date will be subject to the condition that the number of days of earned leave for which encashment has already been allowed under this rule and the number of days of earned leave to be encashed on superannuation does not exceed 300days(w.e.f.1-7-1997). Cash equivalent of half pay leave already made under this rule shall be recovered.
- (b) On premature retirement.– Cash equivalent of unutilized earned leave and half pay leave applied for by way of terminal leave under Rule 39 would be subject to the condition that the number of days of earned leave for which the encashment had already been allowed under this rule and the number of days of earned leave applied for as terminal leave do not exceed 300days(including the number of days for which encashment has been allowed along with Leave Travel Concession while in service. Deduction of pension and pension equivalent of other retirement benefits shall be made from the cash equivalent in lieu of half pay leave component of terminal leave:

Provided that the earned leave and the half pay leave so granted together with the earned leave and the half pay leave for which cash equivalent of leave salary was granted to him on the earlier occasion does not exceed the period between the date from which he is to retire prematurely and the date on which he would have retired in the normal course after attaining the age prescribed for retirement under the terms and conditions governing his service.

CHAPTER II

General Conditions

7. Right to leave

(1) Leave cannot be claimed as of right.

(2) When the exigencies of public service so require, leave of any kind may be refused or revoked by the authority competent to grant it, but it shall not be open to that authority to alter the kind of leave due and applied for except at the written request of the Government servant.

8. Regulation of claim to leave

A Government servant's claim to leave is regulated by the rules in force at the time the leave is applied for and granted.

9. Effect of dismissal, removal or resignation on leave at credit

(1) Except as provided in Rule 39 and this rule, any claim to leave to the credit of a Government servant, who is dismissed or removed or who resigns from Government service, ceases from the date of such dismissal or removal or resignation.

(2) Where a Government servant applies for another post under the Government of India but outside his parent office or department and if such application is forwarded through proper channel and the applicant is required to resign his post before taking up the new one, such resignation shall not result in the lapse of the leave to his credit.

(3) A Government servant, who is dismissed or removed from service and is reinstated on appeal or revision, shall be entitled to count for leave his service prior to dismissal or removal, as the case may be.

(4) A Government servant, who having retired on compensation or invalid pension or gratuity is re-employed and allowed to count his past service for pension, shall be entitled to count his former service towards leave.

10. Commutation of one kind of leave into another

(1) At the request of a Government servant, the authority which granted him leave may commute it retrospectively into leave of a different kind which was due and admissible to him at the time the leave was granted, but the Government servant cannot claim such commutation as a matter of right.

1[Provided that no such request shall be considered unless received by such authority, or any other authority designated in this behalf, within a period of 30 days of the concerned Government servant joining his duty on the expiry of the relevant spell of leave availed of by him.]

(2) The commutation of one kind of leave into another shall be subject to adjustment of leave salary on the basis of leave finally granted to the Government servant, that is to say, any amount paid to him in excess shall be recovered or any arrears due to him shall be paid.

NOTE.- Extraordinary leave granted on medical certificate or otherwise may be commuted retrospectively into leave not due subject to the provisions of Rule 31.

11. Combination of different kinds of leave

Except as otherwise provided in these rules, any kind of leave under these rules may be granted in combination with or in continuation of any other kind of leave.

EXPLANATION.- Casual leave which is not recognized as leave under these rules shall not be combined with any other kind of leave admissible under these rules.

12. Maximum amount of continuous leave

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

13. Acceptance of service or employment while on leave

(1) A Government servant (other than a Government servant who has been permitted a limited amount of private practice or who has been permitted to undertake casual literary work or service as an examiner or similar employment) while on leave, including leave preparatory to retirement shall not take up any service or employment elsewhere, including the setting up of a private professional practice as accountant, consultant or legal or medical practitioner, without obtaining the previous sanction of -

- (a) the President, if the proposed services or employment lies elsewhere than in India; or
 - (c) the authority empowered to appoint him, if the proposed service or employment lies in India.
- (2) (a) No Government servant while on leave, other than leave preparatory to retirement shall ordinarily be permitted to take up any other service or employment.
- (b) If grant of such permission is considered desirable in any exceptional case, the Government servant may have his services transferred temporarily from his parent office to the

office in which he is permitted to take up service or employment or may be required to resign his appointment before taking up any other service or employment.

- (c) A Government servant while on leave preparatory to retirement shall not be permitted to take up private employment. He may, however, be permitted to take up employment with a Public Sector Undertaking or a body referred to in Clause (a) of sub-rule (2) of Rule 38 and in that event also leave salary payable for leave preparatory to retirement shall be the same as admissible under Rule 40.
- (3) (a) In case a Government servant who has proceeded on leave preparatory to retirement is required, before the date of retirement for employment during such leave in any post under the Central Government in or outside India and is agreeable to return to duty, the unexpired portion of the leave from the date of rejoining shall be cancelled.
- (b) The leave so cancelled under Clause (a) shall be allowed to be encashed in the manner provided in sub-rule (2) of Rule 39.
- (c) Deleted.
- (4) Deleted.

CHAPTER III

Grant of and return from Leave

14. Application for leave

Any application for leave or for extension of leave shall be made in Form 1 to the authority competent to grant leave.

15. Leave account

Except as provided in the Note below, a leave account shall be maintained in Form 2 for each Government servant by the Audit Officer in the case of Gazetted Government servants and by the Head of Office or an officer authorized by him in the case of non-Gazetted Government servants.

NOTE.- In the case of Gazetted Government servants whose pay and allowances are drawn and disbursed by the Head of Office, the leave account shall be maintained by that Head of Office.

16. Verification of title to leave

(1) No leave shall be granted to a Government servant until a report regarding its admissibility has been obtained from the authority maintaining the leave account.

NOTE.- The order sanctioning leave shall indicate the balance of earned leave/half pay leave at the credit of the Government servant.

(2)(a) Where there is reason to believe that the obtaining of admissibility report will be unduly delayed, the authority competent to grant leave may calculate, on the basis of available information, the amount of leave admissible to the Government servant and issue provisional sanction of leave for a period not exceeding sixty days.

(b) The grant of leave under this sub-rule shall be subject to verification by the authority maintaining the leave account and a modified sanction for the period of leave may be issued, where necessary.

(c) In the case of Gazetted Government servants, the Audit Officer may, at the request of the authority competent to grant leave, issue a provisional leave salary slip for a period not exceeding sixty days.

NOTE.- In the case of leave preparatory to retirement or where cash payment in lieu of leave at credit is granted under Rule 39, an undertaking for recovery of the leave salary, if any, paid in excess, shall be taken from the Government servant.

17. Leave not to be granted in certain circumstances

Leave shall not be granted to a Government servant whom a competent punishing authority has decided to dismiss, remove or compulsorily retire from Government service.

18. Deleted.

19. Grant of leave on medical certificate to Gazetted and non-Gazetted Government servants

1[(1) An application for leave on medical certificate made by-

- (i) a Gazetted Government servant, shall be accompanied by a medical certificate in Form 3 given by a Central Government Health Service (CGHS) Doctor if such a Government servant is a CGHS beneficiary or by a Government Hospital or by an Authorized Medical Attendant if he is not a CGHS beneficiary; and by an Authorized Doctor of the private hospital recognized under CGHS/Central Services (Medical Attendance) Rules, 1944, in case of hospitalization or indoor specialized treatment duly approved by Competent Authority in respect of any particular kind of disease like heart disease, cancer, etc., for the treatment of which the concerned hospital has been recognized by the Ministry of Health and Family Welfare:

Provided that the Gazetted Government servant who is a Central Government Health Service beneficiary, if at the time of illness, is away from CGHS area or proceeds on duty outside the Headquarters will produce Medical Certificate (MC) or Fitness Certificate (FC) in Form 3 and Form 5, as the case may be, given by an Authorized Medical Attendant;

- (ii) a non-Gazetted Government servant, shall be accompanied by a medical certificate Form 4 given by a CGHS Doctor if such a Government servant is a CGHS beneficiary or by Government Hospital or by an Authorized Medical Attendant if he is not a CGHS beneficiary; and by an Authorized Doctor of the private hospital, recognized under CGHS/Central Services (Medical Attendance) Rules, 1944, in case of hospitalization or indoor specialized treatment duly approved by the Competent Authority in respect of particular kind of disease like heart disease, cancer, etc., for the treatment of which the concerned hospital has been recognized by the Ministry of Health and Family Welfare:

Provided that the non-Gazetted Government servant who is a CGHS beneficiary, if at the time of illness is away from

CGHS area or proceeds on duty outside the Headquarters will produce M.C. or F.C. in Form 4 or 5, as the case may be, given by an Authorized Medical Attendant (AMA) or by Registered Medical Practitioner (RMP) if there is no AMA available within a radius of 8 kilometers (kms) from his residence or place of temporary stay outside his Headquarters and also in the circumstances when he finds it difficult to obtain MC or FC from a CGHS Doctor or an AMA;

defining as clearly as possible the nature and probable duration of illness.]

NOTE.- In the case of non-Gazetted Government servant, a certificate given by a registered Ayurvedic, Unani or Homoeopathic medical practitioner or by a registered Dentist in the case of dental ailments or by an honorary Medical Officer may also be accepted, provided such certificate is accepted for the same purpose in respect of its own employees by the Government of the State in which the Central Government servant falls ill or to which he proceeds for treatment.

(2) A Medical Officer shall not recommend the grant of leave in any case in which there appears to be no reasonable prospect that the Government servant concerned will ever be fit to resume his duties and in such case, the opinion that the Government servant is permanently unfit for Government service shall be recorded in the medical certificate.

(3) The authority competent to grant leave may, at its discretion, secure a second medical opinion by requesting a Government Medical Officer not below the rank of a Civil Surgeon or Staff Surgeon, to have the applicant medically examined on the earliest possible date.

(4) It shall be the duty of the Government Medical Officer referred to in sub-rule (3) to express an opinion both as regards the facts of the illness and as regards the necessity for the amount of leave recommended and for that purpose may either require the applicant to appear before himself or before a Medical Officer nominated by himself.

(5) The grant of medical certificate under this rule does not in itself confer upon the Government servant concerned any right to leave; the medical certificate shall be forwarded to the authority competent to grant leave and orders of that authority awaited.

(6) The authority competent to grant leave may, in its discretion, waive the production of a medical certificate in case of an application for leave for a period not exceeding three days at a time. Such leave shall not, however, be treated as leave on medical certificate and shall be debited against leave other than leave on medical grounds.

20. Leave to a Government servant who is unlikely to be fit to return to duty

- (1)(a) When a Medical Authority has reported that there is no reasonable prospect that the Government servant will even be fit to return to duty, leave shall not necessarily be refused to such Government servant.
- (b) The leave may be granted, if due, by the authority competent to grant leave on the following conditions:-
 - (i) if the Medical Authority is unable to say with certainty that the Government servant will never again be fit for service, leave not exceeding twelve months in all may be granted and such leave shall not be extended without further reference to a Medical Authority;
 - (ii) if a Government servant 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 the amount of leave as debited to the leave account together with any period of duty beyond the date of the report of the Medical Authority does not exceed six months.

1[(2) A Government servant who is declared by a Medical Authority to be completely and permanently incapacitated for further service shall –

- (a) if he is on duty, shall not be invalidated from service during his service period;
- (b) if he is already on leave, the period of leave or an extension thereafter to the extent permissible under sub-rule (1) of this rule and even beyond that may be granted as per relevant rule(s).]

21. Commencement and termination of leave

Except as provided in Rule 22, leave ordinarily begins on the day on which the transfer of charge is effected and ends on the day preceding that on which the charge is resumed.

22. Combination of holidays with leave

- (1)(i) When the day, immediately preceding the day on which a Government servant's leave (other than leave on medical certificate) begins or immediately following the day on which his leave expires, is a holiday or one of series of holidays, the Government servant shall be deemed to have been permitted (except in cases where for administrative reasons permission for prefixing/suffixing holidays to leave specifically withheld) to 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 handling or taking over of securities or moneys other than a permanent advance;
- (b) his early departure does not entail a correspondingly early transfer from another station of a Government servant to perform his duties; and
- (d) the delay in his return does not involve a corresponding delay in the transfer to another station of the Government servant who was performing his duties during his absence or in the discharge from Government service of a person temporarily appointed to it.

(ii) In the case of leave on medical certificate-

- (a) When a Government servant is certified medically unwell to attend office, holiday(s), if any, immediately preceding the day he is so certified shall be allowed automatically to be prefixed to leave and the holiday(s) if any, immediately succeeding the day he is so certified (including that day) shall automatically be allowed to be suffixed to the leave, and holiday(s), if any, preceding the day he is so certified shall be treated as part of the leave.

(2) On condition that the departing Government servant remains responsible for the moneys in this charge, the Head of Department may, in any particular case, waive the application of Clause (a) of the proviso to sub-rule (1).

(3) Unless the authority competent to grant leave in any case otherwise directs -

- (a) if holidays are prefixed to leave, the leave and any consequent rearrangement of pay and allowances take effect from the day after the holidays; and
- (b) if holidays are suffixed to leave, the leave is treated as having terminated and any consequent rearrangement of pay and allowances takes effect from the day on which the leave would have ended if holidays had not been suffixed.

NOTE.- A compensatory leave granted in lieu of duty performed by a Government servant on Sunday or a holiday for a full day may be treated as a holiday for the above purpose.

23. Recall to duty before expiry of leave

(1) Deleted.

(2) Deleted.

(3) In case a Government servant is recalled to duty before the expiry of his leave, such recall to duty shall be treated as compulsory in all cases and the Government servant shall be entitled-

(a) if the leave from which he is recalled is in India, to be treated as on duty from the date on which he starts for the station to which he is ordered, and to draw -

(i) travelling allowance under rules made in this behalf for the journey; and

(ii) leave salary, until he joins his post, at the same rate at which he would have drawn it but for recall to duty;

(b) if the leave from which he is recalled is out of India, to count the time spent on the voyage to India as duty for purposes of calculating leave, and to receive-

(i) leave salary, during the voyage to India and for the period from the date of landing in India to the date of joining his post, at the same rate at which he would have drawn it but for recall to duty;

(ii) a free passage to India;

(iii) refund of his passage from India if he has not completed half the period of his leave by the date of leaving for India on recall or three months, whichever is shorter;

(iv) travelling allowance, under the rules for the time being in force, for travel from the place of landing in India to the place of duty.

For rules governing the drawal of traveling allowance for a journey on recall from leave, see Supplementary Rules 142 and 143.

24. Return from leave

(1) A Government servant on leave shall not return to duty before the expiry of the period of leave granted to him unless he is permitted to do so by the authority which granted him leave.

(2) Notwithstanding anything contained in sub-rule (1), a Government servant on leave preparatory to retirement shall be precluded

from returning to duty, save with the consent of the authority competent to appoint him to the post from which he proceeded on leave preparatory to retirement.

(3)(a) A Government servant who has taken leave on medical certificate may not return to duty until he has produced a medical certificate of fitness in Form 5.

*(b) (Not printed)

*(c) (Not printed)

(d) In the case of a non-Gazetted Government servant, the authority under which the Government servant is employed on return from leave may, in its discretion, accept a certificate signed by a Registered Medical Practitioner.

(4)(a) A Government servant 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.

(b) Such Government servant shall report his return to duty to the authority which granted him leave or to the authority, if any, specified in the order granting him the leave and await orders.

NOTE.- A Government servant who had been suffering from Tuberculosis may be allowed to resume duty on the basis of fitness certificate which recommends light work for him.

25. Absence after expiry of leave

(1) Unless the authority competent to grant leave extends the leave, a Government servant who remains absent after the end of leave is entitled to no leave salary for the period of such absence and that period shall be debited against his leave account as though it were half pay leave, to the extent such leave is due, the period in excess of such leave due being treated as extraordinary leave.

(2) Wilful absence from duty after the expiry of leave renders a Government servant liable to disciplinary action.

CHAPTER IV

Kinds of Leave due and admissible

26. Earned leave for Government servants serving in Departments other than Vacation Departments

(1)(a)(i) The leave account of every Government servant (other than a military officer) who is serving in a Department other than a Vacation Department, shall be credited with earned leave, in advance, in two instalments of 15 days each on the first day of January and July of every calendar year.

(ii) When a Government servant joins a new post without availing full joining time by reasons that -

(a) he is ordered to join the new post at a new place of posting without availing of full joining time to which he is entitled,

or

(b) he proceeds alone to the new place of posting and joins the post without availing full joining time and takes his family later within the permissible period of time for claiming traveling allowance for the family,

the number of days of joining time as admissible under sub-rule (4) of Rule 5 of the Central Civil Services (Joining Time) Rules, 1979, subject to the maximum of 15 days reduced by the number of days actually availed of, shall be credited to his leave account as earned leave:

Provided that the earned leave at his credit together with the unavailed joining time allowed to be so credited shall not exceed 1[300 days (including the number of days for which encashment has been allowed along with Leave Travel Concession while in service)].

(b) The leave at the credit of a Government servant at the close of the previous half-year shall be carried forward to the next half-year, subject to the condition that the leave so carried forward plus the credit for the half-year do not exceed the maximum limit of 1[300 days (including the number of days for which encashment has been allowed along with Leave Travel Concession while in service)].

Provided that where the earned leave at the credit of Government servant as on the last day of December of June is 1[300 days (including the number of days for which encashment has been allowed along with Leave Travel Concession while in service)] or less but more than 2[285] days, the advance credit of 15 days earned leave on first day of January or July to be

afforded in the manner indicated under sub-rule (i) of Clause (a) of sub-rule (1) shall instead of being credited in leave account be kept separately and first adjusted against the earned leave that the Government servant takes during that half-year and the balance, if any, shall be credited to the leave account at the close of the half-year, subject to the condition that balance of such earned leave plus leave already at credit do not exceed the maximum limit of 1[300 days (including the number of days for which encashment has been allowed along with Leave Travel Concession while in service)].

(c)(i) Where a Government servant not in permanent employ or quasi-permanent employ is appointed without interruption of service substantively to a permanent post or declared as quasi-permanent, his leave account shall be credited with the earned leave which would have been admissible, if his previous duty had been rendered as a Government servant in permanent employ diminished by any earned leave already taken.

(ii) Not printed.

NOTE.- Not printed.

(e) A period spent in foreign service shall count as duty for purposes of this rule, if contribution towards leave salary is paid on account of such period.

EXCEPTION.- Not printed.

(2) Subject to the provisions of Rules 7 and 39 and sub-rules (1) and (3) of the rule, the maximum earned leave that may be granted at a time shall be -

(i) 180 days in the case of any Government servant employed in India, or

(ii) Not printed.

(3) Earned leave may be granted to a Government servant in Class I of Class II service or to a Government servant mentioned in the Exception to sub-rule (1), for a period exceeding 180 days but not exceeding 300 days (including the number of days for which encashment has been allowed along with Leave Travel Concession while in service)] if the entire leave so granted or any portion thereof is spent outside India, Bangladesh, Bhutan, Burma, Sri Lanka, Nepal and Pakistan:

Provided that where earned leave for a period exceeding 180 days, is granted under this sub-rule, the period of such leave spent in India shall not in the aggregate exceed the aforesaid limits.

27. Calculation of Earned Leave

(1) Earned leave shall be credited to the leave account of Government servant at the rate of $2\frac{1}{2}$ days for each completed calendar month of service which he is likely to render in a half-year of the calendar year in which he is appointed.

(2)(a) The credit for the half-year in which a Government servant is due to retire or resigns from the service shall be afforded only at the rate of $2\frac{1}{2}$ days per completed calendar month up to the date of retirement or resignation.

(b) When a Government servant is removed or dismissed from service or dies while in service, credit of earned leave shall be allowed at the rate of $2\frac{1}{2}$ days per completed calendar month up to the end of the Calendar month preceding the calendar month in which he is removed or dismissed from service or dies in service.

(3) If a Government servant has availed of extraordinary leave and/or some period of absence has been treated as dies non in a half-year, the credit to be afforded to his leave account at the commencement of the next half-year shall be reduced by $1/10^{\text{th}}$ of the period of such leave and/or dies non subject to maximum of 15 days.

(4) While affording credit of earned leave, fractions of a day shall be rounded off to the nearest day.

28. Earned leave for persons serving in Vacation Departments

(1)(a) The leave account of a Teacher, Principal, Headmaster, Librarian, Laboratory Assistant or a Waterman working in a school shall be credited in advance with earned leave in two instalments of five days each on the first day of January and July, of every year.

(b) If a Teacher, Principal, Headmaster, Librarian, Laboratory Assistant or a Waterman working in a School has availed of extraordinary leave and/or some period of absence has been treated as dies non during a half year, the credit to be afforded to his leave account at the commencement of the next half-year shall be reduced by $1/10^{\text{th}}$ of the period of such leave and/or dies non subject to a maximum of 5 days.

(c) The credit for the half-year in which a Teacher, Principal, Headmaster, Librarian, Laboratory Assistant or a Waterman working in a school is appointed/ceases to be in service shall be allowed at the rate of $5/6^{\text{th}}$ day for each complete month of service which he had rendered or is likely to render in the half year in which he is appointed/ceases to be in service.

(2) Subject to provisions of sub-rule (1), a Government servant (other than a military officer) serving in a Vacation Department shall not be entitled to any earned leave in respect of duty performed in any year in which he avails himself of the full vacation.

(3)(a) In respect of any year in which a Government servant avails himself of a portion of the vacation, he shall be entitled to earned leave in such proportion of 30 days or 45 days when governed by the exception to sub-rule (1) of Rule 26, as the number of days of vacation not taken bears to the full vacation:

Provided that no such leave shall be admissible to a Government servant not in permanent employ or quasi-permanent employ in respect of the first year of his service.

(b) If, in any year, the Government servant does not avail himself of any vacation, earned leave shall be admissible to him in respect of that year under Rule 26.

EXPLANATION.- For the purpose of this rule, the term 'year' shall be construed not as meaning a calendar year in which duty is performed but as meaning twelve months of actual duty in a Vacation Department.

NOTE 1.- A Government servant entitled to vacation shall be considered to have availed himself of a vacation or a portion of a vacation unless he has been required by general or special order of a higher authority to forgo such vacation or portion of a vacation:

Provided that if he has been prevented by such order from enjoying more than fifteen days of the vacation, he shall be considered to have availed himself of no portion of the vacation.

NOTE 2.- When a Government servant serving in a Vacation Department proceeds on leave before completing a full year of duty, the earned leave admissible to him shall be calculated not with reference to the vacation which fall during the period of actual duty rendered before proceeding on leave but with reference to the vacation that falls during the year commencing from the date on which he completed the previous year of duty.

NOTE 3.- In the case of a Teacher, Principal, Headmaster, Librarian, Laboratory Assistant or a Waterman working in a school, the earned leave, if any, admissible under sub-rule (3) will be in addition to the earned leave admissible under sub-rule (1).

(4) Vacation may be taken in combination with or in continuation of any kind of leave under these rules:

Provided that the total duration of vacation and earned leave taken in conjunction, 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 Government at a time under Rule 26.

(5) The earned leave under this rule at the credit of a Government servant at the close of the previous half-year shall be carried forward to the next half-year, subject to the condition that the leave so carried forward plus the credit for the half-year do not exceed the maximum limit of 300 days (including the number of days for which encashment has been allowed along with Leave Travel Concession while in service].

NOTE.- The facility of crediting of unavailed portion of joining time shall be admissible to persons serving in Vacation Departments, in accordance with the provisions of sub-clause (ii) of Clause (a) of sub-rule (1) of Rule 26.

29. Half pay leave

(1) The half pay leave account of every Government servant (other than a military officer and those covered by Rule 28) shall be credited with half pay leave in advance, in two instalments of ten days each on the first day of January and July of every calendar year.

- (2)(a) The leave shall be credited to the said leave account at the rate of $5/3$ days for each completed calendar month of service which he is likely to render in the half –year of the calendar year in which he is appointed.
- (b) The credit for the half-year in which a Government servant is due to retire or resigns from the service shall be allowed at the rate of $5/3$ days per completed calendar month up to the date of retirement or resignation.
- (c) When a Government servant is removed or dismissed from service or dies while in service, credit of half pay leave shall be allowed at the rate of $5/3$ days per completed calendar month up to the end of the calendar month preceding the calendar month in which he is removed or dismissed from service or dies in service.
- (d) Where a period of absence or suspension of a Government servant has been treated as dies non in a half-year, the credit to be afforded to his half pay leave account at the commencement of next half-year, shall be reduced by one-eighteenth of the period of dies not subject to a maximum of ten days.

(3) A Government servant who is eligible for Departmental leave under Rule 49, shall be entitled to half pay leave of twenty days on completion of twelve months of actual duty.

(4) The leave under this rule may be granted on medical certificate or on private affairs.

(5) While affording credit of half pay leave, fraction of a day shall be rounded off to the nearest day:

Provided that in the case of Government servant not in permanent employ or quasi-permanent employ, no half pay leave shall be granted unless the authority competent to grant leave has reasons to believe that the Government servant will return to duty on its expiry except in the case of a Government servant who has been declared completely and permanently incapacitated for further service by a Medical Authority.

30. Commuted leave

(1) Commuted leave not exceeding half the amount of half pay leave due may be granted on medical certificate to a Government servant (other than a military officer), subject to the following conditions:-

- (a) the authority competent to grant leave is satisfied that there is reasonable prospect of the Government servant returning to duty on its expiry:
- (b) Deleted.
- (c) Deleted.
- (d) when commuted leave is granted, twice the amount of such leave shall be debited against the half pay leave due;
- (e) Deleted.

(1-A) Half pay leave up to a maximum of 180 days may be allowed to be commuted during the entire service (without production of medical certificate) where such leave is utilized for an approved course of study certified to be in the public interest by the leave sanctioning authority.

(2) Where a Government servant who has been granted commuted leave resigns from service or at his request permitted to retire voluntarily without returning to duty, the commuted leave shall be treated as half pay leave and the difference between the leave salary in respect of commuted leave and half pay leave shall be recovered:

Provided that no such recovery shall be made if the retirement is by reason of ill-health incapacitating the Government servant for further service or in the event of his death.

NOTE.- Commuted leave may granted at the request of the Government servant even when earned leave is due to him.

31. Leave not due

(1) Save in the case of leave preparatory to retirement, Leave Not Due may be granted to a Government servant in permanent employ or quasi-permanent employ (other than a military officer) limited to a maximum of 360 days during the entire service on medical certificate subject to the following conditions:-

- (a) The authority competent to grant leave is satisfied that there is reasonable prospect of the Government servant returning to duty on its expiry;
- (b) Leave Not Due shall be limited to the half pay leave he is likely to earn thereafter;
- (c) Leave Not Due shall be debited against the half pay leave the Government servant may earn subsequently.

(1-A) Leave Not Due may also be granted to such of the temporary Government servants as are suffering from TB, Leprosy, Cancer or Mental Illness, for a period not exceeding 360 days during entire service, subject to fulfillment of conditions in Clauses (a) to (c) of sub-rule (1) and subject to the following conditions, namely:-

- (i) that the Government servant has put in a minimum of one year's service;
 - (ii) that the post from which the Government servant proceeds on leave is likely to last till his return to duty; and
 - (iii) that the request for grant of such leave is supported by a medical certificate as envisaged in Clauses (c) and (d) of sub-rule (2) of Rule 32.
- (2)(a) Where a Government servant who has been granted Leave Not Due resigns form service or at his request permitted to retire voluntarily without returning to duty, the Leave Not Due shall be cancelled, his resignation or retirement taking effect from the date on which such leave had commenced, and the leave salary shall be recovered.

- (b) Where a Government servant who having availed himself of Leave Not Due returns to duty but resigns or retires from service before he has earned such leave, he shall be liable to refund the leave salary to the extent the leave has not been earned subsequently:

Provided that no leave salary shall be recovered under Clause (a) or Clause (b) if the retirement is by reason of ill-health incapacitating the Government servant for further service or in the event of his death:

Provided further that no leave salary shall be recovered under Clause (a) or Clause (b), if the Government servant is compulsorily retired prematurely under Rule 48 (1) (b) of the Central Civil Services (Pension) Rules, 1972, or is retired under Fundamental Rule 56(j) or Fundamental Rule 56(i)

32. Extraordinary leave

(1) Extraordinary leave may be granted to a Government servant (other than a military officer) in special circumstances-

- (a) when no other leave is admissible:
- (b) when other leave is admissible, but the Government servant applies in writing for the grant of extraordinary leave.

(2) Unless the President in view of the exceptional circumstances of the case otherwise determines, no Government servant, who is not in permanent employ or quasi-permanent employ, shall be granted extraordinary leave on any one occasion in excess of the following limits:-

- (a) three months;
- (b) six months where the Government servant has completed one year's continuous service on the date of expiry of leave of the kind due and admissible under these rules, including three months' extraordinary leave under Clause (a) and his request for such leave is supported by a medical certificate as required by these rules;
- (c) Deleted.
- (d) eighteen months, where the Government servant who has completed one year's continuous service is undergoing treatment for -
 - (i) Pulmonary Tuberculosis or Pleurisy of tubercular origin, in a recognized sanatorium;

NOTE.- The concession of extraordinary leave up to eighteen months shall be admissible also to a Government servant suffering from Pulmonary Tuberculosis or Pleurisy of tubercular origin who receives treatment at his residence under a Tuberculosis Specialist recognized as such by the State Administrative Medical Officer concerned and produces a certificate signed by that Specialist to the effect that he is under his treatment and that he has reasonable chances of recovery on the expiry of the leave recommended.

- (ii) Tuberculosis of any other part of the body by a qualified Tuberculosis Specialist or a Civil Surgeon or Staff Surgeon; or
 - (iii) Leprosy in a recognized leprosy institution or by a Civil Surgeon or Staff Surgeon or a Specialist in leprosy hospital recognized as such by the State Administrative Medical Officer concerned;
 - (iv) Cancer or for mental illness, in an institution recognized for the treatment of such disease.
- (f) twenty-four months, where the leave is required for the purpose of prosecuting studies certified to be in the public interest, provided the Government servant concerned has completed three years' continuous service on the date of expiry of leave of the kind due and admissible under these rules, including three months' extraordinary leave under Clause (a).
- (3)(a) Where a Government servant is granted extraordinary leave in relaxation of the provisions contained in Clause (e) of sub-rule (2), shall be required to execute a Bond in Form 6 undertaking to refund to the Government the actual amount of expenditure incurred by the Government during such leave plus that incurred by any other agency with interest thereon in the event of his not returning to duty on the expiry of such leave or quitting the service before a period of three years after return to duty.
- (b) The Bond shall be supported by Sureties from two permanent Government servants having a status comparable to or higher than that of the Government servant.
- (4) Government servants belonging to the Scheduled Castes or the Scheduled tribes may, for the purpose of attending the Pre-Examination Training Course at the centers notified by the Government from time to time, be granted extraordinary leave by Head of Department in relaxation of the provisions of sub-rule (2).

(5) Two spells of extraordinary leave, if intervened by any other kind of leave, shall be treated as one continuous spell of extraordinary leave for the purposes of sub-rule (2).

(6) The authority competent to grant leave may commute retrospectively periods of absence without leave into extraordinary leave.

33. Leave to probationer, a person on probation and an apprentice

(1)(a) A probationer shall be entitled to leave under these rules if he had held his post substantively otherwise than on probation.

(b) 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 -

(i) beyond the date on which the probationary period as already sanctioned or extended expires, or

(ii) beyond any earlier date on which his services are terminated by the orders of an authority competent to appoint him.

(2) A person appointed to a post on probation shall be entitled to leave under these rules as a temporary or a permanent Government servant according as his appointment is against a temporary or a permanent post:

Provided that where such person already holds a lien on a permanent post before such appointment, he shall be entitled to leave under these rules as a permanent Government servant.

(3) An apprentice shall be entitled to-

(a) leave, on medical certificate, on leave salary equivalent to half pay for a period not exceeding one month in any year of apprenticeship;

(b) extraordinary leave under Rule 32.

34. Persons re-employed after retirement

In the case of a person re-employed after retirement, the provisions of these rules shall apply as if he had entered Government service for the first time on the date of his re-employment.

35. Deleted.

36. Deleted.

37. Deleted.

38. Leave preparatory to retirement

(1) A Government servant may be permitted by the authority competent to grant leave to take leave preparatory to retirement to the extent of earned leave due, not exceeding 1[300 days] together with half pay leave due, subject to the condition that such leave extends up to and includes the date of retirement.

NOTE.- The leave granted as leave preparatory to retirement shall not include extraordinary leave.

(2)(a) Where a Government servant who is on foreign service in or under any Local Authority or a Corporation or Company wholly or substantially owned or controlled by the Government or a Body controlled or financed by the Government (hereinafter referred to as the local body) applies for leave preparatory to retirement, the decision to grant or refuse such leave shall be taken by foreign employer with the concurrence of the lending authority under Central Government.

(b) The Government servant on foreign service shall also be allowed to encash earned leave at his credit on the date of retirement in the manner provided in sub-rule (2) of Rule 39.

(c) Deleted.

(3) Where a Government servant is on foreign service in or under a local body other than the one mentioned in Clause (a) of sub-rule (2), leave preparatory to retirement shall be admissible to him only when he quits duty under the foreign employer:

Provided that where the Government servant continues in service under such foreign employer, the Government servant shall not be eligible for grant of cash payment in lieu of leave under Rule 39.

38-A. Encashment of Earned Leave along with Leave Travel Concession while in service

A Government servant may be permitted to encash earned leave up to 10 days at the time of availing of Leave Travel Concession while in service, subject to the conditions that:

(i) earned leave of at least an equivalent duration is also availed of simultaneously by him;

- (ii) a balance of at least 30 days of earned leave may be available to his credit after taking into account the period of encashment as well as leave;
- (iii) the total leave so encashed during the entire career does not exceed 60 days in the aggregate;
- (iv) the cash equivalent shall be calculated as follows namely:-

Cash equivalent =	<div> Pay admissible on the date of availing of the Leave Travel Concession plus Dearness Allowance admissible on that date. </div> <div> 30 X </div>	<div> Number of days EL subject to the maximum 10 days at one time </div>
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No House Rent Allowance or City Compensatory Allowance shall be payable;

- (v) the period of leave encashed shall be deducted from the quantum of leave that can normally be encashed by him under Rules 6,39,39-A,39-B,39-C and 39-D.

39. Leave/Cash payment in lieu of leave beyond the date of retirement, compulsory retirement or quitting of service

- (1) No leave shall be granted to a Government servant beyond-
 - (a) the date of his retirement, or
 - (b) the date of his final cessation of duties, or
 - (c) the date on which he retires by giving notice to Government or he is retired by Government by giving him notice or pay and allowances in lieu of such notice, in accordance with the terms and conditions of his service, or
 - (d) the date of his resignation from service.

(2)(a) Where a Government servant retires on attaining the normal age prescribed for retirement under the terms and conditions governing his service, the authority competent to grant leave shall suo motu issue an order granting cash equivalent of leave salary for earned leave, if any, at the credit of the Government servant on the date of his retirement, subject to a maximum of 1[300 days (including the number of days for which encashment has been allowed along with Leave Travel Concession while in service)].

- (b) The cash equivalent under Clause (a) shall be calculated as follows and shall be payable in one lump sum as a one-time settlement.

No House Rent Allowance or Compensatory (City) Allowance shall be payable-

Cash equivalent =	<div> <div>** Pay admissible on the date of retirement plus dearness allowance admissible on that date</div> <div> <div>30</div> <div>X</div> </div> </div>	Number of days of unutilized earned leave at credit on the date of retirement subject to the maximum of 1[300 days (including the number of days for which encashment has been allowed along with Leave Travel Concession while in service)].
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(3) The authority competent to grant leave may withhold whole or part of cash equivalent of earned leave in the case of a Government servant who retires from service on attaining the age of retirement while under suspension or while disciplinary or criminal proceedings are pending against him, if in the view of such authority there is a possibility of some money becoming recoverable from him on conclusion of the proceedings against him. On conclusion of the proceedings, he will become eligible to the amount so withheld after adjustment of Government dues, if any.

(4)(a) Where the service of a Government servant has been extended, in the interest of public service beyond the date of his retirement, he may be granted-

- (i) during the period of extension, any earned leave due in respect of the period of such extension plus the earned leave which was at his credit on the date of his retirement subject to a maximum of 180 days/1[300 days (including the number of days for which encashment has been allowed along with Leave Travel Concession while in service)] as the case may be, as prescribed in Rule 26.
- (ii) after expiry of the period of extension, cash equivalent in the manner provided in sub-rule (2) in respect of earned leave at credit on the date of retirement, plus the earned leave earned during the period of extension, reduced by the earned leave availed of during such period, subject to a maximum of 1[300 days (including the number of days for which encashment has been allowed along with Leave Travel Concession while in service)].

NOTE.-Not printed.

- (b) The cash equivalent payable under sub-clause (ii) of Clause (a) of this sub-rule shall be calculated in the manner indicated in Clause (b) of sub-rule (2) above.

*(5) A Government servant who retires or is retired from service in the manner mentioned in Clause © of sub-rule (1), may be granted suo motu, by the authority competent to grant leave, cash equivalent of the leave salary in respect of earned leave at his credit subject to a maximum of 1[300 days (including the number of days for which encashment has been allowed along with Leave Travel Concession while in service)] and also in respect of all the half pay leave at his credit, provided this period does not exceed the period between the date on which he so retires or is retired from service and the date on which he would have retired in the normal course after attaining the age prescribed for retirement under the terms and conditions governing his service. The cash equivalent shall be equal to the leave salary as admissible for earned leave and/or equal to the leave salary as admissible for half pay leave plus dearness allowance admissible on the leave salary for the first 1[300 days (including the number of days for which encashment has been allowed along with Leave Travel Concession while in service)] at the rates in force on the date the Government servant so retires or is retired from service. The pension and pension equivalent of other retirement benefits and ad hoc relief/graded relief on pension shall be deducted from the leave salary paid for the period of half pay leave, if any, for which the cash equivalent is payable. The amount so calculated shall be paid in one lumpsum as a one-time settlement. No House Rent Allowance or Compensatory (City) Allowance shall be payable.

Provided that if leave salary for the half pay leave component falls short of pension and other pensionary benefits, cash equivalent of half pay leave shall not be granted.

(5-A) Where a Government servant is compulsorily retired as a measure of penalty under the provisions of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, and the disciplinary authority has not imposed any reduction in the amount of his pension (including gratuity) under Rule 40 of the Central Civil Services (Pension) Rules, 1972, the authority competent to grant leave shall suo motu issue an order granting cash equivalent of leave salary for earned leave, if any, at credit of the Government servant on the date of such retirement, subject to a maximum of 1[300 days (including the number of days for which cash equivalent has been allowed while in service)] in the manner indicated in Clause (b) of sub-rule (2).

- (6)(a)(i) Where the services of a Government servant are terminated by notice or by payment of pay and allowances in lieu of notice, or otherwise in accordance with the terms and conditions of his appointment, he may be granted, suo motu, by the authority competent to grant leave, cash equivalent in respect of earned leave at his credit on the date on which he ceases to be in service subject to a maximum of 1[300 days (including the number of days for which encashment has been allowed along with Leave Travel Concession while in service)].
- (ii) If a Government servant resigns or quits service, he may be granted, suo motu, by the authority competent to grant leave, cash equivalent in respect of earned leave at his credit on the date of cessation of service, to the extent of half of such leave at his credit, subject to a maximum of 2[150 days].
- (iii) A Government servant, who is re-employed after retirement may, on termination of his re-employment, be granted, suo motu, by the authority competent to grant leave, cash equivalent in respect of earned leave at his credit on the date of termination of re-employment subject to a maximum of 1[300 days (including the number of days for which encashment has been allowed along with Leave Travel Concession while in service)] including the period for which encashment was allowed at the time of retirement.
- (b) The cash equivalent payable under Clause (a) shall be calculated in the manner indicated in Clause (b) of sub-rule (2) and for the purpose of computation of cash equivalent under sub-clause (iii) of Clause (a), the pay on the date of the termination of re-employment shall be the pay fixed in the scale of post of re-employment before adjustment of pension and pension equivalent of other retirement benefits, and the Dearness Allowance appropriate to that pay.

39-A. Cash equivalent of leave salary in case of death in service

In case a Government servant dies while in service, the cash equivalent of the leave salary that the deceased employee would have got had he gone on earned leave that would have been due and admissible to him but for the death on the date immediately following the death and in any case, not exceeding leave salary for 1[300 days (including the number of days for which encashment has been allowed along with Leave Travel Concession while in service)], shall be paid to his family in the manner specified in Rule 39-C without any reduction on account of pension equivalent of death-cum-retirement gratuity.

NOTE.- In addition to the cash equivalent of leave salary admissible under this rule, the family of the deceased Government servant shall also be entitled to payment of Dearness Allowance only as per orders issued in this behalf separately.

39-B. Cash equivalent of leave salary in case of invalidation from service

A Government servant who is declared by a Medical Authority to be completely and permanently incapacitated for further service may be granted, suo motu, by the authority competent to grant leave, cash equivalent of leave salary in respect of leave due and admissible, on the date of his invalidation from service, provided that the period of leave for which he is granted cash equivalent does not extend beyond the date on which he would have retired in the normal course after attaining the age prescribed for retirement under the terms and conditions governing his service. The cash equivalent thus payable shall be equal to the leave salary as calculated under sub-rule (5) of Rule 39. A Government servant not in permanent employ or quasi-permanent employ shall not however be granted cash equivalent of leave salary in respect of half pay leave standing at his credit on the date of his invalidation from service.

39-C. Payment of cash equivalent of leave salary in case of death, etc., of Government servant

In the event of the death of a Government servant while in service or after retirement or after final cessation of duties but before actual receipt of its cash equivalent of leave salary payable under Rules 39,39-A and 39-B, such amount shall be payable-

- (i) to the widow, and if there are more widows than one, to the eldest surviving widow if the deceased was a male Government servant, or to the husband, if the deceased was a female Government servant;

EXPLANATION.- The expression “eldest surviving widow” shall be construed with reference to the seniority according to the date of the marriage of the surviving widows and not with reference to their ages;

- (ii) failing a widow or husband, as the case may be, to the eldest surviving son; or an adopted son;
- (iii) failing (i) and (ii) above, to the eldest surviving unmarried daughter;
- (iv) failing (i) to (iii) above, to the eldest surviving widowed daughter;
- (v) failing (i) to (iv) above, to the father;
- (vi) failing (i) to (v) above, to the mother;

- (vii) failing (i) to (vi) above, to the eldest surviving brother below the age of eighteen years;
- (viii) failing (i) to (vii) above, to the eldest surviving unmarried sister;
- (ix) 1[failing (i) to (viii) above], to the eldest surviving widowed sister;
- 1(x) [failing (i) to (ix) above, to the eldest surviving married daughter; and
- (x) failing (i) to (x) above, to the eldest child of the eldest predeceased son.]

39-D. Cash equivalent of leave salary in case of permanent absorption in Public Sector Undertaking/Autonomous Body wholly or substantially owned or controlled by the Central/State Government

A Government servant who has been permitted to be absorbed in a service or post in or under a Corporation or Company wholly or substantially owned or controlled by the Central Government or State Government or in or under a body controlled or financed by one or more than one such Government shall be granted suo motu by the authority competent to grant leave cash equivalent of leave salary in respect of earned leave at his credit on the date of absorption subject to a maximum of 300 days (including the number of days for which encashment has been allowed along with Leave Travel Concession while in service)]. This will be calculated in the same manner as indicated in Clause (b) of sub-rule (2) of Rule 39.

40. Leave Salary

(1) Except as provided in sub-rule (7), a Government servant who proceeds on earned leave is entitled to leave salary equal to the pay drawn immediately before proceeding on earned leave.

NOTE :- In respect of any period spent on foreign service out of India, the pay which the Government servant would have drawn if on duty in India but for foreign service out of India shall be substituted for the pay actually drawn while calculating leave salary.

(3) A Government servant on half pay leave or leave not due is entitled to leave salary equal to half the amount specified in sub-rule (1).

(4) A Government servant on commuted leave is entitled to leave salary equal to the amount admissible under (sub-rule (1).

(5) A Government servant on extraordinary leave is not entitled to any leave salary.

(7) (c).In the case of a Government servant who is granted leave earned by him during the period of re-employment, the leave salary shall be based on the pay drawn by him exclusive of the pension and pension equivalent of other retirement benefits.

(8)In the case of a person to whom the Employees' State Insurance Act, 148 (34 of 1948) applies, leave salary payable during leave, other than earned leave, shall be reduced by the amount of benefit payable under the said Act for the corresponding period.

(9) (a) If, in the case of a Government servant who retires or resigns from the service, the leave already availed of is more than the credit so due to him, necessary adjustment shall be made in respect of leave salary, if any, overdrawn.

(b) Where the quantum of earned leave already availed of by a Government servant who is dismissed or removed from service or who die while in service is in excess of the leave credit under Clause (b) of sub-rule (2) of Rule 27, the overpayment of leave salary shall be recovered in such cases.

41. Drawal of leave salary

The leave salary payable under these rules shall be drawn in rupees in India.

42. Advance of Leave salary

A Government servant, including a Government servant on foreign service, proceeding on leave for a period not less than thirty days may be allowed an advance in lieu of leave salary up to a month's pay and allowances admissible on that leave salary subject to deductions on account of Income Tax, Provident Fund, House Rent, Recovery of Advances etc.

NOTE 1. Leave salary advance may also be allowed to Central Government servants transferred temporarily to posts other than under Central Civil Departments. The borrowing authority should be informed of this by making a suitable provision in the terms of the transfer of the Government servants concerned.

NOTE 2:- The concession may be allowed also to State Government servants transferred temporarily to posts under Central Civil Departments.

43. Maternity Leave

- (1) A female Government servant (including an apprentice) with less than two surviving children may be granted maternity leave by an authority competent to grant leave for a period of (135 days) from the date of its commencement.
- (2) During such period, she shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.

NOTE :- In the case of a person to whom Employees' State Insurance Act, 1948 (34 of 1948), applies, the amount of leave salary payable under this rule shall be reduced by the amount of benefit payable under the said Act for the corresponding period.

- (3) Maternity leave not exceeding 45 days may also be granted to a female Government servant (irrespective of the number of surviving children) during the entire service of that female Government in case of miscarriage including abortion on production of medical certificate as laid down in Rule 19:

Provided that the maternity leave granted and availed of before the commencement of the CCS(Leave) Amendment Rules, 1995, shall not be taken into account for the purpose of this sub-rule.

- (4) (a) Maternity leave may be combined with leave of any other kind.

(b) Notwithstanding the requirement of production of medical certificate contained in sub-rule (1) of Rule 30 or sub-rule (1) of Rule 31, leave of the kind due and admissible (including commuted leave for a period not exceeding 60 days and leave not due) up to a maximum of one year may, if applied for, be granted in continuation of maternity leave granted under sub-rule (1).
- (5) Maternity leave shall not be debited against the leave account.

43-A. Paternity leave

- (1) A male Government servant (including an apprentice) with less than two surviving children, may be granted Paternity Leave by an authority competent to grant leave for a period of 15 days, during the confinement of his wife for childbirth, i.e., up to 15 days before, or up to six months from the date of delivery of the child.

(1) During such period of 15 days, he shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.
- (2) The paternity Leave may be combined with leave of any other kind.
- (3) The paternity leave shall not be debited against the leave account.

(4) If Paternity Leave is not availed of within the period specified in sub-rule (1), such leave shall be treated as lapsed.

NOTE:- the Paternity Leave shall not normally be refused under any circumstances.

43-B. Leave to a female Government servant on adoption of a child.

A female Government servant on adoption of a child, may be granted leave of the kind due and admissible (including leave not due and commuted leave not exceeding 60 days without production of medical certificate) for a period up to one year or till such time the child is one year old, whichever is earlier. However, this facility will not be admissible in case she is already having two surviving children at the time of adoption.

44. Special disability leave for injury intentionally inflicted

(1) The authority competent to grant leave may grant special disability leave to a Government servant (whether permanent or temporary) who is disabled by injury intentionally inflicted or caused in, or in consequence of the due performance of his official duties or in consequence of his official position.

(2) Such leave shall not be granted unless the disability manifested itself within three months of the occurrence to which it is attributed and the person disabled acted with due promptitude in bringing it to notice:

Provided that the authority competent to grant leave may, if it is satisfied as to the cause of the disability, 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 an Authorized Medical Attendant and shall in no case exceed 24 months

(4) Special disability leave may be combined with leave of any other kind.

(5) Special disability leave may be granted more than once if the disability is aggravated or reproduced in similar circumstances at later date, but not more than 24 months of such leave shall be granted in consequence of any on disability.

(6) Special disability leave shall be counted as duty in calculating service for pension and shall not, except the leave granted under the proviso to Clause (b) of sub-rule(7), be debited against the leave account.

(7) Leave salary during such leave shall:-

(a) for the first 120 days of any period of such leave, including a period of such leave granted under sub-rule (5), be equal for leave salary while on earned leave;

(b) for the remaining period of any such leave, be equal to leave salary during half pay leave:

Provided that a Government servant may, at his option, be allowed leave salary as in sub-rule (a) for a period not exceeding another 120 days, and in the event the period of such leave shall be debited to his half pay leave account.

NOTE :- Leave salary in respect of special disability leave granted to a Government servant who has rendered service under more than one Government may be apportioned between the Governments in accordance with the normal rules.

(8) (a) In the case of a person to whom the Workmen's Compensation Act, 1923 (8 of 1923), applies, the amount of leave salary payable under this rule shall be reduced by the amount of compensation payable under Clause (d) of sub-section (1) of Section 4 of the said Act.

(b) In the case of a person to whom the Employees' State Insurance Act, 1948 (34 of 1948), applies the amount of leave salary payable under this rule shall be reduced by the amount of benefit payable under the said Act for the corresponding period.

(9) (a) The provisions of this rule shall also apply-

(i) to a civil Government servant disabled in consequences of service with a military force, if he is discharged as unfit for further military service, but is not completely and permanently incapacitated for further civil service; and

(ii) to a civil servant not so discharged who suffers a disability which is certified by a Medical Board to be directly attributed to his service with a military force.

(b) In either case, any period of leave granted to such a person under military rules in respect of that disability shall be reckoned as leave granted under this rule for the purpose of calculating the period admissible.

45. Special disability leave for accidental injury

(1)The provisions of Rule 44 shall apply also to a Government servant whether permanent or temporary, 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.

(2) The grant of special disability leave in such case shall be subject to the further conditions :-

(i)That the disability, if due to disease, must be certified by an Authorized Medical Attendant to be directly due to the performance of the particular duty;

(ii)that, if the Government servant has contracted such disability during service otherwise than with a military force, it must be, in the opinion of the authority competent to sanction leave, exceptional in character' and

(iii)that the period of absence recommended by an Authorized Medical Attendant may be covered in part, by leave under this rule and in part by any other kind of leave, and that the amount of special disability leave granted on leave salary equal to that admissible on earned leave shall not exceed 120 days.

46.Hospital leave

(1)The authority competent to grant leave may grant hospital leave to

(a) Class IV Government servants ,and

(b)such Class III Government servants whose duties involve the handling of dangerous machinery, explosive materials, poisonous drugs and the like, or the performance of hazardous tasks,

while under medical treatment in a hospital or otherwise, for illness or injury if such illness or injury is directly due to risks incurred in the course of their official duties.

(2)Hospital leave shall be granted on the production of medical certificate from an Authorized Medical Attendant.

(3)Hospital leave may be granted for such period as the authority granting it may consider necessary, on leave salary –

(i) equal to leave salary while on earned leave, for the first 120 days of any period of such leave; and

(ii) equal to leave salary during half pay leave, for the remaining period of any such leave.

(4) Hospital leave shall not be debited against the leave account and may be combined with any other kind of leave which may be admissible provided the total period of leave, after such combination, does not exceed 28 months.

(5)(a) In the case of a person to whom the Workmen's Compensation Act, 1923 (8 of 1923), applies, the amount of leave salary payable under this rule shall be reduced by the amount of compensation payable under Clause (d) of sub section 1) of Section 4 of the said Act.

(b) In the case of person to whom the Employees' State Insurance Act, 1948 (34 of 1948), applies, the amount of leave salary payable under this rule shall be reduced by the amount of benefit payable under the said Act for the corresponding period.

47. Seamen's sick leave

(1) A Government servant serving as an officer, warrant officer or petty officer on a Government vessel may, while undergoing medical treatment for sickness or injury, either on his vessel or in hospital, be granted leave, by an authority competent to grant leave, on leave salary equal to full pay for a period not exceeding six weeks:

Provided that such shall not be granted if a Government Medical officer certifies that the Government servant is malingering or that his ill-health is due to drunkenness or similar self-indulgence or to his own action in willfully causing or aggravating disease or injury.

(2) A seaman disabled in the exercise of his duty may be allowed leave on leave salary equal to full pay for a maximum period not exceeding three months, if the following conditions are fulfilled, namely:-

(a) a Government Medical Officer must certify the disability;

(b) the disability must not be due to the seaman's own carelessness or inexperience'

(c) the vacancy cause by his absence must not be filled.

(3)(a) In the case of a person to whom the Workmen's Compensation Act, 1923 (8 of 1923), applies, the amount of leave salary payable under this rule shall be reduced by the amount of

compensation payable under Clause (d) of sub-section (1) of Section 4 of the said Act.

(b) In the case of a person to whom the Employees' State Insurance Act, 1948 (34 of 1948), applies, the amount of leave salary payable under this rule shall be reduced by the amount of benefit payable under the said Act for the corresponding period.

48. Deleted

49. Departmental Leave

(1) Departmental leave may be granted to :-

(a) Class III Government servants (other than Division I staff and Clerks) and to Class IV Government servants in the Survey of India, attached to Survey Parties with field and recess duties:

(b) members of the seasonal staff in the Posts and Telegraphs Department, whose duties are not continuous but are limited to certain fixed period in each year.

(2) In addition to leave due and admissible, departmental leave may be granted only to Government servants whose services are temporarily not required.

(3)(a) Departmental leave with leave salary may be granted during the recess by the Head of the Party or Office to which the Government servant belongs in the Survey of India or an authority not lower than the Divisional Superintendent of Post Offices in the Posts and Telegraphs Department, as the case may be provided the authority granting the leave considers in the case of a Class IV Government servant that it is desirable to re-employ the Government servant in the ensuing season.

(b) Leave so granted may, in special cases, be extended by the Surveyor-General or the Postmaster-General or the Director of Posts and Telegraphs, as the case may be, up to a maximum of eighteen months in all.

(4) (a) Departmental leave with leave salary may be granted at times other than the recess, for not more than six months at a time, by directors in the Survey of India, provided the leave is granted in the interests of Government and not at the request of the Government servant.

(b) Leave so granted may, in special cases, be extended by the Surveyor-General up to a maximum of one year in all.

(c)Leave on medical certificate shall not be regarded as granted in the interest of Government.

(5)Where the President by general or special order so authorizes, departmental leave without leave salary may be granted by the Surveyor-General or the Postmaster-General or the Director of Posts and Telegraphs, as the case may be, in continuation of the departmental leave with leave salary.

(6)(a) A Government servant on Departmental Leave with leave salary shall be paid leave salary equal to 25 per cent of the said salary admissible during the earned leave under sub-rule (1) of Rule 40. No allowance, other than Dearness Allowance, shall be admissible on such leave salary.

(b) A Government servant while on departmental leave with leave salary shall be paid leave salary at the end of each month up to first six months and thereafter it shall be paid when the Government servant returns to duty:

Provided that where a Government servant dies while on departmental leave, his leave salary up to the date of his death, or the last day of such leave with leave salary, whichever is earlier, shall be paid to his heirs.

(7)Departmental leave does not count as duty and such leave shall not be debited to his leave account.

(8)Departmental leave may be granted when no leave is due.

(9)Departmental leave may be combined with any other kind of leave which may be due.

(10)(a)When a Government servant to whom these rules apply, holds a post in which the Surveyor-General or the Postmaster-General or the Director of Posts and Telegraphs, as the case may be (hereinafter in this sub-rule referred to as the authority) considers that he is unlikely to be eligible for departmental leave in future, the authority may, by order in writing, declare that, with effect from such date, not being earlier than the Government servant's last return from departmental leave, as the authority may fix, any balance of leave at debit in the Government servant's leave account should be cancelled.

(b) All leave earned after such date shall be credited as due in the Government servant's leave account and all leave taken after such date, including departmental leave with leave salary, if any, shall be debited in it.

(NOTE :- this sub-rule applies to cases of Government servants who have debit balance in their leave account due to their availing of departmental leave before the 1st November, 1973, when departmental leave with leave salary used to be debited to leave account.

50. Conditions for grant of study leave

(1) Subject to conditions specified in this Chapter, 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 specialized training in a professional or a technical subject having a direct and close connection with the sphere of his duty.

(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 sphere of duties of the Government servant; and
- (ii) for the purpose of studies connected with the framework or background of public administration subject to the conditions that-
 - (a) the particular study or study tour should be approved by the authority competent to grant leave; and
 - (b) 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.

NOTE.- Application for study leave in cases falling under clause (iii) shall be considered on merits of each case in consultation with the Department of Expenditure of the Ministry of Finance.

(3) Study leave shall not be granted unless-

- (i) it is certified by the authority competent to grant leave that the proposed course of study or training shall be of definite advantage from the point of view of public interests;

(ii) it is for prosecution of studies in subjects other than academic or literary subject:

Provided that an officer of the Indian Economic Service or Indian Statistical Service may be granted study leave for prosecuting a course of study for obtaining Ph.D., on a research thesis, subject to the conditions that-

- (a) the subject of research and the institution at which such research is to be undertaken are got approved by the Chief Economic Adviser to the Government of India, in case the applicant is a member of the Indian Economic Service, or by the Director, Central Statistical Organization, in case the applicant is a member of the Indian Statistical Service;
- (b) the applicant obtains a certificate from the said authority to the effect that such study will be valuable in the matter of increasing the efficiency of the officer in the performance of his duties as a member of the Indian Economic Service or the Indian Statistical Service, as the case may be; and
- (c) in cases where the study is to be undertaken at a foreign university, the applicant obtains a further certificate that the facilities for research on the particular subject chosen for study are not available at any University or other Institution in India:

Provided further that a Medical Officer may be granted study leave for prosecuting a course of postgraduate study in Medical Sciences if the Director-General of Health Services certifies to the effect that such study shall be valuable in increasing the efficiency of such Medical Officer in the performance of his duties:

Provided also that a specialist or a technical person may be granted study leave, on merits of each case for prosecuting a postgraduate course of study directly related to the sphere of his duty in case the Head of the Department or the Secretary to the Department or Ministry concerned certifies that the course of study shall enable the specialist or the technical person, as the case may be, to keep barest with modern development in the field of his duty, improve his technical standards and competence and thus substantially benefit the Department or Ministry.

(iii) the Department of Economic Affairs 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:

Provided that in releasing foreign exchange to Government servants proceeding on study leave abroad, the Department aforesaid shall satisfy

itself whether such Government servant comply with the minimum educational criteria as specified in the general orders issued by the said Department from time to time regulating release of foreign exchange to persons proceeding abroad for higher studies at their expense.

(4) Study leave out of India shall not be granted for the prosecution of studies in subjects for which adequate facilities exist in India or under any of the Schemes administered by the Department of Economic Affairs of the Ministry of Finance or by the Ministry of Education.

(5) Study leave may be granted to a Government servant-

- (i) who has satisfactorily completed period of probation and has rendered not less than five years' regular continuous service including the period of probation under the Government;
- (ii) who is not due to reach the age of superannuation from the Government service within three years from the date on which he is expected to return to duty after the expiry of the leave; and
- (iii) who executes a Bond as laid down in Rule 53(4) undertaking to serve the Government for a period of three years 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.

51. Maximum amount of study leave

The maximum amount of study leave, which may be granted to a Government servant shall be –

- (a) ordinarily twelve months at any one time, and
- (b) during his entire service, twenty-four months in all (inclusive of similar kind of leave for study or training granted under any other rules).

52. Applications for study leave

- (1) (a) Every application for study leave shall be submitted through proper channel to the authority competent to grant leave.
- (b) The course or courses of study contemplated by the Government servant and any examination which he proposes to undergo shall be clearly specified in such application.

- (2) Where it is not possible for the Government servant to give full details in his application, or if, after leaving India, he is to make any change in the programme which has been approved in India, he shall submit the particulars as soon as possible to the Head of the Mission or the authority competent to grant leave, as the case may be, and shall not, unless prepared to do so at his own risk, commence the course of study or incur any expenses in connection therewith until he receives the approval of the authority competent to grant the study leave for the course.

53.Sanction of study leave

(1)A report regarding the admissibility of the study leave shall be obtained from the Audit Officer:

Provided that the study leave, if any, already availed of by the Government servant shall be included in the report.

(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 condition that the concurrence of the department or the establishment to which he is permanently attached is obtained before the leave is granted.

(3)Where the study leave is granted for prosecution of studies abroad, the Head of the Mission concerned shall be informed of the fact by the authority granting the leave, provided that where such leave has been granted by an Administrator, the intimation shall be sent through the Ministry concerned.

NOTE :- The Head of the Mission shall be contacted by the Government servant for issue of any letters of introduction or for other similar facilities that may be required.

(4)(a)Every Government servant in permanent employ who has been granted study leave or extension of such study leave shall be required to execute a Bond in Form 7 or Form 8, as the case may be, before the study leave or extension of such study leave granted to him commences.

(b)Every Government servant not in permanent employ who has been granted study leave or extension of such study leave shall be required to execute a bond in Form 9 or Form 10 as the case may be, before the study leave or extension of such study leave granted to him commences.

(c) The Authority competent to grant leave shall send to the Audit Officer a certificate to the effect that the Government servant referred to in Clause (a) or Clause (b) has executed the requisite bond.

5(a) On completion of the course of study, the Government servant shall submit to the authority which granted him the study leave, the certificates of examinations passed or special courses of study undertaken, indicating the date of commencement and termination of the course with the remarks, if any, of the authority in charge of the course of study.

(b) If the study is undertaken in a country outside India where there is an Indian Mission, the certificates shall be submitted through the Head of the Mission concerned.

54.Accounting of study leave and combination with leave of other kinds

(1) Study leave shall not be debited against the leave account of the Government servant.

(2) Study leave may be combined with other kinds of leave, but in no case shall be grant of this leave in combination with leave, other than extraordinary leave involve a total absence of more than twenty eight months generally and thirty-six months for the courses leading to PhD. degree from the regular duties of the Government servant.

Explanation :-the limit of twenty-eight months/thirty six months of absence prescribed in this sub-rule includes the period of vacation.

(3) A Government servant granted study leave in combination with any other kind of leave may, if he so desires, undertake or commence a course of study during any other kind of leave and subject to the other conditions laid down in Rule 57 being satisfied, draw study allowance in respect thereof

Provided that the period of such leave coinciding with the course of study shall not count as study leave.

55.Regular of study leave extending beyond course of study

When the course of study fall short of study leave granted to a Government servant, he shall resume duty on the conclusion of the course of study, unless the previous sanction of the authority competent to grant leave has been obtained to treat the period of shortfall as ordinary leave.

56. Leave Salary during study leave

(1) Except as provided in sub-rule (3), during Study Leave availed of outside India, a Government servant shall draw Leave Salary equal to the pay that the Government servant drew while on duty with Government immediately before proceeding on such leave and in addition the Dearness Allowance, House Rent Allowance

and Study Allowance as admissible in accordance with the provisions of Rules 57 to 60.

(2) (a) Except as provided in sub-rule (3), during Study Leave availed of in India, a Government servant shall draw Leave Salary equal to the pay that the Government servant drew while on duty with Government immediately before proceeding on such leave and in addition the Dearness Allowance and House Rent Allowance as admissible in accordance with the provisions of Rule 60.

(b) Payment of leave salary at full rate under Clause (a) shall be subject to furnishing of a certificate by the Government servant to the effect that he is not in receipt of any scholarship, stipend or remuneration in respect of any part-time employment.

(c) The amount, if any, received by a Government servant during the period of Study leave as scholarship or stipend or remuneration in respect any part-time employment as envisaged in sub-rule (2) of Rule 57, shall be adjusted against the Leave Salary payable under this sub-rule subject to the condition that the Leave Salary shall not be reduced to an amount less than that payable as Leave Salary during half-pay leave.

(d) No study allowance shall be paid during Study Leave for courses of study in India.

(3) During the currency of Study Leave within or outside India on or after 1st day of January 1996, a Central Government servant shall draw benefits of Revised Pay from the date such revision took place.

57. Conditions for grant of study allowance

(1) A study allowance shall be granted to a Government servant who has been granted study leave for studies outside India for the period spent in prosecuting a definite course of study at a recognized institution or in any definite tour of 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.

(2) Where a Government servant has been 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 sources, or any other remuneration in respect of any part-time employment-

(a) no study allowance shall be admissible in case the net amount of such scholarship or stipend or remuneration (arrived at by deducting the cost of fees, if any, paid by

the Government servant from the value of the scholarship or stipend or remuneration) exceeds the amount of study allowance otherwise admissible:

- (b) In case the net amount of scholarship or stipend or remuneration is less than the study allowance otherwise admissible, the difference between the value of the net scholarship or stipend or any other remuneration in respect of any part-time employment and the study allowance may be granted by the authority competent to grant leave.

- (3) Study allowance shall not be granted for any period during which a Government servant interrupts his course of study to suit his own convenience:

Provided that the authority competent to grant leave or the Head of Mission may authorize the grant of Study Allowance for a period not exceeding 14 days at a time during such interruption if it was due to sickness.

- (4) Deleted.

- (5) Study Allowance shall also be allowed for the entire period of vacation during the course of study subject to the conditions that

—

- (a) The Government servant attends during vacation any special course of study or practical training under the direction of the Government or the authority competent to grant leave, as the case may be; or
- (b) In the absence of any such direction, he produces satisfactory evidence before the Head of the Mission or the authority competent to grant leave, as the case may be, that he has continued his studies during the vacation:

Provided that in respect of vacation falling at the end of the course of study, it shall be allowed for a maximum period of 14 days.

- (6) The period for which Study Allowance may be granted shall not exceed 24 months in all.

58. Rates of Study Allowance

- (1) The rates of Study Allowance shall be as follows:-

Name of the Country	Study allowance per diem
Australia	£ 1.00 (Sterling)
Continent of Europe	£ 1.65 „

New Zealand	£ 1.20	„
United Kingdom	£ 2.00	„
United Stats of America	£ 2.75	„

- (2) The rates of Study Allowance prescribed in sub-rule (1) may be revised by the Central Government from time to time.
- (3) The rates of Study Allowance to be granted to a Government servant who takes study leave inn any country other than the one specified in sub-rule (1) shall be such as may be specially determined by the President in each case.

59. Procedure for payment of study allowance

- (1) Payment of study allowance shall be subject to the furnishing of a certificate by the Government servant to the effect that he is not in receipt of any scholarship, stipend or any other remuneration in respect of any part-time employment.
- (2) Study Allowance shall 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 the Government any overpayment consequent on his failure to produce the required certificate of attendance or on his failure to satisfy the authority competent to grant leave about the proper utilization of the time spent for which Study Allowance is claimed.
- (3) (a) In the case of a definite course of study at a recognized institution, the Study Allowance shall be payable by the authority competent to grant leave, if the study leave availed of is in a country where there is no Indian Mission, and by the Head of the Mission in other cases, on claims submitted by the Government servant from time to time, supported by proper certificates of attendance.

(b) The certificate of attendance required to be submitted in support of the claims for Study Allowance shall be forwarded at the end of the terms, if the Government servant is undergoing study in an educational institution, or at intervals not exceeding three months if he is undergoing study at any other institution.
- (4) (a) When the programme of study approved does not include, or does not consist entirely of, such a course of study, the Government servant shall submit to the authority competent to grant leave direct or through the Head of the Mission a diary

showing how his time has been spent and a report indicating fully the nature of the methods and operations which have been studied and including suggestions as to the possibility of adapting such methods or operations to conditions obtaining in India.

(b) The authority competent to grant leave shall decide whether the diary and report show that the time of the Government servant was properly utilized and shall determine accordingly for what periods Study Allowance may be granted.

60. Admissibility of allowances in addition to Study Allowance

(1) For the first (180) days of the Study Leave, House Rent Allowance shall be paid at the rates admissible to the Government servant from time to time at the station from where he proceeded on study leave. The continuance of payment of House Rent Allowance beyond (180) days shall be subject to the production of a certificate as prescribed in Para.8 (d) of Ministry of Finance, O.M. No.2 (37)-E.II (B)/64, dated 27-11-1965, as amended from time to time.

(2) Except for house rent allowance as admissible under sub-rule (1) and the Dearness Allowance and the Study Allowance, where admissible, no other allowance shall be paid to a Government servant in respect of the period of study leave granted to him.

61. Travelling Allowance during study leave

A Government servant to whom study leave has been granted shall not ordinarily be paid Travelling Allowance but the President may in exceptional circumstances sanction the payment of such allowance.

NOTE- Where a Government servant serving in the Indian Audit and Accounts Department is on study leave in India, the Comptroller and Auditor-General of India may, in exceptional circumstances, sanction the grant of Travelling Allowance.

62. Cost of fees for study

A Government servant to whom study leave has been granted shall ordinarily be required to meet the cost of fees paid for the study but in exceptional cases, the President 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.

NOTE- Where a Government servant serving in the Indian Audit and Accounts Department is on study leave in India, the Comptroller and Auditor-General of India may, in exceptional circumstances, sanction the grant of the cost of fees paid for the study.

63. Resignation or retirement after study leave or non-completion of the course of study.

(1) If a Government servant resigns or retires from service or otherwise quits service without returning to duty after a period of study leave or within a period of three years after such return to duty or fails to complete the course of study and is thus unable to furnish the certificates as required under sub-rule (5) of Rule 53 he shall be required to refund-

- (i) the actual amount of leave salary, Study Allowance, cost of fees, traveling and other expenses, if any, incurred by the Government of India; and
- (ii) the actual amount, if any, of the cost incurred by other agencies such as foreign Government, Foundations and Trusts in connection with the course of study,

together with interest thereon at 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 or his quitting service otherwise:

Provided that except in the case of employees who fail to complete the course of study nothing in this rule shall apply-

- (a) to a Government servant who, after return to duty from study leave, is permitted to retire from service on medical grounds; or
- (b) to a Government servant who, after return to duty from study leave, is deputed to serve in any Statutory or Autonomous Body or Institution under the control of the Government and is subsequently permitted to resign from service under the Government with a view to his permanent absorption in the said Statutory or Autonomous body or Institution in the public interest.

(2) (a) The study leave availed of by such 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 extraordinary leave.

(b) 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 President may, if it is necessary or expedient to do so, either in public interest or having regard to the peculiar circumstances of the case or class of cases, by order, waive or reduce the amount required to be refunded under sub-rule (1) by the Government servant concerned or class of Government servant.

CHAPTER VII

Miscellaneous

64. Interpretation

Where any doubt arises as to the interpretation of these rules, it shall be referred to the Government of India in the Ministry of Personnel, Public Grievances and Pensions for decision.

65. Power to relax

Where any Ministry or Department of Government of India is satisfied that the operation of any of these rules causes undue hardship in any particular case, that Ministry or Department, as the case may be, may by order, for reasons to be recorded in writing, dispense with or relax the requirements of that rule to such extent and subject to such exceptions and conditions as it may consider necessary for dealing with the case in a just and equitable manner:

Provided that no such order shall be made except with the concurrence of the Ministry of Personnel, Public Grievances and Pensions.

66. Repeal and saving

(1) On the commencement of these rules, every rule, regulation or order, including Office Memorandum (hereinafter referred to in this rule as the old rule) in force immediately before such commencement shall, in so far as it provides for any of the matters contained in these rules, cease to operate.

(2) Notwithstanding such cesser of operation, anything done or any action taken or any leave earned by, or granted to, or accrued to the credit of a Government servant, under the old rule, shall be deemed to have been done, taken, earned, granted or accrued under the corresponding provisions of these rules.



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)

PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

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कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय (कार्मिक और प्रशिक्षण विभाग)

अधिसूचना

नई दिल्ली, 11 दिसम्बर, 2018

सा.का.नि. 1209(अ).—राष्ट्रपति, संविधान के अनुच्छेद 148 के खंड (5) के साथ पठित अनुच्छेद 309 के परंतुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत के लेखा परीक्षा और लेखा विभाग में कार्यरत व्यक्तियों के संबंध में भारत के नियंत्रक और महालेखा परीक्षक से परामर्श करने के पश्चात् केंद्रीय सिविल सेवाएं (छुट्टी) नियम, 1972 का निम्नलिखित और संशोधन करती है, अर्थात् :-

1. (1) इन नियमों का संक्षिप्त नाम केंद्रीय सिविल सेवाएं (छुट्टी) (चौथा संशोधन) नियम, 2018 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. केंद्रीय सिविल सेवाएं (छुट्टी) नियम, 1972 में, --

(अ) नियम 28 के उपनियम (1) के खंड (क), (ख) और (ग) के स्थान पर निम्नलिखित खंड रखे जाएंगे, अर्थात् :- ‘

“(क) प्रत्येक सरकारी सेवक (मिलिट्री अधिकारी से भिन्न) जो प्रावकाश विभाग में कार्य कर रहे हैं के छुट्टी खाते में प्रत्येक कलेंडर वर्ष के जनवरी और जुलाई के प्रथम दिन पांच दिनों की दो किश्तों में अर्जित छुट्टी अग्रिम में जमा की जाएगी।

(ख) किसी ऐसे वर्ष के संबंध में जिसके लिए कोई सरकारी सेवक अवकाश के एक भाग का उपभोग कर लेता है तो वह पूर्ण अवकाश दिनों में से उपभोग नहीं किए गए अवकाश दिनों के बीस दिन के अनुपात में अतिरिक्त अर्जित छुट्टियों का हकदार होगा, परंतु एक कलेंडर वर्ष में जमा की गई कुल अर्जित छुट्टी तीस दिन से अधिक नहीं होगी।

(ग) यदि, किसी वर्ष में किसी सरकारी सेवक ने कोई अवकाश नहीं लिया है, तो अर्जित छुट्टी खंड (क) और (ख) के बजाए नियम 26 के अनुसार होगी।”;

(आ) नियम 29 के उपनियम(1) के स्थान पर निम्नलिखित नियम रखा जाएगा, अर्थात्:-

“(1) प्रत्येक सरकारी सेवक (मिलिट्री अधिकारी और प्रावकाश विभाग में कार्यरत सरकारी सेवक से भिन्न) के अर्द्धवेतन छुट्टी खाते में प्रत्येक कलेंडर वर्ष के जनवरी और जुलाई के प्रथम दिन दस दिनों की दो किश्तों में अग्रिम में अर्द्धवेतन छुट्टी जमा की जाएगी।”;

(इ) नियम 43-ग,-

(क) के उपनियम (1) के स्थान पर निम्नलिखित उप-नियम रखा जाएगा, अर्थात्:-

“(1) इस नियम के उपबंधों के अध्वधीन किसी महिला सरकारी सेवक और एकल पुरुष सरकारी सेवक को अपने दो ज्येष्ठ जीवित बालकों की देखभाल के लिए चाहे वह पालनपोषण के लिए हो अथवा उनकी किसी भी जरूरत जैसे कि शिक्षा, बीमारी और ऐसी ही अन्य जरूरत के लिए उसके संपूर्ण सेवाकाल में छुट्टी स्वीकृत करने वाले सक्षम प्राधिकारी द्वारा अधिकतम सात सौ तीस दिनों की संतान देखभाल छुट्टी स्वीकृत की जा सकती है।”

(ख) उपनियम (3) और (4) के स्थान पर निम्नलिखित उप-नियम रखा जाएगा, अर्थात्:-

‘(3) उपनियम (1) के अध्वधीन किसी महिला सरकारी सेवक और एकल पुरुष सरकारी सेवक को संतान देखभाल की स्वीकृति निम्नलिखित शर्तों के अध्वधीन होगी, अर्थात्:-

(i) यह किसी कलेंडर वर्ष में अधिकतम तीन बार स्वीकृत की जाएगी;

(ii) एकल महिला सरकारी सेवक की दशा में एक कलेंडर वर्ष में तीन बार में छुट्टी को प्रदान करने को एक कलेंडर वर्ष में छह बार तक बढ़ाया जायेगा;

(iii) कतिपय विशेष परिस्थितियां जिसमें छुट्टी मंजूरी प्राधिकारी परिवीक्षार्थी को संतान देखभाल छुट्टी देने के बारे में संतुष्ट हो, को छोड़कर सामान्तया परिवीक्षा के दौरान स्वीकृत नहीं की जाएगी परंतु अवधि जिसके लिए छुट्टी स्वीकृत की जाती हो, न्यूनतम हों।

(iv) संतान देखभाल छुट्टी एक साल में पांच दिन से कम की अवधि के लिए नहीं प्रदान की जाएगी।”;

‘(4) संतान देखभाल छुट्टी के दौरान, महिला सरकारी सेवक और एकल पुरुष सरकारी सेवक को पहले तीन सौ पैसठ दिन के लिए वेतन के सौ प्रतिशत, लेकिन अगले तीन सौ पैसठ दिन के लिए वेतन के अस्सी प्रतिशत का भुगतान किया जाएगा ’

स्पष्टीकरण : ‘एकल पुरुष सरकारी सेवक से – एक अविवाहित या विधुर या परित्यक्त सरकारी सेवक अभिप्रेत है।”;

(ई) नियम 44 के स्थान पर निम्नलिखित नियम रखा जाएगा, अर्थात् :-

‘44— कार्य से संबंधित बीमारी और क्षति (डब्ल्यू आर आई आई एल):-

यह किसी सरकारी सेवक (चाहे स्थायी हो या अस्थायी), जो ऐसी बीमारी या क्षति से पीड़ित है कि जो उसकी शासकीय कर्तव्यों के पालन के कारण हुई है या गम्भीर हुई है या उसकी शासकीय स्थिति के परिणामस्वरूप हुई है को निम्नलिखित शर्तों पर, इन नियमों के नियम 19 के उपनियम (1) में अंतर्विष्ट उपबंधों के अध्वधीन रहते हुए ऐसे प्राधिकारी जो छुट्टियां प्रदान करने के लिए सक्षम है, द्वारा कार्य से संबंधित बीमारी और क्षति छुट्टी (जिसे इसे इसमें इसके पश्चात् डब्ल्यूआरआईआईएल कहा गया है) प्रदान की जा सकेगी, अर्थात्

- (1) डब्ल्यूआरआईआईएल के कारण अस्पताल में भर्ती होने की संपूर्ण अवधि के दौरान सभी कर्मचारियों को पूर्ण वेतन और भत्ते प्रदान किए जाएंगे।
- (2) अस्पताल में भर्ती के पश्चात्, डब्ल्यूआरआईआईएल निम्न प्रकार शासित होगी:
- (क) एक सरकारी कर्मचारी (मिलिट्री अधिकारी से भिन्न)- को अस्पताल में भर्ती के परे अव्यवहित छह माह के लिए पूर्ण वेतन और भत्ते और उक्त छह माह की अवधि के पश्चात् बारह माह के लिए आधा वेतन दिया जाएगा। अर्द्धवेतन अवधि को कर्मचारी छुट्टी खाते से विकलित अर्द्धवेतन छुट्टी के दिनों की तत्स्थानी संख्या के साथ पूर्ण वेतन में परिवर्तित किया जा सकेगा।
- (ख) केंद्रीय सशस्त्र पुलिस बलों के अधिकारियों के लिए - अस्पताल में भर्ती के परे अव्यवहित छह माह के लिए पूर्ण वेतन और भत्ते, और केवल अगले चौबीस माह के लिए पूर्ण वेतन।
- (ग) केंद्रीय सशस्त्र पुलिस बलों के अधिकारियों की पंक्ति से नीचे के कार्मिकों के लिए- पूर्ण वेतन और जिनकी अवधि के संबंध में कोई सीमा नहीं है।
- (3) ऐसे व्यक्तियों की दशा में जिन पर कर्मकार प्रतिकर अधिनियम, 1923 लागू होता है को डब्ल्यूआरआईआईएल के अधीन संदत्त छुट्टी वेतन की रकम में से अधिनियम के अधीन देय प्रतिकर की रकम घटा दी जाएगी।
- (4) जब कर्मचारी डब्ल्यूआरआईआईएल पर है उस अवधि के दौरान कोई अर्जित छुट्टी या अर्द्धवेतन छुट्टी जमा नहीं होगी।
- (उ) नियम 45 और 46 का लोप किया जाएगा।

[फा. सं. 11020/01/2017-स्था.(एल)]

जानेन्द्र देव त्रिपाठी, संयुक्त सचिव

टिप्पण : मूल नियम भारत के राजपत्र, भाग II, खण्ड 3, उप-खण्ड (i), तारीख 8 अप्रैल, 1972 में अधिसूचना सं. का.आ.

940 तारीख 15 मार्च, 1972 द्वारा प्रकाशित किए गए थे और तत्पश्चात् निम्नलिखित द्वारा संशोधित किए गए :-

क्र.सं.	अधिसूचना संख्यांक	तारीख	सा.का.नि. सं.	सा.का.नि.तारीख
1.	16(3)-ई.IV(ए)/71	11.1.1972	2724	4.11.1972
2.	4(7)-ई.IV(ए)/72	30.4.1973	1399	19.5.1973
3.	5(15)-ई.IV(ए)/73	13.7.1973	821	14.8.1973
4.	14(10)-ई.IV(ए)/73	11.6.1974	आसानी से उपलब्ध नहीं	
5.	5(8)-ई.IV(ए)/73	19.7.1974	818	3.8.1974
6.	14(8)-ई.IV(ए)/74	2.11.1974	1242	23.11.1974
7.	16(3)-ई.IV(ए)/74	20.12.1974	1374	28.12.1974
8.	16(5)-ई.IV(ए)/74	11.4.1975	526	26.4.1975
9.	16(8)-ई.IV(ए)/74	26.5.1975	686	7.6.1975
10.	4(1)-ई.IV(ए)/74	24.6.1975	834	12.7.1975
11.	16(8)-ई.IV(ए)/74	20.9.1975	2876	27.12.1975
12.	5(7)-ई.IV(ए)/75	2.12.1975	2877	27.12.1975
13.	5(16)-ई.IV(ए)/73	15.1.1976	आसानी से उपलब्ध नहीं	
14.	16(6)-ई.IV(ए)/73	31.7.1976	1184	14.8.1978
15.	16(3)-ई.IV(ए)/76	7.10.1976	1587	13.11.1976
16.	4(9)-ई.IV(ए)/76	14.3.1977	611	14.5.1977
17.	14(11)-ई.IV(ए)/76	12.9.1978	1159	23.9.1978
18.	14025/1/78-ई.IV(ए)	4.10.1978	1255	15.9.1979

67.	13018/6/2013-स्था.(एल)	09.10.2014	711(अ)	09.10.2014
68.	13026/2/2016-स्था.(एल)	15.3.2017	251(अ)	15.03.2017
69.	13023/1/2017-स्था.(एल)	1.1.2018	08(अ)	03.01.2018
70.	18017/1/2014-स्था.(एल)	3.4.2018	438(अ)	09.05.2018
71.	13018/6/2013-स्था.(एल)	6.6.2018	554(अ)	13.06.2018

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Personnel and Training)

NOTIFICATION

New Delhi, the 11th December, 2018

G.S.R. 1209(E).— In exercise of the powers conferred by the proviso to article 309 read with clause (5) of article 148 of the Constitution and after consultation with the Comptroller and Auditor General of India in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules further to amend the Central Civil Services (Leave) Rules, 1972, namely:-

1. (1) These rules may be called the Central Civil Services (Leave) (Fourth Amendment) Rules, 2018.
 - (2) They shall come into force on the date of their publication in the Official Gazette.
 2. In the Central Civil Services (Leave) Rules, 1972, —
 - (A) in rule 28, in sub-rule (1) for clauses (a), (b) and (c), the following clauses shall be substituted, namely:-
 - “(a) The leave account of every Government servant (other than a military officer) who is serving in a Vacation Department shall be credited with ‘earned leave, in advance’ in two installments of five days each on the first day of January and July of every calendar year.
 - (b) In respect of any year in which a Government Servant avails a portion of the vacation, he shall be entitled to additional earned leave in such proportion of twenty days, as the number of days of vacation not taken bears to the full vacation, provided the total earned leave credited shall not exceed thirty days in a calendar year.
 - (c) If, in any year, the Government servant does not avail any vacation, earned leave will be as per Rule 26 instead of clauses (a) and (b).”;
 - (B) in rule 29, for sub-rule (1), the following sub-rule shall be substituted, namely:—

“(1) The half pay leave account of every Government servant (other than a military officer and a Government servant serving in a Vacation Department) shall be credited with half pay leave in advance, in two installments of ten days each on the first day of January and July of every calendar year.”;
 - (C) in rule 43-C. (a) ~~for~~ sub-rule (1), the following sub-rule shall be substituted, namely”;
- “(1) Subject to the provisions of this rule, a female Government servant and single male Government servant may be granted child care leave by an authority competent to grant leave for a maximum period of seven hundred and thirty days during entire service for taking care of two eldest surviving children, whether for rearing or for looking after any of their needs, such as education, sickness and the like.” ;
 - (b) for sub-rules (3) and (4), the following sub-rules shall be substituted, namely:-

“(3) Grant of child care leave to a female Government servant and a single male Government servant under sub-rule (1) shall be subject to the following conditions, namely:-

 - (i) it shall not be granted for more than three spells in a calendar year;
 - (ii) in case of a single female Government servant, the grant of leave in three spells in a calendar year shall be extended to six spells in a calendar year.

(iii) it shall not ordinarily be granted during the probation period except in case of certain extreme situations where the leave sanctioning authority is satisfied about the need of child care leave to the probationer, provided that the period for which such leave is sanctioned is minimal.

(iv) child care leave may not be granted for a period less than five days at a time.

(4) During the period of child care leave, a female Government servant and a single male Government servant shall be paid one hundred percent of the salary for the first three hundred and sixty five days, and at eighty percent of the salary for the next three hundred and sixty five days.

Explanation.—Single Male Government Servant’ means – an unmarried or widower or divorcee Government servant.”;

(D) for rule 44, the following rule shall be substituted, namely:-

“44. Work Related Illness and Injury Leave:-

The authority competent to grant leave may grant Work Related Illness and Injury Leave (herein after referred to as WRIL) to a Government servant (whether permanent or temporary), who suffers illness or injury that is attributable to or aggravated in the performance of her or his official duties or in consequence of her or his official position subject to the provisions contained in sub-rule (1) of rule 19 of these rules, on the following conditions, namely :

(1) Full pay and allowances shall be granted to all employees during the entire period of hospitalisation on account of WRIL.

(2) Beyond hospitalization, WRIL shall be governed as follows:

(a) A Government servant (other than a military officer) full ~~pay~~ and allowances for the six months immediately following hospitalisation and Half Pay for twelve months beyond the said period of six months. The Half Pay period may be commuted to full pay with corresponding number of days of Half Pay Leave debited from the employees leave account.

(b) For officers of Central Armed Police Forces full ~~pay~~ and allowances for six months immediately following the hospitalisation and full pay only for the next twenty four months.

(c) For personnel below the rank of officer of the Central Armed Police Forces full pay and allowances, with no limit regarding period.

(3) In the case of persons to whom the Workmen’s Compensation Act, 1923 applies, the amount of leave salary payable under WRIL shall be reduced by the amount of compensation paid under the Act.

(4) No Earned Leave or Half Pay Leave shall be credited during the period that employee is on WRIL.”.

(E) rules 45 and 46 shall be omitted.

[F. No. 11020/01/2017 -Estt(L)]

GYANENDRA DEV TRIPATHI Jt. Secy.

Note : The principal rules were published in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-section (i), dated 8th April, 1972 *vide* number S.O. 940 dated the 15th March, 1972 and have been subsequently amended *vide*:

S. No.	Number of the notification	Date	GSR. No.	GSR date
1	16(3)-E.IV(A)/71	11.1.1972	2724	4.11.1972
2	4(7)-E.IV(A)/72	30.4.1973	1399	19.5.1973
3	5(15)-E.IV(A)/73	13.7.1973	821	14.8.1973
4	14(10)-E.IV(A)/73	11.6.1974	Not readily available	
5	5(8)-E.IV(A)/73	19.7.1974	818	3.8.1974
6	14(8)-E.IV(A)/74	2.11.1974	1242	23.11.1974
7	16(3)-E.IV(A)/74	20.12.1974	1374	28.12.1974
8	16(5)-E.IV(A)/74	11.4.1975	526	26.4.1975

No. 31011/8/2017-Estt.A-IV
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training
Establishment A-IV Desk

North Block New Delhi.
Dated October 18, 2018

OFFICE MEMORANDUM

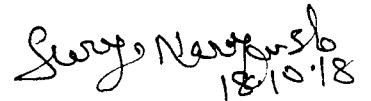
Subject: Travel entitlements of Government employees for the purpose of LTC post Seventh Central Pay Commission - clarification reg.

The undersigned is directed to refer to this Department's O.M. of even no. dated 19.09.2017 on the subject noted above, which inter-alia provides that the travel entitlements of Government servants for the purpose of LTC shall be the same as TA entitlements as notified vide Ministry of Finance's O.M. No. 19030/1/2017-E.IV dated 13.07.2017, except the air travel entitlement for Level 6 to Level 8 of the Pay Matrix, which is allowed in respect of TA only and not for LTC.

2. It is observed that many Government employees in Level 6 to Level 8 of the Pay Matrix had inadvertently travelled by air on LTC during the intervening period from 13.07.2017 to 19.09.2017 (i.e. post issue of MoF's O.M. dated 13.07.2017 and before the issue of DoPT's O.M. dated 19.09.2017) under the impression that they were entitled for air travel as per the revised TA rules. This Department is in receipt of references from the Government employees and various Ministries/Departments seeking relaxation in respect of such Government employees in view of the hardships faced by them in settlement of their LTC claims.

3. The matter has been examined in this Department in consultation with Department of Expenditure. In relaxation to this Department's O.M. of even no. dated 19.09.2017, it has been decided to allow the claims of the Government employees in Level 6 to Level 8 of the Pay Matrix, who had travelled by air as per the revised TA rules while availing LTC during 13.07.2017 to 19.09.2017. This shall be subject to the fulfillment of other conditions of air travel on LTC such as booking of air tickets through the authorised modes, fare limit of LTC-80, etc.

4. Hindi version will follow.


18/10/18

(Surya Narayan Jha)

Under Secretary to the Government of India

To

The Secretaries
All Ministries/Departments of Government of India
(As per the standard list)

Contd...

From pre-page:

Copy to:-

1. Comptroller & Auditor General of India, New Delhi.
2. Union Public Service Commission, New Delhi.
3. Central Vigilance Commission, New Delhi.
4. Central Bureau of Investigations, New Delhi.
5. Parliament Library, New Delhi.
6. All Union Territory Administrations.
7. Lok Sabha/Rajya Sabha Secretariat.
8. All attached and Subordinate Offices of Ministry of Personnel, P.G. & Pensions.
9. NIC, DoP&T with the request to upload this OM on Department's website at 'What's New' and OMs/Orders → Establishment → LTC Rules.
10. Hindi section for Hindi version.

No. 31011/2/2018-Estt (A.IV)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training
Establishment A-IV Desk

North Block, New Delhi-110 001

Dated: December 10, 2018

OFFICE MEMORANDUM

Subject:- **Procedure for booking of air-tickets on LTC – compliance of instructions regarding.**

The undersigned is directed to refer to this Department's O.M. No. 31011/5/2014-Estt.A-IV dated 24.09.2014, 23.09.2015 and 21.08.2017 on the procedure for booking of air tickets on LTC and to say that as per the extant instructions, whenever a Government servant claims LTC by air, he/she is required to book the air tickets directly from the airlines (Booking counters, website of airlines) or by utilizing the services of the authorized travel agents viz. 'M/s Balmer Lawrie & Company', 'M/s Ashok Travels & Tours' and 'IRCTC' (to the extent IRCTC is authorized as per DoPT O.M. No. 31011/6/2002-Est(A) dated 02.12.2009) while undertaking LTC journey(s).

2. In this regard, it is observed that despite reiterating the above instructions from time to time, this Department still continues to receive numerous references from various Ministries/Departments and individuals seeking relaxation for booking of air tickets for the purpose of LTC through private travel agents. In most of the cases, the common reasons cited by the Government employees are lack of awareness of the rules and work exigencies.

3. Therefore, all the Ministries/Departments are advised to ensure wide circulation and strict compliance of the guidelines stated in para 1 of this OM. This point may also be emphasized by the Administration whenever any advance is sought or intention to avail LTC is conveyed by the Government servant. It is stated that henceforth only those cases, where it is established that bonafide mistake has occurred and the Administrative Ministry/Department is satisfied that undue hardship is being caused to the Government servant, shall be considered by this Department for relaxation provided that the information is received in the **Proforma** enclosed along with supporting documents.

Encl.: As above


(Surya Narayan Jha)

Under Secretary to the Government of India

To

The Secretaries
All Ministries/Departments of Government of India
(As per the standard list)

Contd...

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6. All Union Territory Administrations.
7. Lok Sabha/Rajya Sabha Secretariat.
8. All attached and Subordinate Offices of Ministry of Personnel, P.G. & Pensions.
9. Hindi section for Hindi version.

Proforma for sending the request for seeking relaxation for booking of air tickets for the purpose of LTC from private travel agents.

The Administrative Ministry/Department needs to examine each case on the following parameters and where the Ministry/Department is satisfied that a bonafide mistake has occurred and undue hardship is being caused in any particular case, it may be sent to this Department in the following Proforma along with supporting documents:-

S.No.	Criteria	Response
1.	Whether booking of air tickets on LTC has been done according to the prescribed procedure. If no, reasons thereof.	
2.	Whether the employee has travelled by Air India flight or any other airlines as authorised by the Government for the purpose of LTC from time to time?	
3.	If answer to s.no. 1 above is 'No', then such cases shall not be considered for relaxation.	
4.	Whether the tickets were purchased at LTC-80 fare or less?	
5.	It may be confirmed/ verified from the concerned airlines whether the tickets were booked at the same price on the date of booking as indicated on the ticket?	
6.	Whether the Govt. servant has availed of any tour package or other facility from the travel agent except the tickets?	
7.	The tickets may be checked for any additional, hidden or superfluous charges. If yes, the same shall not be admissible.	
8.	Government servant shall submit a self-certification to his office/Administration that he has not availed of any tour package or any other facility from the travel agent except the tickets.	

***N.B. –** If it is found that any fraudulent attempt has been made by the Government servant to inflate the LTC claim, it shall make him/her liable for appropriate action under Rule 16 of CCS(LTC) Rules, 1988 and the relevant disciplinary rules.

F.No.104/76/2011-AVD-I
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

New Delhi, dated the 08th October, 2018

OFFICE MEMORANDUM

Subject: Guidelines regarding handling of complaints in Ministries/
Departments.

The undersigned is directed to say that instructions regarding dealing with anonymous and pseudonymous complaints were issued vide this Department's Office Memorandum of even number dated 18.10.2013 prescribing that no action is required to be taken on anonymous complaints, irrespective of the nature of the allegations and that such complaints need to be simply filed. Subsequently, the said Office Memorandum has been clarified vide Office Memorandums of even number dated 18.06.2014 and 31.03.2015. In this regard, the Central Vigilance Commission's Circular No.07/11/2014 dated 25.11.2014 may also be referred to. A copy each of the DOP&T's aforesaid Office Memorandums and CVC's Circular are enclosed herewith.

2. The instructions contained therein are reiterated and all Ministries/Departments are requested to follow the same while handling complaints received in their respective Ministry/Department.

Encl: as above.

(K.C.Raju)

Under Secretary to the Government of India
Tele. No. 23094799

To,

1. All Ministries/Departments as per standard circulation list.
2. Secretary, Central Vigilance Commission.
3. Department of Public Enterprises.
4. All Desks/Sections of DoP&T.
5. Guard File.
- ✓ 6. NIC, DoP&T Cell for placing a copy of this OM on the website of the Ministry.

No.104/76/2011-AVD.I
Government of India
Ministry of Personnel & Public Grievances & Pensions
(Department of Personnel & Training)

New Delhi, Dated October 18, 2013

OFFICE MEMORANDUM

Subject:- Guidelines regarding handling of complaints in Ministries/Departments.

The undersigned is directed to say that the instructions regarding dealing with anonymous and pseudonymous complaints as contained in this Department's OM No. 321/4/91-AVD.III, dated 29th September, 1992 and as reiterated vide DOP&T's OM No. 371/38/97-AVD.III, dated 3/11/1997, being at variance with instructions issued by CVC in this regard vide curricular No.3(V)/99/2 dated 29th June, 1999, No. 98/DSP/9, dated 31st January, 2002 and 11th October, 2002, had been receiving the attention of the Government for the past some time.

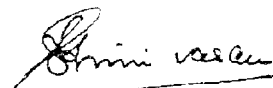
2. The matter was examined afresh in consultation with the Central Vigilance Commission. Subsequent to the Public Interest Disclosure & Protection of Informers' Resolution - 2004 (PIDPI), the Commission has created a mechanism for handling complaints where identity of the complainant is kept secret and the complainant is provided protection. This has been endorsed and operationalized by the Central Government with the approval of the competent authority.

3. In view of the fact that complainants who desire to protect their identity now have the protection of the Public Interest Disclosure & Protection of Informers' Resolution - 2004 (PIDPI), the following procedure is laid down for handling anonymous and pseudonymous complaints, in supersession of instructions contained in DoP&T's OM No. 321/4/91-AVD.III dated 29th September, 1992:

- (i) No action is required to be taken on anonymous complaints, irrespective of the nature of allegations and such complaints need to be simply filed.
- (ii) Complaints containing vague allegations could also be filed without verification of identity of the complainant.

(iii) If a complaint contains verifiable allegations, the administrative Ministry/Department may take cognizance of such complaint with the approval of the competent authority to be designated by the Ministry/Department as per their distribution of work. In such cases, the complaint will be first sent to the complainant for owning/disowning, as the case may be. If no response is received from the complainant within 15 days of sending the complaint, a reminder will be sent. After waiting for 15 days after sending the reminder, if still nothing is heard, the said complaint may be filed as pseudonymous by the Ministry/Department.

4. Instructions contained in para-3 above would also be applicable (with appropriate competent authority to be designated under para 3 (iii) above) for dealing with complaints against Secretaries to the Government of India or Chief Executives / CMDs / Functional Director of PSEs/PSBs/FIs, which will continue to be referred to the Cabinet Secretariat for placing before the Group of Secretaries headed by the Cabinet Secretary/Secretary (Co-ordination) in the Cabinet Secretariat, as the case may be, as per procedure given in Department's OM No. 104/100/2009-AVD.I, dated 14/1/2010 and DPE's OM No. 15(1)/2010-DPE(GM), dated 11/3/2010, as amended from time to time.



(G. Srinivasan)

Under Secretary to the Government of India

To,

1. All Ministries/Departments as per standard circulation list
2. Secretary, Central Vigilance Commission
3. Department of Public Enterprises
4. All Desks/Sections of DOP&T
5. Guard File
6. NIC, DOP&T Cell for placing a copy of this OM on the website of the Ministry.

13

No. 104/76/2011-AVD.1
Government of India
Ministry of Personnel, Public Grievances & Pension
Department of Personnel & Training

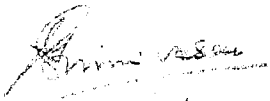
New Delhi, the 18th June, 2014.

Office Memorandum

Subject:- Guidelines regarding handling of complaints in Ministries/Departments.

The undersigned is directed to refer to this Department's O.M. of even number dated 18.10.2013 on the above subject and to say that the Ministries/Departments of the Government of India have been seeking clarifications from this Department on operation of the aforesaid O.M. The matter has been considered and it is clarified as under:-

- (i) **'Anonymous complaints'** are such complaints which do not carry both, **name and address** of the complainant and need to be dealt with in terms of para **3 (i)** of the DOP&T O.M. dated 18.10.2013 referred to in para 1 above, irrespective of the nature of allegations.
- (ii) The complaints other than anonymous complaints which contain vague allegations need to be dealt with in terms of para **3 (ii)** of the DOP&T O.M. dated 18.10.2013 referred to in sub- para (i) above.
- (iii) The complaints which contain verifiable allegations and are not anonymous, need to be dealt with in terms of para **3 (iii)** of the DOP&T O.M. dated 18.0.2013 referred to in para 1 above


(G.Srinivasan)

Under Secretary to the Govt. of India

1. All Ministries/Departments as per standard circulation list.
2. Secretary, Central Vigilance Commission, New Delhi.
3. Department of Public Enterprises.
4. All Desks/Sections of DOP&T.
5. Guard File.
- ✓ 6. NIC, DOP&T Cell for placing a copy of this OM on the website of the Ministry.

No.104/76/2011-AVD.I
Government of India
Ministry of Personnel & Public Grievances & Pensions
(Department of Personnel & Training)

New Delhi, Dated 31st March, 2015



07 APR 2015

OFFICE MEMORANDUM

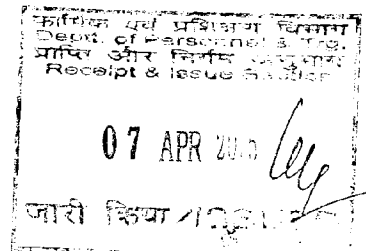
Subject:- Guidelines regarding handling of complaints in Ministries/Departments.

The undersigned is directed to say that instructions regarding dealing with anonymous and pseudonymous complaints were issued vide this Department's Office Memorandum of even number dated 18.10.2013 and subsequently clarified vide Office Memorandum of even number dated 18.6.2014.

2. A copy each of the aforesaid Office Memoranda are enclosed herewith. The instructions contained therein are reiterated and all Ministries/Departments are requested to follow the same while handling complaints received in their respective Ministry/Department.


(Aditya Kumar Joshi)
Director


1. All Ministries/Departments as per standard circulation list
2. Secretary, CVC
3. All Desks/Sections of DOP&T
4. Guard File
5. NIC, DOP&T Cell for placing a copy of this OM on the website of this Department.



Telegraphic Address
SATARKTA New Delhi

E-Mail Address
cenvigil@nic.in

Website
www.cve.nic.in

EPABX
24600200

फैक्स / Fax 24651186



सत्यमेव जयते

केन्द्रीय सतर्कता आयोग
CENTRAL VIGILANCE COMMISSION



सतर्कता भवन, जी.पी.ओ. कॉम्प्लेक्स,
ब्लॉक-ए, आई.एन.ए., नई दिल्ली-110023
Satarkta Bhawan, G.P.O. Complex,
Block A, INA, New Delhi 110023

98/DSP/9

स. / No 26th November, 2014

दिनांक / Dated

Circular No. 07/11/2014

Subject: Action on anonymous / pseudonymous complaints.

The Commission had vide its circular Nos. 3(v)/99/2 dated 29th June, 1999 and of even number dated 31st January, 2002 prescribed that no action should be taken on any anonymous or pseudonymous complaints. However, an enabling provision was made subsequently, vide circular of even number dated 11th October, 2002, that if any, verifiable facts contained in such complaints are proposed to be looked into, prior concurrence of the Commission is required to be taken by the departments / organizations.

2 The Commission has reviewed the matter and considering all aspects, would prescribe that no action should be taken on anonymous / pseudonymous complaints by Ministries / Departments / Organisations in line with its earlier instructions dated 29th June, 1999 and 31st January, 2002 and such complaints should be filed. Commission's circular of even number dated 11th October, 2002 stands withdrawn with immediate effect. Accordingly, Para 3.8.1 of Chapter -III of Vigilance Manual (Volume-I - Sixth Edition, 2004) would stand modified to that extent.

(J. Vinod Kumar)
Officer on Special Duty

To

1. All Secretaries in Ministries/Departments to the Government of India
2. All Chief Vigilance Officers in the Ministries / Departments / Public Sector Undertakings / Public Sector Banks / Insurance Companies / Societies and other Local Authorities.

No. 11012/11/2007-Estt.A
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

New Delhi, Dated 27th September, 2011

OFFICE MEMORANDUM

Subject: Guidelines regarding grant of 'Vigilance Clearance' to members of Central Civil Services / Posts.

The undersigned is directed to say that it has been decided by the Government that officers who have not submitted the Annual Immovable Property Returns by the prescribed time would be denied vigilance clearance and will not be considered for empanelment for senior level posts in Government of India.

2. Accordingly, in this Department's OM No. 11012/11/2007-Estt.A dated 14.12.2007, laying down guidelines regarding grant of vigilance clearance to members of Central Civil Services / Posts, in para 2 a new sub-para (f) will be inserted as under:

(f) Vigilance clearance shall be denied to an officer if he fails to submit his annual immovable property return of the previous year by 31st January of the following year, as required under Government of India decisions under Rule 18 of the Central Civil Services (Conduct) Rule, 1964.


(U.S. Chattopadhyay)

Under Secretary to the Government of India

All Ministries / Departments

Copy to:

1. Prime Minister's Office (w.r.t. their I.D. No. 600/31/C/33/2011-ES2, dated 15.03.2011)
2. Cabinet Secretariat
3. Secretary, CVC
4. UPSC
5. C&AG
6. ☒ NIC (DOP&T Cell) with the request to upload this O.M. on the website of DOP&T.

Telegraphic Address :
"SATARKTA: New Delhi

E-Mail Address
cenvigil@nic.in

Website
www.cvc.nic.in

EPABX
24600200

फैक्स / Fax : 24651186



केन्द्रीय सतर्कता आयोग
CENTRAL VIGILANCE COMMISSION



सतर्कता भवन, जी.पी.ओ. कॉम्प्लैक्स,
ब्लॉक-ए, आई.एन.ए., नई दिल्ली-110023
Satarkta Bhawan, G.P.O. Complex,
Block A, INA, New Delhi-110023
006/PRC/1

सं./No.....

दिनांक / Dated..... 28.11.2017

Circular No. 09/11/2017

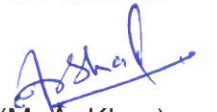
Subject: Reference to the Commission for advice – documents / information to be furnished – regarding

Reference: Commission's Circular No. 21/8/09 dated 06.08.2009

The Commission, from time to time, has been emphasising on the need for sending complete documents / information by the Ministries / Departments / Organisations while seeking its advice. Attention of CVOs is invited to the guidelines issued by the Commission in this regard vide its above-said Circular and also to para 7.9.4 and 7.28.4 of the Vigilance Manual 2017.

2. Of late, several instances have come to the notice of the Commission where the guidelines are not being followed scrupulously and references are being made to the Commission without the requisite information / documents which is resulting in avoidable delays in processing of vigilance cases / departmental inquiry reports. Many a time, even the proforma prescribed for bio-data of the Suspect Public Servant (SPS) / Charged Officer (CO) is being sent without duly filling it up, or more precisely, after leaving the column of date of birth / retirement blank. Whether an SPS / CO is in service or has retired is a crucial point for appreciating the case and enabling the Commission to tender its advice appropriately.

3. All CVOs are advised to ensure that the references being made to the Commission for seeking its advice are fully compliant to the guidelines contained in the Circular dated 06.08.2009 and in para 7.9.4 and 7.28.4 of the Vigilance Manual 2017, and include complete information / documents including duly filled-up bio-data as prescribed.


(M. A. Khan)
Under Secretary

All Chief Vigilance Officers of Ministries / Departments / CPSUs / Public Sector Banks/Insurance Companies / Autonomous Organisations / Societies, etc.

No.006/PRC/1
Government of India
Central Vigilance Commission

Satarkta Bhawan, Block 'A',
GPO Complex, INA,
New Delhi- 110 023
Dated the 6th August, 2009

Circular No.21/8/09

Subject: References to the Commission for first stage advice – procedure regarding.

Reference: (i) Commission's circular No.NZ/PRC/1 dated 26.2.2004;
(ii) Commission's circular No.NZ/PRC/1 dated 9.5.2005;
(iii) Commission's circular No. 006/PRC/1 dated 13.3.2006; and
(iv) Commission's circular No.006/PRC/1 dated 1.12.2008

The Commission receives preliminary inquiry reports from the Chief Vigilance Officers (CVOs) of Departments/Organisations, seeking the first stage advice. Reports for similar action also emanate from the CVOs in response to the Commission's directions for investigation issued u/s 8(1)(d) of the CVC Act, 2003. However, these reports are often found lacking in cogent analysis of misconduct or allegations, evidence on record and the recommendation of line of action. The supporting documents catered are also very often disjointed, casually arranged or unduly bulky, making the examination cumbersome and leading to protracted correspondence and delays.

2. With a view to improving the quality and focus of these investigation reports, the Commission has devised a new reporting format. Accordingly, it is directed that henceforth, a vigilance report should broadly conform to the parameters specified in Annexure A. Further, as the Commission lays utmost emphasis on facts, evidence and recommendations made by the CVOs, an investigation report should invariably be accompanied by an Assurance Memorandum (Annexure B) signed by the CVO, taking due responsibility and giving assurance of a comprehensive application of mind while submitting the report.

3. In supercession, therefore, of earlier instructions of the Commission on submission of investigation reports, the following instructions should be followed scrupulously while seeking the first stage advice:

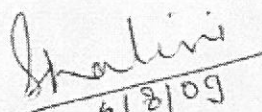
- (i) All vigilance reports of the CVOs should conform to the parameters prescribed in **Annexure-A**.
- (ii) They would be accompanied by an Assurance Memo, in the form of **Annexure-B**.

Contd...2/-

- (iii) Bio-data of suspect officials, figuring in the investigation reports, should be enclosed as per the format provided at **Annexure-C**.
- (iv) Tabular statements, as prescribed vide the Commission's circular dated 1.12.2008, shall continue and be kept objective and precise.
- (v) Draft charge-sheets and imputation of charge in respect of suspect officials where disciplinary action, such as major penalty or minor penalty proceedings, is proposed, would accompany the investigation reports.

4. The CVOs would ensure that all documents/exhibits, constituting the basic evidence for the charge, are systematically identified and arranged. Superfluous and voluminous documents, with little or no relevance to the misconduct under examination, should be retained at the CVOs' end. In case any additional material or evidence is required, it can always be recalled by the Commission before an advice is tendered.

5. The aforesaid reporting procedure would become operative with immediate effect.


6/8/09
(Shalini Darbari)
Director

All Chief Vigilance Officers

Encl: As proposed.

Vigilance Report

Title of the report

1. Source

- Background of the report – whether based on source information, complaint referred to by the CVC, CTE/CTE type inspection or direct enquiry.

2. Gist of allegations

3. Facts

- The relevant facts relating to the issue under examination should be presented in chronological or activity-wise sequence.
- Each fact should be supported by documentary evidence (other forms of evidence may also be presented) denoted as E1, E2, and E3 etc. Since the facts occur in chronological order, the evidence E1, E2, E3, etc., should necessarily be arranged under the report in the same order, thus making it easier for reference.
- While annexing the evidence, the relevant portion of the document should be highlighted and annexed. For example, the evidence for educational qualifications for promotion should consist of the Xerox copy of only the clause prescribing the qualifications and not the whole 20 pages of the promotion policy.
- There may be several issues in a report which may be conveniently arranged as different paras viz. 2.1, 2.2 etc.
- All relevant facts needed to support the observations/conclusion should be gathered and presented. Irrelevant facts, bearing no consequence on the issues under inquiry should be avoided.
- Evidence presented should be credible and adequate.

4. Observations

- Ordinarily, observations are logical deductions arrived at through a set of facts. They are in the nature of objections or anomalies observed with reference to the gathered facts. There may be several observations arising out of the analysis of facts.

- Observations are also arrived at by evaluating the facts against certain criteria viz. rules, regulations, policies, procedures, norms, good practices or normative principles. Evidence of these criteria (extracts of rules, procedures, etc.) should also be presented as E1, E2, etc.

5. Response of the officials concerned

- It is necessary to elicit the reasons and clarifications of the management or the officers concerned for the anomalies pointed out in the observations. Every deviation from rules or procedure cannot be attributed to a malafide/corrupt intent. There may be situations where it may be difficult to achieve the objectives of a task by strictly abiding by the rules. Rules may be circumvented, while expediting the work or in the larger interest of the work, with good intentions. It is, therefore, essential for Vigilance to distinguish between acts of omission and acts of commission. Therefore, obtaining the response of the officers concerned is essential in order to arrive at an objective conclusion.
- Response of the management is also necessary in order to clarify differences in interpretation or an understanding of the issues between vigilance and the management.

6. Counter to the response

- In order to sustain the observations made by Vigilance, it is necessary to counter the defence given by the management/officers concerned with facts and supporting evidence. It should be clearly and convincingly brought out why the explanation given by the management is not tenable.

7. Conclusion

- Conclusion is the logical summation of the observations. The observations denoting various counts of irregularity, lapses or impropriety should finally lead to a logical conclusion on whether the case involves commission of irregularity/impropriety with the intention of corruption.
- Undue favour given to a party or obtained for self and its adverse impact on the government or the citizens in terms of

additional cost, poor quality or delayed service should be clearly highlighted.

8. Responsibility of officials

- Having determined the vigilance angle in the case, the next step is to fix the accountability of the individuals involved in the misconduct. Name of officers should be clearly stated in this para.
- The role of each officer should be judged with reference to his prescribed charter of duties. In case the tender committee is responsible for the misconduct then, as far as possible, all members should be equally and collectively held responsible.
- Comments of Disciplinary Authority should invariably be included.

9. Recommendation for action

- Recommendation for closure of the case in case there is no discernable vigilance angle or criminal misconduct, should be clearly spelt out.
- Bio-data of the officials reported against in the investigation report should be included in the given format.

10. Recommendation for systemic improvement

- Punitive action on detection of corruption does not by itself lead to a logical conclusion unless it is able to prevent recurrence of the lapse. Any fraud, corruption, irregularity or impropriety indicates a failure of control mechanism or gaps in systems and procedures. Therefore, each case throws up an opportunity to identify these control failures and suggest ways of plugging them to prevent recurrence of the lapse. Therefore, at the end of the report the CVO should also try to recommend systemic improvements in order to prevent the risk of a recurrence of the lapse/misconduct.

ASSURANCE MEMO

This is to provide reasonable assurance to the Commission:

- (a) That all necessary facts and relevant evidence have been gathered.
- (b) That all facts and supporting evidence have been duly verified.
- (c) That contested evidence, if any, have been conclusively handled with reference to the facts at the disposal of Vigilance.

Chief Vigilance Officer

Format of Bio-Data of officer(s) against whom Commission's advice is sought

(To be incorporated in the Vigilance Report of the CVO)

1. Name of the officer :
2. Designation
(a) At present :
(b) At the time of alleged misconduct :
3. Service to which belongs :
(Cadre and year of allotment in case of officers of the organized/All India Services)
4. Date of birth :
5. Date of superannuation :
6. Level/group of the present post and pay scale :
7. Date of suspension [if under suspension] :
8. Disciplinary Rules applicable to the officer :

and report to the CVO of the Ministry / Department / Organisation and CVOs would continue to furnish their investigation reports in all matters involving Category-A officers for seeking first stage advice of the Commission irrespective of the outcome of inquiry / investigation.

Similarly, all written complaints / disclosures (Whistle Blower complaints) received under the Public Interest Disclosure and Protection of Informers' Resolution (PIDPI), 2004 or the Whistle Blowers Protection Act, 2011 would also continue to be handled / processed by CVOs in terms of the existing prescribed procedures or as amended from time to time.

(CVC Circular No. 07/04/15 dated 27.04.2015 - Consultation with CVC for First stage advice- revised procedure)

7.9.4 Information to be submitted for obtaining Commission's first stage advice: While seeking first stage advice of the Commission, following material should be submitted: -

- (a) A self-contained note clearly bringing out the facts and the specific point(s) on which Commission's advice is sought. The self-contained note is meant to supplement and not to substitute the sending of files and records.
- (b) The bio-data of the officer concerned;
- (c) Other documents required to be sent for first stage advice: -
 - (i) A copy of the complaint/source information received and investigated by the CVOs;
 - (ii) A copy of the investigation report containing allegations in brief, the results of investigation on each allegation;
 - (iii) Version of the concerned public servant on the established allegations, the reasons why the version of the concerned public servant is not tenable/ acceptable, and the conclusions of the investigating officer;
 - (iv) Statements of witnesses and copies of the documents seized by the investigating officer;
 - (v) Comments of the Chief Vigilance Officer and the Disciplinary Authority on the investigation report {including investigation done by the CBI and their recommendation};

- (vi) A copy of the draft charge sheet against the SPS along with the list of documents and witnesses through which it is intended to prove the charges;
- (vii) Assurance memo.

(CVC Circular No. 14/3/06 dated 13.03.2006: Reference to the Commission for its advice-Documents including the draft charge sheet to be enclosed for seeking first stage advice and the documents to be enclosed for seeking second stage advice)

(CVC Circular No. 21/8/09 dated 06.08. 2009: References to the Commission for first stage advice- procedure regarding)

7.9.5 **Commission's advice in Composite cases:** If a Government servant falls within the Commission's jurisdiction, the advice of Commission would be required and any decision of the Disciplinary Authority at this juncture may be treated as tentative. Such a reference would be required to be made even in respect of an officer / staff who are not within the Commission's jurisdiction if they are involved along with other officers who are within the jurisdiction of the Commission, as the case would then become a composite case and falls within the Commission's jurisdiction.

7.9.6 A composite case should be processed as 'one' and action against every individual employee should be taken only on Commission's advice, even if there is only one official who comes within Commission's jurisdiction.

(CVC Office order No. 2/1/04 dated 08.01.2004: Obtaining Commission's advice in composite cases)

7.9.7 **Making available a copy of CVC's first stage advice to the concerned employee:** A copy of the Commission's first stage advice may be made available to the concerned employee along with a copy of the charge - sheet served upon him, for his information.

(CVC Circular No. 99/VGL/66 dated 28.09.2000: Consultation with the CVC - Making available a copy of the CVC's advice to the concerned employee)

7.9.8 **Difference of opinion between the CVO and the Chief Executive and between the Vigilance Officers and the Head of Office:** With regard to

procedure would also apply to CBI investigated cases involving officials not falling under the jurisdiction of the CVC wherein the Commission had rendered its advice (cases where there were differences between the CBI and the DA and which were referred to the CVC for advice).

[CVC Office order No. 03/01/10 dated 28.01.2010 – Clarification regarding making reference to the Commission for advice on complaints and second stage advice cases]

7.28.4 **Materials to be furnished for second stage advice:** Following material should be furnished to the Commission while seeking its second stage advice:

- (i) A copy of the charge sheet issued to the public servant;
- (ii) A copy of the Inquiry Report submitted by the Inquiring Authority (along with a spare copy for the Commission's records);
- (iii) The entire case records of the inquiry, viz. copies of the depositions, daily order sheets, exhibits, written briefs of the Presenting Officer and the Charged Officer;
- (iv) Comments of the CVO and the Disciplinary Authority on the assessment of evidence done by the Inquiring Authority and also on further course to be taken on the Inquiry Report.

[CVC Circular No. 14/3/06 dated 13.03.2006- Reference to the Commission for its advice- Documents including the draft charge sheet to be enclosed for seeking first stage advice and the documents to be enclosed for seeking second stage advice reg.]

7.28.5 **Procedure for seeking reconsideration of Commission's Advice:** The Commission's advice is based on inputs received from the organisation and where the Commission has taken a view different from the one proposed by the organisation, it is on account of the Commission's perception of the seriousness of the lapses or otherwise. In such cases, there is no scope for reconsideration. Therefore, proposal for reconsideration of the Commission's advice may not be submitted unless new additional facts have come to light which would have the effect of altering the seriousness of the allegations / charges levelled against an officer.

1CENTRAL CIVIL SERVICES (CONDUCT) RULES, 1964 (Updated)

S. No.	Rule	Title of the Rules
1.	1	Short title, commencement and application
2.	2	Definitions
3.	3	General
4.	3-A	Promptness and Courtesy
5.	3-B	Observance of Government's policies
6.	3-C	Prohibition of sexual harassment of working women
7.	4	Employment of near relatives of Government servant in companies or firms
8	5	Taking part in politics and elections
9	6	Joining of association by Government servants
10	7	Demonstration and Strikes
11	8	Connection with Press or other media
12	9	Criticism of Government
13	10	Evidence before Committee or any other authority
14	11	Communication of official information
15	12	Subscriptions
16	13	Gifts
17	13-A	Dowry
18	14	Public demonstration in honour of Government servants
19	15	Private trade or employment
20	15-A	Subletting and vacation of Government accommodation
21	16	Investments, lending and borrowing
22	17	Insolvency and habitual indebtedness
23	18	Movable, immovable and valuable property
24	18-A	Restrictions in relation to acquisition and disposal of immovable property outside India and transactions with foreigners, etc.
25	19	Vindication of acts and character of Government servants
26	20	Canvassing of non-official or other outside influence
27	21	Restriction regarding marriage
28	22	Consumption of intoxicating drinks and drugs
29	22-A	Prohibition regarding employment of children below 14 years of age
30	23	Interpretation
31	24	Delegation of Powers
32	25	Repeal and Saving

CENTRAL CIVIL SERVICES (CONDUCT) RULES, 1964

1. Short title, commencement and application

(1) These rules may be called the Central Civil Services (Conduct) Rules, 1964.

(2) They shall come into force at once.

(3) Save as otherwise provided in these rules and subject to the provisions of the Indian Foreign Service (Conduct and Discipline) Rules, 1961, these rules shall apply to every person appointed to a civil service or post (including a civilian in Defence Service) in connection with the affairs of the Union:

Provided that nothing in these rules shall apply to any Government servant who is –

- (a) (i) a railway servant as defined in Section 3 of the Indian Railways Act, 1890 (9 of 1890);
 - (ii) a person holding a post in the Railway Board and is subject to the Railway Services (Conduct) Rules;
 - (iii) holding any post under the administrative control of the Railway Board or of the Financial Commissioner of Railways;
- (b) a member of an All India Service;
- (c) a holder of any post in respect of which the President has, by a general or special order, directed that these rules shall not apply:

Provided further that Rules 4,6,7,12,14, sub-rule (3) of Rule 15, Rule 16, sub-rules (1), (2) and (3) of Rule 18, Rules 19, 20 and 21 shall not apply to any Government servant who draws a pay which does not exceed Rs.500 per mensem and holds a non-gazetted post in any of the following establishments, owned or managed by the Government, namely:-

- (i) ports, docks, wharves or jetties;
- (ii) defence installations except training establishments;
- (iii) public works establishments, in so far as they relate to work-charged staff;
- (iv) irrigation and electric power establishments;
- (v) mines as defined in clause (j) of Section 2 of the Mines Act, 1952 (35 of 1952);
- (vi) factories as defined in clause (m) of Section 2 of the Factories Act, 1948 (63 of 1948);
and
- (vii) field units of the Central Tractor Organisation employing workmen governed by labour laws:

Provided further that these rules shall apply to any person temporarily transferred to a service or post specified in clause (a) of the first proviso to whom but for such transfer these rules would have otherwise applied.

EXPLANATION- For the purposes of the second proviso, the expression 'establishment' shall not include any railway establishment or any office mainly concerned with administrative, managerial, supervisory, security or welfare functions.

2. Definitions

In these rules, unless the context otherwise requires,-

- (a) "The Government" means the Central Government;
- (b) "Government servant" means any person appointed by Government to any civil service or post in connection with the affairs of the Union and includes a civilian in a Defence Service;

EXPLANATION.-A Government servant whose services are placed at the disposal of a company, corporation, organisation or a local authority by the Government shall, for the purpose of these rules, be deemed to be a Government servant serving under the Government notwithstanding that his salary is drawn from sources other than the Consolidated Fund of India;

(c) "Members of family" in relation to a Government servant includes:-

- (i) the wife or husband as the case may be, of the Government servant, whether residing with the Government servant or not but does not include a wife or husband, as the case may be, separated from the Government servant by a decree or order of a competent Court;
- (ii) son or daughter or step-son or step-daughter of the Government servant and wholly dependent on him, but does not include a child or step-child who is no longer in any way dependent on the Government servant or of whose custody the Government servant has been deprived by or under any law;
- (iii) any other person related, whether by blood or marriage to the Government servant or to the Government servant's wife or husband, and wholly dependent on the Government servant.

3. General

(1) Every Government servant shall at all times--

- (i) maintain absolute integrity;
- (ii) maintain devotion to duty; and
- (iii) do nothing which is unbecoming of a Government servant.
- 44(IV) commit himself to and uphold the supremacy of the Constitution and democratic values;
- (v) defend and uphold the sovereignty and integrity of India, the security of the State, public order, decency and morality;
- (vi) maintain high ethical standards and honesty;
- (vii) maintain political neutrality;
- (viii) promote the principles of merit, fairness and impartiality in the discharge of duties;
- (ix) maintain accountability and transparency;
- (x) maintain responsiveness to the public, particularly to the weaker section;
- (xi) maintain courtesy and good behaviour with the public;
- (xii) take decisions solely in public interest and use or cause to use public resources efficiently, effectively and economically;

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- (xiii) declare any private interests relating to his public duties and take steps to resolve any conflicts in a way that protects the public interest;
- (xiv) not place himself under any financial or other obligations to any individual or organisation which may influence him in the performance of his official duties;
- (xv) not misuse his position as civil servant and not take decisions in order to derive financial or material benefits for himself, his family or his friends;
- (xvi) make choices, take decisions and make recommendations on merit alone;
- (xvii) act with fairness and impartiality and not discriminate against anyone, particularly the poor and the under-privileged sections of society;
- (xviii) refrain from doing anything which is or may be contrary to any law, rules, regulations and established practices;
- (xix) maintain discipline in the discharge of his duties and be liable to implement the lawful orders duly communicated to him;
- (xx) maintain confidentiality in the performance of his official duties as required by any laws for the time being in force, particularly with regard to information, disclosure of which may prejudicially affect the sovereignty and integrity of India, the security of the State, strategic, scientific or economic interests of the State, friendly relation with foreign countries or lead to incitement of an offence or illegal or unlawful gain to any person;
- (xxi) perform and discharge his duties with the highest degree of professionalism and dedication to the best of his abilities.

(2) (i) Every Government servant holding a supervisory post shall take all possible steps to ensure the integrity and devotion to duty of all Government servants for the time being under his control and authority;

- ²³(ii) No Government servant shall, in the performance of his official duties, or in the exercise of powers conferred on him, act otherwise than in his best judgement except when he is acting under the direction of his official superior;
- (iii) The direction of the official superior shall ordinarily be in writing. Oral direction to subordinates shall be avoided, as far as possible. Where the issue of oral direction becomes unavoidable, the official superior shall confirm it in writing immediately thereafter;
- (iv) A Government servant who has received oral direction from his official superior shall seek confirmation of the same in writing as early as possible, whereupon it shall be the duty of the official superior to confirm the direction in writing.

²⁶Explanation I.- A Government servant who habitually fails to perform the task assigned to him within the time set for the purpose and with the quality of performance expected to him shall be deemed to be lacking in devotion to duty within the meaning the cause (ii) of sub-rule (1).

Explanation II.- Nothing in clause (ii) of sub-rule (2) shall be construed as empowering a Government servant to evade his responsibilities by seeking instructions from, or approval of, a superior officer or authority when such instructions are not necessary under the scheme of distribution of powers and responsibilities.

343A. Promptness and Courtesy

No Government servant shall

- (a) in the performance of his official duties, act in a discourteous manner;
- (b) in his official dealings with the public or otherwise adopt dilatory tactics or wilfully cause delays in disposal of the work assigned to him.

343B. Observance of Government's policies

Every Government servant shall, at all times-

- (i) act in accordance with the Government's policies regarding age of marriage, preservation of environment, protection of wildlife and cultural heritage;
- (ii) observe the Government's policies regarding prevention of crime against women.

36/433C. Prohibition of sexual harassment of working women

- (1) No Government servant shall indulge in any act of sexual harassment of any woman at any work place.
- (2) Every Government servant who is incharge of a work place shall take appropriate steps to prevent sexual harassment to any woman at the work place.

Explanation. - (I) For the purpose of this rule, -

- (a) "sexual harassment" includes any one or more of the following acts or behaviour (whether directly or by implication) namely : -
 - (i) physical contact and advances; or
 - (ii) a demand or request for sexual favours; or
 - (iii) making sexually coloured remarks; or
 - (iv) showing pornography; or
 - (i) any other unwelcome physical, verbal, non-verbal conduct of a sexual nature.
- (b) the following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behaviour of sexual harassment may amount to sexual harassment : -
 - (i) implied or explicit promise of preferential treatment in employment; or
 - (ii) implied or explicit threat of detrimental treatment in employment; or
 - (iii) implied or explicit threat about her present or future employment status; or
 - (iv) interference with her work or creating an intimidating or offensive or hostile work environment for her; or
 - (v) humiliating treatment likely to affect her health or safety.
- (c) "workplace" includes,-
 - (i) any department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit which is established, owned, controlled or wholly or substantially financed by funds provided directly or indirectly by the Central Government;
 - (ii) hospitals or nursing homes;

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- (iii) any sports institute, stadium, sports complex or competition or games venue, whether residential or not used for training, sports or other activities relating thereto;
- (iv) any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey;
- (v) a dwelling place or a house.’.

4. 17Employment of near relatives of Government servant in Companies or firms-

- (1) No Government servant shall use his position or influence directly or indirectly to secure employment for any member of his family in any ¹⁶company or firm;
- (2) (i) No Class I Officer shall, except with the previous sanction of the Government, permit his son, daughter or other dependant, to accept employment in any ¹⁶company or firm with which he has official dealings or in any other ¹⁶company or firm having official dealings with the Government:

Provided that where the acceptance of the employment cannot await prior permission of the Government or is otherwise considered urgent, the matter shall be reported to the Government; and the employment may be accepted provisionally subject to the permission of the Government.

- (ii) A Government servant shall, as soon as he becomes aware of the acceptance by a member of his family of an employment in any ¹⁶company or firm, intimate such acceptance to the prescribed authority and shall also intimate whether he has or has had any official dealings with that ¹⁶company or firm:

Provided that no such intimation shall be necessary in the case of a Class I officer if he has already obtained the sanction of, or sent a report to the Government under clause (i).

- (3) No Government servant shall in the discharge of his official duties deal with any matter or give or sanction any contract to any ¹⁶company or firm or any other person if any member of his family is employed in that ¹⁶company or firm or under that person or if he or any member of his family is interested in such matter or contract in any other manner and the Government servant shall refer every such matter or contract to his official superior and the matter or contract shall thereafter be disposed of according to the instructions of the authority to whom the reference is made.

5. Taking part in politics and elections

- (1) No Government servant shall be a member of, or be otherwise associated with, any political party or any organisation which takes part in politics nor shall he take part in, subscribe in aid of, or assist in any other manner, any political movement or activity.
- (2) It shall be the duty of every Government servant to endeavour to prevent any member of his family from taking part in, subscribing in aid of, or assisting in any other manner any movement or activity which is, or tends directly or indirectly to be, subversive of the Government as by law established and where a Government servant is unable to prevent a member of his family from taking part in, or subscribing in aid of, or assisting in any other

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manner, any such movement or activity, he shall make a report to that effect to the Government.

- (3) If any question arises whether a party is a political party or whether any organisation takes part in politics or whether any movement or activity falls within the scope of sub-rule (2), the decision of the Government thereon shall be final.
- (4) No Government servant shall canvass or otherwise interfere with, or use his influence in connection with or take part in an election to any legislature or local authority:

Provided that -

- (i) a Government servant qualified to vote at such election may exercise his right to vote, but where he does so, he shall give no indication of the manner in which he proposes to vote or has voted;
- (ii) a Government servant shall not be deemed to have contravened the provisions of this sub-rule by reason only that he assists in the conduct of an election in the due performance of a duty imposed on him by or under any law for the time being in force.

EXPLANATION.- The display by a Government servant on his person, vehicle or residence of any electoral symbol shall amount to using his influence in connection with an election within the meaning of this sub-rule.

6. Joining of associations by Government servants

No Government servant shall join or continue to be a member of, an association the objects or activities of which are prejudicial to the interests of the sovereignty and integrity of India, or public order or morality.

7. Demonstration and strikes

No Government servant shall -

- (i) engage himself or participate in any demonstration which is prejudicial to the interests of the sovereignty and integrity of India, the security of the state, friendly relations with foreign States, public order, decency or morality, or which involves contempt of court, defamation or incitement to an offence, or
- (ii) resort to or in any way abet any form of strike ¹⁰or coercion or physical duress in connection with any matter pertaining to his service or the service of any other Government servant.

348. Connection with press or other media

- (1) No Government servant shall, except with the previous sanction of the Government, own wholly or in part, or conduct or participate in the editing or management of, any newspaper or other periodical publication or electronic media.
- (2) Nothing in sub-rule (1) shall apply in case a Government servant in the bonafide discharge of his official duties publishes a book or participates in a public media.

- (3) A Government servant publishing a book or participating in a public media shall at all times make it clear that the views expressed by him are his own and not that of Government.

9. Criticism of Government

No Government servant shall, in ³⁴any radio broadcast, telecast through any electronic media or in any document published in his own name or anonymously, pseudonymously or in the name of any other person or in any communication to the press or in any public utterance, make any statement of fact or opinion -

- (i) which has the effect of an adverse criticism of any current or recent policy or action of the Central Government or a State Government:

³⁴Provided that in the case of any Government servant included in any category of Government servants specified in the second proviso to sub-rule (3) of rule 1, nothing contained in this clause shall apply to bonafide expression of views by him as an office-bearer of a trade union or association of Government servants for the purpose of safeguarding the conditions of service of such Government servants or for securing an improvement thereof; or

- (ii) which is capable of embarrassing the relations between the Central Government and the Government of any State; or
- (iii) which is capable of embarrassing the relations between the Central Government and the Government of any foreign State;

Provided that nothing in this rule shall apply to any statements made or views expressed by a Government servant in his official capacity or in the due performance of the duties assigned to him.

10. Evidence before Committee or any other authority

(1) Save as provided in sub-rule (3), no Government servant shall, except with the previous sanction of the Government, give evidence in connection with any enquiry conducted by any person, committee or authority.

(2) Where any sanction has been accorded under sub-rule (1), no Government servant giving such evidence shall criticise the policy or any action of the Central Government or of a State Government.

(3) Nothing in this rule shall apply to-

- (a) evidence given at an enquiry before an authority appointed by the Government, Parliament or a State Legislature; or
- (b) evidence given in any judicial enquiry; or
- (c) evidence given at any departmental enquiry ordered by authorities subordinate to the Government.

3911. Communication of Official Information.-

Every Government servant shall, in performance of his duties in good faith, communicate information to a person in accordance with the Right to Information Act, 2005 (22 of 2005) and the rules made thereunder :

Provided that no Government servant shall, except in accordance with any general or special order of the Government or in performance in good faith of the duties assigned to him, communicate, directly or indirectly, any official document or any part thereof or classified information to any Government servant or any other person to whom he is not authorized to communicate such document or classified information.

12. Subscriptions

No Government servant shall, except with the previous sanction of the Government or of the prescribed authority, ask for or accept contributions to, or otherwise associate himself with the raising of, any funds or other collections in cash or in kind in pursuance of any object whatsoever.

3213. Gifts

(1) Save as provided in these rules, no Government servant shall accept, or permit any member of his family or any other person acting on his behalf to accept, any gift.

EXPLANATION.- The expression "gift" shall include free transport, boarding, lodging or other service or any other pecuniary advantage when provided by any person other than a near relative or personal friend having no official dealings with the Government servant.

NOTE (1) - A casual meal, lift or other social hospitality shall not be deemed to be a gift -

NOTE (2) - A Government servant shall avoid accepting lavish hospitality or frequent hospitality from any individual, industrial or commercial firms, organisations, etc., having official dealings with him.

35[(2) On occasions such as weddings, anniversaries, funerals or religious functions, when the making of gift is in conformity with the prevailing religious and social practice, a Government servant may accept gifts from his near relatives or from his personal friends having no official dealings with him, but shall make a report to the Government, if the value of such gift exceeds;-

- (i) 42rupees twenty five thousand in the case of a Government servant holding any Group 'A' post;
- (ii) rupees fifteen thousand in the case of a Government servant holding any Group 'B' post;
- (iii) rupees seven thousand five hundred in the case of a Government servant holding any Group 'C' post; and

(3) In any other case of a Government servant shall not accept any gift without sanction of the Government if the value thereof exceeds.

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- (i) rupees one thousand five hundred in the case of a Government servant holding any Group 'A' or Group 'B' post; and
 - (ii) rupees five hundred in the case of a Government servant holding any Group 'C' or Group 'D' post.
- (4) Notwithstanding anything contained in sub-rules (2), and (3) a Government servant, being a member of the Indian delegation or otherwise, may receive and retain gifts from foreign dignitaries if the market value of gifts received on one occasion does not exceed rupees one thousand. In all other cases, the acceptance and retention of such gifts shall be regulated by the instructions issued by the Government in this regard from time to time.
- (5) A Government servant shall not accept any gifts from any foreign firm which is either contracting with the Government of India or is one with which the Government servant had, has or is likely to have official dealings. Acceptance of gifts by a Government servant from any other firm shall be subject to the provisions of sub-rule (3).]

1613-A. Dowry

No Government servant shall-

- (i) give or take or abet the giving or taking of dowry; or
- (ii) demand directly or indirectly, from the parent or guardian of a bride or bridegroom, as the case may be, any dowry.

Explanation:- For the purposes of this rule, 'dowry' has the same meaning as in the Dowry Prohibition Act, 1961(28 of 1961).

14. Public demonstrations in honour of Government servants

No Government servant shall, except with the previous sanction of the Government, receive any complimentary or valedictory address or accept any testimonial or attend any meeting or entertainment held in his honour; or in the honour of any other Government servant:

Provided that nothing in this rule shall apply to-

- (i) a farewell entertainment of a substantially private and informal character held in honour of a Government servant or any other Government servant on the occasion of his retirement or transfer or any person who has recently quit the service of any Government; or
- (ii) the acceptance of simple and inexpensive entertainments arranged by public bodies or institutions.

NOTE :- Exercise of pressure or influence of any sort on any Government servant to induce him to subscribe towards any farewell entertainment if it is of a substantially private or informal character and the collection of subscriptions from Class III or Class IV employees under any circumstances for the entertainment of any Government servant not belonging to Class III or Class IV, is forbidden.

2915. Private trade or employment

(1) Subject to the provisions of sub-rule (2), no Government servant shall, except with the previous sanction of the Government-

- (a) engage directly or indirectly in any trade or business, or
- (b) negotiate for, or undertake, any other employment, or
- (c) hold an elective office, or canvass for a candidate or candidates for an elective office, in any body, whether incorporated or not, or
- (d) canvass in support of any business of insurance agency, commission agency, etc., owned or managed by any member of his family, or
- (e) take part except in the discharge of his official duties, in the registration, promotion or management of any bank or other company registered or required to be registered, under the Companies Act, 1956 (1 of 1956) or any other law for the time being in force, or of any co-operative society for commercial purposes.

35(f) participate in or associate himself in any manner in the making of-

- (i) a sponsored media (radio or television) programme; or
- (ii) a media programme commissioned by Government media but produced by a private agency; or
- (iii) a privately produced media programme including video magazine:

Provided that no previous permission shall be necessary in case where the Government servant participates in a programme produced or commissioned by Government media in his official capacity.

(2) A Government servant may, without the previous sanction of the Government,-

- (a) undertake honorary work of a social or charitable nature, or
- (b) undertake occasional work of a literary, artistic or scientific character, or
- (c) participate in sports activities as an amateur, or
- (d) take part in the registration, promotion or management (not involving the holding of an elective office) of a literary, scientific or charitable society or of a club or similar organisation, the aims or objects of which relate to promotion of sports, cultural or recreational activities, registered under the Societies Registration Act, 1860 (21 of 1860), or any other law for the time being in force, or
- (e) take part in the registration, promotion or management (not involving the holding of elective office) of a co-operative society substantially for the benefit of Government servants, registered under the Co-operative Societies Act, 1912 (2 of 1912), or any other law for the time being in force:

Provided that: -

- (i) he shall discontinue taking part in such activities, if so directed by the Government; and
- (ii) in a case falling under clause (d) or clause(e) of this sub-rule, his official duties shall not suffer thereby and he shall, within a period of one month of his taking part in such activity, report to the Government giving details of the nature of his participation.

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- (3) Every Government servant shall report to the Government if any member of his family is engaged in a trade or business or owns or manages an insurance agency or commission agency.
- (4) Unless otherwise provided by general or special orders of the Government, no Government servant may accept any fee for any work done by him for any private or public body or any private person without the sanction of the prescribed authority.

EXPLANATION- The term 'fee' used here shall have the meaning assigned to it in Fundamental Rule 9 (6-A).

3515 A. Sub-letting and vacation of Government accommodation.

- (1) Save as otherwise provided in any other law for the time being in force, no Government servant shall sub-let, lease or otherwise allow occupation by any other person of Government accommodation which has been allotted to him.
- (2) A Government servant shall, after the cancellation of his allotment of Government accommodation vacate the same within the time-limit prescribed by the allotting authority.

16. Investment, lending and borrowing

³⁵(1) No Government servant shall speculate in any stock, share or other investment:

Provided that nothing in this sub-rule shall apply to occasional investments made through stock brokers or other persons duly authorised and licensed or who have obtained a certificate of registration under the relevant law.

Explanation - Frequent purchase or sale or both, of shares, securities or other investments shall be deemed to be speculation within the meaning of this sub-rule.

- ⁴⁰(2) (i) No Government servant shall make, or permit any member of his family or any person acting on his behalf to make, any investment which is likely to embarrass or influence him in the discharge of his official duties. For this purpose, any purchase of shares out of the quotas reserved for Directors of Companies or their friends and associates shall be deemed to be an investment which is likely to embarrass the Government servant.

(ii) No Government servant who is involved in the decision making process of fixation of price of an Initial Public Offering or Follow-up Public Offering of shares of a Central Public Sector Enterprise shall apply, either himself or through any member of his family or through any other person acting on his behalf, for allotment of shares in the Initial Public Offerings or Follow-up Public Offerings of such Central Public Sector Enterprise.

- (3) If any question arises whether any transaction is of the nature referred to in sub-rule (1) or sub-rule(2), the decision of the Government thereon shall be final.

- ⁹(4) (i) No Government servant shall, save in the ordinary course of business with a bank or a public limited company, either himself or through any member of his family or any other person acting on his behalf,-

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- (a) lend or borrow or deposit money, as a principal or an agent to, or from or with, any person or firm or private limited company within the local limits of his authority or with whom he is likely to have official dealings or otherwise place himself under any pecuniary obligation to such person or firm or private limited company; or
- (b) lend money to any person at interest or in a manner whereby return in money or in kind is charged or paid;

Provided that a Government servant may, give to, or accept from a relative or a personal friend, a purely temporary loan of a small amount free of interest, or operate a credit account with a bona fide tradesman or make an advance of pay to his private employee;

Provided further that nothing in this sub-rule shall apply in respect of any transaction entered into by a Government servant with the previous sanction of the Government.

- (ii) When a Government servant is appointed or transferred to a post of such nature as would involve him in the breach of any of the provisions of sub-rule (2) or sub-rule (4), he shall forthwith report the circumstances to the prescribed authority and shall thereafter act in accordance with such order as may be made by such authority.

17. Insolvency and habitual indebtedness

A Government servant shall so manage his private affairs as to avoid habitual indebtedness or insolvency. A Government servant against whom any legal proceeding is instituted for the recovery of any debt due from him or for adjudging him as an insolvent, shall forthwith report the full facts of the legal proceedings to the Government.

NOTE. - The burden of proving that the insolvency or indebtedness was the result of circumstances which, with the exercise of ordinary diligence, the Government servant could not have foreseen, or over which he had no control, and had not proceeded from extravagant or dissipated habits, shall be upon the Government servant.

18. Movable, immovable and valuable property

- (1) (i) Every Government servant shall on his first appointment to any service or post submit a return of his assets and liabilities, in such form as may be prescribed by the Government, giving the full particulars regarding -
 - (a) the immovable property inherited by him, or owned or acquired by him or held by him on lease or mortgage, either in his own name or in the name of any member of his family or in the name of any other person;
 - (b) shares, debentures and cash including bank deposits inherited by him or similarly owned, acquired, or held by him;
 - (c) other movable property inherited by him or similarly owned, acquired or held by him; and
 - (d) debts and other liabilities incurred by him directly or indirectly.

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NOTE I.- Sub-rule (1) shall not ordinarily apply to Group 'D' servants but the Government may direct that it shall apply to any such Government servant or class of such Government servants.

NOTE II.- In all returns, the values of items of movable property worth less than Rs.³³10,000/- may be added and shown as a lump sum. The value of articles of daily use such as clothes, utensils, crockery, books, etc. need not be included in such return.

NOTE III.- ²⁰Where a Government servant already belonging to a service or holding a post in appointed to any other civil service or post, he shall not be required to submit a fresh return under this clause.

¹⁸(ii) Every Government servant belonging to any service or holding any post included in Group 'A' and Group 'B' shall submit an annual return in such form as may be prescribed by the Government in this regard giving full particulars regarding the immovable property inherited by him or owned or acquired by him or held by him on lease or mortgage either in his own name or in the name of any member of his family or in the name of any other person.

(2) No Government servant shall, except with the previous knowledge of the prescribed authority, acquire or dispose of any immovable property by lease, mortgage, purchase, sale, gift or otherwise either in his own name or in the name of any member of his family:

²⁷Provided that the previous sanction of the prescribed authority shall be obtained by the Government servant if any such transaction is with a person having official dealing with him.

⁴¹(3) Where a Government servant enters into a transaction in respect of movable property either in his own name or in the name of the member of his family, he shall, within one month from the date of such transaction, report the same to the prescribed authority, if the value of such property exceeds two months' basic pay of the Government servant:

Provided that the previous sanction of the prescribed authority shall be obtained by the Government servant if any such transaction is with a person having official dealings with him.

(4) The Government or the prescribed authority may, at any time, by general or special order, require a Government servant to furnish, within a period specified in the order, a full and complete statement of such movable or immovable property held or acquired by him or on his behalf or by any member of his family as may be specified in the order. Such statement shall, if so required by the Government or by the prescribed authority, include the details of the means by which, or the source from which, such property was acquired.

(5) The Government may exempt any category of Government servants belonging to Group 'C' or Group 'D' from any of the provisions of this rule except sub-rule (4). No such exemption shall, however, be made without the concurrence of the ¹¹Cabinet Secretariat (Department of Personnel).

Explanation I. - For the purposes of this rule -

(1) the expression "movable property" includes-

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- (a) jewellery, insurance policies, the annual premia of which exceeds Rs. 42 'two months' basic pay of the Government servant, shares, securities and debentures;
- ³⁰(b) all loans, whether secured or not, advanced or taken by the Government servant;
- (c) motor cars, motor cycles, horses or any other means of conveyance; and
- (d) refrigerators, radios radiograms and television sets.

2. "Prescribed authority" means-

- (a) (i) the Government, in the case of a Government servant holding any Group 'A' post, except where any lower authority is specifically specified by the Government for any purpose;
- (ii) Head of Department, in the case of a Government servant holding any Group 'B' post;
- (iii) Head of Office, in the case of a Government servant holding any Group 'C' or Group 'D' post;
- (b) in respect of a Government servant on foreign service or on deputation to any other Ministry or any other Government, the parent department on the cadre of which such Government servant is borne or the Ministry to which he is administratively subordinate as member of that cadre.

¹⁴**Explanation II.-** For the purpose of this rule '*lease*' means, except where it is obtained from, or granted to, a person having official dealings with the Government servant, a lease of immovable property from year to year or for any term exceeding one year or reserving a yearly rent.

1418-A. Restrictions in relation to acquisition and disposal of immovable property outside India and transactions with foreigners, etc.-

Notwithstanding anything contained in sub-rule (2) of Rule 18, no Government servant shall, except with the previous sanction of the prescribed authority, -

- (a) acquire, by purchase, mortgage, lease, gift or otherwise, either in his own name or in the name of any member of his family, any immovable property situated outside India;
- (b) dispose of, by sale, mortgage, gift or otherwise or grant any lease in respect of any immovable property situated outside India which was acquired or is held by him either in his own name or in the name of any member of his family;
- (c) enter into any transaction with any foreigner, foreign Government, foreign organisation or concern,-
 - (i) for the acquisition, by purchase, mortgage, lease, gift or otherwise, either in his own name or in the name of any member of his family, any immovable property;
 - (ii) for the disposal of, by sale, mortgage, gift or otherwise, or the grant of any lease in respect of any immovable property which was acquired or is held by him either in his own name or in the name of any member of his family.

Explanation.- In this rule "prescribed authority" has the same meaning as in Rule 18.

19. Vindication of acts and character of Government servant

(1) No Government servant shall, except with the previous sanction of the Government, have recourse to any Court or to the Press for the vindication of any official act which has been the subject-matter of adverse criticism or an attack of a defamatory character.

³⁴Provided that if no such sanction is received by the Government servant within a period of three months from the date of receipt of his request by the Government, he shall be free to assume that the permission as sought for has been granted to him.

(2) Nothing in this rule shall be deemed to prohibit a Government servant from vindicating his private character or any act done by him in his private capacity and where any action for vindicating his private character or any act done by him in private capacity is taken, the Government servant shall submit a report to the prescribed authority regarding such action.

20. Canvassing of non-official or other outside influence

No Government servant shall bring or attempt to bring any political or other outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government.

521. 12Restriction regarding marriage-

(1) No Government servant shall enter into, or contract, a marriage with a person having a spouse living; and

(2) No Government servant, having a spouse living, shall enter into, or contract, a marriage with any person:

Provided that the Central Government may permit a Government servant to enter into, or contract, any such marriage as is referred to in clause (1) or clause(2), if it is satisfied that-

- (a) such marriage is permissible under the personal law applicable to such Government servant and the other party to the marriage; and
- (b) there are other grounds for so doing.

¹²(3) A Government servant who has married or marries a person other than of India Nationality shall forthwith intimate the fact to the Government.

22. Consumption of intoxicating drinks and drugs

A Government servant shall -

- (a) strictly abide by any law relating to intoxicating drinks or drugs in force in any area in which he may happen to be for the time being;
- (b) not be under influence of any intoxicating drink or drug during the course of his duty and shall also take due care that the performance of his duties at any time is not affected in any way by the influence of such drink or drug;

CENTRAL CIVIL SERVICES (CONDUCT) RULES, 1964

¹³(bb) refrain from consuming any intoxicating drink or drug in a public place;

(c) not appear in a public place in a state of intoxication;

(d) not use any intoxicating drink or drug to excess.

¹³Explanation: For the purposes of this rule, 'public place' means any place or premises (including a conveyance) to which the public have, or are permitted to have, access, whether on payment or otherwise.

³⁷22-A. Prohibition regarding employment of children below 14 years of age.

No Government servant shall employ to work any child below the age of 14 years.

23. Interpretation

If any question arises relating to the interpretation of these rules, it shall be referred to the Government whose decision thereon shall be final.

24. Delegation of Powers

The Government may, by general or special order, direct that any power exercisable by it or any Head of Department under these rules (except the powers under Rule 23 and this rule) shall, subject to such conditions, if any, as may be specified in the order, be exercisable also by such officer or authority as may be specified in the order.

25. Repeal and Saving

Any rules corresponding to these rules in force immediately before the commencement of these rules and applicable to the Government servants to whom these rules apply are hereby repealed:

Provided that any order made or action taken under the rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

⁶Provided further that such repeal shall not affect the previous operation of the rules so repealed and a contravention of any of the said rules shall be punishable as if it were a contravention of these rules.

No.: BT/04/2015-IFD
Government of India
Ministry of Science & Technology
Department of Biotechnology
(Integrated Finance Division)

Block-2, CGO Complex, Lodhi Road,
New Delhi-110003.

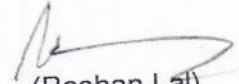
Dated the 20th December, 2019

ORDER

Subject :Delegation of Financial and Administrative powers to Under Secretary/Deputy Secretary/Director/Joint Secretary level officers, Department of Biotechnology.

In accordance with the relevant provisions of the Delegation of Financial Power Rules (DFPR), 1978 amended from time to time, sanction of the President is hereby accorded to delegation of financial powers to HOD/Joint Secretary, Director, Deputy Secretary and Under Secretary level officers of this Department for the purpose, as per the ceilings and other details mentioned in Annexure-I.

2. The delegation of financial powers is subject to fiscal orders, procedures, availability of funds and general instructions issued by the Ministry of Finance from time to time.
3. No power under Rule 13(2) is delegated in respect of creation of posts, write-off losses and re-appropriation of funds.
4. This issues with the concurrence of AS&FA and approval of Secretary, DBT.


(Roshan Lal)

Deputy Secretary to the Govt. of India
Ph: 24363505

Encl.: As above.

To

The PAO, DBT.

Copy to:

1. All concerned officers
[JS(Admn)/HOD, Director(Admn), DS(Estt.), US(Admn), US(Estt.)]
2. Sr. PPS to Secretary / PPS to AS&FA
3. PPS to JS(Admn)/HOD
4. Chief Controller of Accounts.
5. Director(Fin) / US(Fin-MM) / US(F-HM) / US(F-PK)
6. Cash Section, DBT.
7. Technical Director(NIC), DBT with a request to upload copy of the Order in e-Office portal/DBT website.
8. Office Order Folder/Guard File.

Annexure-I to DBT ORDER No.: BT/04/2015-IFD dated 20th December, 2019

S. No	Items of Advance/Expenditure	Authority delegated with Powers to sanction expenditure	Ceiling limit of expenditure for sanction	Remarks
1.	GPF Advances	US(Estt./Cash)	Full powers	
2.	GPF Withdrawal	DS/Dir(Estt/Cash)	Full powers	
3.	Conversion of GPF advances into withdrawal	Joint Secretary(Admn)/ HOD	Full powers	
4.	LTC Advances and Leave encashment	US(Estt.)	Full powers	
5.	Computer Advance and House Building Advance	DS/Director(Estt..)	Full powers	
6.	Payment/reimbursement of Children Education Allowance	DS/Director(Estt)	Full Powers	Subject to Govt. approved norms/rates.
7.	Reimbursement of Residential Newspaper and Telephone Bills, Brief Case purchase bills etc. to eligible officials	US(Admn)	Upto Rs.2.00 lacs on each occasion	Subject to the rates approved by the Govt. from time to time in case of Telephone and Newspaper charges and approved norms of DBT in case of purchase of brief case by eligible officials
		DS/Director(Admn)	Full Powers	
8.	Permission/Settlement of Medical claims for taking treatment in a referral Hospital for tests/Treatment/Procedure etc. of CGHS beneficiaries and under AMA Rules	US(Estt.)	Upto Rs.25,000/- in each case	Subject to rates approved by CGHS/AMA Rules. IFD concurrence is required for the claims exceed Rs.5,00,000/-. Claims where relaxation of Rules is required should be referred to Ministry of Health and Family Welfare after seeking the approval of IFD.
		DS/Dir.(Estt.)	Above Rs.25,000/- and upto Rs.2.00 lacs in each case	
		Joint Secretary(Admn)/ HOD	Above Rs.2.00 Lacs and upto Rs.5.00 Lacs in each case	
9.	Contingent expenditure for the items like payment of bills for Electricity, Water, Telephone bills, postal charges and Municipal Taxes etc.	US(Admn.)	Full Powers	
10.	Charges on DTH/Internet/Broadband connections in DBT	Joint Secretary(Admn)/ HOD	Full powers	Subject to applicable norms/reasonableness of rates, as the case may be.



11.	Contingent expenditure for the items like hiring services for Housekeeping, Hiring of vehicles etc.	DS/Dir.(Admn.)	Full powers	Subject to approval of the tender/contract by the Competent authority as per Note No.1 below this Annexure.
12.	Maintenance/AMC/ Repair charges of Office equipments like Computers, Photocopiers, ACs, Audio-Video systems, electrical installations/ fixtures, Franking Machines etc. and furniture items.	DS/Director(Admn)	Full powers	Subject to approval of the tender/contract by the Competent authority as per Note No.1 below this Annexure.
13.	Miscellaneous Expenditure for the items like drinking water, flowers for decoration during DBT events and in the offices of DS/Dir. above level officers etc.	DS/Dir.(Admn.)	Full powers	Subject to approval of the tender/contract by the Competent authority as per Note No.1 below this Annexure.
14.	Purchase of office equipments like Computers, Photocopiers, ACs, Water Coolers/Dispensers , Room Heaters etc. and furniture items	DS/Dir(Admn)	Rs.2.00 lakh on each occasion upto 10 lakh per annum	As per relevant Rules of GFR 2017 or Subject to approval of the tender/contract by the Competent authority as per Note No.1 below this Annexure.
		Joint Secretary(Admn)/ HOD	Full powers	
15.	Purchase of Miscellaneous consumables and stationery articles for office use	DS/Director(Admn)	Upto Rs.2.00 lakh on each occasion and Rs.10 lakh per annum	As per relevant Rules of GFR 2017 or Subject to approval of the tender/contract by the Competent authority as per Note No.1 below this Annexure.
		Joint Secretary(Admn)/ HOD	Full powers	
16.	Local Purchase of Rubber Stamps, Office Seals, Name Plates etc.	Director/DS(Admn)	Full Powers	Subject to approval of the tender/contract by the Competent authority as per Note No.1 below this Annexure.
17.	Purchase of reference and other books for office purpose and library	DS/Director(Admn)	For cases upto Rs.2.00 lacs on each occasion subject to maximum of Rs.5.00 lacs per annum	Subject to relevant Rules of GFR 2017.
		Joint Secretary(Admn)/ HoD	For cases above Rs.2.00 lacs upto Rs.5.00 lacs on each occasion subject to maximum of Rs.10.00 lacs per annum.	
18.	Settlement of Air travel, domestic or international, charges	DS/Dir(Admn.)	Full powers subject to prior approval of Tour Programmes	Subject to prior approval of Tour

	of officers of the Department		by the competent authority in case of domestic travels and concurrence of IFD on estimated expenditure and approval of the competent authority on foreign tour proposals.	Programmes by the competent authority in case of domestic travels and concurrence of IFD on estimated expenditure and approval of the competent authority on foreign tour proposals.
19.	Printing and Binding works	Joint Secretary(Admn)/ HOD	Full powers in case of printing is done in Govt. Press/through D/o Printing Upto Rs.1.00 lakh through Private party per annum for emergent , unforeseen petty printing and binding work	Subject to instructions issued by the Department of Printing from time to time and other instructions given in Annexure to Schedule V of DFPR.
20.	Payment of Legal charges	Joint Secretary(Admn)/ HOD	Full Powers	Subject to the ceiling/restrictions mentioned in Annexure to Schedule V of DFPRs.
21.	Publishing of Advertisements in newspapers as per DAVP rates	DS/Director(Admn)	Full Powers	-
22.	Publishing of Advertisements in Scientific Journals on recommendations of concerned PD Head	DS/Director(Admn)	Upto Rs.1 lakh on each case	IFD Concurrence would be required for the expenditure above Rs.2.50 lakh
		Joint Secretary(Admn)/ HOD	Above Rs.1.00 lakh upto Rs.2.50 Lakh on each case	
23.	Minor Works- relating to repair and maintenance of Office Building	Joint Secretary(Admn)/ HOD	Upto Rs.10.00 lakh on each occasion in case of estimates submitted and work executed by CPWD.	-
24.	Purchase of Uniform items for eligible staff	Director/DS(Admn)	Full Powers	Subject to scales/rates prescribed by the Govt. from time to time
25.	Purchase of Staff Cars/vehicles	Joint Secretary(Admn)/ HOD	Full powers in case of Replacement/ purchase of vehicles in lieu of condemned vehicles	Subject to certificate of condemnation issued by the competent authority
26.	Maintenance, upkeep and repairs of Staff Cars	Joint Secretary(Admn)/ HOD	Full powers	Subject to approval of the tender/contract by the Competent authority as per Note No.1 below this Annexure.
27.	Charges for fuel, oil etc. for staff cars	Joint Secretary(Admn)/ HOD	Full powers subject to applicable norms	


28.	Outsourcing/Procurement of services/Hiring of Manpower.	Joint Secretary(Admn)/ HOD	Full Powers subject to concurrence of Contracts /Proposals by IFD	-
29.	Payment of Honorarium	Joint Secretary(Admn)/ HOD	Rs.5000/- per employee per annum	IFD concurrence and approval of Secretary, DBT is required for sanction of honorarium (i) in cases above Rs.5,000/- per annum per employee; and (ii) in case the total amount of Honorarium exceeds Rs.5.00 Lacs.
30.	Miscellaneous Expenditure* and other Contingent Expenditure not included above	DS/Director(Admn)	Upto Rs.2.00 lakh in each case	*As per Schedule VI of DFPR
		Joint Secretary(Admn)/ HOD	Above Rs.2.00 lakh upto Rs.5.00 lakh in each case	

Note: 1. All tendering and finalisation of contracts for the value of upto Rs.5.00 lacs shall be done with the approval of HOD and above Rs.5.00 Lacs with the concurrence of IFD.

2. The delegated financial powers shall be exercised by the Officers concerned subject to the following:

- Provisions of GFR, 2017, other rules and regulations, guidelines prescribed by the Ministry of Finance from time to time and subject to availability of funds.
- Restrictions, scales and rules etc. wherever specified in Annexure to Schedule V of the DFPR, 1978 and instructions issued by D/o Expenditure thereunder from time to time.
- Economy instructions issued by Govt. from time to time

3. IFD Concurrence would be required for the items not specifically included in the above delegation of powers and above the limits mentioned therein.


(Roshan Lal)

Deputy Secretary to the Govt. of India


URGENT

**No.BT/04/2015-IFD
Government of India
Department of Biotechnology
Ministry of Science & Technology
(Integrated Finance Division)**

New Delhi-110003,
Dated 13.5.2019

Subject: Standard Operating Procedures (SOP)/Checklist for consideration of proposals for release of funds for sanctioned projects 2nd Year onwards – reg.

Standard Operating Procedures (SOP)/Checklist for consideration of proposals for release of funds for sanctioned projects 2nd Year onwards (i.e. for Ongoing Projects) has been finalized with the concurrence of AS&FA and approval of SBT. A copy of the same is enclosed for information and necessary action of all concerned in DBT.



(Roshan Lal)

Deputy Secretary to the govt. of India

Encl. as above.

All Programme Divisions and Programme Division Heads in DBT
(Through e-notice board)

Copy to:

1. Sr.PPS to SBT
2. PPS to AS&FA

Standard Operating Procedures (SOP)/Checklist for consideration of proposals for release funds 2nd Year onwards for projects (i.e. for Ongoing Project)

Following information/documents should be obtained from the PI and scrutinised before considering release for sanctioned projects during 2nd year onwards):

1. MOA (Memorandum of Agreement) between DBT & Grantee
2. Minutes of the Task Force (TF)/TEC/STAG meeting, as the case may be, for review of the Progress Report of the Project
3. Utilization Certificate/Statement of Expenditure (UC/SE)-Format as per Annexure I
4. Manpower details (Format as per Annexure II)
5. Asset acquired certificate (AAC) (Format as per Annexure III)

1. MOA

- a. It should be on a Rs.100/- stamp paper.
- b. Each page should be signed by PI/ Institute.
- c. Last page of the MOA should be signed and stamped by the Executive authority of the Institute and the Program Head of that Division or the authorized person in DBT.
- d. Signatures of 2 two witnesses from each side should also be there on the last page.
- e. Terms and Conditions given in the Sanction Order should be annexed with the MOA duly signed by the Executive authority of the Institute.

2. Minutes of the Task Force (TF)/TEC/STAG/Apex Board review meeting on progress report of the Project.

- a. Progress Report of the Project should be signed by the PI.
- b. Minutes should be final and signed by the authorized Signatory. Release can not be considered on the basis of draft minutes. No release can be considered without the review of the project.
- c. In rare cases, where there is negative balance, especially under "Manpower" Head or the progress of the project could hamper due to non-release of grant, 50% of the admissible grant for that year can be released. Balance funds due for release can be released only after the signed minutes are available.

- d. Any actionable remarks given by the Task Force/Reviewing Committee should be communicated to the PI for taking necessary action.
- e. At least "Satisfactory" remarks should be there for consideration of grant.
- f. On remarks like "Slow progress", PD should advise the PI for expediting the progress.

3. **UC/SE**

- a. All the UC/SEs should be in format prescribed by the DBT.
- b. 1st UC/SE should begin from the date of Sanction Order(S.O.)
- c. All the UC/SEs should be financial year wise.
- d. Interest Earned Should be reported by the Institute in all the UC/SEs.
- e. Figures given in UC and SE for the same year should match.
- f. UC/SEs should be signed by PI and signed and stamped by F.O. & H.O.D. of the Institute.
- g. Balance of last year should match with the Carried Forward Balance shown in the next year's UC/SEs.
- h. UC and SE of same period should match with each other.
- i. Calculations should be checked for correctness.

4. **Manpower details**

- a. Manpower Statement must indicate the qualification salary paid and indicate NET/ GATE etc. in case of JRF/SRF positions. Manpower engaged, their qualification and salary being paid should be as per the sanctioned provisions.
- b. The number of persons and posts must be in accordance with the Sanction Order. Formal approval for change in manpower is necessary.

5. **Asset acquired certificate (AAC)**

- a. Asset Certificate should be as per standard format.
- b. Assets acquired during the year should be scrutinized and be seen that the assets acquired are as per sanctioned items and costs.

- c. Asset should be purchased within 18 months of the sanction of the project otherwise the unspent amount may be called for refund with 10% interest.

Further, while processing proposals for release of funds for ongoing projects, the concerned Programme Officer will also certify that all the information as per the check points mentioned above are in order. Any deficiency in the proposal will be rectified in consultation with PI or PD head, before submission of final proposal for the release of funds.

Each of the papers, documents mentioned above should be page numbered and referred to in the notes with proper referencing.

XXXXXX



UTILIZATION CERTIFICATE

(For the financial year 1st April.....to 31st March)(in case of 1st UC from the date of Sanction order till 31st March.....)
(Amount in Rs. in lakh)

1. Title of the Project/Scheme: _____
2. Name of the Organisation: _____
3. Principal Investigator: _____
4. Department of Biotechnology sanction order No. & date of sanctioning the project : _____
5. Amount brought forward from the previous financial year quoting DBT letter No. & date in which the authority to carry forward the said amount was given: _____
i) Amount
ii) letter No.
iii) date
6. Amount received from DBT during the financial year (Please give No. & dates of sanction orders showing the amounts paid): _____
7. Other receipts/interest earned, if any, on the DBT grants: (If NIL, give reasons) _____
8. Total amount that was available for expenditure during the financial year (S. No. 5,6 and 7): _____
9. Actual expenditure (excluding commitments incurred during the financial year) (statement of expenditure is enclosed): _____
10. Unspent balance refunded, if any (Please give details of cheque No. etc.): _____
11. Balance amount available at the end of the financial year : _____
12. Amount allowed to be carried forward to the next financial year vide letter no. & date: _____

Certified that the amount of Rs. _____ of grants-in-aid mentioned against col. 9 has been utilized on the project/scheme for the purpose for which it was sanctioned and that the balance of Rs. _____ remaining unutilized at the end of the year has been surrendered to Govt. (vide No. _____ dated _____) / will be adjusted towards the grants-in-aid payable during the next year.

2. Certified that I have satisfied myself that the conditions on which the grants-in-aid was sanctioned have been duly fulfilled/are being fulfilled and that I have exercised the following checks to see that the money was actually utilised for the purpose for which it was sanctioned.

Kinds of checks exercised:

- 1.
- 2.
- 3.
- 4.
- 5.

(PROJECT INVESTIGATOR)
SIGNATURE

(FINANCE OFFICER)
SIGNATURE & STAMP

(HEAD OF THE INSTITUTE)
SIGNATURE & STAMP

(To be Counter signed by the DBT Officer in-charge)

Statement of Expenditure referred to in para 9 of the Utilisation Certificate

Showing grants received from the Department of Biotechnology and the Expenditure incurred during the period from 1st April _____ to 31st March _____.
(in case of 1st SE, from the date of sanction order to 31st March)

(Rs. in lakh)							
Sanctioned Heads	Unspent balance carried forward from previous year	Grants received from DBT during the year	Other receipts/ interest earned, if any, on the DBT grants	Total of Column (2+3+4)	Expenditure (excluding commitments incurred during the Year)	Balance (5-6)	Remarks
1.	2.	3.	4.	5.	6.	7.	8.
<u>1. Non-Recurring</u>							
i)							
<u>2. Recurring</u>							
i) Manpower							
ii) Consumable							
iii) Travel							
iv) Contingency							
v) Overhead							
(If applicable)							
Total							

(PROJECT INVESTIGATOR)
SIGNATURE

(FINANCE OFFICER)
SIGNATURE & STAMP

(HEAD OF THE INSTITUTE)
SIGNATURE & STAMP

Manpower Details**(Research Staff working in the DBT funded project)**

1. Title of the Project: _____
2. Name of the Grantee Institution: _____
3. No. & Date of Sanction order: _____
4. Amount of the sanctioned grant: _____
6. Particulars of Manpower working in the project with Due and Drawn Statement

(Amount in Rupees)

S. No.	Name of the Person	Name of the post	Qualification	Date of Joining	Date of Leaving	Total Monthly salary (Sanctioned)	Total Salary paid during the financial year	Total salary paid during project period
1								
2								
3								
Total								

*Please indicate if there was any deviation as against the DBT sanction, and reason thereof

7. Any other remarks: _____

(Project Investigator)
Signature

(Finance Officer)
Signature & Stamp

(Head of the Institute)
Signature & Stamp

Assets Acquired Format

Assets acquired wholly or substantially out of Govt. grant Register to be maintained by Grantee Institution

- Name of the Sanctioning Authority: _____
1. S. No.: _____
2. Name of the Grantee Institution: _____
3. No. & Date of Sanction order: _____
4. Amount of the sanctioned NR grant : _____
5. Brief purpose of grant: _____
6. Whether any condition regarding the right of ownership of Govt. in the property or other assets acquired out of the grant was incorporated in the grant-in-aid sanction order: _____
7. Particulars of assets actually created or acquired: _____
(Details as per enclosed format)
8. Value of the Assets as on: _____
9. Purpose for which utilised at present: _____
10. Encumbered or not: _____
11. Reasons, if encumbered: _____
12. Disposed of or not: _____
13. Reasons and authority, if any for disposal: _____
14. Amount realised on disposal: _____
15. Remarks: _____

(PROJECT INVESTIGATOR)
SIGNATURE

(FINANCE OFFICER)
SIGNATURE & STAMP

(HEAD OF THE INSTITUTE)
SIGNATURE & STAMP

Details of Equipment Procured During the Period

S. No.	Name of Equipment	Sanctioned Cost	Actual Cost (factual figure, not in lakh)	Date of Placing Order	Date of Receiving Equipment	Remark/Payment Voucher No. with Date (Copy of Payment Voucher may please be enclosed)	Reasons for fluctuation in price
1	2	3	4	5	6	7	
1.							
2.							
3.							
4.							
5.							
6.							
7.							
Total							

(PROJECT INVESTIGATOR)
SIGNATURE

(FINANCE OFFICER)
SIGNATURE & STAMP

(HEAD OF THE INSTITUTE)
SIGNATURE & STAMP

MOST URGENT

No.G-27014/1/2020-IFD-DBT
GOVERNMENT OF INDIA
MINISTRY OF SCIENCE & TECHNOLOGY
DEPARTMENT OF BIOTECHNOLOGY

e-Office file/Computer No.9299

Lodhi Road, CGO Complex
New Delhi - 110003

Dated 21st July, 2020

OFFICE MEMORANDUM

**Subject: Clarification on continuation of public funded ongoing Schemes
– reg.**


Reference is invited to clarification provided by the Department of Expenditure vide their OM No.42(02)/PFC-I/2014 dated 8.7.2020 on the subject mentioned above(Copy enclosed for ready reference) with reference to the D.O. letter No.BT/Coord.II/08/01/2016 dated 15.6.2020(Copy enclosed for ready reference) addressed by Secretary, DBT to Secretary(Expenditure). The clarification given vide para 2(II) of the DoE OM dated 8.7.2020 has not been found to be specific to the clarification requested.

2. As mentioned in the DO letter dated 15.6.2020 referred to above there are number of ongoing projects sanctioned under two schemes of DBT, namely "Biotechnology Research & Development" and "Industrial Entrepreneurship and Development" duration of most of which extend beyond 31.3.2021(the extended period of the 14th FCC). Similarly, under HRD and Capacity Building component of Biotechnology Research and Development Scheme number of fellowship programmes are sanctioned duration of most of which also extend beyond 31.3.2021. The normal duration of any project or fellowship sanctioned under the DBT Schemes happen to be 3 to 5 years.

3. In the light of the facts given above, while the process of appraisal and approval for continuation of the said two DBT Schemes beyond 14th FCC (beyond 31.3.2021) to 15th FCC is currently under way for seeking of approval of the competent authority, the DoE clarification / relaxation on the following is requested:

- (i) Whether the release of funds can be approved for the already sanctioned project under the said Umbrella Schemes, duration of which extend beyond 31.3.2021, i.e. beyond extended period of 14th FCC subject of the stipulation that continuation beyond 31st March, 2021 will be subject of approval of continuation of the schemes under which these projects are funded.
- (ii) Whether the new projects with project duration extending beyond 31.3.2021 under the said DBT Schemes can also be sanctioned/approved subject to the stipulation that continuation beyond 31st March, 2021 will be subject of approval of continuation of the schemes under which these projects are funded.

Encls. As above


24/7/20

(SUMITA SARKAR)

JOINT SECRETARY and FINANCIAL ADVISER

To

Dr. Shivalli M. Chouhan,
Director, PFC-I,
Department of Expenditure,
North Block, New Delhi

No. 42(02)/PFC-I/2014
Government of India
Ministry of Finance
Department of Expenditure
[Public Finance (Central-I) Division]

North Block, New Delhi,
Dated: 8th July, 2020

OFFICE MEMORANDUM

Subject: Clarification on continuation/extension of public funded ongoing Schemes –reg.

Reference is invited to Department of Biotechnology's D.O letter No. BT/Coord.II/08/01/2016 dated 15.06.2020 on the above mentioned subject.

2. The matter has been examined. In this regard, Department of Expenditure has following comments:

- I. Department of Biotechnology has been running two schemes in the 14th FC cycle namely (i) Biotechnology Research and Development and (ii) Industrial and Entrepreneurship Development. It is given to understand that the R&D projects and HRD and Capacity Building component are parts of the ongoing schemes of DBT.
 - II. These ongoing schemes will be governed by DoE's OM dated 10.01.2020 by which interim extension for all the ongoing schemes has already been given till 31st March, 2021 or till the date of recommendations of 15th Finance Commission come into effect, whichever is earlier. Hence the Department may support the project proposals of the schemes.
 - III. The approval for continuation of the two schemes of DBT for the 15th FC cycle would be based on the evaluation report and outcome review.
3. This issues with the approval of Competent Authority.


(Dr. Shivalli M. Chouhan)
Director, [PFC-I]
Tel. No. 23093109
E-mail: shivalli.chouhan@nic.in

Dr. Renu Swarup,
Secretary,
Department of Biotechnology,
CGO Complex, Lodhi Road,
New Delhi- 110003.

No. AB-14017/37/2008-Est(RR)
Government of India
Ministry of Personnel, Public Grievances & Pension
Department of Personnel & Training

New Delhi, the 10th September, 2010

OFFICE MEMORANDUM

Subject: Modified Flexible Complementing Scheme for Scientists based on the recommendations of the 6th Central Pay Commission

...

A Flexible Complementing Scheme (FCS) for scientists is in position in some of the scientific Ministries/Departments of the Government of India and the same is presently governed by the guidelines issued by this Department under O.M. No.2/41/97-PIC dated the 9th November, 1998. There is also in position a separate, merit based promotion scheme in the DRDO and the Departments of Atomic Energy and Space. The Sixth Central Pay Commission (6th CPC) has examined these schemes in detail and observed that various time-bound promotion schemes may be necessary for scientific organizations as the morale of the scientists has to be kept high in order to keep them motivated and to stop the flight of talent from Government organizations involved in research and scientific activities. In this context, the 6th CPC has recommended that the existing scheme of FCS with necessary modifications has to be continued for R&D professionals in all S&T organizations, and the merit based promotion scheme in the Departments of Atomic Energy, Space and DRDO would also need to be persisted with. The Commission has, however, recommended certain features to be incorporated in the existing schemes of FCS and merit based promotion scheme so as to make them more relevant to the context.

2. The recommendations of the Commission have been examined in detail in the context of FCS and a revised comprehensive scheme is enclosed for immediate necessary action by all concerned Ministries and Departments. All the Ministries / departments shall initiate action for review of the provisions of the Flexible Complementing Scheme and amend the provisions of relevant recruitment rules so that the scheme is brought in conformity with the decision / guidelines being conveyed vide this Office Memorandum. Assessment of Scientists from 01.01.2011 shall be done accordingly.

3. The Ministries/Departments may bring the Scheme to the notice of concerned autonomous Organizations under their control for being placed before their respective Governing Bodies.

4. Hindi version will follow.


(Smita Kumar)
Director
23092479

To

- (i) Ministry of Science and Technology
- (ii) Department of Biotechnology
- (iii) Ministry of Communications and Information Technology (DIT)
- (iv) Ministry of Environment, Forests & Wild Life
- (v) Ministry of Non-Conventional Energy Sources
- (vi) Ministry of Earth Sciences,
- (vii) Ministry of Home Affairs
- (viii) Ministry of Water Resources
- (ix) Ministry of Health and Family Welfare
- (x) Department of Consumer Affairs
- (xi) All other Ministries/Departments of the Govt. of India

Copy to:

- 1. The President's Secretariat, New Delhi.
- 2. The Vice-President's Secretariat, New Delhi
- 3. The Prime Minister's Office, New Delhi.
- 4. The Cabinet Secretariat, New Delhi.
- 5. The Rajya Sabha Secretariat, New Delhi.
- 6. The Lok Sabha Secretariat, New Delhi.
- 7. The Comptroller and Auditor General of India, New Delhi.
- 8. The Union Public Service Commission, New Delhi.
- 9. All Attached Offices under the Ministry of Personnel, Public Grievances and Pensions.
- 10. Establishment Officer and Secretary, ACC (10 copies).
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(Smita Kumar)
Director
23092479

Flexible Complementing Scheme

- i. The Flexible Complementing Scheme in position in certain scientific Ministries/ Departments/ Organizations of the Government shall continue, and promotions under the FCS shall be limited to posts carrying a grade pay of Rs.10,000 or lower. The merit based promotion scheme in the Departments of Space, Atomic Energy and DRDO shall also continue and promotions under the scheme shall be limited to posts carrying a grade pay of Rs.12,000 or lower.
- ii. All the posts covered under FCS shall carry the following uniform pay bands/ grade pay, designation and the minimum residency period linked to performance.

	Pay band & grade pay	Designation	Minimum Residency Period linked to Performance
1	PB-3 (Rs.15600-39100) Grade Pay Rs.5400/	Scientist B	3 years.
2	PB-3 (Rs.15600-39100) Grade Pay Rs. 6600/	Scientist C	4 years.
3	PB-3(Rs.15600-39100) Grade Pay Rs. 7600/	Scientist D	4 years
4	PB-4 (Rs.37400-67000) Grade Pay Rs. 8700	Scientist E	5 years
5	PB-4 (Rs.37400-67000) Grade Pay Rs. 8900	Scientist F	5 years
6	PB-4(Rs. 37400-67000) Grade Pay Rs. 10000/	Scientist G	----

- iii. There shall be two level of assessment for FCS. The first one would be at internal level for screening purpose and next level assessment should have majority of external members.
- iv. The assessment board for judging should have majority of external members possessing expertise in the field. Greater

emphasis to be placed on achievement as evaluated by an independent peer group rather than seniority. The revised assessment procedure as prescribed in Annexure I shall henceforth be followed by all scientific Ministries/ Departments for considering advancement under FCS.

- v. Henceforth, the benefits of FCS shall be extended only in such Departments as are involved in creating new scientific knowledge or innovative engineering, technological or medical techniques or which are predominantly involved in professional research and development and / or application of scientific knowledge. The modified criteria for identifying departments as scientific and technical and parameters for determining scientific activities and services, scientists and engineers and scientific posts will be as in the Annexure II to this scheme.

- vi. In order to extend the benefit of the Flexible Complementing Scheme to other scientific departments, the criteria for identifying an organisation as scientific would be decided and notified by the Department of Science and Technology, keeping in view the definition given in this regard. One such definition given by Department of Science and Technology is at Annexure III. The organisations that are demanding the extension of FCS in their case, the administrative Ministry of such organisations shall satisfy itself that such institutions are scientific and technical institutions and the officers are scientists holding scientific posts and are involved in scientific and technical activities as defined in the Annexure II to the FCS scheme and make its recommendations to the Department of Science and Technology. On receipt of such a request the Department of Science & Technology shall set up a Committee, which shall include eminent scientists relevant to the discipline, for examining the proposal referred by the administrative Ministry concerned. Since it is not necessary that all the pay scales under the Flexible Complementing Scheme should be applicable in all the scientific organizations, as the size of the organization may not justify introduction of the entire group of scales, the Committee, while making its recommendation, would take a specific view as to the number of scales that should be operated in the organization as well as the appropriate residency period for ensuring an even pace of promotion. However, the progression under Flexible Complementing Scheme will only be as per scales indicated in

para (ii) of the scheme. The recommendations of the committee shall be processed by the administrative ministry concerned and shall be considered in consultation with DoPT and Department of Expenditure.

- vii If FCS is adopted by Autonomous Bodies, its implementation should not require ACC approval, as promotion/up gradation within autonomous Bodies does not come under the purview of ACC.
- Viii The modified ACP as approved for Central government civilian employees would also be applicable to scientists covered under FCS. This is expected to provide an alternate channel for development for scientists and is expected to maintain the rigors of assessment required for assessment under FCS. Some illustrations are given below for clarity:
 - A scientist 'B' is considered but does not get upgradation under the FCS. He would be entitled to grade of Scientist 'C', 'D' and 'E' on completion of 10/20/30 years of service subject to provisions of MACP notified vide OM No. 35034/3/2008-Estt. (D) dated 19th May, 2009.
 - A Scientist 'B' gets upgradation to Scientist C under FCS in second chance after 4 years. After prescribed residency, he does not qualify under FCS for three successive years for upgradation to Sc. D. After completion of ten years in the grade pay of Scientist 'C' i.e. after 14 years of service he is upgraded to Scientist 'D' under MACPS, subject to provisions of MACP notified vide OM No. 35034/3/2008-Estt. (D) dated 19th May, 2009. After prescribed residency of 4 years in Scientist D, he would again be considered for upgradation to Scientist 'E' under FCS. In case he does not qualify for three successive years, he would be upgraded to Scientist 'E' after completion of 10 years in the grade pay of Scientist 'D' i.e. after 24 years of service. Further upgradation to Scientist F and Scientist 'G' would only be under FCS as the Scientist would have got three upgradations and no further upgradation under MACPS would be permissible.
 - If a scientist gets three up-gradations under the FCS scheme, there would be no claim for any further up-gradation under MACPS as the MACP scheme only allows

three financial up-gradation in the hierarchy of Pay bands and grade pay on completion of 10, 20 and 30 years of service respectively.

- ix Scientists/ Technical experts doing management/ administrative work in the Ministries should not be considered for up gradation under FCS, they should only be given benefit of up gradation under MACP.

**CRITERIA FOR CONSIDERING PROMOTIONS UNDER
FLEXIBLE COMPLEMENTING SCHEME**

1. An annual work report format to capture scientific content of work performed has been designed in consultation with Department of Science & Technology (enclosed at Annexure IV). The annual work report format (part A) would be filled up by the officer along with the ACR and would get reported upon by the reporting officer. The nature of S&T work output indicators is also indicated. The internal peer assessment would be in part C at the time of consideration under FCS.

The new format on “annual work report” will not replace the regular system of recording ACR. The proposed format will be filled by the officer under consideration for the purpose of assessment and screening.

2. All scientists eligible as per the scheme for the FCS shall be considered for up-gradation under FCS. Exceptionally meritorious candidates with all outstanding grading may be granted relaxation in the residency period, the relaxation being not more than one year on any single occasion, limited to a maximum of two occasions in their entire career. However the assessment under FCS for next grade would only be three times and thereafter the scientist would be covered under modified ACP scheme according to provisions of that scheme. The scientist who has been granted any grade under MACP can be considered for next grade under FCS according to the eligibility and other provisions of FCS.

i. Level 1 Screening (Internal)

An internal screening committee shall be constituted by the concerned Department for evaluation of annual work reports vis-a-vis the criteria for up-gradation under FCS. An external member, from Departments of Atomic Energy, Space or DRDO who have developed over the years a fine tuned system of screening meritorious Scientists on the basis of ACRs, may be co-opted in the selection process. All scientists eligible according to the provisions of FCS and who meet the benchmark of ‘Good’

for Scientist C and 'V. Good' for Sc. D and above would be screened in. The internal screening committee would report on the scientific content of work done by the Scientist in part C of the reporting format and same would be made available to the external assessment committee.

ii. **Level 2 Screening (External)**

The assessment boards shall be constituted in each scientific Department/ Ministry. The assessment board would have majority of the external members and possess expertise in the field. In case required, suitable amendment to the provisions for assessment boards in recruitment rules etc. may be considered to bring the composition of assessment boards in tune with these instructions. The assessment board would have characteristic of independent peer group for the assessment of the scientific content of the work. The assessment board shall document specifically through one page summary, the specific content of the work done justifying the merit for consideration under FCS. The Departmental peer review committees shall undertake level 2 screening for assessment of scientists for their suitability for Scientist 'F'/ scientist 'G'. The assessment boards/DPRC functioning as Special Peer Review Committee (SPRC) should specifically certify that the Scientists recommended met with all the criteria for in situ up gradation under FCS.

3. Field experience in research and development and/or experience in implementation of such scientific projects is compulsory for promotion of scientists recruited to the posts in the Secretariat of the Scientific Ministries/Departments to higher grades under FCS. Field experience of at least 2 years and 5 years respectively will be essential for promotion to Scientist F and Scientist G grades respectively. The criteria for field experience for different scientific activities have been elaborated under Scientific Activities and Services in Annexure II. To meet this requirement, existing scientists at Headquarters can be considered for appointment on deputation basis to the

scientific laboratories/ institutes or other relevant scientific activities under the respective scientific Ministries/ Departments. In the case of small scientific Ministries/ Departments the feasibility of inter-departmental deputation can be explored. In future, initial appointment to the scientific posts in the scientific Ministries/

departments in the R&D management function should preferably be in the level of scientist 'D' and above.

4. Scientists/ Technical experts doing management/ administrative work in the Ministries should not be considered for up gradation under FCS, they should only be given benefit of up gradation under MACP.

ANNEXURE-II

CRITERIA FOR IDENTIFYING INSTITUTIONS/ ORGANISATIONS AS SCIENTIFIC AND TECHNICAL

- The institutions referred to as S&T would be characterized by pursuit of excellence;
- They should be involved in creating new scientific knowledge or innovative engineering, technological or medical techniques or which are predominantly involved in professional research and development work.
- The scientific culture is characterized by a few salient aspects, namely the persons involved are highly qualified and skilled technical personnel, involved in creative and innovative activity, they are willing to be judged based on the basis of merit and competence rather than on the basis of seniority and a hierarchical structure;
- The criteria could cover the aims and objectives of the institution/organization, qualifications of the personnel, qualitative requirements for performance of various types of activities etc.

Scientific Activities and Services

(a) Fundamental/basic research: Original investigation to gain new scientific knowledge, not necessarily directed towards any specific practical aim or application; Working in scientific laboratories/ institutes, period spent on doctoral / post doctoral degrees in basic research after joining an organisation, etc. would constitute field experience for the purpose of FCS.

(b) Applied Research: Original investigation to gain new scientific or technical knowledge directed towards a specific practical aim or objective; Working in scientific laboratories/ institutes, period spent on doctoral / post doctoral degrees in applied research after joining an organisation etc. would constitute field experience for the purpose of FCS.

(c) Experimental Development: Application of scientific knowledge directed towards producing new or substantially improved materials, devices, products, processes, systems or services; 'field experience' would depend on the work profile of the Department . The defining factor would be that the work is not of routine use of scientific knowledge but involves application of scientific knowledge for creation of new / innovative systems, practices, models. .

(d) S&T activities which are directly linked to R&D in terms of promoting the scientific activities and services. Working in R & D laboratories and institutions, scientific projects being operated in mission mode, working on international collaboration R & D projects etc. would constitute the field experience under FCS.

Scientific Post

Is the one, the incumbent of which is a 'Scientist or Engineer' defined as below in a scientific institution/organization declared as 'Scientific Department' as defined above and is engaged in creating new scientific knowledge or innovative engineering, technological or medical techniques or which is involved predominantly in professional research work and development.

Scientists and Engineers

Persons,

- a. Who possess academic qualification of at least Master's degree in Natural/Agricultural Sciences or Bachelor's degree in Engineering/Technology/Medicine; and
- b. hold scientific posts as defined above.

It is reiterated that only such scientists would be eligible for promotion under the scheme, who not only possess the requisite qualifications, and are engaged in Scientific and innovative activities as distinct from the mere application of technical knowledge; and further, the function discharged by them are relatable/ identifiable to their academic specialization.

ANNEXURE. III

CRITERIA FOR IDENTIFYING S&T AGENCIES/ ORGANISATIONS FOR IMPLEMENTATION OF FLEXIBLE COMPLEMENTING SCHEME (FCS) IN GOVERNMENT OF INDIA

Type of S&T Output Product	S&T Output indicators	10X Outputs/Scientist
<u>Knowledge Product Link</u>	Publication on SCI Journals Publication in referred journals Publications in proceedings Books and Monographs Patents/Copyrights/Designs Invited Scientific Lectures Scientific Study Reports	
Technology Product Link	Process Know-how Product know-how Design know-how Technology status reports Technology intelligence reports Technology foresight reports Technology assessment reports	
Economic Product Link	Contract Research Income Consultancy Service Income Royalty Income Competitive research grants gained Technology licensing fees earned R&D Service income realized Scientific Publications Sold	
S&T Management Product Link	Extra & Intra mural R&D projects managed S& T management reports for external use IPR Documentation Monitoring and closure reports S&T Output-Input correlations S&T data base reports Strategy planning Documents S&T mission implementation Cabinet Note, EFC/SFC Notes prepared for S&T schemes	

Type of S&T Output Product	S&T Output indicators	10X Outputs/Scientist
S&T Services Product Link	Testing services Laboratory Accreditation Good Laboratory Practice Inspection S&T Survey R&D Service: Energy/Environmental Audit R&D Service: Environmental impact appraisals Natural wealth and Hazard Assessment S&T information services- Analysis Bibliometric and Scientometric Analysis Preparation of Technical Manuals Derivation of Scientific/ Technical Codes S&T outputs from Workshops/Seminars	
S&T Human Resource Product Link	Master's level education Doctoral level training Post doctoral training S&T management courses Specialized man power for R&D sector Science education/knowledge dissemination Training on advanced technical and Analytical methodologies	
Societal Outreach of S&T Outputs	Technology field demonstrations Design of outreach materials Dissemination of R&D outputs Artisanal training/Skill Development Initiates Grass root S&T related actions Technology adaptation for local needs Convergent technology solutions delivered	

Type of S&T Output Product	S&T Output indicators	10X Outputs/Scientist
S&T Policy Product Links	Drafting of Technical standards R&D investment policy framework National policy frame work for innovation systems Design of policies for stimulation of R&D National policy frame work for technology systems Design and development of regulatory frame works Evidence gathering for policy building Global bench marks for technology systems	
S&T Cooperation Products	PPP Products for S&T sector National competitiveness assessment for bilateral cooperation Technology Assessment for diplomacy Technology Assessment for international synergies Technology Assessment for acquisition Academy-research partnership built Technical Work Programmes drafted for S&T Cooperation	

Criteria Recommended:-

- Agencies/ Organizations seeking qualification as S&T Organisation/agency for implementing FCS must:
 - Generate at least 3 out of 9 knowledge products
 - Select about 20 S&T output indicators from the list provided
- In case any other S&T output indicators need to be included as a criterion, a Standing Advisory Committee involving Secretary, DST may be constituted

- It is recommended that S&T Institutions/Organizations seeking implementation of FCS are able to quantify collective outputs from the selected list of S&T output indicators for a group of 10 S&T professional/Officer for their own internal assessment.

**DEPARTMENT OF PERSONNEL AND TRAINING
ESTT. (RR) DIVISION**

FLEXIBLE COMPLEMENTING SCHEME

FREQUENTLY ASKED QUESTIONS

S.No.	Point of doubt	Clarification
1	What is Flexible Complimenting Scheme (FCS)?	FCS is an in-situ promotion scheme for scientists for which the criteria shall be proven merit and records of research. FCS as modified after 6 th CPC recommendations is governed by DOPT OM No. AB 14017/37/2008-Estt. (RR) dated 10.09.2010.
2.	What are the guidelines on FCS issued by DOPT	DOPT after 5 th CPC issued comprehensive instructions on FCS in OM No. 2/41/97-PIC dated 9.11.98. These have been further reviewed in the light of 6 th CPC instructions and modified FCS guidelines issued in OM NO. AB 14017/37/2008-Estt.(RR) dated 10 th September, 2010
3.	To whom the instructions are applicable?	FCS is applicable to scientists and technologists holding Group A scientific posts in scientific and technology departments and who are engaged in scientific activities and services.
4.	What are the qualifications covered under FCS?	Master's degree in Natural/Agricultural Sciences or Bachelor's Degree in Engineering/Technology/Medicine.

AB-14017/35/2011-Estt. (RR)

Psaw
23/9/2011

5.	Whether qualifications MCA, M.Sc.(IT), M.Sc.(Statistics), M.Sc.(Mathematics), M.A.(Operational Research) and M.Sc.(Total Quality Management) are covered under FCS?	No
6.	From when the modified FCS after 6 th CPC shall be applicable?	Assessment of Scientists from 01.01.2011 shall be done as per modified FCS after 6 th CPC.
7.	Whether promotion cases of Scientists becoming due w.e.f. 1.1.2011 may be processed as before or amend the RRs according to the latest guidelines.	The RRs are required to be amended as per the instructions.
8.	What is the date of effect of MACP scheme for scientists under FCS ?	10.09.2010 when the revised instructions have been issued.
9.	Whether the benefit of MACP shall be admissible if the officers could not be assessed for promotion under FCS due to various reasons viz. non-convening of assessment Boards on time, RRs becoming inoperative, etc.	If Scientists have not got promotion under FCS, for whatever reasons, they shall be eligible for financial upgradation under the MACP scheme. The benefits shall be from 10.09.2010 when the revised FCS instructions have been issued
10.	Whether the Scientists who are "screened-in" will have to appear for the interview in the second stage of screening /assessment under Modified FCS after 6 th CPC?	The interview of the scientists as per OM dated 9.11.98 in the second level of screening shall continue under the revised assessment procedure for FCS issued in OM dated 10.9.2010.

Bar
23/9/2011

11.	What would be the role of ACRs/APARs in promotion of Scientists under Modified FCS?	ACR/APAR grading shall be taken into account for the purpose of screening the Scientists at Level I.
12.	Will there be any weightage of ACRs/APARs in terms of marks in promotion of Scientists under MFCS?	In Annexure I of guidelines dated 10.9.10, it has been clearly indicated that the Scientists who meet the benchmark of 'Good' for Scientists C and 'Very Good' for Scientists 'D' and above would be screened in.
13.	What is the procedure to be followed for assessment, considering the specific role of ACRs/APARs, Annual Work Report and interview?	The ACR/APAR grading shall be taken into account for the purpose of screening the Scientists for Level II Screening. The Annual Work Report is to capture the scientific content of work performance. The Assessment Board is required to examine the specific content of the work done justifying the merit for consideration under FCS. The procedure to be followed has been detailed in Annexure I of OM dated 10.09.10.
14.	Whether the Benchmark of "Good"/ "Very Good" is based on relevant period of AWRs for the same period?	For the purpose of screening the benchmarking shall be based on ACRs/APARs of the relevant period
15.	Whether the procedure of assessment by the DPRC shall continue as before?	For promotion of Scientists to the grade of Scientist 'F' and 'G', the procedure of assessment by the DPRC shall continue as before.

16.	The stipulation in Part C of the Annual Work Report can be applied among the Scientists working in the same peer group which has a fairly large number of Scientists. How this can be applied when there could be a single or only 2-3 scientists working on a particular project or when scientists are working on different projects?	Part C of the Annual work Report shall consist of the internal Peer assessment even if the number of scientists being considered is single or only small number. For this purpose while the grading may not be possible, the entries on innovative content of the work done, highlights of the S&T content of the work done, etc. shall be considered.
17.	Whether the Ministries/ Departments can have a common format for APAR?	In Annexure I to the OM dated 10.9.2010 it is prescribed that the new format on Annual Work Report will not replace the regular system of recording ACR/APAR and would be filled up by the officer. As such the format for the ACR/APAR shall be as prescribed by DOPT from time to time.
18.	Whether the autonomous institutes can modify the ACR format to suit their specific requirements/job profiles. If so whether before doing so, consultation with the administrative Ministry/DOPT is necessary	The organizations where FCS is applicable as per scheme of DOPT shall follow the instructions accordingly. For major deviations from the guidelines reference to DOPT with full justification shall be necessary

Boam
23/9/2011

Annual Work Report**Part A****SELF ASSESSMENT BY THE OFFICER REPORTED UPON**

1. Name:
2. Designation:
3. Area of S&T Function
4. Brief Description of S&T work function:

5. S&T output indicators for assessment and measurement of work function (as appropriate to the officer)

6. Enumeration of major outputs from S&T Function

7. Innovation content of work done (about 100 words)

8. Major impact reported during the financial year (if any) for work done during previous three years.
9. Scientific and technological methodologies used in the work function

10. Suggestions (if any) for work functions based on new or emerging scientific principles

11. New technologies if any introduced by the officer in work plan/ functions

12. Any other highlight of special S&T content in the work

13. One page summary of the scientific and technical elements in the work done during the financial year

14. Quantified S&T outputs as per the selected indicators (as annexed)

Signature of the officer reported upon

Part-B
ASSESSMENT BY THE REPORTING AUTHORITY

1. Accuracy of the S&T work report

a. Generally accurate

b. Modifications needed (please specify)

2. Scientific merit of the work done

1-10% 10-33% 33-50% 50-75% Bottom 25%

3. Short summary of the innovative content of the work done

4. General assessment of the scientific work report (in brief)

5. Final grading

1-10% 10-33% 33-50% 50-75% Bottom 25%

Signature of the Reporting Officer

Part-C
INTERNAL PEER GROUP REVIEW REPORT

1. Grading of the S&T content of work reported

2. Specific Innovation elements recognized

- a)
- b)
- c)

3. Relative Assessment of the work reported vis-vis Peers in the area

Top 10% 10-33% 33-50% 50-75% Bottom 25%

4. Assessment of the work done during the residency period

5. Specific highlights of the S&T content of the work done

6. Overall grading of the S&T work report for the residency period

Top 10% 10-33% 33-50% 50-75% Bottom 25%

Signatures of the Members of the Peer Group

1. Lectures delivered in universities/seminars/ industry meets
 - a. Enrolled
 - b. Invited
2. Books edited or written
3. Research publications
4. State- of –the Art Reports prepared on the subject handled or otherwise
5. Annual reports prepared
6. Internal reports generated
7. New S&T areas/ gaps identified for enlarging the scope of the existing schemes
8. New S&T identified and nurtured and S&T inputs added to ongoing schemes
9. Data bases prepared for scientific handling of the projects

10. Scientific and evidence-based initiatives taken to enlarge the infrastructure base of research and development across the country
11. Identification of New Areas for demonstration of technologies and follow-up
12. Project Monitoring Parameters evolved and deployed
13. Technology intelligence/ assessment report prepared for S&T
14. S&T inputs provided to inter-Ministerial discussions in various committees
15. Number of projects scientifically evaluated for closure during the year
16. Networked Programmes initiated (please give numbers and salient features of your contribution)
 - a. Between lab to lab
 - b. Lab and industry
 - c. Bilateral
 - d. Multilateral
17. Policies/ Bills prepared during the year
18. Awards/ Membership of Institutions/ Academies
19. Others (please specify)

No.AB-14017/32/2002-Estt (RR)
Government of India
Ministry of Personnel, Public Grievances and Pensions
(Department of Personnel and Training)

New Delhi - 110001
July 17, 2002

OFFICE MEMORANDUM

Subject:-Flexible Complementing Scheme for scientists in Scientific
and Technological Departments - Date of effect of promotions.

The recommendations made by the Fifth Central Pay Commission for modifying the Flexible Complementing Scheme (FCS) in operation in scientific and technological departments for in situ promotion of scientific/technical personnel with a view to removing the shortcomings/inadequacies in the scheme had been examined some time back and this Department in O.M.No.2/41/97-PIC dated 9.11.1998 had issued detailed guidelines modifying the then existing FCS. From a number of references received in this Department, it appears that an element of confusion exists in some scientific departments on the date from which in situ promotions under FCS are to be given effect. Promotions are made effective from a prospective date after the competent authority has approved the same. This is the general principle followed in promotions and this principle is applicable in the case of in situ promotions under FCS as well.

2 As a matter of fact, no occasion requiring application of promotion with retrospective effect should arise in FCS cases, as it is provided in the rules for scientific posts that the Assessment Boards shall meet at least once a year to consider cases of in situ promotions. Rules notified for scientific posts also contain a provision for review of promotion by the Selection Committee/Assessment Board twice a year - before 1st January and 1st July of every year - and the Selection Committee/Assessment Board is required to make its recommendation on promotions keeping in view these crucial dates of 1st January and 1st July. The competent authority, which has to take a final view based on these recommendations, shall ensure that no promotion is granted with retrospective effect.

3. Hindi version will follow.


(ALOK SAXENA)

DEPUTY SECRETARY TO THE GOVERNMENT OF INDIA

.....2

To

- (i) Ministry of Science and Technology
- (ii) Department of Biotechnology
- (iii) Ministry of Communications and Information Technology
- (iv) Ministry of Environment, Forests and Wild Life
- (v) Ministry of Non-Conventional Energy Sources
- (vi) Department of Ocean Development,
- (vii) Ministry of Home Affairs
- (viii) Ministry of Water Resources
- (ix) Ministry of Health and Family Welfare
- (x) Department of Consumer Affairs
- (xi) All other Ministries/Departments of the Government of India

Copy to:

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- (6) Comptroller and Auditor General of India, New Delhi
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Public Grievances and Pensions
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- (13) NIC, DoP&T



(ALOK SAXENA)

DEPUTY SECRETARY TO THE GOVERNMENT OF INDIA

No.35034/3/2008-Estt. (D)
Government of India
Ministry of Personnel, Public Grievances and Pensions
(Department of Personnel and Training)

.....

North Block, New Delhi, the 19th May, 2009

OFFICE MEMORANDUM

SUBJECT: - MODIFIED ASSURED CAREER PROGRESSION SCHEME (MACPS) FOR THE CENTRAL GOVERNMENT CIVILIAN EMPLOYEES.

The Sixth Central Pay Commission in Para 6.1.15 of its report, has recommended Modified Assured Career Progression Scheme(MACPS). As per the recommendations, financial upgradation will be available in the next higher grade pay whenever an employee has completed 12 years continuous service in the same grade. However, not more than two financial upgradations shall be given in the entire career, as was provided in the previous Scheme. The Scheme will also be available to all posts belonging to Group "A" whether isolated or not. However, organised Group "A" services will not be covered under the Scheme

2. The Government has considered the recommendations of the Sixth Central Pay Commission for introduction of a MACPS and has accepted the same with further modification to grant three financial upgradations under the MACPS at intervals of 10, 20 and 30 years of continuous regular service .

3. The Scheme would be known as "**MODIFIED ASSURED CAREER PROGRESSION SCHEME (MACPS) FOR THE CENTRAL GOVERNMENT CIVILIAN EMPLOYEES.**" This Scheme is in supersession of previous ACP Scheme and clarifications issued there under and shall be applicable to all regularly appointed Group "A", "B", and "C" Central Government Civilian Employees **except officers of the Organised Group "A" Service.** The status of Group "D" employees would cease on their completion of prescribed training, as recommended by the Sixth Central Pay Commission and would be treated as Group "C" employees. Casual employees, including those granted 'temporary status' and employees appointed in the Government only on adhoc or contract basis shall not qualify for benefits under the aforesaid Scheme. The details of the MACP Scheme and conditions for grant of the financial upgradation under the Scheme are given in Annexure-I.

4. An Screening Committee shall be constituted in each Department to consider the case for grant of financial upgradations under the MACP Scheme. The Screening Committee shall consist of a **Chairperson and two members.** The members of the Committee shall comprise officers holding posts which are at least one level above the grade in which the MACP is to be considered and not below the rank of Under Secretary equivalent in the Government. The Chairperson should generally be a grade above the members of the Committee.

5. The recommendations of the Screening Committee shall be placed before the Secretary in cases where the Committee is constituted in the Ministry/Department or before the Head of the organisation/competent authority in other cases for approval.
6. In order to prevent undue strain on the administrative machinery, the Screening Committee shall follow a **time-schedule** and meet twice in a financial year – preferably in the first week of *January* and first week of *July* of a year for advance processing of the cases maturing in that half. Accordingly, cases maturing during the first-half (April-September) of a particular financial year shall be taken up for consideration by the Screening Committee meeting in the first week of January. Similarly, the Screening Committee meeting in the first week of July of any financial year shall process the cases that would be maturing during the second-half (October-March) of the same financial year.
7. However, to make the MACP Scheme operational, the Cadre Controlling Authorities shall constitute the first Screening Committee within a month from the date of issue of these instructions to consider the cases maturing upto 30th June, 2009 for grant of benefits under the MACPS.
8. In so far as persons serving in The Indian Audit and Accounts Departments are concerned, these orders issue after consultation with the Comptroller and Auditor General of India.
9. Any interpretation/clarification of doubt as to the scope and meaning of the provisions of the MACP Scheme shall be given by the Department of Personnel and Training (Establishment-D). The scheme would be operational w.e.f. 01.09.2008. In other words, financial upgradations as per the provisions of the earlier ACP Scheme (of August, 1999) would be granted till 31.08.2008.
10. No stepping up of pay in the pay band or grade pay would be admissible with regard to junior getting more pay than the senior on account of pay fixation under MACP Scheme.
11. It is clarified that no past cases would be re-opened. Further, while implementing the MACP Scheme, the differences in pay scales on account of grant of financial upgradation under the old ACP Scheme (of August 1999) and under the MACP Scheme within the same cadre shall not be construed as an anomaly.
12. Hindi version will follow.


(S.Jainendra Kumar)

Deputy Secretary to the Govt. Of India

To

All Ministries/Departments of the Government of India

Copy to :-

1. President's Secretariat/Vice President's Secretariat/Prime Minister's Office/Supreme Court/Rajya Sabha Secretariat/Lok Sabha Secretariat/ Cabinet Secretariat/UPSC/CVC/C&AG/Central Administrative Tribunal (Principal Bench), New Delhi.
2. All attached/subordinate offices of the Ministry of Personnel, Public Grievances and Pensions.
3. Secretary, National Commission for Minorities.
4. Secretary, National Commission for Scheduled Castes/Scheduled Tribes
5. Secretary, Staff Side, National Council (JCM), 13-C, Ferozeshah Road, New Delhi
6. All Staff Side Members of the National Council (JCM)
7. Establishment (D) Section - 1000 copies
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MODIFIED ASSURED CAREER PROGRESSION SCHEME (MACPS)

1. There shall be three financial upgradation s under the MACPS, counted from the direct entry grade on completion of 10, 20 and 30 years service respectively. Financial upgradation under the Scheme will be admissible whenever a person has spent 10 years continuously in the same grade-pay.
2. The MACPS envisages merely placement in the immediate next higher grade pay in the hierarchy of the recommended revised pay bands and grade pay as given in Section 1 , Part-A of the first schedule of the CCS (Revised Pay) Rules, 2008. Thus, the grade pay at the time of financial upgradation under the MACPS can, in certain cases where regular promotion is not between two successive grades, be different than what is available at the time of regular promotion. In such cases, the higher grade pay attached to the next promotion post in the hierarchy of the concerned cadre/organisation will be given only at the time of regular promotion.
3. The financial upgradation s under the MACPS would be admissible up-to the highest grade pay of Rs. 12000/ in the PB-4.
4. Benefit of pay fixation available at the time of regular promotion shall also be allowed at the time of financial upgradation under the Scheme. Therefore, the pay shall be raised by 3% of the total pay in the pay band and the grade pay drawn before such upgradation. There shall, however, be no further fixation of pay at the time of regular promotion if it is in the same grade pay as granted under MACPS. However, at the time of actual promotion if it happens to be in a post carrying higher grade pay than what is available under MACPS, no pay fixation would be available and only difference of grade pay would be made available. To illustrate, in case a Government Servant joins as a direct recruit in the grade pay of Rs. 1900 in PB-1 and he gets no promotion till completion of 10 years of service, he will be granted financial upgradation under MACPS in the next higher grade pay of Rs. 2000 and his pay will be fixed by granting him one increment plus the difference of grade pay (i.e. Rs. 100). After availing financial upgradation under MACPS, if the Government servant gets his regular promotion in the hierarchy of his cadre, which is to the grade of Rs. 2400, on regular promotion, he will only be granted the difference of grade pay between Rs. 2000 and Rs. 2400. No additional increment will be granted at this stage.
5. Promotions earned/upgradations granted under the ACP Scheme in the past to those grades which now carry the same grade pay due to merger of pay scales/upgradations of posts recommended by the Sixth Pay Commission shall be ignored for the purpose of granting upgradations under Modified ACPs.

Illustration-I

The pre-revised hierarchy (in ascending order) in a particular organization was as under:-

Rs. 5000-8000, Rs. 5500-9000 & Rs. 6500-10500.

- (a) A Government servant who was recruited in the hierarchy in the pre-revised pay scale Rs. 5000-8000 and who did not get a promotion even after 25 years of service prior to 1.1.2006, in his case as on 1.1.2006 he would have got two financial upgradations under ACP to the next grades in the hierarchy of his organization, i.e., to the pre-revised scales of Rs. 5500-9000 and Rs. 6500-10500.
- (b) Another Government servant recruited in the same hierarchy in the pre-revised scale of Rs. 5000-8000 has also completed about 25 years of service, but he got two promotions to the next higher grades of Rs. 5500-9000 & Rs. 6500-10500 during this period.

In the case of both (a) and (b) above, the promotions/financial upgradations granted under ACP to the pre-revised scales of Rs. 5500-9000 and Rs. 6500-10500 prior to 1.1.2006 will be ignored on account of merger of the pre-revised scales of Rs. 5000-8000, Rs. 5500-9000 and Rs. 6500-10500 recommended by the Sixth CPC. As per CCS (RP) Rules, both of them will be granted grade pay of Rs. 4200 in the pay band PB-2. After the implementation of MACPS, two financial upgradations will be granted both in the case of (a) and (b) above to the next higher grade pays of Rs. 4600 and Rs. 4800 in the pay band PB-2.

6. In the case of all the employees granted financial upgradations under ACPS till 01.01.2006, their revised pay will be fixed with reference to the pay scale granted to them under the ACPS.

6.1 In the case of ACP upgradations granted between 01.01.2006 and 31.08.2008, the Government servant has the option under the CCS (RP) Rules, 2008 to have his pay fixed in the revised pay structure either (a) w.e.f. 01.01.2006 with reference to his pre-revised scale as on 01.01.2006; or (b) w.e.f. the date of his financial upgradation under ACP with reference to the pre-revised scale granted under ACP. In case of option (b), he shall be entitled to draw his arrears of pay only from the date of his option i.e. the date of financial upgradation under ACP.

6.2 In cases where financial upgradation had been granted to Government servants in the next higher scale in the hierarchy of their cadre as per the provisions of the ACP Scheme of August, 1999, but whereas as a result of the implementation of Sixth CPC's recommendations, the next higher post in the hierarchy of the cadre has been upgraded by granting a higher grade pay, the pay of such employees in the revised pay structure will be fixed with reference to the higher grade pay granted to the post. To illustrate, in the case of Jr. Engineer in CPWD, who was granted 1st ACP in his hierarchy to the grade of Asstt. Engineer in the pre-revised scale of Rs.6500-10500 corresponding to the revised grade pay of Rs.4200 in the pay band PB-2, he will now be granted grade pay of Rs.4600 in the pay band PB-2 consequent upon upgradation of the post of Asstt. Enggs. In CPWD by granting them the grade pay of Rs.4600 in PB-2 as a result of Sixth CPC's recommendation. However, from the date of implementation of the MACPS, all the financial upgradations under the Scheme should be done strictly in accordance with the hierarchy of grade pays in pay bands as notified vide CCS (Revised Pay) Rules, 2008.

7. With regard to fixation of his pay on grant of promotion/financial upgradation under MACP Scheme, a Government servant has an option under FR22 (1) (a) (1) to get his pay fixed in the higher post/ grade pay either from the date of his promotion/upgradation or from the date of his next increment viz. 1st July of the year. The pay and the date of increment would be fixed in accordance with clarification no.2 of Department of Expenditure's O.M. No.1/1/2008-IC dated 13.09.2008.

8. Promotions earned in the post carrying same grade pay in the promotional hierarchy as per Recruitment Rules shall be counted for the purpose of MACPS.

8.1 Consequent upon the implementation of Sixth CPC's recommendations, grade pay of Rs. 5400 is now in two pay bands viz., PB-2 and PB-3. The grade pay of Rs. 5400 in PB-2 and Rs.5400 in PB-3 shall be treated as separate grade pays for the purpose of grant of upgradations under MACP Scheme.

9. 'Regular service' for the purposes of the MACPS shall commence from the date of joining of a post in direct entry grade on a regular basis either on direct recruitment basis or on absorption/re-employment basis. Service rendered on adhoc/contract basis before regular appointment on pre-appointment training shall not be taken into reckoning. However, past continuous regular service in another Government Department in a post carrying same grade pay prior to regular appointment in a new Department, without a break, shall also be counted towards qualifying regular service for the purposes of MACPS only (and not for the regular promotions). However, benefits under the MACPS in such cases shall not be considered till the satisfactory completion of the probation period in the new post.

10. Past service rendered by a Government employee in a State Government/statutory body/Autonomous body/Public Sector organisation, before appointment in the Government shall not be counted towards Regular Service.

11. 'Regular service' shall include all periods spent on deputation/foreign service, study leave and all other kind of leave, duly sanctioned by the competent authority.

12. The MACPS shall also be applicable to work charged employees, if their service conditions are comparable with the staff of regular establishment.

13. Existing time-bound promotion scheme, including in-situ promotion scheme, Staff Car Driver Scheme or any other kind of promotion scheme existing for a particular category of employees in a Ministry/Department or its offices, may continue to be operational for the concerned category of employees if it is decided by the concerned administrative authorities to retain such Schemes, after necessary consultations or they may switch-over to the MACPS. However, these Schemes shall not run concurrently with the MACPS.

14. The MACPS is directly applicable only to Central Government Civilian employees. It will not get automatically extended to employees of Central Autonomous/Statutory Bodies under the administrative control of a Ministry/Department. Keeping in view the financial implications involved, a conscious decision in this regard shall have to be taken by the respective Governing Body/Board of Directors and the administrative Ministry concerned and where it is proposed to adopt the MACPS, prior concurrence of Ministry of Finance shall be obtained.

15. If a financial upgradations under the MACPS is deferred and not allowed after 10 years in a grade pay, due to the reason of the employees being unfit or due to departmental proceedings, etc., this would have consequential effect on the subsequent financial upgradation which would also get deferred to the extent of delay in grant of first financial upgradation.
16. On grant of financial upgradation under the Scheme, there shall be no change in the designation, classification or higher status. However, financial and certain other benefits which are linked to the pay drawn by an employee such as HBA, allotment of Government accommodation shall be permitted.
17. The financial upgradation would be on non-functional basis subject to fitness, in the hierarchy of grade pay within the PB-1. Thereafter for upgradation under the MACPS the benchmark of 'good' would be applicable till the grade pay of Rs. 6600/- in PB-3. The benchmark will be 'Very Good' for financial upgradation to the grade pay of Rs. 7600 and above.
18. In the matter of disciplinary/ penalty proceedings, grant of benefit under the MACPS shall be subject to rules governing normal promotion. Such cases shall, therefore, be regulated under the provisions of the CCS (CCA) Rules, 1965 and instructions issued thereunder.
19. The MACPS contemplates merely placement on personal basis in the immediate higher Grade pay /grant of financial benefits only and shall not amount to actual/functional promotion of the employees concerned. Therefore, no reservation orders/roster shall apply to the MACPS, which shall extend its benefits uniformly to all eligible SC/ST employees also. However, the rules of reservation in promotion shall be ensured at the time of regular promotion. For this reason, it shall not be mandatory to associate members of SC/ST in the Screening Committee meant to consider cases for grant of financial upgradation under the Scheme.
20. Financial upgradation under the MACPS shall be purely personal to the employee and shall have no relevance to his seniority position. As such, there shall be no additional financial upgradation for the senior employees on the ground that the junior employee in the grade has got higher pay/grade pay under the MACPS.
21. Pay drawn in the pay band and the grade pay allowed under the MACPS shall be taken as the basis for determining the terminal benefits in respect of the retiring employee.
22. If Group "A" Government employee, who was not covered under the ACP Scheme has now become entitled to say third financial upgradation directly, having completed 30 year's regular service, his pay shall be fixed successively in next three immediate higher grade pays in the hierarchy of revised pay-bands and grade pays allowing the benefit of 3% pay fixation at every stage. Pay of persons becoming eligible for second financial upgradation may also be fixed accordingly.

23. In case an employee is declared surplus in his/her organisation and appointed in the same pay-scale or lower scale of pay in the new organization, the regular service rendered by him/her in the previous organisation shall be counted towards the regular service in his/her new organisation for the purpose of giving financial upgradation under the MACPS.

24. In case of an employee after getting promotion/ACP seeks unilateral transfer on a lower post or lower scale, he will be entitled only for second and third financial upgradations on completion of 20/30 years of regular service under the MACPS, as the case may be, from the date of his initial appointment to the post in the new organization.

25. If a regular promotion has been offered but was refused by the employee before becoming entitled to a financial upgradation, no financial upgradation shall be allowed as such an employee has not been stagnated due to lack of opportunities. If, however, financial upgradation has been allowed due to stagnation and the employees subsequently refuse the promotion, it shall not be a ground to withdraw the financial upgradation. He shall, however, not be eligible to be considered for further financial upgradation till he agrees to be considered for promotion again and the second the next financial upgradation shall also be deferred to the extent of period of debarment due to the refusal.

26. Cases of persons holding higher posts purely on adhoc basis shall also be considered by the Screening Committee alongwith others. They may be allowed the benefit of financial upgradation on reversion to the lower post or if it is beneficial vis-a-vis the pay drawn on adhoc basis.

27. Employees on deputation need not revert to the parent Department for availing the benefit of financial upgradation under the MACPS. They may exercise a fresh option to draw the pay in the pay band and the grade pay of the post held by them or the pay plus grade pay admissible to them under the MACPS, whichever is beneficial.

28. Illustrations

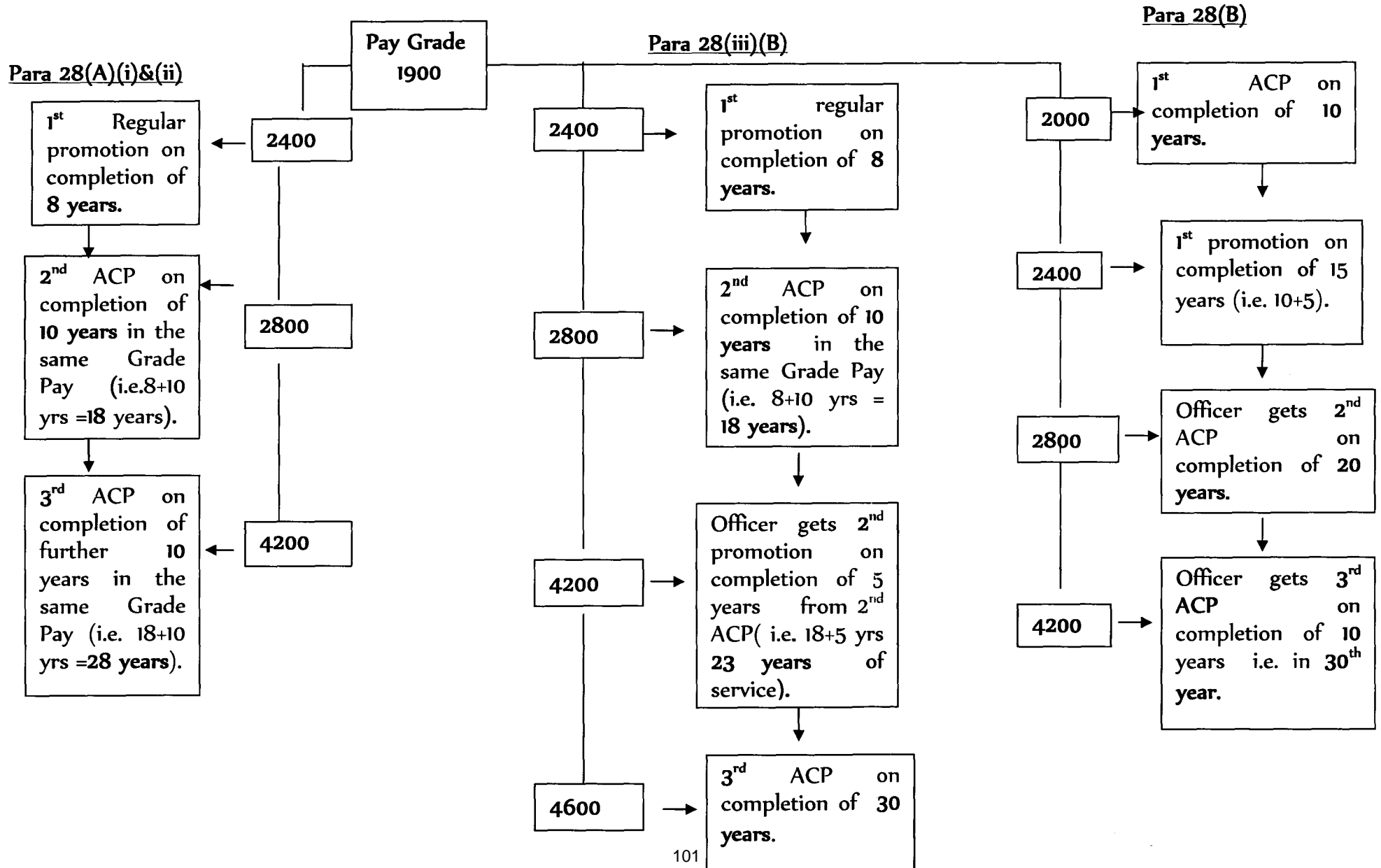
- A (i) If a Government servant (LDC) in PB-I in the Grade Pay of Rs.1900 gets his first regular promotion (UDC) in the PB-I in the Grade Pay of Rs.2400 on completion of 8 years of service and then continues in the same Grade Pay for further 10 years without any promotion then he would be eligible for 2nd financial upgradation under the MACPS in the PB-I in the Grade Pay of Rs.2800 after completion of 18 years (8+10 years).
- (ii) In case he does not get any promotion thereafter, then he would get 3rd financial upgradation in the PB-II in Grade Pay of Rs.4200 on completion of further 10 years of service i.e. after 28 years (8+10+10).
- (iii) However, if he gets 2nd promotion after 5 years of further service in the pay PB-II in the Grade Pay of Rs.4200 (Asstt. Grade/Grade "C") i.e. on completion of 23 years (8+10+5years) then he would get 3rd financial upgradation after completion of 30 years i.e. 10 years after the 2nd ACP in the PB-II in the Grade Pay of Rs.4600.

In the above scenario, the pay shall be raised by 3% of the total pay in the Pay Band and Grade Pay drawn before such upgradation. There shall, however, be no further fixation of pay at the time of regular promotion if it is in the same Grade Pay or in the higher Grade Pay. Only the difference of grade pay would be admissible at the time of promotions.

- B. If a Government servant (LDC) in PB-I in the Grade Pay of Rs.1900 is granted 1st financial upgradation under the MACPS on completion of 10 years of service in the PB-I in the Grade Pay of Rs.2000 and 5 years later he gets 1st regular promotion (UDC) in PB-I in the Grade Pay of Rs.2400, the 2nd financial upgradation under MACPS (in the next Grade Pay w.r.t. Grade Pay held by Government servant) will be granted on completion of 20 years of service in PB-I in the Grade Pay of Rs.2800. On completion of 30 years of service, he will get 3rd ACP in the Grade Pay of Rs. 4200. However, if two promotions are earned before completion of 20 years, only 3rd financial upgradation would be admissible on completion of 10 years of service in Grade Pay from the date 2nd promotion or at 30th year of service, whichever is earlier.
- C. If a Government servant has been granted either two regular promotions or 2nd financial upgradation under the ACP Scheme of August, 1999 after completion of 24 years of regular service then only 3rd financial upgradation would be admissible to him under the MACPS on completion of 30 years of service **provided that he has not earned third promotion in the hierarchy.**


(S.Jainendra Kumar)

ILLUSTRATIONS



**FREQUENTLY ASKED QUESTIONS (FAQs) ON MODIFIED ASSURED CAREER
PROGRESSION SCHEME**

	Point of doubt	Clarification
1.	What is Modified Assured Career Progression Scheme (MACPS) ?	The MACP Scheme for Central Civilian Government Employees is in supersession of earlier ACP Scheme . Under the MACP Scheme three financial Up-gradations are allowed on completion of 10, 20, 30 years of regular service, counted from the direct entry grade. The MACPS envisages merely placement in the immediate next higher grade pay as given in Section I, Part –A of the first schedule of the CCS (Revised Pay) Rules 2008, in case no promotion has been earned by the employee during this period.
2.	From which date the MACPS is effective?	The MACPS is effective w.e.f. 01.09.2008 or on completion of 10, 20 & 30 years of continuous regular service, whichever is later. Financial upgradation will also be admissible whenever a person has spent 10 years continuously in the same grade pay. (Para 9 of OM dated 19/5/2009)
3.	Who are entitled for financial upgradation under the MACPS?	The MACPS is applicable to all Central Government Civilian Employees.

4	What norms are required to be fulfilled while granting the benefits under MACPS	<p>The financial upgradation would be on non-functional basis subject to fitness in the hierarchy of pay band and grade pay within PB-1. Thereafter, only the benchmark of 'Good' would be applicable till the grade pay of Rs.6600 in PB-3. The benchmark will be 'Very Good' for financial upgradation to the grade pay of Rs.7600 and above. However, where the financial upgradation under the MACPS also happen to be in the promotional grade and benchmark for promotion is lower than the benchmark for granting the benefits under MACPS as mentioned in para 17 of the Scheme, the benchmark for promotion shall apply to MACP also.</p> <p>OM.No.35034/3/2008-Estt(D) dated 01/11/2010</p>
5.	Whether Pay Band would be changed at the time of grant of financial upgradation under MACPS	<p>Yes.</p> <p>OM.No.35034/3/2008-Estt.(D) dated 09/09/2010</p>
6.	Whether the promotions in same grade would be counted for the purpose of MACPS?	<p>The financial up-gradation under the MACPS is in the immediate next higher grade pay in the hierarchy of recommended revised pay bands and grade pay as given in CCS (Revised Pay) Rules, 2008. However if the promotional hierarchy as per recruitment rules is such that promotions are earned in the same grade pay , then the same shall be counted for the purpose of MACPS.</p>
7.	How will the benefits of ACP be granted if due between 01.01.2006 and 31.08.2008	<p>The revised pay structure has been changed w.e.f. 01.01.2006 and the benefits of ACPs have been allowed till 31.08.2008. Hence, the benefits of revised pay structure would be allowed for the purpose of ACPs. (OM No.35034/3/2008-Estt. dated 9.9.2010).</p>

8.	Whether adhoc appointment would be counted towards qualifying service for MACPS	No. Only continuous regular service is counted towards qualifying service for the purpose of MACPS. The regular service shall commence from the date of joining of a post in direct entry grade on a regular basis. (Para 9 of the MACPS)
9.	Whether State Government service shall be reckoned for the purpose of MACPS	No. Only regular service rendered in the Central Government's Department/Office is to be counted for the purpose of MACPS, as the Scheme is applicable to the Central Government Civilian Employees only. (MACPS , Para 10)
10.	What are the periods included in the regular service?	All period spent on deputation/foreign service, study leave and all other kind of leave, duly sanctioned by the competent authority shall be included in the regular service. (Para 11, MACPS)
11.	How is the MACPS to be extended to the employees of Autonomous and Statutory Bodies.	Procedure prescribed in OM No.35034/3/2010-Estt(D), Dated 03/08/2010 would be followed by the administrative Ministries/Departments concerned for extension of the MACPS to the employees of Autonomous and Statutory Bodies under their control.
12.	Whether the cases of grant of financial upgradation allowed under the ACPS between 01.09.2008 and 19.05.2009, the date of issue of the Scheme are be reviewed?	Yes. Since the benefits of ACPS have been discontinued w.e.f. 01.09.2008, the cases settled between 01.09.2008 and 19.05.2009, in terms of previous ACP Scheme shall be reviewed.
13.	Whether the past continuous regular service in another Govt. Deptt. in a post carrying same grade pay prior to regular appointment in a new Deptt. without a break shall be counted towards qualifying regular service for the purpose of MACPS.	Yes. (Para 9, MACPS)

14.	Upto what grade pay the benefits under the MACPS is allowed?	The benefits of MACPS are being up-to HAG scale of Rs.67000-79000/. (DOPT's O.M.No.35034/3/2008-Estt.(D) dated 24.12.2010)
15.	How the cases of pre-revised pay scales (Rs.5000-8000 & Rs.5500-9000 and Rs.6500-10500 & Rs.7450-11500) merged w.e.f. 01.01.2006 are to be decided under MACPS?	The cases would be regulated in accordance with para 5 of Annexure-I of MACPS. The Ministries/ Departments are expected to re-organise cadres and frame common RRs for the post in merged scales.
16.	Whether 'Non-functional Scale' of Rs.8000-13500 (revised to grade pay of Rs.5400 in PB-3) would be viewed as one financial upgradation for the purpose of MACPS.	Yes, in terms of para 8.1 of Annexure-I of MACPS dated 19.05.2009.
17.	Whether 'time bound promotion' scheme including 'in-situ promotion' scheme can run concurrently with MACPS.	No. (Para 13 of MACPS)
18.	Whether Staff Car Driver Scheme can run concurrently with MACPS	DOPT vide O.M. No.35011/03/2008-Estt.(D),30/07/2010 has extended the benefits of MACPS to Staff Car Drivers as a fall back option.
19.	Whether the placement of erstwhile Gr. D employees as Staff Car Driver, ordinary grade, would count as a promotion?	No. The model RRs for Staff Car Drivers provide deputation/ absorption as a method of appointment for erstwhile Gr. D employees . The placement as staff Car Driver is not in the hierarchy hence the same would not be counted as promotion under MACPS. The regular service for the MACPS would be from the date of appointment as Staff Car Driver.

20.	Whether designation, classification or higher status would change on account of financial upgradation under MACPS	There shall be no change in the designation, classification or higher status on grant of financial upgradation under MACPS, as the upgradation under the Scheme is purely personal and merely placement in the next higher grade pay. (Para 16 of Annexure-I of MACPS refers)
21	If a financial upgradation under the MACPS is deferred due to the reason of the employees being 'unfit' or due to departmental proceedings, etc, whether this would have consequential effect on the subsequent financial upgradation.	Yes, this would have consequential effect on the subsequent financial upgradation, which would also get deferred to the extent of delay in grant of financial upgradation. (MACPS, Para 15)
22.	Whether the stepping up of pay would be admissible if a junior is getting more pay than the senior on account of grant of financial upgradation under MACPS.	No stepping up of pay in the band or grade pay would be admissible with regard to junior getting more pay than the senior on account of pay fixation under MACPS. (Para 10 of OM dated 19/5/2009)
23.	Whether the regular service rendered by an employee if declared surplus in his/her organisation and appointed in the same grade pay or lower grade pay shall be counted towards the regular service in a new organization for the purpose of MACPS.	Yes. (refer para 23 of Annexure-I of MACPS).
24.	In case of transfer including unilateral transfer own request, whether regular service rendered in previous organisation/office shall be counted alongwith the regular service in the new organization for the purpose of MACPS.	Yes. OM No.35034/3/2008-Estt(D) dated 01/11/2010

25.	<p>If a regular promotion has been offered but was refused by the employees before becoming entitled to a financial upgradation under the MACPS, whether financial upgradation shall be allowed to such a Government servant.</p>	<p>If a regular promotion has been offered but was refused by the Government employee before becoming entitled to a financial upgradation, no financial upgradation shall be allowed and as such an employee has not been stagnated due to lack of opportunities. If, however, financial upgradation has been allowed due to stagnation and the employees subsequently refuse the promotion, it shall not be a ground to withdraw the financial upgradation. He shall, however, not be eligible to be considered for further financial upgradation till he agrees to be considered for promotion again and the next financial upgradation shall also be deferred to the extent of period of debarment due to the refusal. (Para 25 of MACPS)</p>
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Department of Personnel & Training
Establishment D Section

Frequently Asked Questions (FAQs) on Modified Assured Career Progression Scheme (MACPS)

Sl.No.	Doubts	Clarification
26	Whether the benefits of ACPS would be allowed in respect of isolated cases due between 01.01.2006 and 31.08.2008 where the pre-revised pay scales of Rs.5000-8000 & Rs.5500-9000 and Rs.6500-10500 & Rs.7450-11500 have been merged into single grade pay of Rs.4200 and Rs.4600 respectively w.e.f. 01.01.2006?	Yes. Since the pre-revised Rs.5000-8000 & Rs.5500-9000 and Rs.6500-10500 & Rs.7450-11500 (isolated cases) have been merged into single grade pay of Rs.4200 and Rs.4600 respectively w.e.f. 01.01.2006, the benefits of 1st and 2nd financial upgradations under the ACPS should be considered/allowed in the grade pays of Rs.4600 and Rs.4800 in PB-2, as the case may be, due between 01.01.2006 and 31.08.2008 in respect of isolated cases in terms of para 5 of Annexure-I of MACPS dated 19.05.2009.
27	<p>In a hypothetical situation cadre hierarchy was as follows:</p> <p>Rs.5000-8000 (revised GP 4200) Rs.5500-9000 (revised GP 4200) Rs.6500-10500 (revised GP 4600) Rs.7450-11500 (revised GP 4600) Rs.10000-15200 (revised GP 6600)</p> <p>(i) What would be the 1st financial upgradation under the ACPS for a Government employee recruited in pre-revised pay scale of Rs.5000-8000, who has completed his 12 years of regular service on 12.04.2007 (between 1.1.2006 and 31.8.2008);</p>	<p>In terms of clarification given on point of doubt no.3 issued vide DOPT's O.M. No.35034/3/2008-Estt.(D) dated 9.9.2010, the benefits of ACPS would be applicable in the new pay structure adopted w.e.f. 1.1.2006 in the promotional hierarchy.</p> <p>(i): Since the pre-revised pay scales Rs.5000-8000 & Rs.5500-9000 have been merged and placed in PB-2 with grade pay of Rs.4200, 1st financial upgradation would be allowed in the grade pays of Rs.4600, subject to fulfillment of promotional norms as stipulated in condition no.6 of Annexure-I ACPS dated 9.8.1999, in terms of clarification given on point of doubt no.1 of ACPS dated 10.02.2000.</p>

(ii)	What would be 2 nd financial upgradation for employee recruited in 5000-8000, who has completed 24 years of regular service on 12.04.2007 (between 1.1.2006 and 31.8.2008)	Since the pre-revised pay scales Rs.6500-10500 & Rs.7450-11500 have been merged and placed in PB-2 with grade pay of Rs.4600, 2 nd financial upgradation would be allowed in the grade pay of Rs.6600, subject to fulfillment of promotional norms (after framing of RRs post merger) as stipulated in condition no.6 of Annexure-I ACPS dated 9.8.1999, in terms of clarification given on point of doubt no.1 of ACPS dated 10.02.2000.
(iii)	If a Government servant recruited in the pre-revised pay scale of Rs.5000-8000 has been promoted in the promotional hierarchy in the pre-revised pay scale of Rs.5500-9000 prior to 1.1.2006 (and he has put in 14 years of regular service) then would there be any claim for financial upgradation under ACPS	(iii): The pre-revised pay scales Rs.5000-8000 & Rs.5500-9000 have been merged and placed in PB-2 with grade pays of Rs.4200 w.e.f. 1.1.2006. Hence, the promotion would be ignored as he has completed his 12 years of regular service and the benefit of 1 st ACP would accordingly be allowed in the promotional hierarchy i.e. in the grade pay of Rs.4600 w.e.f. 01.01.2006.
(iv)	If the above Government servant had put in 22 years as on 31.08.2008, then what would be the entitlement in MACP	(iv): As given above, the 1 st ACP would be in PB-2 grade pay of Rs.4600 after ignoring the previous promotion. Thereafter, since employee has completed more than 20 years of regular service on 01.09.2008, he would be entitled for 2 nd financial upgradation under the MACPS in the immediate next higher grade pay of Rs.4800 in PB-2 subject to fulfillment of condition as stipulated in para 17 of Annexure-I of MACPS dated 19.05.2009.

No.25013/01 /2013-Estt.A-IV
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training
Establishment A-IV Desk

North Block, New Delhi
Dated 11th September, 2015

OFFICE MEMORANDUM

Subject: Strengthening of administration-Periodical review under FR 56(j) and Rule 48 of CCS (Pension) Rules, 1972

The undersigned is directed to refer to this Department's OM No. 25013/1/2013-Estt(A) dated 21/03/2014 on the periodical review under Fundamental Rule 56 or Rule 48 of CCS (Pension) Rules.

2. Various instructions issued on the subject deal with compulsory retirement under the above mentioned provisions. The Supreme Court has observed in *State of Gujarat Vs. Umedbhai M. Patel*, 2001 (3) SCC 314 as follows:

- (i) Whenever the services of a public servant are no longer useful to the general administration, the officer can be compulsorily retired for the sake of public interest.
- (ii) Ordinarily, the order of compulsory retirement is not to be treated as a punishment coming under Article 311 of the Constitution.
- (iii) "For better administration, it is necessary to chop off dead wood, but the order of compulsory retirement can be passed after having due regard to the entire service record of the officer."
- (iv) Any adverse entries made in the confidential record shall be taken note of and be given due weightage in passing such order.
- (v) Even un-communicated entries in the confidential record can also be taken into consideration.
- (vi) The order of compulsory retirement shall not be passed as a short cut to avoid Departmental enquiry when such course is more desirable.
- (vii) If the officer was given a promotion despite adverse entries made in the confidential record, that is a fact in favour of the officer.
- (viii) Compulsory retirement shall not be imposed as a punitive measure.

3. In every review, the entire service records should be considered. The expression 'service record' will take in all relevant records and hence the review should not be confined to the consideration of the ACR / APAR dossier. The personal file of the officer may contain valuable material. Similarly, the work and performance of the officer could also be assessed by looking into files dealt with by him or in any papers or reports prepared and submitted by him. It would be useful if the Ministry/Department puts together all the data available about the officers and prepares a comprehensive brief for consideration by the Review Committee. Even uncommunicated remarks in the ACRs/APARs may be taken into consideration.

4. In the case of those officers who have been promoted during the last five years, the previous entries in the ACRs may be taken into account if the officer was promoted on the basis of seniority cum fitness, and not on the basis of merit.

5. As far as integrity is considered, the following observations of the Hon'ble Supreme Court may, while upholding compulsory retirement in a case, may be kept in view:

The officer would live by reputation built around him. In an appropriate case, there may not be sufficient evidence to take punitive disciplinary action of removal from service. But his conduct and reputation is such that his continuance in service would be a menace to public service and injurious to public interest.

S. Ramachandra Raju vs. State of Orissa

[(1994) 3 SCC 424]

Thus while considering integrity of an employee, actions or decisions taken by the employee which do not appear to be above board, complaints received against him, or suspicious property transactions, for which there may not be sufficient evidence to initiate departmental proceedings, may be taken into account. Judgement of the Apex Court in the case of Shri K. Kandaswamy, I.P.S. (TN:1966) in *K. Kandaswamy vs Union Of India & Anr*, 1996 AIR 277, 1995 SCC (6) 162 is relevant here. There were persistent reports of Shri Kandaswamy acquiring large assets and of his getting money from his subordinates. He also indulged in property transactions which gave rise to suspicion about his bonafides. The Hon'ble Supreme Court upheld his compulsory retirement under provisions of the relevant Rules.

6. Similarly, reports of conduct unbecoming of a Government servant may also form basis for compulsory retirement. As per the Hon'ble Supreme Court in *State Of U.P. And Others vs Vijay Kumar Jain*, Appeal (civil) 2083 of 2002:

If conduct of a government employee becomes unbecoming to the public interest or obstructs the efficiency in public services, the government has an absolute right to compulsorily retire such an employee in public interest.

7. Many changes in the nomenclature and in the areas of responsibility of various departments/Ministries have taken place. In order to simplify and speed up the procedure of review, a need is felt to reconstitute the Review Committees. In partial modification of the OM 25013/15/86-Estt (A) dated 27/06/1986, it has been decided that the Secretaries of the Cadre Controlling Authorities will constitute Review Committees consisting of two Members at appropriate level. The Review Committees in the case of various levels of employees will be as under:

(A) In case of officers holding Group A posts:

(a) In r/o ACC appointees:

Review Committee may be headed by the Secretary of the concerned Ministry/Department as Cadre Controlling Authority.

(b) In r/o Non-ACC appointees:

(i) Where there are Boards viz CBDT, CBEC, Railway Board, Postal Board, Telecom Commission, etc. the Review Committee may be headed by the Chairman of such Board.

- (ii) Where no such Boards/Commissions exist, the Review Committee may be headed by Secretary of the Ministry/Department.

(B) In case of Group B (Gazetted) officers:

Additional Secretary/Joint Secretary level officer will head the Review Committee.

(C) In the case of Non-Gazetted employees:

- (i) An officer of the level of Joint Secretary will head the Committee. However in case the Appointing Authority is lower in rank than a Joint Secretary, then an officer of the level of Director/Deputy Secretary will be the head.
- (ii) In the case of Non-Gazetted employees in other than centralised cadres, Head of Department/Head of the Organisation shall decide the composition of the Review Committee.

8. CVO in the case of gazetted officers, or his representative in the case of non-gazetted officers, will be associated in case of record reflecting adversely on the integrity of any employee.


9. In addition to the above, the Secretary of the Ministry/Department is also empowered to constitute internal committees to assist the Review Committees in reviewing the cases. These Committees will ensure that the service record of the employees being reviewed, alongwith a summary bringing out all relevant information, is submitted to the Cadre Authorities at least three months before the due date of review.

10. The procedure as prescribed from time to time has been consolidated and enclosed as Appendix to the OM issued by this Department on 21/03/2014. As per these instructions the cases of Government servant covered by FR 56(j), FR 56(l), or Rule 48(1) (b) of CCS (Pension) Rules, 1972 should be reviewed six months before he/she attains the age of 50/55 years, in cases covered by FR 56(j) and on completion of 30 years of qualifying service under FR 56(l)/Rule 48 of CCS (Pension) Rules, 1972 as per the following calendar:

Sl No	Quarter in which review is to be made	Cases of employees who will be attaining the age of 50/55 years or will be completing 30 years of service or 30 years of service qualifying for pension, as the case may be, in the quarter.
1	January to March	July to September of the same year
2	April to June	October to December of the same year
3	July to September	January to March of the next year
4	October to December	April to June of the next year

11. All Ministries/Departments are requested to follow the above instructions and periodically review the cases of Government servants as required under FR 56(j)/FR56(I)/Rule 48(1)(b) of CCS (Pension) Rules, 1972.

12. Instructions on composition of the Representation Committees will be communicated separately.

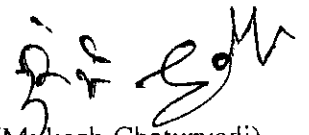

(Mukesh Chaturvedi)
Director (Establishment)
Tel: 23093176

To

The Secretaries of All Ministries/Departments
(as per the standard list)

Copy to:

1. President's Secretariat, New Delhi.
2. Vice-President's Secretariat, New Delhi.
3. The Prime Minister's Office, New Delhi.
4. Cabinet Secretariat, New Delhi.
5. Rajya Sabha Secretariat/Lok Sabha Secretariat, New Delhi.
6. The Comptroller and Auditor General of India, New Delhi.
7. The Secretary, Union Public Service Commission, New Delhi.
8. The Secretary, Staff Selection Commission, New Delhi.
9. All attached offices under the Ministry of Personnel, Public Grievances and Pensions.
10. National Commission for Scheduled Castes, New Delhi.
11. National Commission for Scheduled Tribes, New Delhi.
12. National Commission for OBCs, New Delhi.
13. Secretary, National Council (JCM), 13, Feroze Shah Road, New Delhi.
14. CVOs of all Ministries/Departments.
15. ADG (M&C), Press Information Bureau, DoP&T
- ✓ 16. NIC, Department of Personnel & Training, North Block, New Delhi (for uploading the same on the website of this Ministry under the Head OMs & Orders → Establishment → Premature Retirement.
17. Hindi Section, DoP&T


(Mukesh Chaturvedi)
Director (Establishment)
Tel: 23093176

No.25013/1/2016-Estt.A-IV
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

North Block, New Delhi
Dated 11th March, 2016

OFFICE MEMORANDUM

Subject :- Strengthening of Administration by periodical review under
FR 56(j) : Autonomous Institutions reg.

The undersigned is directed to refer to DoP&T's OM No. 25013/01/2013-Estt.A-IV dated 11.9.2015 and 01.03.2016 and to say that in so far as Autonomous Institutions are concerned, the following have been decided :-

- (i) Where the Autonomous Institutions have adopted the provisions of FR 56 (j), Administrative Ministry may ensure that they are strictly followed ;
- (ii) Where the Autonomous Institutions have similar provisions in their rule books, the Administrative Ministry may ensure that they are followed in letter and spirit ; and
- (iii) Where no such provisions exist, the Administrative Ministry may ensure that the action is taken to put in place such rules as may be necessary.


(Surya Narayan Jha)

Under Secretary to the Government of India

To,

The Secretaries of All Ministries / Departments
(As per the Standard List)

Copy to:

1. President Secretariat, New Delhi.
2. Vice-President's Secretariat, New Delhi.
3. The Prime Minister's Office, New Delhi.
4. Cabinet Secretariat, New Delhi.
5. Rajya Sabha Secretariat/ Lok Sabha Secretariat, New Delhi.

Contd...

From pre-page:

6. The Comptroller and Auditor General of India, New Delhi.
7. The Secretary, Union Public Service Commission, New Delhi.
8. The Secretary, Staff Selection Commission, New Delhi.
9. All attached offices under the Ministry of Personnel, Public Grievances and Pensions.
10. National Commission for Scheduled Castes, New Delhi.
11. National Commission for Scheduled Tribes, New Delhi.
12. National Commission for OBCs, New Delhi.
13. Secretary, National Council (M), 13, Feroze Shah Road, New Delhi.
14. CVOs of All Ministries/Departments.
15. ADG (M&C), Press Information Bureau, DOP&T
- ✓ 16. NIC, DOP& T, North Block, New Delhi (for uploading the same on the website of this Ministry under the Head 'OMs & Orders' → Establishment → 'Premature Retirement'.
17. Hindi Section for translation in Hindi.

Chapter

Age of Retirement / Extension

As per Fundamental Rule, FR 56 (a), every Government servant shall retire from service on the afternoon of the last day of the month in which he attains the age of sixty years

[a Government servant whose date of birth is the first of the month shall retire from service on the afternoon of the last day of the preceding month on attaining the age of sixty years].

2. On attaining the age indicated in the above rule, retirement is automatic and in the absence of specific orders to the contrary by the competent authority a government servant must retire on the due date. The date of superannuation of a government servant is known in advance and there be no question of failure to make arrangements for his release sufficiently in advance. It is the responsibility of the administrative authority concerned to ensure that the government servants under their control so retire.

3. There are certain exceptions which are indicated in the Table below:-

I. Exceptions

Sl.No.	Category of Government Servants	Age of superannuation	Reference
1.	Specialists in the Teaching, Non-Teaching and Public Health sub-Cadres of Central Health Service	62 years	FR 56 (bb)
2.	Specialists in the Teaching sub-cadres of the Central Health Service who are engaged only in Teaching activities and not occupying administrative positions. Note: As per Second Proviso to FR 56(bb) Teaching sub-cadre of Central Health Service who are occupying administrative positions	65 years	First Proviso to FR 56 (bb)

	shall have the option of seeking appointment to the teaching positions		
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II. Extension:-

As per FR 56(d), no Government Servant shall be granted extension in service beyond the age of retirement of sixty years.

Extension, however, may be given in public interest to certain categories of Government servants which are indicated in the Table below:-

Sl.No.	Category of Government Servants	Period of extension	Reference
1.	Government servant dealing with budget work or working as a full-time Member of a Committee which is to be wound up within a short period of time.	Period not exceeding three months	First Proviso to FR 56(d)
2.	A Specialist in medical or scientific fields	Up-to Sixty Two years of age	Second Proviso to FR 56(d)
3.	Eminent Scientist of International Stature	Up-to Sixty Four years of age	Third Proviso to FR 56(d)
4.	Cabinet Secretary in the Central Government	For such period or periods as may be deemed proper subject to the condition that the total term as such Cabinet Secretary does not exceed four years	Fourth Proviso to FR 56(d)
4.	Defence Secretary, Foreign Secretary, Home Secretary, Director, Intelligence Bureau, Secretary, Research and Analysis Wing and Director, Central Bureau of Investigation	For such periods as may be deemed proper on case to case basis, subject to the condition that the total	Fifth Proviso to FR 56(d)

		term of the incumbents does not exceed two years	
5.	Home Secretary and Defence Secretary.	For a further period not exceeding three months beyond the period of two years in 4 above.	Sixth Proviso to FR 56(d)
6.	Secretary, Department of Space and the Secretary, Department of Atomic Energy	For such period or periods as may be deemed proper subject to a maximum age of 66 years	Seventh Proviso to FR 56(d)

Provided also that the Appropriate Authority shall have the right to terminate the extension of service before the expiry of such extension by giving a notice in writing of not less than three months in the case of a permanent Government servant, or, of one month in the case of a temporary Government servant, or pay and allowances in lieu of such notice.

III. Distinction between Extension and Re-employment

The terms “Extension of service” and “Re-employment” may be differentiated as under:

- i. Where the services of a Government servant beyond the age of his superannuation are required in the same cadre post which he is holding at the time of superannuation, then such retention shall be treated as “extension of service”
- ii. Any proposal for retaining the services of a Government servant in the parent cadre beyond the normal age of superannuation in a post different from the one which he was holding at the time of superannuation should be discouraged. If however, such retention is for very exceptional reasons consider to be unavoidable, the same shall be treated as re-employment; and
- iii. Where the services of a Government servant on deputation to an ex-cadre post or holding an ex-cadre post are required by the competent authority beyond the date of his superannuation in his

parent service, then such retention, be it on the post he was holding at the time of superannuation or in any other post shall for all purposes be treated as re-employment.

DoPT O.M.No.26012/6/87-Estt (A) dated 13th April, 1988 > persmin > Establishment > Extension

IV. Criteria and Procedure for Extension

1. It would be appreciated that in each case of extension or re-employment, it is not only the next man who misses promotion but often several people miss consequential promotions all along the hierarchical strata. Thus, one person getting re-employment/extension means deferment of promotion for six or seven persons. Too many cases of extension in service or re-employment are apt to cause frustration and affect the morale of the staff in general. Keeping in view these circumstances the following criteria and procedure have been evolved with a view to ensure that extension / re-employment of superannuated officers are resorted to only in really exceptional circumstances.

2. The procedure indicated in the following paragraphs should also be followed by the Ministries / Departments in regard to posts in statutory / autonomous bodies and Public Sector Undertakings, the initial appointments to which are required to be made by or with the approval of the President / Central Government. Ministries / Departments of the Government of India should bring to the notice of the autonomous bodies the instructions mentioned and request them to consider whether similar principles should not be adopted by them for other appointments.

I. CRITERIA FOR EXTENSION / RE-EMPLOYMENT

- 1) No proposal for extension of service/re-employment beyond the age of superannuation shall be considered.
- 2) Extension of service / re-employment can be justified only in very rare and exceptional circumstances. Even in such cases, 60 years of age should be the deadline for non-scientific / technical posts and 62 years in the case of specialists in the medical and scientific fields. The over-riding consideration for the grant of extension of service / re-employment is that it must be clearly in the public interest and in addition satisfy one of the following two conditions:-

- i. that the retiring specialist is not just one of the outstanding officers but is really head and shoulders above the rest; or
- ii. that other specialists are not ripe enough to take over the job.

Test (ii) would be satisfied only if there is shortage in particular specialization or if it is not possible to find a suitable successor or if the officer is engaged on a work or project of vital importance which is likely to produce results in a year or two. If specialists in the next lower post are not eligible for promotion on the ground that they have not put in the minimum service in the lower grade prescribed under the rules, no promotion can be made to the higher grade, unless such specialists put in the requisite length of service. But specialists who are eligible for promotion to the post against which extension / re-employment is recommended, should not be rejected solely on the ground that they do not have as much experience as the retiring officer. They should be considered for promotion according to the recruitment rules and if they are found suitable they should be promoted to the posts being vacated by the retiring specialists.

3. Whenever any specialist is considered for grant of extension, his character roll and personal file should be carefully scrutinized and all other relevant information that may be available should be taken into account to judge whether the specialist had good reputation for integrity and honesty. In cases where the specialist is not considered to have good reputation for integrity and honesty, he should not be considered for grant of extension in service. The appropriate authority in the Administrative Ministry should furnish a certificate of Integrity along with the **Annexure-I** as contained in DoPT O.M.No.26012/6/2002-Estt (A) dated 9.12.2002 where grant extension of service is proposed.

Annexure-I > persmin.nic.in > OM & Orders > Establishment

[O.M.No.26012/6/2002-Estt (A) dated 9.12.2002]

“Having scrutinized in character roll and personal file of Shri/Smt./Kum._____ and having taken into account all other relevant available information, I certify that he/she has a good reputation for integrity and honesty.”

4. While making proposals for extension of service in higher posts, it is all the more necessary to apply higher standards of efficiency to persons whose appointments to the higher posts are recommended for approval of the Appointments Committee of the Cabinet. The number of top posts is bound to be very limited and a few persons should not have them for too long. No Government servant who is on extension of service after the prescribed date of retirement should be promoted to another post during the period of extension of service.

5. No extension of service should be considered on the ground that a suitable successor is not available unless it is established that action to select a successor had been taken well in advance but the selection could not be finalized in time for justifiable reasons. A proposal for the grant of extension of service based merely on the consideration that the specialist's predecessor had been given extension should obviously not be accepted.

V. PROCEDURE FOR PROCESSING CASES OF EXTENSION OF SERVICE FOR SERVICE OF SCIENTISTS BEYOND THE AGE OF SUPERANNUATION

General Procedure

Departmental Peer Review Committees (DPRCs) headed by the Secretary of the Scientific Departments constituted by the DOP&T with the approval of Prime Minister for a term of 2 years shall consider the cases of extension of service of scientists beyond 60 years and upto 62 years.

2. The existing/reconstituted Departmental Peer Review Committees shall also do the first stage screening of Scientists for their extension beyond 62 years of age and thereafter the DPRCs' recommendations will be placed before the Committee under the Cabinet Secretary provided that the DPRCs have atleast two outside experts apart from Secretary(Personnel & Training). The DPRCs must give detailed justification for such extension based on merits of the case, the international stature of the person recommended and also indicate whether this will block promotion opportunities of others in the Department. Such recommendations of the DPRC for extension of service of Scientists beyond 62 years will be sent to the Establishment Division of the Department of Personnel & Training for placing the cases before the Committee under Cabinet Secretary. Only such cases recommended by the Committee under Cabinet Secretary will be processed further for approval of ACC through the office of the Establishment Officer. Cases of extension of service of Scientists beyond 60 years and up to 62 years recommended by DPRC will continue to be sent directly to the office of Establishment Officer in DOP & T.

3. All proposals for extension of service of Scientists beyond 62 years in terms of the 3rd proviso to FR 56(d) may be processed keeping in view the above guidelines in addition to the criteria stipulated in the OM dated 9.12.2002.

(DoP&T O.M.No.26012/8/2011-Estt (A) dated 16th May, 2011) >
persmin.nic.in > OM & Orders > Establishment

VI. Central Secretariat Service Officers

All cases of extension of service / re-employment of officers belonging to CSS/CSSS/CSCS beyond the age of 60 years are require to

be referred to the CS Division of the Department of Personnel and Training for prior approval.

VII. Re-employment of Ex-Servicemen

Cases relating to re-employment of Ex-Servicemen will be regulated by Ex-servicemen (Re-employment in Central Services and Posts) Rules, 1979 as amended from time to time.

VIII. Curtailment of the period of Extension / Re-Employment

A situation might arise where the grant of extension of service / re-employment beyond the age of superannuation for a specified period might have to be cancelled or modified at a later date for administrative reasons. The eighth Proviso below FR 56(d) empowers the appropriate authority to terminate the extension of service before the expiry of such extension by giving a notice in writing of not less than three months in the case of a permanent Government Servant or one month in the case of a temporary government servant; or pay and allowances in lieu of such notice. In every case the orders granting an extension of service/re-employment should include a clause providing for termination of service after three months/one month's notice at any time within the period of extension / re-employment.

IX. Promotion

No Government servant who is on extension of service after the prescribed date of retirement should be promoted to another post during the period of extension of service.

X. Pay

The pay of superannuated Government servant re-employed in Central Civil Department will be regulated in accordance with the instructions contained in Department of Personnel & Training's O.M.No.3/1/85-Estt. (Pay-II) dated 31st July, 1986

(DoP&T O.M.No.3/1/85-Estt (Pay-II) dated 31st July, 1986) >
persmin.nic.in > OM & Orders > Establishment

XI. Autonomous Bodies

Autonomous Bodies are also expected to follow Government orders and guidelines issued in this regard from time to time.

DoP&AR O.M.No.26011/1/77-Estt (B) dated 18.5.1977 > persmin.nic.in>
OM & Orders > Establishment

DoP&T O.M.No.25012/8/98-Estt (A) dated 30th May, 1998) >
persmin.nic.in > OM & Orders > Establishment>superannuation.

DoPT O.M.No.26012/6/2002-Estt (A) dated 9.12.2002 Annexure-I >
persmin.nic.in > OM & Orders > Establishment

DoP&T O.M.No.26012/8/2011-Estt (A) dated 16th May, 2011) >
persmin.nic.in > OM & Orders > Establishment

No. 4-21/2017-IC/E.IIIA
Government of India
Ministry of Finance
Department of Expenditure

North Block, New Delhi-110001

Dated the 28th November, 2019

OFFICE MEMORANDUM

Subject: Date of next increment under Rule 10 of Central Civil Services (Revised Pay) Rules, 2016- Clarifications-regarding.

The undersigned is directed to invite the attention to Rule 10 of the CCS (RP) Rules, 2016 which provides for the entitlement of employees for drawal of annual increment either on 1st January or 1st July depending on the date of appointment, promotion or grant of financial upgradation. The Sub-Rule (2) thereof provides that increment in respect of an employee appointed or promoted or granted financial upgradation including upgradation under Modified Assured Career Progression Scheme (MACPS) during the period between the 2nd day of January and 1st day of July (both inclusive) shall be granted on 1st day of January and the increment in respect of an employee appointed or promoted or granted financial upgradation under MACPS during the period between the 2nd day of July and 1st day of January (both inclusive) shall be granted on 1st day of July.

2. A number of references were received in the Ministry of Finance seeking clarifications regarding drawal of next increment by the employees promoted on 1st July, 2016. On consideration of the matter, Department of Expenditure vide its Office Memorandum of even number dated 31.07.2018 has clarified that in case an employee is promoted or granted financial upgradation including upgradation under the MACP scheme on 1st January or 1st July, where the pay is fixed in the Level applicable to the post on which promotion is made in accordance with the Rule 13 of the CCS (RP) Rules, 2016, the first increment in the Level applicable to the post on which promotion is made shall accrue on the following 1st July or 1st January, as the case may be, provided a period of 6 months qualifying service is strictly fulfilled. The next increment thereafter shall, however, accrue only after completion of one year.



3. Consequent upon issue of Office Memorandum dated 31.07.2018 different Ministries/ Departments have sought clarification on applicability of DOE's O.M dated 31.07.2018 keeping in view the provisions of Rule 10 of CCS (RP) Rules 2016 , Rule 22(I)(a)(1) of Fundamental Rules & provisions of Stepping up of pay. The issues on which various Ministries/Departments have sought clarifications and decisions thereon are brought in the succeeding paragraphs.

Issue No. 1: Whether after promotion on 1st July and fixation of pay with two increments the date of next increment will be 1st January or 1st July

4. During the regime of 6th CPC, when the annual increment was admissible uniformly on 1st July every year, employees completing 6 months and above in the revised pay structure as on 1st July were eligible for grant of increment. In the 7th CPC regime there are two dates of increments 1st January and 1st July. Keeping in view the spirit of 6th CPC, O.M dated 31.07.2018 was issued providing for accrual of next increment on 1st July/1st January in respect of employees getting promotion on 1st January/1st July provided 6 months qualifying service is strictly fulfilled.

5. The instructions contained in the O.M. dated 31.07.2018 are self-explanatory in respect of the cases of promotion/financial up-gradation falling on 1st July or 1st January. These instructions provide that in case of promotion/financial up-gradation on 1st July and 1st January and getting fixation of pay in the Level applicable to the post in which promotion is made in accordance with Rule 13 of the CCS (RP) Rules 2016, the first increment in the level in which promotion is made shall accrue on the following 1st January or 1st July, as the case may be, provided a period of 6 months' qualifying service is fulfilled.

Issue No.2: Accrual of next increment in case of regular promotion/financial up-gradation of an employee on any date other than the date of annual increment and option for pay fixation is exercised under FR 22(I)(a)(1).

6. The opportunity to exercise of option for pay fixation under FR 22(I)(a)(1) is available to employees in case of promotion/financial up-gradation. Therefore, the Central Government Employee promoted on regular basis/granted financial up-gradation on any date other than the date of his/her annual increment in lower grade and exercises the option under FR 22(I)(a)(1) read with Department of Personnel & Training's OM No.13/02/2017-Estt.(Pay-I) dated 27.07.2017 for fixation

B M n 12

of pay from the date of accrual of next increment in the scale of pay in lower grade, he may be allowed the 1st increment in promotional grade on 1st January/ 1st July as the case may be after completion of 6 months' qualifying service after such fixation on 1st July/1st January (i.e., the date of increment in lower grade) on the analogy of Department of Expenditure's OM dated 31.07.2018. The next increment, thereafter, shall however, accrue only after completion of one year.

7. Since there is material change, it has also been approved that the employees who have been regularly promoted or granted financial up-gradation on or after 01.01.2016 and desire to exercise/re-exercise option for pay fixation under FR22(I)(a)(1) shall be given an opportunity to exercise or re-exercise of the option there under. Such an option shall be exercised within one month of issue of this O.M.

8. These instructions will be applicable with effect from 01.01.2016.

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

10. Hindi version of these orders is attached.



(B.K.Manthan)

Deputy Secretary to the Government of India

To

1. All Ministries/Departments as per standard list.
2. C&AG, UPSC etc. as per standard endorsement list
2. NIC, D/o Expenditure-with a request to upload the OM on website of the Department.

No. BT/Cyber/2020/CISO-2

Government of India
Ministry of Science & Technology
Department of Biotechnology

6th_8th Floor, Block No.2,
CGO Complex, Lodhi Road,
New Delhi-110003.

Dated: 5th October, 2020

OFFICE MEMORENDUM

Subject:- Best practices to mitigate cyber attacks.

Ministry of Home Affairs / Intelligence Agencies, in the recent communication has informed that recently a number of cyber-attacks carried out by State-sponsored and Criminal groups on sensitive sectors in the Government like Defence, Central Police Organizations, Education, Health etc. have come to notice. In these attacks, the cyber threat actors have predominantly used Covid-19 themed spear-phishing emails to deliver the malware on to the victim's computers. It was urged that Ministries /Government Departments need to understand the tactics of the cyber threat actors and urgently secure the internet connected systems (computers/tablets/smartphones) both at organisation as well as the user end to prevent any major breach.

2. Some of the recent tactics, techniques and procedures adopted by cyber threat actors to compromise the computers are as follows:

(i) **Spear phishing mail:** Email from known contacts or sources (either by Compromised accounts or through spoofed IDs) are sent to specific users on subject relevant to the recipient. These emails usually contain malicious links or attachments. Once the recipient opens the links or attachments, Crimson RAT (Remote Access Trojan) malware embedded in MS Office documents install and steal information from the victim computers. Currently, these actors are using Covid-19 themed spear phishing mails to deliver this malware into the victim's computers.

(ii) **Evading the traffic analysis:** Backdoor, which is delivered via a weaponised document from spear phishing email, is being used to steal sensitive information from the victim's computers. To communicate with the Command & Control Server, the malware would exfiltrate data (using standard Windows component "Background Intelligent Transfer Services-BITS) utilising small network bandwidth to avoid detection from traffic bandwidth analysis.

(iii) **Exploiting web application vulnerabilities:** Cyber threat actors are exploiting the prevailing vulnerabilities in the websites of organizations to steal data, which are meant only for authorized and authenticated users. Further such vulnerable websites are used for lateral entry for identifying sensitive systems and to carry out cyber-attacks.

(iv) **Creation of dubious Apps:** Dubious Apps developed by malicious actors on the theme of COVID-19 are being sent to targeted users through WhatsApp and other Social Media links.

(v) **DDoS attack:** In order to disrupt the essential public services and utility services, attackers are employing Distributed Denial of Service (DDoS) attack wherein, a multitude of compromised systems (bots) attack a single target, thereby causing denial of service for users of the targeted system. Attackers are also using the compromised systems of organisations to carryout DDoS attack on other entities.

3. To mitigate the cyber security threats mentioned above, Ministries/ Government Departments through their Chief Information Security Officers (CISOs) may ensure that adequate protections on the IT systems are put in place at the organisational level. Some of the best practices on organization security are given below in Section-A.

4. Further, in view of the current situation of COVID-19, many Government Departments/Organizations have adopted Work From Home (WFH) concept, where unsecured home computers are extensively used to connect to the organizational network. To mitigate the cyber security threats emanating from WFH, users may follow best practices as given below in Section-B.

5. HoD, DBT-PSUs and Autonomous Institutes are requested to report cyber incidents including DDoS, malware attack, compromise of computers etc. to undersigned as per Manual of Departmental Security Instructions (MODSI) 1994. DBT-PSUs/AIs should consider implementing National Information Security Policy and Guidelines (NISPG) issued by Ministry of Home Affairs, which provides policy and guidelines for a robust framework for ensuring cyber security.

Section-A (Organization Level)

- Implement **Application Whitelisting** to ensure only approved applications can be executed on user machines. This will be able to prevent attackers from running malware and executing malicious code on a system. Ransomware attacks by sophisticated cyber threat actors and Cyber fraud attacks can be prevented (or made difficult) with this solution.
- Enforce **Multi-Factor Authentication (MFA)** to prevent phishing attacks that steal email credentials. In case MS Office 365 is being used, MFA should be enabled. MFA should also be enabled for Windows logins, which would be effective against brute force attacks particularly using Remote Desk Protocol (RDP).
- Enable **network segregation** (partitioning of a network to keep critical parts of the infrastructure away from the internet and from less secure internal networks) to contain malicious activity and prevent successful propagation of the malware. This can prevent direct attacks on systems that should not be internet facing. Effective monitoring of log-ins and auditing of sensitive data can be put in place to ensure that the data is tracked.

- Install **anti-phishing software** that can run on the mail server and examine emails for any hyperlink containing phishing websites/malwares. This can prevent credential loss and malicious code execution through phishing.
- Ensure **Patch Management** (software running on the network is patched and up-to-date) is done on regular basis especially on servers where unpatched remote desktop software if present could lead to cyber- attacks. Else remove unused or unpatched software from computers, particularly remote desktop software. Close ports that need not be connected to the internet.
- Enforce **password policy** in the organization to ensure that a minimum strength of password is complied with across the network. This would help in preventing brute force attacks and from attackers taking advantage of default passwords.
- Periodical **audit of IT systems**.
- Legacy computers (particularly internet facing servers) to be taken off so as to reduce attack surface.
- Educate staff on phishing attacks and email compromise frauds.
- Use Firewall Access Control Lists to restrict direct network access to user machines so only approved devices are allowed to connect to them.
- Perform regular backups to allow quick restoration of impacted devices. Ensure backups are kept offline and make sure there is a recovery plan in place.
- To secure the web application, **regular Vulnerability Assessment and Penetration Testing (VAPT)** of the entire ICT systems from competent auditors and testers, may be carried out.

Remedial measures in case the system is compromised

- Disconnect the infected computers from LAN / Internet immediately.
- Remove unused or unpatched software from computers, particularly remote desktop software, if any.
- Change passwords of all email and online services from another secure computer.
- Hard disks of the infected computers may be formatted after taking backup of data files.
- Operating systems and applications should be re-installed from clean software.
- Backup data should be scanned for virus before restoring it.

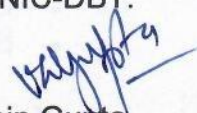
Section-B (User Level)

- Always use **genuine software**, specially Windows Operating System. Install the latest updates/patches for Operating System, Antivirus and Application software on regular basis.
- **Limit user privileges** on the computer. Create a standard user and always access Internet as a standard user but not as Administrator.

SECRET

- **Restrict remote access.** If file sharing is not required in your day-to-day work, disable file and print sharing.
- **Internet-connected computers should not be used for drafting/storing classified official documents / correspondences.**
- **Check and verify email sender IDs and web links before opening file attachments and clicking on links in emails and web pages, Be cautious of tiny URLs in Email contents.**
- **Do not open attachment** having extension: VBS, U64, SHS, PIF, SCR.
- Beware of **unsolicited contacts from individuals** in person, on the phone, or on the Internet who are seeking organisational or personal data.
- **Do not share usernames**, passwords, credit cards, bank information, salaries, computer network details, security clearances, home and office physical security and logistics, capabilities and limitations of work systems, or schedules and travel itineraries.
- **Do not provide information about yourself** that will allow others to answer your security questions-such as when using "I forgot my password" feature. Be thoughtful and limit personal information you share such as job titles, locations, hobbies, likes and dislikes, or names and details of family members, friends, and co-workers on Social Media platforms.
- Always be careful of **storing personal information** on various Social Media and other platforms.
- **Do not share financial details**, e-wallet details or banking details with anyone.
- **Protect against social engineering attacks.** Phishing emails and SMS are used to get user credentials like username, passwords, credit card and PIN numbers etc.
- Regularly **check the last log-in details** of email accounts.

It issues with the approval of Joint Secretary, Administration, DBT and DDG, NIC-DBT. Action taken report may be sent by AIs/PSUs within 15 days.


Vipin Gupta,
T.D/NIC-DBT

To:

1. M.D, BIRAC/BIBCOL/IVCOL.
2. Directors, All DBT-Autonomous Institutes.

Copy to:

1. All DBT Scientists/Officers through email.
2. Sr. PPS to SBT.

Vipin Gupta,
T.D/NIC-DBT

SECRET

No. BT/Cyber/2020/CISO-1
Government of India
Ministry of Science & Technology
Department of Biotechnology

6th_8th Floor, Block No.2,
CGO Complex, Lodhi Road,
New Delhi-110003.

Dated: 5TH October, 2020

OFFICE MEMORENDUM

Subject:- Best practices to mitigate cyber attacks.

Ministry of Home Affairs / Intelligence Agencies, in the recent communication has informed that recently a number of cyber-attacks carried out by State-sponsored and Criminal groups on sensitive sectors in the Government like Defence, Central Police Organizations, Education, Health etc. have come to notice. In these attacks, the cyber threat actors have predominantly used Covid-19 themed spear-phishing emails to deliver the malware on to the victim's computers. It was urged that Ministries /Government Departments need to understand the tactics of the cyber threat actors and urgently secure the internet connected systems (computers/tablets/smartphones) both at organisation as well as the user end to prevent any major breach.

2. Some of the recent tactics, techniques and procedures adopted by cyber threat actors to compromise the computers are as follows:

(i) **Spear phishing mail:** Email from known contacts or sources (either by Compromised accounts or through spoofed IDs) are sent to specific users on subject relevant to the recipient. These emails usually contain malicious links or attachments. Once the recipient opens the links or attachments, Crimson RAT (Remote Access Trojan) malware embedded in MS Office documents install and steal information from the victim computers. Currently, these actors are using Covid-19 themed spear phishing mails to deliver this malware into the victim's computers.

(ii) **Evading the traffic analysis:** Backdoor, which is delivered via a weaponised document from spear phishing email, is being used to steal sensitive information from the victim's computers.

(iii) **Creation of dubious Apps:** Dubious Apps developed by malicious actors on the theme of COVID-19 are being sent to targeted users through WhatsApp and other Social Media links.

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3. To mitigate the cyber security threats mentioned above, Ministries/ Government Departments may ensure that adequate protections on the IT systems are put in place at the organisational level.

4. Further, in view of the current situation of COVID-19, many Ministries /Government Departments have adopted Work From Home (WFH) concept, where unsecured home computers are extensively used to connect to the organizational network. All DBT officers/officials are requested to report cyber incidents including malware attack, compromise of computers etc. to undersigned immediately. To mitigate the cyber security threats emanating from WFH, officers/officials may follow best practices as given below:

- Always use **genuine software**, specially Windows Operating System. Install the latest updates/patches for Operating System, Antivirus and Application software on regular basis.
- **Limit user privileges** on the computer. Create a standard user and always access Internet as a standard user but not as Administrator.
- **Restrict remote access**. If file sharing is not required in your day-to-day work, disable file and print sharing.
- **Internet-connected computers should not be used for drafting/storing classified official documents / correspondences.**
- **Check and verify email sender IDs and web links** before opening file attachments and clicking on links in emails and web pages, Be **cautious of tiny URLS** in Email contents.
- **Do not open attachment** having extension: VBS, U64, SHS, PIF, SCR.
- Beware of **unsolicited contacts from individuals** in person, on the phone, or on the Internet who are seeking organisational or personal data.
- **Do not share usernames**, passwords, credit cards, bank information, salaries, computer network details, security clearances, home and office physical security and logistics, capabilities and limitations of work systems, or schedules and travel itineraries.
- **Do not provide information about yourself** that will allow others to answer your security questions-such as when using "I forgot my password" feature. Be thoughtful and limit personal information you share such as job titles, locations, hobbies, likes and dislikes, or names and details of family members, friends, and co-workers on Social Media platforms.
- Always be careful of **storing personal information** on various Social Media and other platforms.
- **Do not share financial details**, e-wallet details or banking details with anyone.
- **Protect against social engineering attacks**. Phishing emails and SMS are used to get user credentials like username, passwords, credit card and PIN numbers etc.

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- Regularly **check the last log-in details** of email accounts.

It issues with the approval of Joint Secretary, Administration, DBT and DDG, NIC-DBT


Vipin Gupta,
T.D/NIC-DBT

To:

- i. Sr. PPS to SBT.
- ii. All DBT Scientists/Officers through noticeboard.

SECRET



सत्यमेव जयते

Guidelines for E-mail Account Management and Effective E-mail Usage

**June 2018
Version 1.1**

**Ministry of Electronics and Information Technology
Government of India
New Delhi – 110003**

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1. Introduction:

- 1.1 Government of India has formulated the **“E-mail Policy of Government of India”**. This document supports the implementation of this policy by providing necessary guidelines regarding **“E-mail Account Management and Best Practices for Effective E-mail Usage”**.

2. E-mail Account Management

2.1 Creation of E-mail Addresses

Based on the request of the respective organizations, IA will create two ids, one based on the designation and the other based on the name. Designation based id's are recommended for officers dealing with the public. For ids created based on designation, it is strongly recommended that One Time password (OTP)^[3] is used for authentication. Use of alphanumeric characters as part of the e-mail id is recommended for sensitive users as deemed appropriate by the competent authority.

- a) In addition to the government users as mentioned in the “E-mail Policy” of Government of India , accounts for outsourced/contractual^[4] employees shall also be created after due authorization from the competent authority of that respective organization^[5]. These accounts shall be created with a pre-defined expiry date and shall be governed by the “E-mail Policy of Government of India”.
- b) Account can be created by the authorized person from an organization by using the “Delegated Admin Console” or by routing their request to IA. For more details refer to the “E-mail Policy of Government of India”.

2.2. Process of Account Creation

- a) An e-mail account has to be created for every user in an organization. The user needs to request for an account by filling the form available on the e-mail site and send it to the nodal officer of respective organisation.
- b) The nodal officer of an organization shall authorize creation of new e-mail accounts.
- c) The e-mail account is created based on the NIC e-mail addressing policy available at <http://www.meity.gov.in/content/email-policy> under the caption "E-mail Policy".
- d) If a user organization wants to adopt an addressing policy that represents their identity, the IA would need to be informed by the user organization. However "id" uniqueness needs to be maintained. Hence prior to sending a request for "id" creation, nodal officer should use the "idlookup" tool available on the IA's e-mail site to ensure "id" availability.

2.3 Process of Handover of Designation Based E-mail Ids

- a) Users shall hand over the designation based id to their successor prior to moving out of the office. User can continue to use the name based id assigned to them on the Government e-mail service during their entire tenure in Gol.
- b) Prior to leaving an organization on transfer, the user to whom the designation based id had been assigned shall ensure that the password for the id is changed. The successor shall need to get the password reset after taking over the post.
- c) The nodal officer in each organization shall ensure that the password is changed prior to giving "No-Dues" to the user.

- d)** The above process shall be followed without any exception. If an id is misused, the respective nodal officer of each organization shall be held accountable.
- e)** The nodal officer and the user shall inform the IA prior to their superannuation/transfer of the user by sending an e-mail to support@gov.in

2.4 Data Retention

- a)** Users are responsible for e-mails saved in their folders as they deem appropriate for e.g. Inbox, Sent Mail, any other folder created by the user. E-mails shall be automatically purged from 'Trash' and "Probably Spam ^[6]" folders after a specified time period by the IA.

2.5 Data Backup

- a)** The IA takes a backup of the e-mail data on a regular basis to ensure timely recovery from a system failure/crash/loss impacting the service.
- b)** Each user is responsible for the individual e-mails stored in their folders. The IA shall not be responsible for any accidental deletion of e-mails by the user.
- c)** E-mails lost as a result of wrong configuration of the local mail clients (e.g. Outlook/Eudora/Thunderbird, etc) shall not be the responsibility of the IA.
- d)** The IA shall not offer a service for restoration of lost data due to an action committed by the user.
- e)** In the eventuality of a disaster/calamity, all possible attempts to restore services and content shall be made. However, in circumstances beyond the control of the IA, it would not be held responsible for loss of data and services.

2.6 Deactivation of Accounts:

2.6.1 Deactivation ^[7] or deletion of an account shall occur under the following conditions:

- a) **The officer retires/resigns from Service:** The user shall surrender their official designation based account prior to getting relieved from the service. However, name based e-mail addresses can be retained as per the conditions specified in clause 2.8 below. It is mandatory for the users to inform the IA regarding their superannuation/resignation by sending a mail to support@gov.in
- b) **The officer is no longer in a position to perform his duties** (death/missing, etc).The name based e-mail id of the user shall be deleted by the IA. The nodal officer of that respective organisation shall inform the IA by sending a mail to support@gov.in
- c) **Inactive account:** Any account which is inactive for a period of 90 days shall be deactivated under intimation to the concerned department. The user id along with the data shall be deleted from the e-mail system after a period of 180 days, if no request for activation is received during this period. Subsequently, all formalities shall need to be completed for re-opening of the said account with the same id, subject to availability. In such cases, data from the backup shall not be restored.
- d) **Violation of policy:** The authorized person at the organization under whose request the account has been created shall inform the IA when any of the above conditions are triggered. Intimation shall be sent to support@gov.in
- e) **Misuse of account:** Whenever information is not sent

or sent at a later date, the IA shall not be responsible in case the account is misused and comes under the scrutiny of the designated investigating agencies.

- 2.6.2** Based on the conditions above, and as per the status of the officer, competent authority of respective organizations shall introduce a process to ensure that e-mail id is either deactivated/deleted/password changed, prior to giving “no-dues” to a user

2.7 Desktop Protection

- a)** Spam filters and anti-virus filters have been configured at the e-mail gateways by the IA. These filters are there to protect the e-mail setup from viruses and unsolicited e-mail. Whilst these filters are constantly updated, the IA cannot guarantee that it shall provide 100% protection against all viruses and spam.
- b)** Users using the desktop/laptop/handheld devices shall ensure that all recommended best practices are followed from time to time.

2.8 Status of account in case of Resignation or Superannuation

- a)** At the time of resignation or superannuation, users shall inform the nodal officer/IA regarding their resignation or superannuation through the competent authority.
- b)** The nodal officer/IA shall accordingly change the user's account status. This shall be made mandatory before the concerned organization gives a “No-Dues” certificate to the user and the retirement benefits are processed.
- c)** The designation based id shall be processed as mentioned against clause no 2.3 above.
- d)** As mentioned in the “E-mail Policy of Government of India”,

a user who resign or superannuate after rendering at least 20 years of service shall be allowed to retain the e-mail address [userid@gov.in](mailto:user@gov.in) for one year post resignation or superannuation. Subsequently, a new e-mail address with the same user id but with a different domain address (for instance, [userid@pension.gov.in](mailto:user@pension.gov.in)), would be provided by the IA for their entire life. It is expected that within one year, users shall change the e-mail address at all places as required by them. During this one year, if the name based account is not used for a period of 90 days, the account shall be deleted and no request for activation shall be accepted by the IA.

- e) The use of the account post retirement shall be governed by the current policy and subsequent updates of the same.
- f) Availability of a government e-mail id post retirement does not entail an employee to any remuneration.
- g) In case a user resigns from service before completion of 20 years, the name based e-mail id shall be deleted as part of the “No-Dues” process. These needs to be ensured by the competent authority of each organization and the IA accordingly shall be informed.

3. Secure access of Gol E-mail services for Officials stationed outside India/ working in Sensitive Offices.

- 3.1 Officials shall be issued the VPN token after completing the registration process as indicated on the IA's VPN services site (<http://vpn.nic.in>). For any queries/troubleshooting, mail can be sent to vpnsupport@gov.in. OTP shall be delivered using easy to access channels like mobile agents/SMS/alternate e-mail address (preferably from a service provider within India)/hard and soft tokens. NIC shall issue the OTP token based on user's request and preferred mode of access.

- 3.2** Prior to integration of VPN and OTP with the e-mail services, a pilot will be conducted with select missions abroad and changes in the deployment will be introduced based on challenges encountered, if any.

4. Recommended Best Practices

Users are advised to adopt the following best practices for safe usage of e-mail services.

- a)** All users must check their last login details while accessing their e-mail accounts by using the application created for this purpose. More details are available in the “NIC Services and Usage Policy” available at <http://www.meity.gov.in/content/email-policy> under the caption “E-mail Policy”. This application helps in making users aware of any unauthorized access to their account.
- b)** Use of encryption and DSC ^[8] is mandatory for sending any mail deemed as classified or sensitive.
- c)** It is strongly recommended for users working in sensitive offices to use OTP for secure authentication.
- d)** The user should change passwords on a periodic basis or as per the password policy available at <http://www.meity.gov.in/content/email-policy> under the caption “E-mail Policy”.
- e)** It is recommended that the users should logout from their mail accounts whenever they leave the computer unattended for a considerable period of time. The current e-mail application of the IA has an auto-logout feature that is triggered after a pre-defined period of inactivity.
- f)** Other than Government websites, the e-mail ids and e-mail address assigned on the Government e-mail service should not be used to subscribe to any service on any website. Mails received from sites outside the Government may contain viruses, Trojans, worms or other unsafe contents.

F. No. 2(22)/2013-EG-II
Ministry of Electronics & Information Technology

- g)** It is strongly recommended that the users use the latest version of their Internet browser for safe browsing.
- h)** The “save password” and auto complete features of the browser should be disabled.
- i)** The files downloaded from the Internet or accessed from the portable storage media should be scanned for malicious contents before use.
- j)** To ensure integrity of the downloaded files, digital signatures/hash values should be verified wherever possible.
- k)** Before accepting an SSL ^[9] certificate, the user should verify the authenticity of the certificate. User should type the complete URL ^[10] for accessing the e-mails rather than click on a mail link for access. This is recommended to avoid phishing ^[11] attacks.
- l)** The IA does not ask for details like login id and password over e-mail. Users should disregard any e-mail that requests for the same, and should refrain from sharing such details over e-mail with anyone.
- m)** Sending an e-mail with an infected attachment is the most common means adopted by a hacker to send malicious content. Hence, it is mandatory to install and maintain latest operating system, anti-virus and application patches to prevent infection.
- n)** All attachments must be scanned with an anti virus program before they are downloaded/executed, even if such e-mails are received from a familiar source.
- o)** User should exercise caution while forwarding mails as they may contain malware. User should ensure authenticity of the source and safe nature of the attachments before forwarding any mail.
- p)** E-mails identified as spam are delivered in the “Probably Spam” folder that exists in the user’s mailbox. Hence it is recommended that the users should check the “Probably Spam” folder on a daily

basis.

- q)** Attachments should be opened only when the user is sure of the nature of the e-mail. If any doubt exists, the user should contact the sender to verify the authenticity of the e-mail and/or the attachment.
- r)** User should use due discretion while creating classified and sensitive documents. Unless required otherwise, the documents should be created in manner that it cannot be edited.
- s)** Users should not open e-mails from dubious sources.
- t)** User should exercise caution in opening mails where links are embedded in the mail. The authenticity and the safe nature of the link should be ascertained before clicking the link.

GLOSSARY

S.No	TERM	DEFINITION
1.	Implementing agency (IA)	For the purpose of E-mail policy, the implementing agency is "National Informatics Centre"
2.	User	Refers to Government/State/UT employees/contractual employees who are accessing the Government services
3	OTP	A one-time password (OTP) is a password that is valid for only one login session or transaction. OTPs avoid a number of shortcomings that are associated with traditional (static) passwords
4	Outsourced/contractual employees	An employee who works under contract for Gol. A contract employee is hired for a specific job or assignment. A contract employee does not become a regular addition to the Gol staff and is not considered a permanent employee of Gol
5	Organization	For the purpose of this policy, organisation refers to all ministries/departments/offices/statutory bodies/autonomous bodies, both at the central and state level. Government organizations offering commercial services are not included
6	SPAM	Spam is the use of e-mail systems to send unsolicited bulk e-mails, especially advertising, indiscriminately.
7	Deactivation	Deactivation of an account means that the account can no longer be accessed. All e-mails sent to a deactivated account shall bounce to the sender
8	DSC	A digital signature is a mathematical scheme for demonstrating the authenticity of a digital message or document. A valid digital signature gives a recipient reason to believe that the e-mail was created by a known sender, such that the sender cannot deny having sent the e-mail (authentication and non-repudiation) and that the e-mail was not altered in transit (integrity).

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9	SSL	The Secure Socket Layer (SSL) is the most widely deployed security protocol used today. It is essentially a protocol that provides a secure channel between two machines operating over the Internet or an internal network. In today's Internet focused world, the SSL protocol is typically used when a web browser needs to securely connect to a web server over the inherently insecure Internet.
10	URL	URL stands for Uniform Resource Locator . A URL is a formatted text string used by Web browsers, e-mail clients and other software to identify a network resource on the Internet. Network resources are files that can be plain Web pages, other text documents, graphics, or programs.
11	Phishing	Phishing is a fraudulent attempt, usually made through e-mail, to steal a user's personal information. Phishing e-mails almost always tell a user to click a link that takes the user to a site from where the personal information is requested. Legitimate organisations would never request this information via e-mail. Users should never click on a link. A user should always type a URL in the browser even if the link appears genuine.

21/1/2014-CS.I (PR/CMS)
Government of India
Ministry of Personnel, PG and Pensions
Department of Personnel & Training

2nd Floor, Lok Nayak Bhavan, New Delhi-110003

Dated the December, 2015

OFFICE MEMORANDUM

Subject: Web Based Cadre Management System – updation of data of CSS/CSSS/CSCS officers

As Ministries/Departments are aware, the Web Based Cadre Management System for CSS, CSSS and CSCS has been operational since January, 2013. The system is hosted at **cscms.nic.in**. Despite lapse of more than two years, complete and upto date data is still not available in the system in respect of several officers. The prime objective of the web based system is to ensure accurate real time data of all the officers to enable quicker decisions relating to cadre management functions. Unless the data is maintained upto date, the purpose of the web based system will be defeated.

2. Nodal Officers in all the Ministries/Departments are, therefore, requested as under:

(a) **Employee module:** Nodal officers should ensure that correct and up to date personal information in respect of all personnel posted there is available. Nodal officers have been empowered to modify/correct (i) Employee details (ii) Basis Details (iii) Address details (iv) Training details and (v) qualification details. All the officers belonging to CSS/CSSS/CSCS may also be advised to verify their data in the system and bring discrepancies to the notice of the nodal officers for correction. If there is any difficulty in this regard, nodal officers should call CMC Ltd. Engineers at Tele: 24629890.

(b) **Experience and Promotion data:** CS.I Division will modify data in these two fields. If any modification is required duly certified information may be sent to CS Division for correction.

(c) **Pay:** Please ensure that pay of the officer is correctly indicated in the system. After drawl of increment on 1st July every year the data should be corrected.

(d) **APAR:** Ensure that APAR grading is entered in the system and the APAR is scanned and uploaded in the system. If there is any difficulty in this regard, please call the CMC Ltd. Engineers at Tele: 24629890.

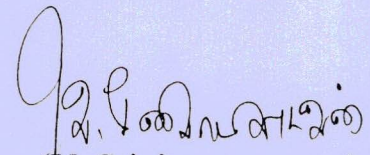
- (e) **IPR and Lokpal return:** All the officers of CSS/CSSS/CSCS are requested to file their returns online. It may be noted that defaulting officers will not be granted cadre clearance for deputation, foreign training, empanelment etc.
- (f) **Deputation:** Ensure that all Officers apply for cadre clearance through the system. If any application is received in CS.I Division without online application it will not be entertained. Prior to forwarding application online, nodal officers should also ensure that correct and up to date information of the officer concerned is available in the system.
- (g) **Foreign Training:** All nominations for foreign training should be processed through the web based cadre management system in respect of all Officers. Their reliving for the training will also be updated in the system to capture the details of foreign trainings attended. If the training period is more than three months, the nodal officers will forward the online request to CS.I Division for cadre clearance in respect of US and above level officers.
- (h) **Domestic Training:** All nominations for domestic training should be processed through the web based cadre management system in respect of all officers. If the training period is exceeding one year, the nodal officers will forward the online request to CS.I Division for further processing in respect of US and above level officers.
- (i) **Permission to visit abroad:** All requests for private foreign visits should be processed through the web based cadre management system to capture such information.
- (j) **Furnishing of information of death of an employee:** In case of death of an employee, the nodal officer of the Ministry/Department concerned will henceforth immediately update the information in the web based system to enable capture of the vacancy to facilitate provision of a substitute.
- (k) **Furnishing of information of long leave of an employee:** If any employee proceeds on leave for six months or more, the nodal officer concerned should update the information in the web based system immediately to capture the vacancy to facilitate provision of a substitute.
- (l) **Voluntary Retirement:** CS.I Division conveys approval of MoS (PP) for voluntary retirement of US and above level officers of CSS. Henceforth, if the request for voluntary retirement is not received through the system, the same will not be entertained.
- (m) **Resignation:** Resignation requests from employees should be obtained and processed in the web based system so that such vacancies are brought to the notice of the cadre controlling authority immediately.

(n) **Technical resignation:** Requests for technical resignation to join another employment under the Government should also be obtained and processed in the web based cadre management system.

(o) **Vigilance status:** Vigilance clearance whenever required in connection with cadre management activities will be sought and obtained through the system. In respect of US and above level officer it will be updated both by the Ministries/Department and by AVD.I of DoP&T. Upto SO level, Ministries/Departments will update the system.

3. This circular may be brought to the notice of all CSS Officers for their information and active cooperation to ensure correctness of data.

4. Nodal officers may also depute their subordinates to CS.I Division to clear doubts if any about the functioning of the system.



(N. Srinivasaragavan)

Under Secretary to the Govt. of India

Tele.: 24629412

To

Ministries/ Departments

Director/Deputy Secretary (Administration)

F. No. 21/01/2016/CS-I(PR/CMS)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training
CS-I (IPR/CMS) Section

Lok Nayak Bhawan, New Delhi
Dated August 19, 2016

OFFICE MEMORANDUM

Subject : Updation of data in Central Secretariat Cadre Management System

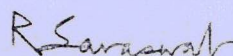
The undersigned is directed to state that this Department has been issuing instructions from time to time for regular updation of data of Central Secretariat Service officers in the Web Based Cadre Management System. These instructions are available on the website of this Department at the link - http://persmin.nic.in/DOPT_CSDivision_Index.asp under classification 'Web Based Cadre Management'.

2. As part of PMO and Niti Ayog's initiatives/ focused areas, a dashboard for CSS officers is to be operationalized. The dashboard would prominently display the incumbency position in various departments along with the service particulars/ vigilance status/ APARs entries of the incumbent CSS officers.

3. In this regard, all Ministries/ Departments are requested to please inform the incumbency position/names of CSS officers of SO and above Grades to CS-I Division so that the process of identifying incomplete data can be initiated. This information may please be provided as a Microsoft Office Excel file in the following format for the various Grades of Section Officer and above by 31.08.2016. The data may also please be sent by email at the email address - uscs1-dopt@nic.in.

INCUMBANCY POSITION OF CSS OFFICERS						
Ministry/ Department -				Position as on 15.08.2016		
S. No.	Name of Officer	Designation	Date of Birth	Since when posted	Whether data is complete ? (Y/N)	Remarks, if any

4. All Ministries/ Departments are also requested to take suitable steps for updation of data in CSCMS, if not done already.


(Raju Saraswat)
Under Secretary (IPR/CMS)

To

Joint Secretary (Administration) of all Ministries/ Departments

To,

1. Joint Secretary (Admin.), D/o Agriculture & Cooperation, Krishi Bhavan, New Delhi
2. Joint Secretary (Admin.), D/o Agriculture Research & Education, Krishi Bhavan, New Delhi
3. Joint Secretary (Admin.), D/o Administrative Reforms & Public Grievances, Sardar Patel Bhavan, Parliament Street, New Delhi
4. Joint Secretary (Admin.), M/o AYUSH, "AYUSH Bhawan", B Block, G.P.O. Complex, INA, New Delhi-110023
5. Joint Secretary (Admin.), D/o Biotechnonology, Block No. 2, CGO Complex, Lodhi Road, New Delhi
6. Joint Secretary (Admin.), D/o of Animal Husbandry, Dairying and Fisheries, Krishi Bhavan, New Delhi
7. Joint Secretary (Admin.), Cabinet Secretariat, Rastrapati Bhawan, New Delhi
8. Joint Director, Delhi Zone, CBI Headquarters, Plot No 5-B, 4th, Floor, CGO Complex New Delhi-110003
9. Joint Secretary (Admin.), D/o Chemicals & Petro-Chemicals, Shastri Bhavan, New Delhi
10. Joint Secretary (Admin.), M/o Civil Aviation, 'B' Wing, Rajiv Gandhi Bhavan, Near Safdarjung Airport, New Delhi
11. Joint Secretary (Admin.), M/o Coal, Shastri Bhawan, New Delhi
12. Joint Secretary (Admin.), D/o Commerce, Udyog Bhavan, New Delhi
13. Joint Secretary (Admin.), Department of Consumer Affairs, Krishi Bhawan, New Delhi - 110114.
14. Joint Secretary Admin.), M/o Culture, Shastri Bhavan, New Delhi.
15. Joint Secretary (Admin.), Department of CIC
16. Joint Secretary (Admin.), M/o Defence, South Block, New Delhi
17. Joint Secretary (Admin.), Department of Defence Production, South Block, New Delhi
18. Joint Secretary (Admin.), Department of Defence Research and Development, South Block, New Delhi
19. Joint Secretary (Admin.), M/o Development of North Eastern Region, Vigyan Bhawan Annexe, New Delhi.
20. Joint Secretary (Admin.), Department of Ex-Servicemen Welfare, South Block, New Delhi
21. Joint Secretary (Admin.), Ministry of Drinking Water and Sanitation, C Wing, 4th floor Paryavaran Bhawan, CGO Complex Lodhi Road, New Delhi
22. Joint Secretary (Admin./Estt), Department of Disability Affairs, Shastri Bhawan, New Delhi
23. Joint Secretary (Admin.), Department of Investment and Public Asset Management, CGO Complex, New Delhi
24. Joint Secretary (Admin.), D/o Economic Affairs, North Block, New Delhi
25. Joint Secretary (Admin.), D/o of Electronics & Information Technology, Electronics Niketan, 6, CGO Complex, New Delhi
26. Joint Secretary (Admin.), M/o Environment, Forests & Climate Change, Indira Paryavaran Bhavan, Prithi Block, Aliganj, Jor Bagh Road, New Delhi-110003
27. Joint Secretary (Admin.), Department of Expenditure, North Block, New Delhi
28. Joint Secretary (Admin.), D/o Fertilizers, Shastri Bhawan, New Delhi
29. Joint Secretary (Admin.), D/o Financial Services, Jeevan Deep Building, Parliament Street, New Delhi.
30. Joint Secretary (Admin.), M/o Food Processing Industries, Panchsheel Bhawan August Kranti Marg, Near Shree Fort, New Delhi
31. Joint Secretary (Admin.), D/o Food & Public Distribution, Krishi Bhavan, New Delhi
32. Joint Secretary (Admin.), D/o Health & Family Welfare, Nirman Bhawan, New Delhi
33. Joint Secretary (Admin.), Department of Heavy Industries, Udyog Bhawan, New Delhi.
34. Joint Secretary (Admin.), Ministry of Home Affairs, North Block, New Delhi
35. Joint Secretary (Admin.), Ministry of Human Resource Development, D/o Secondary & Higher Education, Shastri Bhawan C-Wing, Dr. Rajendra Prasad Road, New Delhi.
36. Joint Secretary (Admin.), D/o Industrial Policy & Promotion, Udyog Bhavan, New Delhi
37. Joint Secretary (Admin.), M/o Information & Broadcasting, Shastri Bhawan, Dr Rajendra Prasad Road, New Delhi.
38. Joint Secretary (Admin.), Inter-State Council Secretariat, Vigyan Bhawan Annexe, New Delhi
39. Director, ISTM, JNU old campus, Olof Palme Marg, Munirka, New Delhi-110067
40. Joint Secretary (Admin.), M/o Labour & Employment, Sharam Shakti Bhavan, New Delhi

41. Joint Secretary (Admin.), D/o Legal Affairs, Shastri Bhavan, New Delhi
42. Joint Secretary (Admin.), D/o Legislative, Shastri Bhavan, New Delhi
43. Joint Secretary (Admin.), D/o Micro, Small & Medium Enterprises, Udyog Bhavan, New Delhi
44. Joint Secretary (Admin.), M/o Minority Affairs, Paryavaran Bhavan, CGO Complex, Lodhi Road, New Delhi
45. Joint Secretary (Admin./Estt), Ministry of Mines, Shastri Bhawan, New Delhi
46. Joint Secretary (Admin.), NATGRID, 2nd Floor, Vijaya Building, 17, Barakhamba Road, New Delhi-110001
47. Joint Secretary (Admin.), Ministry of New & Renewable Energy, Block No. 14, C.G.O Complex, Lodhi Road, New Delhi
48. Joint Secretary (Admin), National Disaster Management System Bhawan, A-1 Safdarjung Enclave, New Delhi.
49. Joint Secretary (Admin.), National Commission for Scheduled Castes, 5th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110003 *NCC Bldg, Jai Singh Road,*
50. Joint Secretary (Admin.), D/o Official Language, ~~Lok Nayak Bhawan, Khan Market, New Delhi~~
51. Joint Secretary (Admin.), M/o Overseas Indian Affairs, Akbar Bhavan, Chanakyapuri, New Delhi
52. Joint Secretary (Admin.), M/o Panchayati Raj, 11th Floor, Jeevan Prakash Building, 25, K.G. Marg, New Delhi
53. Joint Secretary (Admin.), D/o Pensions & Pensioners Welfare, Lok Nayak Bhavan, Khan Market, New Delhi
54. Joint Secretary (Admin.), Prime Minister's Office, South Block, New Delhi
55. Joint Secretary (Admin), M/o Petroleum & Natural Gas, Shastri Bhavan, New Delhi
56. Joint Secretary (Admin), NITI Aayog, Yojna Bhavan, New Delhi
57. Joint Secretary (Admin.), D/o Posts, Dak Bhavan, Parliament Street, New Delhi.
58. Joint Secretary (Admin) M/o Power, Sharam Shakti Bhavan, New Delhi
59. Joint Secretary (Admin.), D/o Public Enterprises, CGO Complex, Lodhi Road, New Delhi
60. Joint Secretary (Admin.), D/o Pharmaceuticals, Room No. 514, Udyog Bhawan, New Delhi
61. Joint Secretary (Admin.), D/o Revenue, North Block, New Delhi
62. Joint Secretary (Admin.), The Registrar General of India, Man Singh Road, New Delhi
63. Joint Secretary (Admin.), D/o Road Transport & Highways, Transport Bhavan, New Delhi
64. Joint Secretary (Admin.), M/o Rural Development, Krishi Bhavan, New Delhi
65. Joint Secretary (Admin.), D/o Science & Technology, Technology Bhavan, New Mahrauli Road, New Delhi
66. Joint Secretary (Admin.), D/o Scientific Industrial Research, Anusandhan Bhawan, Rafi Marg, New Delhi
67. Joint Secretary (Admin) D/o Shipping, Transport Bhavan, New Delhi
68. Joint Secretary (Admin), M/o Skill Development & Entrepreneurship, 2nd Floor, Shaheed Bhagat Singh Marg, Shivaji Stadium, Connaught Place, New Delhi.
69. Joint Secretary (Admin), D/o Social Justice & Empowerment, Shastri Bhavan, New Delhi.
70. Joint Secretary (Admin), Staff Selection Commission, CGO Complex, Lodhi Road, New Delhi.
71. Joint Secretary (Admin.), M/o Statistics & Programme Implementation, Sardar Patel Bhavan, Parliament Street, New Delhi
72. Joint Secretary (Admin.), M/o Steel, Udyog Bhavan, New Delhi
73. Joint Secretary (Admin.), D/o Supply, Nirman Bhavan, New Delhi
74. Joint Secretary (Admin.), D/o Telecommunication, Sancha Bhavan, New Delhi.
75. Joint Secretary (Admin), M/o Tourism, Transport Bhavan, New Delhi.
76. Joint Secretary (Admin), M/o Tribal Affairs, Shastri Bhavan, New Delhi.
77. Joint Secretary (Admin.), M/o Textiles, Udyog Bhavan, New Delhi
78. Joint Secretary (Admin) Union Public Service Commission, Dholpur House, Shahjahan Road, New Delhi.
79. Joint Secretary (Admin), M/o Urban Development, Nirman Bhavan, New Delhi.
80. Joint Secretary (Admin.), M/o Housing & Urban Poverty Alleviation, Nirman Bhavan, New Delhi
81. Joint Secretary (Admin.), Department of Sports, Shastri Bhavan, New Delhi.
82. Joint Secretary (Admin), M/o Water Resources, River Development and Ganga Rejuvenation Sharam Shakti Bhavan, New Delhi.
83. Joint Secretary (Admin), M/o Women & Child Development, Shastri Bhavan, New Delhi.

84. Joint Secretary (Admin), D/o Youth Affairs, Shastri Bhavan, New Delhi.

85. Joint Secretary (Admin), D/o Space, 3rd Floor, Lok Nayak Bhavan, New Delhi

86. Joint Secretary (Admin), D/o Atomic Energy, Anushakti Bhavan, C.S.M. Marg,
Mumbai - 400 001, India.

Government of India
Ministry of Science & Technology
Department of Biotechnology
(PPVC Section)

No.BT/01/35/2015-PPVC-Vol-IV

Dated: 20th October, 2016

OFFICE MEMORANDUM

Subject : Strict compliant of DAVP policy-reg.

The undersigned is directed to forward herewith a copy of the D.O.letter No. 331/2/2/2014-CA III/CA V dated 30.09.2016 received from Cabinet Secretary, Cabinet Secretariat, New Delhi on the subject mentioned above for strict compliance of the Directorate of Advertising and Visual Publicity (DAVP), Ministry of information and Broadcasting's policy.

Encl: As above

R. Lakshmi Devi
(R. Lakshmi Devi)
Under Secretary
Tele: 24366268

To

All Divisional Heads in DBT and Nodal Officers of AIs/PSUs of DBT.

प्रदीप कुमार सिन्हा
PRADEEP K. SINHA



मंत्रिमंडल सचिव
भारत सरकार
CABINET SECRETARY
GOVERNMENT OF INDIA

सचिव जी.बी.टी.
Secretary DBT

N. N. J.



D.O.No-331/2/2014-CA III/CA V

Dated : 30 September 2016, 2016

Dear Secretary,

As you are aware, the Directorate of Advertising and Visual Publicity (DAVP), Ministry of Information & Broadcasting is mandated for production and release of advertisements on behalf of the Government of India. This is to ensure uniformity & consistency of content across all Ministries besides ensuring wide coverage of Government schemes and programmes. As per the existing Advertisement Policy of the Government of India, all Ministries/Departments are required to route their advertisements, including display advertisements, through the DAVP. In so far as recruitment advertisements and tender notices are concerned, these can be issued directly also on DAVP rates.

2. It has been brought to my notice that despite clear Policy Guidelines, certain Ministries/Departments and other agencies of the Government of India especially PSUs and Autonomous Bodies, are issuing their advertisements directly without routing them through DAVP. Issuing advertisements without routing them through DAVP is not only in contravention of the existing policy of the Government of India, but it also results in extra expenditure as the Ministries/Departments concerned are not able to get the DAVP rates which are lower than the normal rates of newspapers. Besides, they are also deprived of the benefit of 15% Agency Commission which is ploughed back to the Ministry/Department concerned by the DAVP.

3. You are, accordingly, directed to ensure strict compliance of the above policy by your Ministry and also issue appropriate directions immediately to the Attached offices/Subordinate offices, PSUs and Autonomous Bodies etc. under your administrative jurisdiction for the same. The action taken in this regard may please be conveyed to Secretary, Information & Broadcasting under intimation to Cabinet Secretariat, at the earliest.

With regards,

Yours sincerely,

(P. K. Sinha)

Prof. K. Vijay Raghavan
Secretary,
Deptt. of Bio-technology
New Delhi

No. 26(1)/2014/judl.
Government of India
Ministry of Law & Justice
Department of Legal Affairs
Judicial Section

New Delhi the 1st October, 2015

OFFICE MEMORANDUM

Sub: Revision of fee payable to various categories of Central Government counsel.

In partial modification to this Department's various OMs issued from time to time, the undersigned is directed to convey approval of Competent Authority for the revision of the fee structure applicable to Government counsels of all the categories with immediate effect as per the details given below:-

(A)

The Fee structure applicable to Group 'A' 'B' and 'C' panel Counsel in Supreme Court:-

Sl.No.	Item of work	Revised fee Group 'A' Panel Counsel	Revised fee Group 'B' & 'C' Panel Counsel
1.	All Regular Appeals and defended Writ Petitions(for final hearing)	₹13,500/-per case per day	₹ 9,000/- per case per day
2.	All defended Admission matters (SLP/TP and writ petitions & other misc. matters for admission)	₹ 9,000/-per case per day	₹ 4,500/-per case per day
3.	Settling of pleadings	₹ 5,250/- per case	----
4.	Appearance in Miscellaneous Applications	₹ 4,500/-per case	----
5.	Conference	₹ 900/- per conference	----
6.	Out of Head quarter	₹ 13,500/- daily fee for the days of his absence from HQ	₹ 9,000/- daily fee for the days of his absence from HQ.
7.	Conveyance charges for performing local journey while outside Headquarter.	₹ 1, 500/-	₹ 1,500/-
8.	Clerkage	NIL	NIL
9.	Drafting SLP/Counter Affidavit/Rejoinder etc.	---	₹ 3,000/- per case
10.	Drawing Written Submission	---	₹ 3,000/- per case

11.	Drafting or Appearance in Miscellaneous Applications (including mentioning of the case/Caveat/Clearance/obtaining the number and taking date for hearing)	---	₹ 3,000/-per case
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All other terms and conditions applicable to Group 'A', 'B' and 'C' Panel Counsel in Supreme Court in the pre-revised OM No. 21(04)/1999-Judl. dated 24.09.1999 read with OM No. 21(05)/ 2011-Judl. dated 01.10.2011 shall continue to remain applicable unless specifically revoked/revised.

(B)

The Fee structure applicable to Assistant Solicitors General of various High Courts, Central Government Standing Counsel of Delhi High Court (CGSC), Senior Central Government Standing Counsel (Sr. CGSC) of various Benches of CAT and Senior Panel Counsels in various High Courts/ CAT Benches (excluding the High Courts of Bombay and Calcutta) as per the following rates:-

Sl. No.	Item of work	Revised fee
1.	Retainer Fee of:- Assistant Solicitor General of various High Courts, Central Government Standing Counsel of Delhi High Court (CGSC) and, Senior Central Government Standing Counsel (Sr. CGSC) of various Benches of CAT .	₹ 9000/- per month.
2.	Suits, Writ Petitions and Appeals, including oral Applications for Leave to Appeal to Supreme Court in Writ Petitions.	₹ 9000/- per case per day of effective hearing in case of non-effective hearing ₹ 1500/- per day subject to a maximum of 5 hearing
3.	Application for Leave to Appeal to Supreme Court in Writ Petitions.	₹ 3000/- per case
4.	Settling pleadings	₹ 3000/- per case
5.	Miscellaneous Application	₹ 3000/- per case
6.	Conference	₹ 900/- per conference subject to:- (i) for setting pleadings- one conference. (ii) In respect of hearing of Writ matters, Suits, appeals and Supreme courts leave applications etc- Three conference (Maximum)
7.	Miscellaneous and out of pocket expenses	As per actual to the satisfaction of the administrative Ministry/ Department.

All other terms and condition applicable to Senior Panel Counsels in various High Courts/ CAT Benches (excluding the High Courts of Bombay and Calcutta in to this Department's, OM No. 24(2)/99-Judl., OM No. 26(1)/99-Judl., OM No. 25(3)/99-Judl., and OM No. 26(2)/99-Judl., all dated 24.09.99, read with OM No. 26(1)/2005-Judl. dated 31.01.2008 and OM No. 26(1)/2011-Judl., dated 01.10.2011, shall continue to remain applicable unless specifically revoked/revised.

(C)

Revision of the fee structure applicable to the Panel Counsel of High Courts as well as of CAT Benches of Bombay and Kolkata:-

Sl.No.	Item of Work	Special Counsel	Senior Counsel Group. I	Senior Counsel Group. II	Jr. Counsel Advocate on record
1.	Suits, Appeals, Writ /Revision Petitions including Special Civil Application in the High Court. Per conference/Consultation	₹ 9000 ₹ 900	₹ 6000 ₹ 750	₹ 3750 ₹ 600	₹ 1800 ₹ 450
2.	Application including Interim Motions, Notices, Appeals, Leave Application, Arbitration, Company Matters, Criminal Revision and other Land Acquisition References (per day per effective hearing) Per conference/Consultation	₹ 3000 ₹ 900	₹ 3000 ₹ 750	₹ 2250 ₹ 600	₹ 1350 ₹ 450
3.	Drafting or Settling Pleadings, and Affidavits (per pleadings) Per conference/Consultation	₹ 3000 ₹ 900	₹ 1800 ₹ 750	₹ 1500 ₹ 600	₹ 1050 ₹ 450
4.	Appearance before Arbitration and Tribunals, etc and Courts other than High Courts (Per day per effective hearing) Per conference/Consultation	₹ 7500 ₹ 900	₹ 6000 ₹ 750	₹ 3750 ₹ 600	₹ 2250 ₹ 450
5.	Chamber Application, including Adjournment Application per day inclusive of consultation	NIL	₹ 1500	₹ 900	₹ 600
6.	Written opinions and written advice including advice on evidence (inclusive of consultation)	₹ 3750	₹ 2250	₹ 1350	₹ 1050

All other terms and conditions applicable to the Counsels of High Courts as well as of the CAT Benches of Bombay and Kolkata in the pre-revised OM No. 23(2)/2001-Judl. & OM No. 22(02)/2001 dated 14th July, 2001 read with 23(2)2011-Judl. dated 1st October, 2011 shall continue to remain applicable unless specifically revoked/revised:-

Note:- There will be no ceiling on the number of conference/ consultation in the case of Special Counsel, however in the case of other categories of Counsels, the number of conferences per cases will be limited to four (relaxable to six at the discretion of the Incharge (Litigation) of Branch Secretariat, Mumbai/Kolkata.



(D)

The Fee structure applicable for Panel Counsel, Delhi High Court and Central Govt. Counsel/ Pleader of various High Courts (including Panel Counsel of various CAT, Benches) excluding the High Courts of Bombay and Calcutta, as per the following rates:-

Sl.No.	Item of Work	Revised fee
1.	Civil or Criminal Writ Petitions under Article 226 & 227 of the Constitution, Contempt Petitions, Criminal/Civil Revision Petitions, Reference to the High Court under Sales Tax Act and Banking Company Petitions,	₹2250/- per effective hearing ₹450/- per non-effective hearing (subject to maximum of five hearings in a case)
2.	Original Suits, Civil Appeal from Decrees in Suits and proceedings including second appeal and land acquisition appeal except LPA from Petitions under Article 226 & 227 of the Constitution (including drafting fee)	Ad. Valorem/regulation fee (subject to maximum of ₹ 45,000/- in a case.)
3.	Company Petitions	To be regulated by the rule contained in Appendix (iii) of the Company (Court) Rules, 1959
4.	Drafting of pleadings counter affidavits/returns/answer to Writ Petitions/Grounds of Appeal and application for leave to appeal to the Supreme Court	₹ 1,350/- per pleading
5.	Drafting of Civil Misc. applications to petitions under the Indian Succession Act, Contempt of Court proceedings and other proceedings of an original nature	₹1,125/- per petition
6.	Civil Misc. petitions, forma paupers, transfer petitions and other civil misc. petitions of routine nature	₹ 450/- per petition
7.	Consultation /conference fee	₹ 450/- per conference (subject to maximum of 4 conferences in a case)

8.	Appearance before the High Court in application under Section 34 & 37 of the Arbitration and Conciliation Act, 1996 Appearance before Arbitrator/Umpires etc.	₹2,250/- per effective hearing ₹ 450/- per non-effective hearing (subject to a maximum of 5 hearing in a case). ₹ 450/- per non-effective hearing (subject to a maximum of 5 hearings in a case).
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All other terms and condition applicable to above mentioned Counsels in to this Department's, in OM No. 24(2)/99-Judl., OM No. 26(1)/99-Judl., OM No. 25(3)/99-Judl. and OM No. 26(2)/99-Judl, all dated 24.09.99 read with OM No. 26(1)/2005-Judl. dated 31.01.2008 and shall continue to remain applicable unless specifically revoked/revised.

(E)

The Fee structure Standing Govt. Counsel and Additional Standing Govt. Counsel in the District and Subordinate Courts:-

Sl.No.	Item of work	Revised fee
1.	Retainer fee for Standing Govt. Counsel	₹ 6000 per month
2.	Fee for effective hearing	₹ 1800 per day
3.	Fee for non-effective hearing	₹ 600 per day (not more than 5 such hearings in a case)
4.	Fee for drafting Written Statement, Grounds of Appeal etc.	₹ 1500 per pleading
5.	Fee for drafting other pleadings of misc. nature	₹ 600 per pleading
6.	Fee per Conference	₹ 900 (subject to maximum of 5 such conferences in a case / group of identical cases)
7.	Daily fee for out of Headquarters	₹ 2700 per day
8.	Conveyance charges for local journey outside Headquarters	₹ 900 (lump sum)
9.	Expenses for stay in hotels	₹ 1800 per day
10.	Clerkage	@ 10% of total fee excluding miscellaneous and out of pocket expenses (maximum ₹ 5250 in a case)
11.	Fee for identical Cases	Full fee in the 1 st case and ₹ 750 in per suit for connected cases (max. 3 cases)
12.	Miscellaneous and out of pocket expenses	As per actual to the satisfaction of the administrative Department.

All other terms and conditions applicable to above mentioned Counsels in to this Department's, OM No. 27(11)/1999-Judl dated 24.09.1999 read with OM No. 27 (25)/2011-Judl. dated 01.09.2011, shall continue to remain applicable unless specifically revoked/revised.



(F)

The Fee structure applicable to Senior/Junior Arbitration Panel Counsel:-

Sl. No.	Details of work	Proposed Revised fee
1.	Fee for effective hearing Senior Counsel Junior Counsel	Rs. 2,250/- per appearance Rs. 1,500/- per appearance
2.	Fee for non-effective hearing Senior Counsel Junior Counsel	Rs. 450/- per appearance Rs. 300/- per appearance (maximum four such hearings)
3.	For drafting pleadings Senior Counsel Junior Counsel	Rs. 1,500/- per pleading Rs. 750/- per pleading
4.	Conference fee Senior Counsel Junior Counsel	Rs. 450/- per conference Rs. 300/- per conference (maximum three such conferences in a case)
5.	Daily fee out of Headquarters Senior Counsel Junior Counsel	Rs. 3,000/- per day Rs. 2,250/- per day

All other terms and conditions applicable to OM No. 30(3)/99-Judl. dated 24.09.99 read with OM No. 26(1)/2005/Judl. dated 31.01.2008, shall continue to remain applicable unless specifically revoked/revised.




2. The above revised fee will be effective from 01.10. 2015.
3. The counsel will be paid fee at the old rates in respect of their appearance in the Court etc. and other work done by them prior to 01.10. 2015 and at the revised rates in respect of the work done by them on/ after 01.10. 2015.
4. This issues with the approval of the Ministry of Finance, Department of Expenditure E.II(B) Branch, ID Note No.9 (11)/99-E.II(B) dated 02.03.2015 and 07.08.2015.

(Suresh Chandra)

Joint Secretary and Legal Adviser

Tele No. 23387806

Copy to:

1. All Ministries/Departments to the Government of India.
2. Incharge, Central Agency Section, Litigation (HC) Section, Litigation Lower Courts Section. All Groups-A, B & C panel counsel of Supreme Court through Incharge, Central Agency Section.
3. All Senior Panel Counsel of High Courts/ CATs through concerned Assistant Solicitors General in High Courts/ Sr. CGSC of CATs Benches.
4. All Assistant Solicitors General in various High Courts/ Sr. CGSC of CATs Benches.
5. All Central Government Standing Counsel/Central Government Pleaders of Delhi High Court.
6. All Asstt. Solicitors General/Central Legal Adviser of various High Courts.
7. All Senior Central Government Standing Counsel/Addl. Central Government Standing Counsel of various CAT Benches.
8. All Standing Govt. Counsel and Additional Standing Govt. Counsel before various District and Subordinate Courts as per the list.
9. All Senior/Junior Counsel of the Arbitration Panel.
10. All Special Counsel, Senior Counsel Group-I, Senior Counsel Group-II and Junior Counsel of High Courts as well as CATs Benches of Bombay and Kolkata through the concerned Incharge of Branch Secretariat of Bombay and Kolkata.
11. Incharge, Branch Secretariats Mumbai/ Kolkata/ Chennai/ Bangalore.
12. All Sections of Department of Legal Affairs.
13. Legal Advisor, Railway Board, New Delhi (with 5 spare copies).
14. Department of Personnel and Training (AT Section), New Delhi (with 5 s/copies.)
15. Joint Secretary (Legal), Department of Revenue, Ministry of Finance, New Delhi (with 5 s / copies)
16. CBDT, Department of Revenue, Ministry of Finance, New Delhi (with 5 s / copies).
17. Branch Secretariats Mumbai/Calcutta/Chennai/Bangalore.
18. Ministry of Urban Development, Nirman Bhawan, New Delhi.
19. Department of Expenditure, Ministry of Finance, New Delhi w.r.t. their ID Note No.9 (11)/99-E.II(B) dated 02.03.2015 and 07.08.2015..
20. DGS&D, New Delhi
21. NIC Cell with the request to upload the same in the website of this Department.
22. Judicial Section with 50 spare copies.
23. O.L. Section for Hindi translation.

Madhulika Upadhyay

(Madhulika Upadhyay)

Central Govt. Advocate

Tel. 23389006

North Block, New Delhi.
Dated: 12.04.2017

OFFICE MEMORANDUM

Subject: Delegation of powers to Ministries/ Departments for payment of Sitting Fee in respect of Non-officials of Committees/ Panels/ Boards etc.

The undersigned is directed to state that the issues related to payment of Sitting Fee to Non-officials of Committees/Panels/Boards etc. have been examined in D/o Expenditure. It has been decided that Administrative Secretaries of the Ministries/ Departments may decide the Sitting Fee in respect of Non-officials of Committees/Panels/Boards etc. in consultation with their Financial Advisors and with the approval of their Ministers.

2. While considering the proposals for payment of Sitting Fee to Non-officials, the Ministries/Departments are directed to keep in view the following instructions/guidelines:-

- 2.1. **Categorisation of Committees:** For the purpose of payment of Sitting Fee, Committees/Boards/panels are categorized into following three categories:-
- (i) **High Level Committee :** In terms of Cabinet Secretariat Circular No. 1/16/1/2000-Cab. dated 15.04.2002, a High Level Committee is a Committee set up with the approval of Hon'ble Prime Minister through the Cabinet Secretary and presided over by a high ranking dignitary e.g. a Minister, a Judge of the Supreme Court of India, a Vice-Chancellor etc. including prominent persons in public life as Members.
 - (ii) **Technical or Expert Committee:** A Technical or Expert Committee is a Committee constituted to discharge functions as prescribed under Acts/Rules/Subordinate legislation on the subject. Such Committee is to be set up with the approval of the Minister of the concerned Ministry. In case any Member of Parliament is included in the Committee, the prior approval of Prime Minister to their inclusion is to be obtained in terms of Cabinet Secretariat Circular No.1/16/1/2000-Cab. dated 15.04.2002.
 - (iii) **Other Committees:** All other Committees will be covered under this category. These Committees will be constituted with the approval of the Administrative Secretary or Minister.

2.2 **Definition of a Non-official :** For the purpose of grant of Sitting Fee only such persons are to be considered as Non-officials who are not employed in any institution/ organisation/body funded by the Central Government.

3. **Rates of Sitting Fee:** On the basis of categorisation of Committees viz. High Level Committee, Technical or Expert Committee and Other Committees, The Ministries/Departments shall ensure that the maximum rates of Sitting Fee to be paid to Non-official Chairman/ Members will not be more than the following:-

- | | | |
|-------|-------------------------------|---|
| (i) | High Level Committee | : Not more than Rs.10,000/- per day of Sitting. |
| (ii) | Technical or Expert Committee | : Not more than Rs.6000/- per day of Sitting. |
| (iii) | Other Committees | : Not more than Rs.4000/- per day of Sitting. |

4. For arriving at the rates of the Sitting Fee to Non-official Chairman and Members of the Committees/Boards/Panels, the Ministries/Department shall observe the following conditions:

- i. While considering the amount of Sitting Fee, the Ministries/Departments have to keep in view facts such as nature and scope of the Committee, importance of the subject assigned to the Committee, category of the Committee (i.e. High level Committee, Technical or Expert Committee or other Committee), level/ status of Chairperson/ Members, duration of the Committee, frequency of meetings, Terms of Reference of the Committee etc.
 - ii. In no case, the ceiling should exceed 10 meetings in a month in respect of all categories of Committees viz. High Level, Technical or Expert Committees and Other Committee. It is presumed that such committees are constituted for a limited duration specified in the order.
 - iii. It is clarified that the Govt. employees nominated to such Committees/ Boards/ Panels etc. will not be entitled to Sitting Fee.
 - iv. Cases seeking deviation from the above norms may be referred to M/o Finance giving full justification for seeking deviation.
3. These instructions will be effective from the date of issue of this O.M.
4. This is issued with the approval of Finance Minister.


12/04/2017
(Nirmala Dev)

Deputy Secretary to the Government of India
Telefax. 23093276

1. Secretaries of all Ministries/ Department (as per standard list).
2. Financial Advisers of all Ministries/ Departments (as per standard list).
3. Cabinet Secretariat - For information.

No.19(36)/E.Coord/2018
Government of India
Ministry of Finance
Department of Expenditure
E.Coord Branch

New Delhi, the 30th May, 2018

OFFICE MEMORANDUM

Subject: Guidelines to be followed for holding of Conferences/ Workshops/ Seminars, etc. (Domestic & International)

Ministry of Finance, Department of Expenditure has been issuing guidelines for holding of Conferences/ Workshops/ Seminars, etc. (Domestic & International) from time to time with the objective that Ministries/Departments undertake such events keeping in mind the absolute necessity of it and adhering to utmost economy. The extant guidelines have been reviewed and stand revised.

2. It has been decided that henceforth only proposals involving expenditure above **Rs. 40 lakhs** for International as well as domestic Conferences/ Seminars/ Workshops etc. will need to be referred to the Department of Expenditure.

3. International conferences/ workshops /seminars/ meetings etc:

- i) All proposals involving expenditure of Rs. 40 Lakh or less for holding conferences/ workshops/ seminars/ meetings etc. involving participation of foreign delegates may be decided by the Ministry/ Department in consultation with their Financial Adviser. The approval of the Minister in Charge, political clearance from Ministry of External Affairs and clearance of Ministry of Home Affairs from security angle (wherever required) shall be obtained.
- ii) All Proposals involving expenditure above Rs. 40 (Forty) lakh for incurring expenditure on holding conferences/ workshops/ seminars/ meetings etc. with international participation should be referred to the Department of Expenditure (DoE) with the approval of the Minister in Charge, political clearance from Ministry of External Affairs and clearance of Ministry of Home Affairs from security angle (wherever required) for obtaining approval of the Cabinet Secretary through Secretary (Expenditure).
- iii) Commitment for bearing travel/ accommodation cost on participants from foreign countries should be kept to the barest minimum. Ministries/ Departments shall exercise utmost economy and austerity in this regard.
- iv) "In-principle" approval of the Minister-in-charge should be taken sufficiently in advance before the event.
- v) Priority will be given to those conferences that arise out of international agreements/ obligations. Other conferences etc. should be planned only if there is residual provision in the Budget.



- vi) All preparations for holding the conference and other formalities should be completed sufficiently in advance to avoid any last minute hitch and embarrassment.
- vii) All administrative arrangements including issuance of invitations should be done after receiving Cabinet Secretary's approval or as per the powers delegated under this OM.

4. Domestic conferences/ workshops /seminars/ meetings etc:

Proposals involving Rs. 40 (Forty) lakh or less may be decided by the Ministry/ Department in consultation with their Financial Adviser. Proposals involving expenditure above Rs. 40 (Forty) lakh for incurring expenditure on holding conferences/ workshops/ seminars/ meetings etc. with participation limited to Indian delegates only may be referred to Department of Expenditure for approval of Secretary (Expenditure). Approval of Secretary of the Ministry/ Department may be obtained prior to the file being referred to Department of Expenditure.

5. Autonomous Bodies:

- i) Conferences held by Autonomous Bodies generally generate revenue from sponsorships and registrations and most of the time either they do not require government support or require in small portions. Administrative Ministries are competent to grant approval for holding the conferences (whether domestic or international) where no funds are required from Government.
- ii) However, if Government funds are required and the financial assistance required is more than Rs. 40 Lakhs for International as well as Domestic conferences/ workshops /seminars/ meetings etc. such cases shall be referred to Department of Expenditure.

6. General Instructions:

While referring the cases of Conferences etc., whether domestic or international, to Department of Expenditure, following may be strictly adhered to:

- (i) Holding of Exhibitions/ fairs/ seminars/ conferences/ workshops etc. abroad should be discouraged except for promotion of trade and business and for projection of 'Brand India'. For this purpose, depending on the nature of event, if more than one Ministry/ Department is involved, a Nodal Ministry/ Department should be identified to take the lead for coordinating and organizing the event.
- (ii) All proposals referred to Department of Expenditure on the subject should be sent at least one month in advance of commencement of the event and only through the Financial Adviser concerned. While referring the proposals to the Department of Expenditure, it may be ensured that necessary clearances viz. from Ministry of External Affairs, Ministry of Home Affairs etc. and approval of competent authority in the Ministry/ Department have been obtained and placed in the file. In the absence of these, the proposals will be returned without processing in the Department of Expenditure.

- (iii) Sufficient provision in the relevant Budget should be ensured before such proposals are processed in the Ministry/ Department and before referring proposals to Department of Expenditure. The proposal should clearly indicate the budget provision.
 - (iv) Stipulated timeline for submission of proposals may be adhered to strictly. It may be noted that henceforth, delayed proposals will not be processed unless accompanied by a Delay Report containing reasons for delay, duly approved by the Administrative Secretary.
 - (v) Holding of conferences/ workshops /seminars/ meetings etc. in Five Star Hotels is banned except in case of bilateral/ multilateral official engagements held at the level of Minister-in-Charge or Administrative Secretary with foreign Government or international bodies of which India is a Member. Any deviation in this regard should be referred to the Department of Expenditure with adequate justification.
 - (vi) Ministries/Departments shall not resort to seeking ex post- facto approval on the proposals since they are liable to be rejected. Hence, adequate advance planning and obtention of all requisite approvals/clearances is emphasized.
7. Notwithstanding the enhancement in the prescribed expenditure ceiling, all Ministries/ Departments shall ensure utmost economy in public expenditure.
8. This is in supersession of Department of Expenditure's earlier instructions on the subject cited above issued vide following O.Ms No.:
- i) 19(9)/E.Coord/2011 dated 5th March, 2015
 - ii) 19(9)/E.Coord./2012 dated 12th July, 2012
 - iii) 19(9)/E.Coord./2012 dated 13th September, 2011
 - iv) 7(1)/E.Coord/2010 dated 13th September, 2010
 - v) 7(1)/E.Coord/2010 dated 31st May, 2010
 - vi) 7(5)/E.Coord/2002 dated 28th May, 2003
9. These instructions will come into operation with immediate effect.

Atheli
30/5/18

(H. Atheli)
Director
Tel: 2309 2604

To

- 1. All Ministries/ Departments as per standard mailing list
- 2. All Secretaries to the Government of India
- 3. All Financial Advisers of Ministries/Departments

Confidential

No. AA/551/22/2020
Ministry of External Affairs
(Parliament & Coordination Division)

New Delhi, the 25th November 2020

Office Memorandum

Subject: Guidelines regarding MEA Clearance for International Conferences/Seminars/Training etc.; and Political Clearance for online participation in international events

Ministry has received references regarding the **need for MEA clearance** for organizing/participation in International Conferences/Seminars/Training etc. through offline/online mode. The matter has been examined and the clarifications are as follows:

International Conferences/Seminars/Training etc.

2. A. Approval procedure in respect of holding online/virtual International Conferences / Seminars / Training etc:

- i. Ministry or Department of the Government of India, State Governments or UT Administrations, Public Sector Undertakings, Central Educational Institutions, Public Funded Universities or an organization owned and controlled by the Government of India/ State Government / UT, should take approval of its Administrative Secretary for the event as well as for the list of participants.
- ii. While giving permission, the respective Ministry should ensure that the subject matter for online events is not related to security of State, Border, North East States, UT of J&K, Ladakh or any other issues which are clearly/purely related to India's internal matter/s.
- iii. Full compliance to India's existing provisions of IT data security, personal data, and protection to other sensitive information should be ensured.
- iv. There should be judicious selection of IT applications/ platforms/ medium for interaction; preference should be given to those apps having servers not controlled / hosted / owned by countries / agencies hostile to India.
- v. Appropriate level of scrutiny to be exercised to identify the nature and sensitivity of data / contents of presentations / information to be shared by the Indian delegation.

Confidential

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vi. Due care should be taken to ensure that India's map, flag, emblem etc. are correct and rightly displayed.

2. B In order to ensure oversight and control, following cases will continue to require clearance from MEA for holding international conference/ seminar/ workshop/ training etc.

- i. All events related to security of State, Border, North East States, J&K or any other issues which are clearly/purely related to India's internal matters;
- ii. Events having foreign funding and sponsorship;
- iii. Events involving sensitive subjects (political, scientific, technical, commercial, personal) with provisions for sharing of data in any form; presentations etc.
- iv. While seeking approval/after approval, link to the online event/s should be shared by email at socoord@mea.gov.in

Participation of Union / State Ministers / Constitutional functionaries and Government officials / scientists / doctors etc.

3.A Participation of Union / State Ministers / Constitutional functionaries and Government officials / scientists / doctors etc. of the rank of JS and above in online/virtual/physical International Conferences / Seminars / Training etc., MEA clearance will be required.

3.B The Administrative Secretary of respective Ministry/Department be authorized to give permission for participation from Director and below rank, subject to usual checks.



(Anil Kumar Rai)

Joint Secretary (Parliament & Coordination)

25 November 2020

To,

1. Secretary General, Rajya Sabha
2. Secretary, Lok Sabha
3. All Secretaries to the Government of India
4. All Chief Secretaries to the State Governments/ Union Territories
5. JS (PMO)

Confidential

F. No. 18012/1/2016-Pol.III
Govt. of India
Ministry of Urban Development
Directorate of Estates

Nirman Bhawan, New Delhi-110011.
Dated the 26th February, 2016

OFFICE MEMORANDUM


Sub: Licence Fee to be recovered from the allottee of the Government accommodation, who own house(s) at the place of his duties - Reg.

The undersigned is directed to refer to this Directorate's OM No. 12035/11/99-Pol.II, dated 24.7.2003(copy enclosed) on the above mentioned subject and to say that as per the provisions of SR-317-B-3(2) of the Allotment of Government Residences (General Pool in Delhi) Rules, 1963, an allottee, owning a house at the time of allotment either in his own name or in the name of any members of his family at the place of posting or in an adjoining municipality, shall notify the fact to the Directorate of Estates within a period of one month from the date of the house is let out. As per the provisions of SR-317-B-3(3) *ibid*, when after a Govt. accommodation has been allotted, the allottee or any member of his family become owner of a house at the place of his duty or in an adjoining municipality, shall notify the fact to the Directorate of Estates within a period of one month from the date of house is let out.

2. However, it is noticed from the records received from concerned administrative divisions of Ministries/Departments that declaration of house owning is received only at the time of application for allotment of accommodation, whereas, the same under the provisions SR-317-B-3(3) received is very negligible as compared to allotment made. In order to streamline the already laid down procedure, it is requested that the administrative authority of the concerned Ministries / Departments, etc. to ensure that the provisions SR-317-B-3(2) as well as 3(3) are followed strictly. In this regard, it is pertinent to mention here that from 1.3.2015 onwards, concerned Ministries/ Departments of the applicant for GPRA are advised to ensure that the particulars/details furnished by the applicant in the online DE-2 Form and the Acceptance Form are true and correct. It is thus requested now that the administrative authority of the concerned Ministries/Departments should ensure that the entries made by the applicant in DE-2 Form as well as the Acceptance Form with regard to owning of house, at the time of forwarding the same to this Directorate is as per the latest Immovable Property Return(IPR) filed by the applicant.

3. Further, they should also instruct all allottees in their Ministry/Department to intimate the Directorate of Estates regarding rental income, if any, from the house owned at the time of allotment/acquired after the allotment of Govt. accommodation either in his own name or in the name of any members of his family at the place of posting or in an adjoining municipality, and whenever any change in rental income, which affect the rate of prescribed licence fee as per OM No. 12035/11/99-Pol.II, dated 24.7.2003, so as to levy the prescribed rate of licence fee in this regard, to avoid any loss to Govt. exchequer. In case the details of rental income furnished by any allottee is found false at any later stage, the licence fee of the particular accommodation will be enhanced to the maximum as per OM dated 24.7.2003 w.e.f. the date of increase, by the Directorate of Estates *suo motu*.

Encl: as above.



(Swarnali Banerjee)
Deputy Director of Estates(Policy)

1. All Ministries/Departments under the Govt of India including attached/subordinate offices etc.
2. Deputy Director (Rent), Dte of Estates, New Delhi.

3. All Regional Offices under the Dte of Estates.
4. All Officers / Sections in the Directorate of Estates, New Delhi.
5. The Comptroller & Auditor General of India.
6. The Secretary, Election Commission of India, Nirvachan Sadan, New Delhi.
7. The Secretary, Union Public Service Commission, New Delhi
8. The Secretary General, Lok Sabha Secretariat, New Delhi
9. The Secretary General, Rajya Sabha Secretariat, New Delhi
10. Sr. Technical Director(NIC), Nirman Bhawan, New Delhi with the request to upload this OM on the website of this Directorate.

Copy to:-

1. PS to UDM/MOS(UD)
2. PPS to Secretary
3. PS to JS (UD)/JS & FA/JS (L&W)
4. PS to DE-I/DE-II
5. A.D.(OL), Directorate of Estates, for Hindi version.


(A. Thirunavukkarasu)
Assistant Director of Estates(Policy-III)

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No. 18011/2/2015-Pol.III
Government of India
Ministry of Housing and Urban Affairs
Directorate of Estates

Nirman Bhawan, New Delhi
Dated the 29th, June, 2020

OFFICE MEMORANDUM

Subject: Revision of flat rate of licence fee for General Pool Residential Accommodation (GPRA) throughout the country.

In terms of the provisions of the Rule 74 of the "Central Government General Pool Residential Accommodation Rules, 2017", the Government has decided to revise the flat rates of licence fee recoverable for the residential accommodation available in General Pool and also in Departmental Pools of Ministries/Departments of the Government of India throughout the Country (except in respect of substandard/unclassified accommodation of Ministry of Defence, accommodation for service personnel of the Ministry of Defence and accommodation under the control of Ministry of Railways), as shown in the Annexure.

2. The revised rates of licence fee would be effective from 1st July, 2020. All Ministries/Departments are requested to take action to recover the revised licence fee in accordance with these orders in respect of accommodation under their control all over the country.

3. This issues with the concurrence of Integrated Finance Wing of the Ministry of Housing and Urban Affairs vide their note dated 15-6-2020.

M.C. Sonowal
(M.C. Sonowal)
Deputy Director of Estates (Policy)
Tel. 23062505

To

1. All Ministries/Department of Govt. of India. It is requested that this O.M. may be circulated to all the attached/subordinate offices under their Ministries/Departments which are eligible for GPRA/Departmental Pool.
2. Comptroller & Auditor General of India
3. Chief Secretaries/Administrators/ L.G. of Union Territories.
4. Secretary General, Lok Sabha/Rajya Sabha Sectt..

Copy to:

1. PS to MoS(I/C) (HUA).
2. Sr.PPS to Secretary (HUA)/PPS to JS&FA/JS (L&E)/JS (ID)/Director of Estates I & II.

ues

3. The Director General, CPWD, New Delhi – It is requested that this OM may be circulated to all the allottees of GPRA through their respective Service Centres.
4. CMD, NBCC Limited, NBCC Bhawan Lodhi Road, New Delhi-110003 – it is requested that this OM may be circulated to all the allottees of GPRA through their respective Service Centres.
5. Chief Engineers of ND Zones/ Ex. Eng (LF), CPWD, New Delhi
6. Sr. Technical Director (NIC), MoHUA, Nirman Bhawan - with a request to upload the OM on Directorate of Estates' website.
7. All Attached/ subordinate offices under Ministry of Housing and Urban Affairs.
8. Coordination Section/ Works Division of Ministry of Housing and Urban Affairs.
9. Finance Division, Ministry of Housing and Urban Affairs.
10. All Dy. Directors/ Asstt. Directors/ Sections/ Suptds. (Accounts) and Accountants of Directorate of Estates.
11. Estate Managers/ Asstt. Estate Managers of all Regional Offices under the Directorate of Estates including CPWD.
12. AD (Hindi Section), Directorate of Estates, Nirman Bhawan, New Delhi - with a request to provide an Hindi version of the OM.

revised
29.6.2020

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Annexure

(To OM No. 18011/2/2015-Pol.III dated 29th June, 2020)

Revised flat rates of licence fee applicable for General Pool Residential Accommodation .
(GPRA) throughout the country w.e.f. 01-07-2020

Types of accommodation	Range of living area in sq. mtr.	Level in the pay matrix in 7th CPC	Existing rates of flat rate of LF as per 2017 revision	Revised rates of licence fee effective from 01.07.2020, rounded to nearest 10 (Rs.)
1	2	3	4	5
I	Upto 30	1	150	180
II	26.5 to 50	2,3,4,5	310	370
III	44 to 65	6,7,8	470	560
IV	59 to 91.5	9,10,11	630	750
IV (Special)	59 to 91.5	11	670	790
VA	Upto 106	12	1180	1400
VB	Beyond 106	13, 13A	1260	1490
VIA	Upto 159.5	14	1550	1840
VIB	Beyond 159.5	15 (Index numbers 1 to 4 in the level)	1860	2200
VII	189.5 to 224.5	15 (index Nos. 5 to 8 in the level), 16	2180	2580
VIII	243 to 522	17,18	3890	4610

Note: In addition to the flat rates shown in table above, the following flat rates for Servant quarters allotted independently of regular accommodation may be recovered.

Subscribed
29.6.2020

For Servant Quarters & Garages

Sl. No.	Particulars	Existing Rates (p.m.)	Revised Rates (p.m.) effective from 01.07.2020 rounded of to nearest 10 (Rs.)
1	Servant Quarters	Rs. 70/-	80
2	Garages	Rs. 40/-	50

For categories of Suite, living area and proposed flat rates of licence fee for Hostel Accommodation:

Sl. No.	Category of Suite	Living Area (Sq. mtr.)	Existing rates	Level in the pay matrix in 7 th CPC	Revised Rates (p.m.) effective from 01.07.2020 rounded of to nearest 10 (Rs.)
1	Single Room (without Kitchen)	21.5 to 30	400/-	6 & 7	470
	Single Room (with Kitchen)	30.5 to 39.5	560/-	8	660
2	Double Room	47.5 to 60	770/-	9 & above	910

Hebbar
29.6.2020

No. 24(35)/PF-II/2012
Government of India
Ministry of Finance
Department of Expenditure
Plan Finance - II Division

North Block, New Delhi.
Dated: 29th Aug, 2014

OFFICE MEMORANDUM

Subject: Delegation of Powers for Appraisal and Approval of Public Funded Plan Schemes/Projects.

Reference is invited to this Department OM no. 1(3)/PF-II/2001 dated 1st April, 2010 regarding the guidelines for formulation, appraisal and approval of Public Funded Plan schemes/projects. The proposal for enhancing the appraisal and approval limits for **Original Cost Estimates (OCE)** and **Revised Cost Estimates (RCE)** for such schemes/projects have been under the consideration of this Department.

2. The revised delegation of powers for appraisal and approval of **Original Cost Estimates (OCE)** is as follows:

Scheme/Project Appraisal		Scheme/Project Approval	
Cost (Rs. Cr.)	Appraisal by	Cost (Rs. Cr.)	Approval by
Up to 100	The Admn. Dept. in the normal course	Up to 100	Secretary of the Admn. Dept. in consultation with Financial Adviser
> 100 & up to 500	SFC Chaired by Secretary of the Admn. Dept.	>100 & up to 500	Minister-in-charge of the Administrative Department
> 500	EFC/PIB Chaired by Secretary (Expenditure), except departments/ projects/ schemes for which special dispensation has been notified by the Competent Authority	> 500 & up to 1000	Minister-in-charge of the Admn. Dept. and Finance Minister, except where special powers have been delegated by Ministry of Finance
		> 1000	Cabinet/ Cabinet Committee concerned with the subject, except where special thresholds have been laid down by the Cabinet/ Committee of the Cabinet

Note: 1. The financial limits as above are with reference to the **total** size of the project/scheme, which may include budgetary support, internal resources, external aid, loans and so on.

2. Composition of PIB/EFC/SFC will be as per the Delegation of Financial Power Rules. In accordance with the DFPR, Financial Advisers may refer any financial matter, or part thereof, and also seek participation of the Department of Expenditure in the SFC meetings, wherever necessary.

3. For appraisal and approval of PPP projects, separate orders issued by Department of Economic Affairs, would be applicable.

3. The revised delegation of powers for appraisal and approval of **Revised Cost Estimates (RCE)** is as follows:

S.No.	Limit	Appraisal and Approval Forum
A.	Increase in costs due to increase in statutory levies ¹ , exchange rate variation, and price escalation envisaged within the original approved time cycle, irrespective of the cost of the scheme/project	No appraisal. Approval by Secretary of the Admn. Dept. if absolute cost escalation is up to Rs. 100 crore, and by the Admn. Minister-in-charge if absolute cost escalation is above Rs. 100 cr.
¹ Statutory levies include State/Central taxes, including import and export duties as notified by Gol and paid by the project authorities, but exclude water, electricity charges and POL price increases.		
B. Increase in cost estimates due to reasons such as time over-run, change in scope, under-estimation, etc. (excluding cost escalation for reasons cited in A above):		
1.	Increase in costs up to 20% of the firmed up ² cost estimates	Appraisal by the Financial Adviser. Approval by Secretary of the Admn. Dept. if absolute cost escalation is up to Rs. 100 crore, and by the Admn. Minister-in-charge if absolute cost escalation is above Rs. 100 cr.
2.	Increase in costs beyond 20% of the firmed up ² cost estimates	Fresh Appraisal and Approval by the Competent Authority as per the extant delegation of powers.
² Firmed up cost estimate means a cost estimate which has gone through the full appraisal and approval process as per the extant delegation of powers.		

4. All schemes/projects which involve setting up of **new** Companies, Autonomous Bodies, Institutions/Universities, Special Purpose Vehicles, etc., would need appraisal by EFC chaired by Secretary (Expenditure), irrespective of the outlay or the nature of the Ministry/Department, and all such cases would need to be approved at the level of Cabinet / Committee of the Cabinet.

5. It has been found that many Ministries/Departments have started operating small multiple schemes, which spread resources too thinly to realise any meaningful outcomes. It is directed that henceforth:

- i. No **new** Scheme/Programme will be initiated without the prior "in-principle" approval in accordance with the extant procedure.
- ii. No **new** budget line at the level of sub-head and above in the Detailed Demand for Grants will be opened without the approval of the Budget Division and the concerned Division of the Department of Expenditure in the Ministry of Finance.
- iii. Department of Expenditure reserves the right to merge, drop or restructure any scheme or budget line through the budgetary process, after obtaining the comments of the Administrative Department.
- iv. Financial Advisers will, before the preparation of budget every year, submit proposals to the Department of Expenditure for rationalization of existing schemes/sub-schemes to ensure efficient management of public expenditure at all times.

6. The delegation of powers for sanctioning **Pre-Investment** activities is as follows:

S. No.	Limit	Appraisal and Approval forum
1.	Up to Rs. 50 crore if budgetary support is being sought (up to Rs. 100 crore with resources of public enterprise added), subject to the availability of funds and requisite regulatory clearances as prescribed.	Appraisal by the Administrative Secretary and Approval by the Minister-in-charge.
2.	All other cases	Appraisal by EFC/PIB and Approval by the Competent Authority as per the extant delegation of powers.

Pre-Investment activities may include activities like preparation of PFRs/FRs/DPRs; undertaking surveys/investigations of all types required for the project; preliminary land acquisition for acquiring right of way or initiating work on the project site; collection of environmental data; preparation of Environment Management Plans, Forestry and Wild Life clearances; construction of access roads, minor bridges, culverts, power lines, water lines, site offices, temporary accommodation and so on; compensatory afforestation as per MoEF guidelines; and payment of NPV towards conversion of forest land for non-forest purposes.

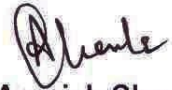
7. While considering the appraisal and approval of public funded schemes/ projects, the Administrative Ministries/Departments may ensure the following:

- (i) Ministries should ensure that proposals considered within the delegated powers are subjected to rigorous examination in project design and delivery, and careful attention should be paid to recurring liabilities and fund availability after adjustment of the committed liabilities.
- (ii) Ministries should avoid the tendency to operate multiple small schemes without focus on meaningful outcomes. While considering proposals for continuation of on-going schemes, a careful rationalization must be done through merger and dropping of redundant schemes.
- (iii) Small value proposals should not be mooted by splitting schemes into individual schemes, like buildings, training programmes, procurement of equipment, etc., for the same autonomous body.
- (iv) While designing new schemes/programmes, the core principles to be kept in mind are economies of scale, separability of outcomes and sharing of implementation machinery. Schemes which share outcomes and implementation machinery should not be posed as independent schemes, unless the scale is so large that independent existence can be justified unambiguously.
- (v) Outcomes should be measurably defined, and adequate attention should be paid to the quality of monitoring and evaluation. Shortcomings pointed out in the evaluation reports should be addressed as quickly as possible.
- (vi) These delegated powers will continue to be governed by procedural and other instructions issued by the Government from time to time, for example, the General Economy Instructions.

8. The delegation of financial powers contained in this OM will be exercised only where necessary/requisite funds are available in the Budget and the Five Year Plan outlay as per the phasing of the scheme/project. For attached offices and autonomous bodies, year to year financing plan must be prepared to ensure adequate availability of resources over the time horizon over which the scheme/project is to be implemented. Creation of new posts should be submitted separately for approval to the Department of Expenditure.

9. This OM supercedes OM no. 1(3)/PF-II/2001 dated 1st April, 2010 and will be effective from 29.08.2014.

10. This issues with the approval of the Minister of Finance.



(Arunish Chawla)

Joint Secretary to the Government of India

Secretaries of all Ministries/Departments

All Financial Advisers

Cabinet Secretariat

Prime Minister's Office

Planning Commission

No. DPE-7(4)/2007-Fin
Government of India
Ministry of Heavy Industries & Public Enterprises
Department of Public Enterprises

Public Enterprises Bhawan
Block No. 14, CGO Complex
Lodhi Road, New Delhi – 110003

Date: 4th May, 2020

OFFICE MEMORANDUM

Subject: Consolidated guidelines to CPSEs on procurement from GeM portal and TReDS

DPE has been issuing instructions to all the CPSEs regarding onboarding TReDS portal to address the issue of regular availability of liquid funds to MSMEs, particularly in reference to their trade receivables. Besides, DPE has also been issuing guidelines to CPSEs since November, 2018 for mandatory onboarding on GeM portal and to enhance the procurement through the same.

2. The instructions issued on the aforementioned matters are hereby compiled together as consolidated guidelines to facilitate CPSEs to ensure compliance.

A. Trade Receivables Discounting System (TReDS):

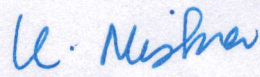
- i) All CPSEs to register themselves and ensure mandatory onboarding of MSE vendors on TReDS portal.
- ii) All CPSEs to have a real time bill tracking system for MSEs like an Enterprise Resource Planning (ERP) system with facility for uploading of bills by vendors and releasing payments, and
- iii) In order to enable the MSEs to avail the benefit of TReDS portal, the CPSEs will ensure that after the delivery of goods or rendering of services, the decision on acceptance/rejection of the goods and the respective bills/invoices will be taken within 15 days of the delivery of the goods/rendering of services. It is pertinent to mention that it is in line with Section 2 (ii) of Micro, Small and Medium Enterprises Development (MSMED) Act, 2006, wherein it is provided that in case no objection is made by the buyer regarding acceptance of goods and services within 15 days from the date of delivery of the goods or the rendering of services, it would be treated as “deemed acceptance”.
- iv) All CPSEs must ensure that the payment of MSE vendor be made using online mode within the stipulated time period of the contract and not more than 45 days in any case, as provided in the Section 15 of the MSMED Act, 2006.

B. Government e-Marketplace (GeM) Portal:

- i) All CPSEs to register themselves and ensure mandatory onboarding of vendors on GeM portal.

- ii) Procurement of common use goods and services are mandatory from GeM for which product/service categories are available on GeM. In case goods and services are not available on GeM, CPSEs may help registered suppliers on boarding GeM as and when the item or service gets listed on GeM.
- iii) Also, CPSEs planning to float any bid for procurement through Central Public Procurement Portal (CPPP) are required to give an undertaking that category of goods and services being tendered/procured are not available on GeM and they have no objection in providing this information for making available such products/services on GeM.
- iv) To ensure effective implementation of these guidelines, a new provision of GeM Availability Report and Past Transaction Summary (GeMAR&PTS) is introduced on GeM portal. The provision is there to help and benefit Buyers and Competent Authorities in taking informed procurement decisions in respect of availability of a product/service on GeM along with necessary details relating to past transaction summary. Therefore, once operational, GeMAR&PTS will be a pre-requisite for floating a procurement bid outside GeM.
- v) CPSEs to bring the requirements of creation of new categories for products and services on GeM through either of the two mechanisms available in the GeM portal : (a) Request Management System and (b) Module for crowd sourcing of categories and sellers.
- vi) CPSEs to invite sellers to onboard GeM through the seller invitation module available in the GeM portal.
- vii) CPSEs to comply with the instructions issued by DPE in the matter from time to time and in particular vide DPE OM of even number dated 12th February, 2020 forwarding therewith Department of Expenditure's OMs dated 23rd January, 2020, regarding procedure for procurement of Goods/Services through GeM and due payments to Sellers/Service Providers in GeM- through PFMS or by non-PFMS Agencies/Entities. These OMs will come into force on July 1, 2020.
- viii) The stated procedure and timelines shall be strictly adhered to by the CPSEs to ensure all procurement through GeM portal and timely payments to vendors.

2. This issues with the approval of competent authority.



(Kalyani Mishra)

Director

Tel: 24362061

To

The Secretaries to the Administrative Ministries/Departments of CPSEs.

Copy to:

CMDs of CPSEs for compliance, as above

No.BT/NBDB/13/01/2014
Government of India
Ministry of Science & Technology
Department of Biotechnology


Block 2, CGO complex,
Lodhi Road, New Delhi,
Dated 26th October, 2018

OFFICE MEMORANDUM

Subject: Revised Rules and Regulations for Encouraging Development and commercialization of Inventions and Innovations

The Department of Biotechnology, Ministry of Science and Technology, Government of India hereby notifies the Revised Rules and Regulations, "Encouraging development and commercialization of inventions and innovations" in Department of Biotechnology and its Autonomous institutes in continuation to the OM issued vide No. No.BT/NBDB/13/01/2014 dated 25th November, 2014.

2. This issues with the approval of competent authority.


(Banumathi.G)
Deputy Secretary

To

1. All Group Heads and Scientists, Department of Biotechnology, Ministry of Science & Technology, Govt. of India

2. Directors of Autonomous Institutes under Administrative control of Department of Biotechnology, Ministry of Science & Technology, Govt. of India

Copy for information to

PSO to SBT

Encl: Rules and Regulations.

Revised Rules and Regulations for implementing the scheme “Encouraging Development and Commercialization of Inventions and Innovations”

- A. The Government of India has approved a scheme on “**Encouraging Development and commercialization of inventions and innovations: A new impetus**” for implementation by scientific establishments, scientists in Ministries /Departments of Government of India as well as autonomous institutes under them. This is as notified by Department of Scientific and Industrial Research (DSIR) vide OM No. 3/3/2009-TU/V/knowledge-to-equity dated May 25, 2009. The key components of the approved scheme are:
- i. Permitting the researchers to have an equity stake in scientific enterprises / spin offs while in professional employment with their research and academic organizations (Universities, academic and research institutions, herein after referred to as Scientific Establishment);
 - ii. Permitting the Scientific Establishment to invest knowledgebase as equity in the enterprises;
 - iii. Encouraging the Scientific Establishment to set up incubation centers; and
 - iv. Facilitating the mobility of researchers between industry and Scientific Establishment.
- B. As per the above Department notification, scientists of Department of Biotechnology as well as autonomous institutes under its administration control are eligible to avail the provisions of the scheme. The above communication has also provided a procedure to operationalize the provisions of the proposal. Accordingly, the concerned Scientific Establishment will have to evolve rules and regulations based on the guidelines suggested in the OM and seek concurrence of their respective Administrative Ministry. Thereafter, the respective Scientific Establishment would need to obtain the approval of its Governing Council / Body for implementing the scheme in their respective Establishments.
- C. The rules and regulations for implementing the scheme “Encouraging Development and Commercialization of Inventions and Innovations” were issued vide OM No. BT/NBDB/13/01/2014 dated 25th November, 2014. These rules have been further revised now with the approval of Secretary, Department of Biotechnology, Govt of India and will have overriding effect on all the provisions of the earlier OM dated 25th November, 2014.

1. Short title

These may be called ‘**Scientific Establishment special provisions pertaining to rules and regulations for Encouraging Development and Commercialization of inventions and innovations**’.

2. Definitions

- i. “Government” means the Central Government of India;

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- ii. “Entity” means a legal person constituted under Indian Laws primarily to commercialize knowledgebase;
- iii. “Scientific Enterprise” means a special class of new Entity that leverages scientific research, inventions and innovations and transforms them into commercializable technologies / products;
- iv. “Scientific Establishment” means the Department of Biotechnology (DBT) and the autonomous laboratories / institutes under it;
- v. “Scientists” means such categories of staff as notified by the Department of Biotechnology (DBT) and autonomous laboratories / institutes under it from time to time and shall include scientists and engineers in scientific cadre as well as academic staff;
- vi. “Knowledge base” means all inventions / innovations (whether patentable or not), invention / innovation disclosures, trade secrets, know-how, proprietary information, technical data documentation, data collections, databases, concepts, processes, software, design drawings, materials, support services and the like, whether or not the foregoing are in tangible or intangible form.

3. Operating Rules and Regulations

3.1 Permitting the scientists to have an equity stake in scientific enterprises / spin offs while in professional employment with their research academic organizations

3.1.1 Preamble

Creation of Scientific Enterprises is the key indicator of the effectiveness of a national innovation system. This in turn requires translation of inventions and innovations into commercializable knowledge. Such enterprises are often established in the campuses of research institutes and universities due to their special needs and resource requirements such as strong domain expertise, contemporary skills as well as access to specialized manpower, facilities and know-how. Many developed nations world over encourage and enable their researchers (from publicly funded research organizations such as universities, research institutions etc.) to involve with Scientific Enterprises while in professional employment with their organization. Such measures are expected to ensure continued involvement of the researcher in translating the inventions or innovations to commercializable knowledge. With a view to permitting and enabling the researchers to involve with such science and engineering driven Scientific Enterprises, the Government has approved the above provision as one of the measures.

3.1.2 Eligibility

The scheme shall be applicable to all scientists and engineers in scientific cadre who have completed 3 years of service in the scientific cadre of Department of Biotechnology and the autonomous institutes under it and this could be further relaxed in meritorious cases with innovations having high potential for commercialization as recommended by the competent authority of the institution.

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3.1.3 Procedure

- i. The Scientific Establishment shall notify an official or an office or a committee for handling requests from scientists / engineers seeking permission under the provision;
- ii. Any scientist desiring permission shall apply to the notified authority in prescribed form (appendix I) seeking permission to have a stake in an Entity;
- iii. In the event of more than one scientist collectively investing in the Entity, each one of the scientists will have to seek the permission to have a stake in the Entity;
- iv. In the event of more than one scientist belonging to different Scientific Establishments collectively investing in the Entity, each one of the scientists will have to seek the permission to have a stake in the Entity from their respective Scientific Establishments;
- v. The notified authority shall examine each application in accordance with the procedures established by it and make an appropriate recommendation to the approving authority.

3.1.4 Competent Authority for Approvals

- i. The approving authority for the scientists of the department is the Secretary of the Department and for Scientists in the Autonomous Institutes / Laboratories is Head of the institution / Laboratory (Director);
- ii. Notwithstanding anything contrary contained in any other rule, order or notification but subject to the provisions of this scheme, the Approving authority shall permit a scientist to have an equity stake in scientific enterprise;
- iii. For implementing the provision at 3.1. by Scientific Establishment that is following CCS (Conduct) Rule, the Government has approved exemption in CCS (Conduct) Rules such as 15 (relating to private trade and employment), 16 (relating to investments, lending and borrowing), 18 (relating to movable . immovable property) and FR-11 and other related rules. However, only those scientists will be exempted from CCS (Conduct) Rules, who are permitted to have equity stake in companies by the Competent Authority. Remaining scientists of the Scientific Establishment will continue to be governed by the CCS (Conduct) Rules. If the Scientific Establishment is following its own conduct rules, then it has to provide exemption to the relevant rules to enable scientists permitted by the Competent Authority to avail the provision.
- iv. The approval must also specifically mention instructions to avoid anticipated conflict of interest (as indicated in section 5 of Annexure I) in the form of dos and don'ts;
- v. For the scientists of an Institute the Chairperson of Governing Council/ Governing Body of that Institute will be the Competent Authority for granting exemptions from operation of CCS (Conduct) Rules 1964 and/or any other relevant Rules. All such cases will be brought to his/her consideration with recommendations of Governing Council/ Governing Body of that Institute.
- vi. For the scientists working in the department Hon'ble Minister in charge of the department will be the Competent Authority for granting exemptions from operation of CCS (Conduct) Rules 1964 and/or any other relevant Rules.

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3.1.5 Responsibilities

3.1.5.1 Scientist

- i. shall primarily be responsible for the organization he is serving and shall be bound by any instructions, general or specific, that the Scientific Establishment may issue from time to time;
- ii. shall bring potential conflict of interest issues to the knowledge of the Scientific Establishment (as per annexure I, section 5) and be guided by the instructions that the Scientific Establishment may issue from time to time. Each Scientific Establishment may issue guidelines for management of conflict of interest, relevant to such Scientific Establishment, if necessary;
- iii. shall not directly or indirectly associate himself / herself with any process, notwithstanding the permission granted
 - a. to license knowledge base to the Entity;
 - b. for the purchase or hiring of goods and services from the Entity; and
 - c. to the evaluation of goods or services that compete with the goods or services of the Entity;
- iv. may provide professional advice to the Entity, upon request from the Entity, on such terms and conditions as the Scientific Establishment may prescribe;
- v. if desires to be associated with the Entity as non-executive Director, he/she would need to seek the approval specifically from the Scientific Establishment (vide section 4 & 6 of the proforma);
- vi. if desires to be associated with the Entity full time and guide the activities in the initial phase, he / she has to take lien from the Scientific Establishment. Such lien can be taken for a maximum period of 3 years;
- vii. shall, in the event of Entity's merger with another unit or acquiring another unit or coming out with an Initial Public Offering (IPO) or disinvesting his share in the entity, inform the Scientific Establishment in advance.

3.1.5.2 Entity

- i. should not be construed as an agent or representative or part of the Scientific Establishment. The Entity is solely responsible for the activities undertaken by the Entity or for any liabilities that may arise from the activities of the Entity;
- ii. can utilize the resources of the Scientific Establishment (the term 'resources' shall be broadly construed widely and include, without limitation, laboratories, equipments, personnel and space or the Scientific Establishment) with prior approval in writing and on such terms and conditions as the Scientific Establishment may prescribe;
- iii. shall, subject to the existing rights or licenses, have the option to license knowledgebase from the Scientific Establishment by paying royalty (upfront or staggered with milestones or a combination of both);
- iv. shall continue to be liable to the Scientific Establishment for payment of royalty even if the scientist concerned disinvests his / her stake in the Entity;

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- v. can source the knowledgebase from anywhere in India or Abroad; for the scientist to take equity stake the knowledgebase need not be from the same Scientific Establishment;

3.1.5.3 Scientific Establishment

- i. notwithstanding anything contrary contained in any other rule, order or notification but subject to the provisions of this scheme, shall permit a scientist to have any equity stake in Scientific Enterprise;
- ii. shall license knowledgebase to the Entity on terms that are no worse than the terms on which the Scientific Establishment would have licensed the knowledgebase to another person on arms length basis;
- iii. in its discretion may take equity stake in the Entity in lieu of royalty (as per provision 3.2);
- iv. if decides to disinvest the equity, it will be first offered to the promoters of the Entity;
- v. shall reserve the right to take an independent decision, as it deem appropriate, in the event of the Entity merging with another Entity or acquiring another Entity;
- vi. can offer its equity to be placed under the IPO, in the event the Entity decides to go public with an IPO offer.

3.1.6 Modification to the rules

Modifications to these rules can be effected by the Scientific Establishment with the concurrence of the Administrative Ministry and the approval of the Governing Council / Board of the Scientific Establishment.

3.2 Enabling the Scientific Establishment to invest knowledgebase as equity in a Company / Entity

3.2.1 Preamble

Entities, having innovative ideas, need support to realize their dreams. However requirement of heavy investment on many fronts discourages many aspiring technopreneurs. One of the ways to ease the burden of initial investment is offer of Knowledgebase in exchange for equity. Although such a measure by a Scientific Establishment is small in the light of the overall investment, the mere feeling that the Scientific Establishment is behind them enhances the confidence of the Entity immensely. Recognizing the intangible benefits, the Government has permitted the Scientific Establishment to invest knowledgebase and / or the cost of support services as equity in the enterprise / Entity.

3.2.2 Eligibility

Scientific Establishments that develop knowledgebase are eligible.

3.2.3 Procedure

- i. The Scientific Establishment shall notify an official or an office or a committee for handling requests from a Company / Entity seeking permission under the provision;
- ii. Any Company / Entity who desiring to utilize the knowledgebase and / or support services of Scientific Establishment shall apply to the notified authority in the

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prescribed form (appendix II) seeking permission for equity participation in lieu of the cost of knowledgebase and / or support services;

- iii. The notified authority shall examine each application in accordance with the procedures established by it and make an appropriate recommendation to the approving authority. The specified authority shall also reflect on the knowledgebase from Security and Sensitivity angle;
- iv. After approval by the competent authority, a legal agreement shall be entered between Scientific Establishment and the Company / Entity for transfer of knowledgebase and / or support services for equity incorporating all the relevant clauses of the approval;

3.2.4 Competent Authority for approvals

- i. The approving authority is Head of the institution / Laboratory (Director);
- ii. The approval shall specifically state the quantum of the equity for the knowledgebase and / or support services. It would also specify the type of support services it shall provide and for how long;
- iii. The Approving authority may reject the permission if the knowledgebase impinges on the Security and Sensitivity of the nation;

3.2.5 Responsibility

3.2.5.1 Scientific Establishment

- i. (the notified authority) shall finalize the terms & conditions for knowledgebase and / or support services to be invested as equity in the Company / Entity taking into consideration the over all investment and efforts required in translating such knowledgebase into commercialisable product / process by the company / Entity;
- ii. shall only invest knowledgebase and / or support services as equity and under no circumstances can invest cash as equity in the Company / Entity;
- iii. shall have a right to nominate its representative as independent Director on the Board of Directors of the Company / Entity;
- iv. shall not take the management of such Company / Entity in hand. Management of such Companies / Entities shall vest in the promoters or next majority stakeholder;
- v. shall not involve directly or indirectly any scientist, who has taken an equity stake in the Company / Entity in any process that pertain:
 - a) to license knowledge base to the Company / Entity
 - b) to the purchase or hiring of goods and services from the Company / Entity
 - c) to evaluate goods or services offered by the Company / Entity;
- vi. upon request from the Company / Entity, may provide technical personnel / professionals under the mobility scheme (vide 3.4), on such terms and conditions as the Scientific Establishment may prescribe;
- vii. shall divest their equity, at an appropriate opportunity on their discretion, as per the financial norms; In such an event the Company / Entity shall be given the first right

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to buy back the equity, without compromising on financial returns. However, the Scientific Establishment shall reserve the right to decide about its equity stake as it deems appropriate, in the event of the Company's / Entity's merger with another unit or acquiring another unit or coming out with an Initial Public Offering (IPO);

- viii. may utilize the services of financial institution to manage the portfolio;
- ix. shall distribute the dividend received from such Companies / Entities as well as the divestiture of equity with the innovators and staff as per the extant rules of the Scientific Establishment;
- x. shall plough back its share of dividend received from the income of such Companies / Entities as well as the amount received due to divestiture of equity stake in furthering its research objectives;

3.2.5.2 The Company / Entity

- i. shall not view the Scientific Establishment as a promoter of the Company / Entity and it shall be viewed only as an investor;
- ii. shall not use the name of the Scientific Establishment without the latter's express permission;
- iii. shall permit the Scientific Establishment to nominate a person on the Board of Directors;

3.2.6 Modification to the rules

Modifications to these rules can be effected by the Scientific Establishment with the concurrence of the Administrative Ministry and the approval of the Governing Council / Board of the Scientific Establishment.

3.3 Setting up of Technology Incubation Centers (TIC) by Scientific Establishment

3.3.1 Preamble

Nurturing early stage innovations and developing them into technologies is a measure of the strength of the National Innovation System (NIS). Translating early stage innovations into technologies associated with considerable risks, requires large risk capital, in addition to sound technical expertise and sustained effort by the entrepreneur. The concept of Technology Incubation Centre (TIC) has served well in moving innovations to market place and thus limiting the initial capital investments by the entrepreneur. Recognizing the fact, Government has approved setting up of TICs by various Scientific Establishments. These multipurpose TICs, aim to provide high quality infrastructure and ecosystem to entrepreneurs so as to help nurture start up Companies / Entities through appropriate hand holding mechanisms.

3.3.2 Objectives

- to accelerate the commercialization of new inventions and innovations;
- to nucleate, nurture and mentor new Scientific Enterprises, mainly in the area of Biotechnology;
- to assist new Scientific Enterprises to forge appropriate linkages with other companies, academia and government;
- to encourage techno-preneurship in the country.

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3.3.3 Scope

TICs shall facilitate setting up of Scientific Enterprise that

- translate inventions and innovations into products / processes; and
- provide R&D services on contract basis to national and international clients.

3.3.4 Eligibility

Scientific Establishments under Department of Biotechnology are eligible.

3.3.5 Procedure

The Scientific Establishment wishing to set up a TIC shall prepare a comprehensive report and seek the approval of its Governing Council / Board. The comprehensive report among others shall include objectives, scope, R&D capacity and major facilities of the Scientific Establishment, IP portfolio, SWOT analysis, proposed operation of TIC, Management of TIC and financial analysis.

3.3.6 Operation of TIC

- i. The TIC shall function as an independent Entity, either as a section 25 company or a society;
- ii. The TIC can lease a built-up space from the Scientific Establishment, if the later can spare. For creating other necessary facilities, the TIC / Scientific Establishment may seek grants-in-aid support from other government departments;
- iii. In case such spare built-up space is not available, the Scientific Establishment may make alternate plans to build such facility either from its own budgetary resources or from grants-in-aid from other government departments;
- iv. The Scientific Establishment may also explore the possibility of setting up TIC in public-private-partnership mode on build, operate and transfer mode.
- v. The TIC shall charge basic rent, maintenance & reimbursable charges from its tenants and the Scientific Establishment shall recover the costs of the services it provided to the TIC;
- vi. The scientific Establishment shall constitute a TIC Function Review Committee to review the performance of the TIC periodically;
- vii. Each TIC shall endeavour to tie-up with one or more venture capital funds to facilitate financing of the Scientific Enterprises incubated on its premises;
- viii. The TIC shall endeavour to be a self-sustaining entity within a reasonable period from its commencement;
- ix. TIC shall give preference to the Entities that utilize the knowledgebase of the Scientific Establishment;

3.3.6 Management of TIC

- i. Head of the Scientific Establishment / an eminent Technologist nominated by the Governing Council / Board shall be the Chairman of the Board of Directors (BoD) of the TIC. He/she will have the overall authority for running the TIC. The BoD shall have powers among others, to select the applicants based on rigorous assessment

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including suitability of the TIC facilities for the intended activities of the Scientific Enterprise;

- ii. The BoD shall meet at least once in six months to discuss and take decisions for smooth running of TIC;
- iii. The TIC shall identify a suitable person from the Scientific Establishment or hire services of a professional as Managing Director or CEO (at competitive market prices) to manage the TIC. He/she shall among others, be responsible for the day-to-day operations, collection of rents, maintenance of the premises and assist the Chairman and BoD for smooth management of the TIC;
- iv. Any other secretarial assistance, security and maintenance staff that may be required for the TIC shall be outsourced on contract basis;
- v. The TIC shall evolve a standard legal agreement (with necessary modifications from case to case) to be entered between the Scientific Enterprise and the TIC.

3.4 Facilitating mobility of researchers between industry and Scientific Establishment and *vice versa*

3.4.1 Preamble

Building newer skills, competencies and capabilities in scientists is a continuous endeavour of all Scientific Establishments. One of the effective ways of building such skills is 'mobility' of researchers from one organization to another. Temporary movement of scientists / Engineers from one Scientific Establishment to other and to industry and vice versa is termed as 'mobility' of researchers. Mobility helps in seamless transfer of knowledge, skills and competencies across the spectrum. For example, scientists working in Scientific Establishment might acquire entrepreneurial skills with the exposure to industrial working environment; similarly, shortage of competent manpower may be eased in newer institutes temporarily. Recognizing the benefits, the Government has approved the provision for mobility of researchers between industry and Scientific Establishments and vice versa. This provision will cover personnel engaged in research, teaching, R&D activities including further development of innovation and inventions, as well as associated functions such as technology dissemination & diffusion, business development, knowledge management, technology & IP management, quality assurance etc.

3.4.2. Eligibility

The scheme shall be applicable to all scientists and engineers in the scientific cadre of Department of Biotechnology and the Scientific Establishments under it, who have completed 3 years of service and have at least 2 years of residual service after completion of the mobility period.

3.4.3 Procedure

- i. The Scientific Establishment shall notify an official or an office or a committee for handling requests from scientists / engineers seeking permission under the provision;
- ii. Any scientist who desires permission under the provision shall apply to the notified authority in prescribed form (appendix III);

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- iii. The notified authority shall examine each application in accordance with the procedures established by it and make an appropriate recommendation to the approving authority;

3.4.4 Competent Authority for Approvals

- i. The approving authority for the scientists / Engineers of the department is Secretary of the Department and for scientists / Engineers in the Scientific Establishment under it is Head of the Scientific Establishment (Director);
- ii. Notwithstanding anything contrary contained in any other rule, order or notification, but subject to the provisions of this scheme, the Approving authority shall permit a scientist to utilize the provision;
- iii. The approval shall specifically state the period for which the scientist / engineer is being permitted to avail the mobility provision;
- iv. Mobility shall be permitted only within the country;

3.4.5 Operative Provisions

- i. The mobility of scientists / engineers may be permitted between and among Scientific Establishments, industry and approved Scientific and Industrial research Organizations (SIROs) recognized by Department of Scientific and Industrial Research;
- ii. In utilizing the provision, two scenarios are envisaged viz. (i) mobility into the Scientific Establishment and (ii) mobility out of the Scientific Establishment. Both the scenarios are permissible;
- iii. The provision of mobility can be permitted for research, teaching, R&D activities including further development of innovation and inventions as well as associated functions such as technology dissemination & diffusion, business development, knowledge management, technology & IP management, quality assurance, etc.;
- iv. The objective of the mobility must be clearly defined;
- v. Not more than 20% of the eligible staff of a Scientific Establishment may be permitted to avail the provision at any given time. The host institute may engage temporary staff, if necessary, during the period for sustaining the activities;
- vi. Eligible staff member may utilize not more than 15% of his/her total service period during his career on mobility. This could be in small tranches subject to a minimum period of two months or at a stretch not exceeding two years;
- vii. The permitted staff member shall receive his/her salary from the parent organization. The accepting organization shall provide dislocation allowance of a minimum of 20% of his basic salary in addition to TA/DA. In case of mobility to Industry / SIRO, no such limits for dislocation allowance are prescribed and the staff will be permitted to retain such allowances;
- viii. In the case of mobility into Scientific Establishment from the industry / SIRO, the Scientific Establishment may pay competitive and consolidated remuneration. It will be decided by the Scientific Establishment on the basis of its location, experience of the incumbent and area of the proposed work. The Scientific Establishment may

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provide accommodation and charge for the same as per rules. The incumbents shall also be permitted to retain any payment on account of salary etc., from their parent organization;

- ix. The parent organization shall extend medical facilities to his / her family members retained at the parent organization, as applicable to other staff members in the same grade;
- x. During the period of mobility, the permitted staff member will be allowed to retain the accommodation on the same terms and conditions as are applicable to other staff in the same grade;
- xi. The mobility period shall be treated not only as period on duty but also be counted for all future benefits and assessments. Nonetheless the rigour of evaluation for professional advancement shall not be diluted;
- xii. The accepting Scientific Establishment / industry / SIRO must provide all logistic support to the person it accepts under the provision of mobility and to that extent a commitment from the accepting organization may be obtained;
- xiii. The scientist / engineer availing the mobility and the scientists / engineers of the accepting institution shall be encouraged to write joint project proposals for collaborative research and jointly guide the research students;

3.4.6 Modification to the rules

Modifications to these rules / operative provisions can be effected by the Scientific Establishment with the concurrence of the Administrative Ministry and the approval of the Governing Council / Board of the Scientific Establishment.

3.5 Revenue Sharing Mechanism

- i. In cases related to Autonomous Institutes revenue sharing model will be such as approved by their Governing Body/ Governing Council.
- ii. In cases related to Scientists working in the department the revenue sharing will be as approved by the Government on case to case basis.

3.6 Disputes

All disputes between the Scientist and the Scientific Establishment relating to the permission granted under these provisions / rules shall be settled by arbitration. Such disputes may be referred to Secretary, DBT as single arbitrator. The decision of the Arbitrator shall be final and binding on the parties. The arbitration proceedings shall take place in accordance with the Indian Arbitration and Conciliation Act 1996 and / or any subsequent amendment thereof. The place of arbitration shall be the office of the Secretary, DBT or any other place as chosen by the Secretary, DBT. The expenditure arising out of arbitration proceedings shall be equally shared by both parties. The language of arbitration shall be English.

Application for seeking approval of the Scientific Establishment for investing in the equity stake of a Scientific Enterprise / spin off

1. Details of the Scientist:

- i. Name:
- ii. Designation:
- iii. Division in which he or she currently working
- iv. Address for communication including Telephone, mobile, fax and email (office)
- v. Residential address including Telephone, mobile, fax and email

2. Details of the Entity:

- i. Registered name of the Entity:
- ii. Registration number and other details:
- iii. Registered Address of the Entity with telephone, mobile, fax and email
- iv. If the entity operating from another location other than the registered office please give details of the location and complete address including telephone, fax, mobile and email:
- v. Profile of the Entity including broad outline of the activities:
- vi. Business Plan of the Entity (enclose a copy):
- vii. Give brief details of Knowledgebase and where it is acquired (enclose a proof of acquisition):
- viii. Give details of the promoters including address with telephone, mobile, fax and email, brief back ground and their personal equity stake in the Entity:
- ix. Give details of the Board of Directors including address with telephone, mobile, fax and email, brief back ground and their personal equity stake, if any, in the Entity:
- x. Give details of the present functioning of the Entity including the name and contact details of the chief operating officer / Managing Director etc. In the event the Entity is yet to be established, give proposed functioning of the Entity and the role of the Scientist who is seeking to take an equity stake in the Entity:

3. Details of Equity stake proposed to be acquired by the Scientist:

- i. Face Value of each Equity:
- ii. Number of Equity shares to be acquired:
- iii. Total value of the stake in Rs.:
- iv. How is it proposed to finance:
- v. (in case the acquisition is in a phased manner, please indicate the phases and approximate number of shares in each phase)

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- vi. Do the scientist family members (wife or husband and children only) hold or propose to hold equity shares in the same Entity, please give details:

4. Other permissible provisions:

- i. Does the scientist intend to take lien? Yes No
- ii. If yes, state the period and date from which the scientist intend to take the lien:
- iii. Does the scientist wish to be associated with the Entity as non-executive director on the BoD?
- iv. If yes, specify the role of the scientist as Director on BoD
- v. Does the scientist propose to offer consultancy to the Entity? Yes No
- vi. If yes, give the approximate consultancy man days per year:

(in the event of Scientific Establishment permitting the scientist to offer consultancy to Entity, a separate agreement will have to be entered between the Scientific Establishment and the Entity for the consultancy assignment as per the Scientific Establishment norms)

5. Conflict of Interest Disclosure:

The conflict of interest arises due to the dual responsibility a scientist, who invests in an Entity, has to take on one hand as scientist of the Scientific Establishment and on the other as an investor in the Entity. Every scientist who seeks approval to invest in a Scientific Enterprise shall have to identify such issues which are likely to become conflict of interest and project these up front for the Management of the Scientific Establishment to assess and suggest possible remedial measures to be followed by the Scientist.

- i. Please state the possible / anticipated conflicts of interest:

(While the of approval in force, if any other conflict of interests are envisaged these may also be brought to the notice of the appropriate authority of Scientific Establishment)

6. Approvals are being sought for

to take Equity stake in the Entity - number of equity shares (% of the equity authorized share capital)

to take lean for a period of ----- years beginning (dd/mm/yyyy)

to associate with the Entity as non-executive Director

to provide professional consultancy to the Entity

7. Undertaking:

I resolve to undertake that:

my primary responsibility is towards scientific Establishment and I shall abide by the instructions of the Scientific Establishment from time to time;

I am personally responsible for the Activities of the Entity and the liabilities arising out of it;

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I shall not involve the Scientific Establishment name, without its express permission, in the matters pertaining to the Entity;

notwithstanding any permission granted to me, I shall not directly or indirectly associate myself:

- a) with any process to license knowledge base to the Scientific Enterprise
- b) with any process for the purchase or hiring of any goods and services from the Scientific Enterprise; and
- c) with the evaluation of any goods or services that compete with the goods or services of the Scientific Enterprise.

Signature _____

Name of the scientist _____

Witnesses(signature with complete address):

1. _____

2. _____

Application for seeking approval of the Scientific Establishment for investing in the knowledgebase and / or support services as equity in the Company / Entity

1. Details of the Company / Entity:

- i. Registered / proposed name of the Company / Entity:
- ii. Registration number and other details (in case to be registered give the likely time frame when it will be registered and where):
- iii. Registered Address of the Company / Entity with telephone, mobile, fax and email (in case to be registered Company / Entity give details of proposed address)
- iv. If the Company / Entity is operating from another location other than the registered office, please give details of the location and complete address including telephone, fax, mobile and email:
- v. Face Value of Equity share (in Rs.):
- vi. Authorized Equity capital of the Company / Entity (in Rs.):
- vii. Subscribed value of the Equity capital (in Rs.):
- viii. Give details of the promoters including address with telephone, mobile, fax and email, brief back ground and their individual equity stake in the Company / Entity:
- ix. Give details of the Board of Directors including address with telephone, mobile, fax and email, brief back ground and their individual equity stake, if any, in the Company / Entity:
- x. Give details of the present functioning of the Company / Entity including the name and contact details of the chief operating officer / Managing Director etc. In the event the Company / Entity is yet to be established, give proposed functioning of the Company / Entity:
- xi. Profile of the Company / Entity including broad outline of the activities or proposed activities:
- xii. In case of new start up, briefly outline the Business Plan of the Entity (also enclose a copy of Business plan):
- xiii. Give brief details of product range, in case of existing company and list the Knowledgebase it had acquired:

2. R&D capacity of the Company / Entity:

- i. Does the Company / Entity have a R&D unit yes No

If yes, provide following information

- ii. Has it been recognized by DSIR (if yes give details)
- iii. Give details of Staff strength
- iv. Give names of the staff having Ph.D. degree

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- v. R&D expenditure in the last 3 years
- vi. List major R&D facilities
- vii. Describe current R&D activities
- viii. IP generated due to the R&D activities in the last 3 years
- ix. Does the Company / Entity have expertise in translating the knowledgebase into product / process? If yes give details of two such examples:
- x. Give current portfolio of IP:

3. Knowledgebase proposed to be acquired by the Company / Entity as equity:

- i. Name of the knowledgebase
- ii. Brief details of knowledgebase
- iii. Brief plan of action for translating the knowledgebase into product / process

(Questions to be answered by Scientific Establishment)

- iv. Is the knowledgebase IP protected, if yes give details
- v. Is a report on the knowledgebase available, give details?
- vi. Who are the inventors of the knowledgebase, give names and percentage of their contribution?
- vii. Please classify the knowledgebase as per the definition of knowledge base given in the section 2 of the main notification.

4. Support services proposed to be utilized in lieu of equity by the Company / Entity:

- i. Please list the equipment / facilities proposed to be used by the Company / Entity and the likely time requirement per month and the period of requirement
- ii. Please list any other services that the Company / Entity propose to use and give details

5. Undertaking:

In case the Scientific Establishment agrees to invest its knowledgebase and / or support services in the company, I _____, the authorized signatory of the company on behalf of the company solemnly resolve to undertake that:

- i. the Company / Entity shall have the nominee of the Scientific Establishment as non executive director on the Board of Directors;
- ii. the Company / Entity shall not use / involve the name of the Scientific Establishment without its express permission;
- iii. the Company / Entity shall make all reasonable efforts in translating the knowledgebase into a commercial product / process;
- iv. upon receiving communication from the Scientific Establishment of its willingness to invest knowledgebase as Equity, the Company / Entity shall pass a board resolution to that effect indicating the number of equity shares it would be allotting to the Scientific Establishment;

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- v. mere participation in the equity by the Scientific Establishment does not construe that the Company / Entity is part of the Scientific Establishment;
- vi. the Company / Entity shall not directly or indirectly influence the Scientific Establishment in purchase or hiring of any goods and services from the company;
- vii. the Company / Entity shall inform in advance the Scientific Establishment of any acquisition, merger or IPO.

Signature of the Authorized Representative of the company

Name and designation _____

Witnesses (signature with complete address):

- 1. _____
- 2. _____

Company Seal

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Appendix III

Application for seeking permission of the Scientific Establishment for utilizing the Mobility scheme

1. Details of the Scientist / Engineer:

- i. Name:
- ii. Designation:
- iii. Division in which he or she currently working
- iv. Date of joining the Scientific Establishment
- v. Date of Superannuation
- vi. Address for communication including Telephone, mobile, fax and email (office)
- vii. Residential address including Telephone, mobile, fax and email
- viii. Proposed period of mobility: From ----- To -----
- ix. Give details of study leave / lien, if any used by the applicant
- x. Give details of the mobility used by the applicant

2. Details of the Scientific Establishment where the applicant proposed mobility:

- i. Name of the Scientific Establishment / Industry / SIRO:
- ii. Department / Division where the applicant proposes to work:
- iii. Address of the Scientific Establishment / industry / SIRO with telephone, mobile, fax and email
- iv. Brief profile of the Scientific Establishment and the division / department where the applicant proposes to work:
- v. Objective of the proposed mobility
- vi. Define the area of work and the benefits that are expected to accrue to the parent institution
- vii. Attach a acceptance letter from the Accepting Scientific Establishment / industry / SIRO
- viii. Details of remuneration being offered by the Accepting organization
- ix. Any other relevant information

3. Associated information

- i. Does the applicant wish to retain the official accommodation?
- ii. Does the applicant intend to utilize the medical facility (from the parent institute) for his family members

Signature of the applicant

Witnesses (signature with details)

1. _____

2. _____

