



CIVIL SERVICE RULES

Vol – I

GOVERNMENT OF THE PUNJAB
FINANCE DEPARTMENT

C.S.R.
CIVIL SERVICE RULES
(Punjab)

Volume I

Part I, II---Main Rules

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CIVIL SERVICE RULES (PUNJAB)

Volume 1

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PART 1

Chapter I

EXTENT OF APPLICATION

- 1.1.** These rules, which have been issued by the Governor of Punjab under section 241 of the Government of India Act, 1935, (see Appendix I), may be called the Civil Services Rules (Punjab). They shall come into force from the 1st April, 1941.

COMMENTS

The Punjab Civil Servants Act, 1974 was enacted on 4th June, 1974 and as per clause 23 of the said Act which is reproduced, these Rules are enforce so far 'as these rules are not inconsistent with the provisions of this Act or rules framed thereafter.

(2) Any rules, orders or instructions in respect of any terms and conditions of service of civil servants duly made or issued by an authority competent to make them and in force immediately before the commencement of this Act shall, in so far as such rules, orders or instructions are not inconsistent with the provisions of this Act, be deemed to be rules made under this Act.

- 1.2. (a)** Except as otherwise provided in rule 1.4 infra, or in any other rule or rules, these rules shall apply to all Government servants belonging to the categories mentioned below, who are under the administrative control of the Punjab Government and whose pay is debitable to the revenues of the Punjab:-

- 1.** Members of Provincial Services;
- 2.** Members of Subordinate Services;
- 3.** Holders of Special Posts; and
- 4.** any other Government servant or class of Government servants to whom the competent authority may, by general or special order, make them applicable.

COMMENTS

The Punjab Government has framed rules for the abolition of classes on 3rd July, 1974 by Notification No. **SOR-III-1-52/73**, which is reproduced with subsequent

amendment

No. SOR- III-1- 52/73.---In exercise of the powers conferred by section 23 of the Punjab Civil Servants Act, 1974, the Governor of the Punjab is pleased to make the following rules :-

- 1)
 1. These rules may be called the Punjab Civil Servants (Change in Nomenclature of Services and Abolition of Classes) Rules, 1974.
 2. They shall come into force at once.
- 2) In these rules unless there is anything repugnant in the subject or context.
 - a) "Classes" means Class I, Class II, Class III and Class IV in which the civil posts and services are classified under any rules or orders for the time being in force;
 - b) "Functional Unit" means a group of posts or a part of such group sanctioned as a separate unit in or under a department;
 - c) "Grade" means 'national scale of pay' in which a number of posts, in a functional unit, carrying same duties and responsibilities is placed; provided that in the case of a person who does not opt for the national scales of pay or the post which has not been placed in the national scales of pay, "National Scale of Pay means the presumptive national scale of pay corresponding to the existing scale of pay in which such person, or as the case may be, the post would have been placed but for the aforesaid reasons; provided further that in case of a person whose pay has been fixed in the national scale of pay corresponding to the pre-national scales selection grades or who moves over to the next higher national scale of pay without change in the nature of duty and assumption of higher responsibilities or under prescribed conditions after reaching the maximum of the lower national scale of pay, 'national scale of pay" means the lowest national scale of pay admissible for his post ;'
 - d) "Province" means the Province of the Punjab ;
 - e) "Punjab Unified Grade" means the grade to which a civil servant is entitled in respect of his existing post; and
 - f) "Services" means the Civil Services of the Province and include civil posts connected with the affairs of the Province.
- 3) Notwithstanding anything contained in any rule, order, regulation or instruction, the names of services are, with immediate effect, changed to Punjab Unified Grades and all reference to a service in any rule, order, regulation or instruction shall, consistent with the subject and context, be construed as reference to the respective Punjab Unified Grade..
- 4) All persons, other than the persons appointed on ad hoc basis, who immediately

before the coming into force of these rules were members of a service or held a civil post connected with the affairs of the Province are, subject to their existing inter se seniority position, appointed in their existing posts to the respective Punjab Unified Grade.

- 5) Notwithstanding anything contained in the Civil Service Rules and any other rules or orders for the time being in force all classes and classifications of services and posts as gazetted and non-gazetted are abolished.
- 6) For the purposes of application of any existing rule, order or instruction reference to a class or to a post as Gazetted or Non-Gazetted shall be construed as reference to the corresponding Grade as specified in the table below :

Gazetted Posts	Class	Corresponding Grades
1. Class I		1. Grades 17 to 23.
2. Class II		2. Grade No. 16.
3. Special Gazetted.		3. Grade No. 16.

Non-Gazetted Posts

4. Class III		4. Grades 3 to 15.
5. Class IV		5. Grades 1 and 2.

- 7) Notwithstanding anything contained in any rule, order or instruction, all reservations of posts for purposes of appointment, promotion or transfer in favour of persons belonging to a particular service or cadre, or holding a particular post, are abolished.

No. SOR-III-1-52/73

The dated 23rd July, 1974

Subject—Punjab Civil Servants (Change in Nomenclature of Services and Abolition of Classes) Rules, 1974.

I am directed to refer to the correspondence resting with this Department's circular Letter **No. SORI (SGA&ID) 11-1/74**, dated the **13th July, 1974**, with which a copy of the Rules mentioned in the subject has already been forwarded in the context of abolition of Service Associations. The above Rules have, inter alia, abolished classification of posts as gazetted and non-gazetted and also reservation of posts for promotion and initial recruitment. In pursuance, and as a consequence, of these provisions the Government of the Punjab has further taken the following decisions:-

- i. that reservation of posts for the purposes of initial/direct recruitment, promotion or transfer, in favour of persons belonging to a particular service or cadre or holding a particular post, which have been abolished by the above rules, should continue to be followed in accordance with the existing quotas for promotion and initial/direct recruitment laid down in various service rules till the position is reviewed in the context of Administrative Reforms; and
 - ii. that the practice of notifying appointment to Grade-16 and above in Government Gazette should continue to be followed.
- 2) These decisions may kindly be brought to the notice of all concerned for information and compliance.

NOTE.—Unless stated to the contrary in any rule or rules or the contrary is apparent from the context, the term "Government Servant" includes also a temporary or an officiating Government servant.

- b) These rules shall also apply—
- 1. to the persons serving on (i) the staff attached to the High Court, Lahore, and (ii) Secretarial staff of the Governor, in respect of whom powers to frame rules have been vested in the Chief Justice and the Governor under sections 242 (4) and 305 (2) of the Government of India Act, 1935, as adapted and modified by the Pakistan (Provisional Constitution) Order, 1947, respectively (see Appendix 1); and
 - 2. to the subordinate ranks of the Punjab Police forces and members of the Border Military Police appointed under special Acts relating to those forces in so far as they are not inconsistent with the provisions in those Acts, _ (vide section 243 of the Government of India Act, 1935, as adapted and modified by the Pakistan (Provisional Constitution) Order, 1947, reproduced in Appendix 1).
- 1.3. When in the opinion of the competent authority special provisions inconsistent with these rules are required with reference to any particular post or any conditions of service, that authority may, notwithstanding anything otherwise contained in these rules, and subject to the provisions of subsection (4) of section 240 of the Government of India Act, 1935 (see Appendix 1), provide by agreement with the person appointed to such post for any matters in respect of which in the opinion of that authority special provisions are required to be made; provided that in every agreement so made it shall be provided that in respect of any matter for which no provision has been made in the agreement, provisions of these rules shall apply.
- 1.4. These rules shall not apply to_
- i. any Government servant between whom and the Government, a specific contract .or agreement subsists in respect of any matter dealt with herein to the extent up to which specific provision is made in the contract or agreement (see rule 1.3 above);
 - ii. any person for whose appointment and conditions of service special provision is made by or under any law for the time being in force; and

- iii. any Government servant or class of Government servant to whom the competent authority may, by general or special order, direct that they shall not apply in whole or in part. One of such classes of Government servants is that employed only occasionally or which is subject to discharge at one month's notice or less. A list of such Government servants is given in Appendix 2.

NOTE—Different types of Model form of agreement for use in the case of Government servants engaged on contract are given in Form C.S.R, (Pb.), No.1.

- 1.5. If any doubt arises as to whether these rules apply to any person or not, the decision shall lie with the competent authority.
- 1.6. In the case of a Government servant to whom these rules apply and who was serving His Majesty in a civil capacity in India on the 31st March, 1937, nothing in these rules shall be construed to alter or interpret to his disadvantage, the rules regulating his conditions of service in respect of pay, allowances, leave, pensions, etc., which were applicable to him on that date, unless the Punjab Government had power on 8th March, 1926, to make such rules, or the Governor issues orders under the powers vested in him under clause (a) of subsection (3) of section 241 of the Government of India Act, 1935 altering or interpreting the rules in a disadvantageous manner.

NOTE.—For the purposes this rule, a person: who was holding a post on the 31st of March, 1937, in an officiating or provisionally substantive capacity and has been subsequently confirmed in such post without having reverted therefrom shall be deemed to have been serving His Majesty on that date.

- 1.7. Unless otherwise provided in any rule or rules a Government servant's claim pay and allowances shall be regulated by the rules in force at the time in respect of which the pay and allowances are earned; to travelling allowance by the rules in force at the time the journeys in respect of which they are made are undertaken; to leave by the rules applicable to him at the time the leave is applied for and granted; and to pension by the rules in force applicable to him at the time when the Government servant retires or is discharged from the service of Government. See also rule 1.1 (b) of volume II of these rules.
- 1.8. The power of interpreting these rules is vested in the Finance Department.

NOTE.—Communications regarding the interpretation and alteration of these rules should be addressed to the Finance Department through the Administrative Department concerned. In dealing with such communications Finance Department will, where a rule is so interpreted or altered as to be to the disadvantage of a person who before the commencement of Part III of the Government of India Act, 1935, was serving His Majesty in a civil capacity in India, see that the provisions of Section 241 of sub- clause 3 (a) are observed.

COMMENTS

Government of the Punjab have introduced Pay Revision Rules, 1972 vide Notification **No. FD (SR-1). 1.139/70**, dated 2-6-1972 and amended on 16-5-1977, hence the Government servants are governed by these Rules so far as their pays, and other fringe benefits are concerned. Further Pay Revision has also been made in the year 1986.

The Pension Rules were introduced in the year 1963 and time to time amendments have been made in those rules. Simultaneously Government has also introduced TA. Rules 1976 and revised Leave Rules, 1980. The civil servants are governed by these rules which have since been exhausted in nature.

Chapter II

DEFINITIONS

- 2.1. Unless there be something repugnant in the subject or context, the terms defined in this Chapter are used in these rules in the sense here explained.
- 2.2. Accountant-General means the head of the office of audit and accounts subordinate to the Auditor-General of Pakistan who keeps the accounts of the Province and exercises audit functions in relation to those accounts on behalf of the Auditor-General of Pakistan.

NOTE—This definition covers also the term "Audit Officer".

- 2.3. Active service includes besides time spent on duty in Pakistan:-
- i. Privilege leave taken under the Civil Service Regulations, first four months of leave on average pay taken under Fundamental Rule 81 or under rule 8-73 of these rules and earned leave not exceeding 120 days in any one spell of leave taken under rules 8-116 and 8-118.
 - ii. Time spent on the voyage to Pakistan by a Government servant who is recalled to duty before the expiry of any recognised leave out of Pakistan provided his return to duty is compulsory.
 - iii. The period of absence from Pakistan of a Government servant deputed or detained out of Pakistan on duty.
- 2.4. **Actual Travelling expenses** means the actual cost of transporting a Government servant with his servants and personal luggage, including charges for ferry and other tolls, and for carriage of camp equipment, if necessary. It does not include charges for hotels, travellers bungalows or refreshments or for the carriage of stores or conveyances or for presents to coachmen and the like, or any allowance for such incidental losses or expenses as the breakage of crockery, wear and tear of furniture and the employment of additional servants.
- 2.5. **Age**—When a Government servant is required to retire, revert, or cease to be on leave on attaining a specified age, the day on which he attains that age is reckoned as a non-working day, and the Government servant must retire, revert, or cease to be on leave (as the case may be) with effect from and including that day.
- 2.6. Apprentice means a person deputed for training in a trade or business with a view to employment in Government service, who draws pay at monthly rates from Government during such training, but is not employed in or against a substantive vacancy in the cadre of a department.

The average pay of a military officer who is granted rent free quarters and thereby foregoes lodging allowance and in lieu thereof, shall, if he gives up such quarters before going on leave, be calculated as though he had been drawing during the period of

occupation the lodging allowance to which he would otherwise have been entitled.

NOTE (2) (1)—The term "average emoluments" of a civil servant means the average of the pay ,that he drew or would have drawn, had he not been on leave with leave salary or on Joining time or under 'suspension which is not adjudged as a penalty during the last twelve months of service. If during the last twelve months of his- service a civil servant has been absent from duty on leave without pay, or has been under suspension as a kind of penalty, the periods so spent shall be disregarded in the calculation of the average emoluments and an equal period before the twelve months shall be included".

PROVIDED that in case the pay of a Government servant is reduced, otherwise than as a penalty under the Government Servants (Efficiency and Discipline) Rules, the average pay at the option of the pensioner, be calculated on the basis of the emoluments admissible during the last three years of service".

(2) This amendment shall apply to a civil servant retiring on or after 1st day of February, 1979.

- 2.8.** Barrister means a practising barrister of England or Ireland, and a practising member of the Faculty of Advocates of the Court of Sessions of Scotland. It does not include a person who, though called to the Bar, has never practised the profession of barrister.
- 2.9.** Cadre means the strength of a service or a part of a service sanctioned as a separate unit.
- 2.10.** Camp equipage means the apparatus for moving a camp.
- 2.11.** Camp equipment means tents and the requisites for pitching and furnishing them or, where tents are not carried, such articles of camp furniture as it may be necessary in the interests of the public service for a Government servant to, take with him on tour.

Chief Public Office means_

At the headquarters of a district. The Court of the Deputy Commissioner

At an Out-post or Tehsil The Court of the Officer incharge of the Out-post or tehsil.

At Cantonment and all other places. The Police Station, or, if there be no police station, the Post Office, or if there be no Post Office, the point designated by competent authority.

Compensatory allowance means an allowance granted to meet personal

expenditure necessitated by the special circumstances in which duty is performed. It includes a travelling allowance but does not include a sumptuary allowance nor the grant of a free passage by sea to or from any place outside Pakistan.

NOTE 1.—The allowances granted to Professors of Medical College who are denied the privilege of private practice should be treated as compensatory allowances.

NOTE 2.—See the explanation and note 1 under rule 2.52.

Competent authority in relation to the exercise, of any power means the Administrative Department concerned of Government acting in consultation with the Finance Department, or any other authority to which such power may be delegated. Finance Department may prescribe cases in which its consent to the exercise or delegation of any power under these rules by the authorities specified may be considered to have been given. Such cases have been detailed in Chapters XV and XVI.

NOTE— Unless the contrary appears from the contest the High Commissioner for Pakistan exercise the powers of the competent authority except in respect of rules 8*83, 8-84, 8*127 and 8*128 in so far as Government servants on leave in the United Kingdom are concerned.

Day means a calendar day, beginning and ending at midnight; but the period, occupied by a journey which begins and ends at headquarters and which does not exceed twenty-four hours, shall be reckoned for all purposes as one day, at whatever hours the absence begins or ends.

Duty-- (a) Duty includes _

1. service in Pakistan as a probationer or apprentice, provided that, in the case of an apprentice, on confirmation either in the post for which he was undergoing apprenticeship or in any other post, he cannot count his apprentice period for leave as if it had been service rendered substantively in a permanent post;
 2. joining time;
 3. extra leave on average pay granted to a Government servant undergoing treatment at a Pasteur Institute or centre.
- b) A Government servant is also treated as on duty under the circumstances specified in the schedule to this Chapter.

NOTE. — No leave of any kind can be treated as duty for the purposes of any rule unless the contrary, is expressly stated therein.

Family means a Government servant's —

- i. wives,

- ii. legitimate children and step-children less than 12 years old,
- iii. legitimate children and step-children not less than 12 years old, if residing with and wholly dependent upon him, and
- iv. Except in rules 2.91, 2.99, 2.139, 2.140 and 2.149 of Travelling Allowance Rules, parents, sisters, and minor brothers if residing with and wholly dependent upon him.

NOTE 1.--Wives and only those sons, who have not attained the age of 24 years and are wholly dependent on and residing with the Government servant, are included in a family for the purposes of these rules.

NOTE 2.-The term "legitimate children" in this rule does not include adopted children except those adopted under the Hindu Law.

NOTE 3-Married, divorced or widowed daughters and not ordinarily included in the term "family" but any specific cases which may arise will be decided by the competent authority on their merits.

Fee means a recurring or non-recurring payment to a Government servant from a source other than general revenues, whether made directly to the Government servant or indirectly through the intermediary of Government.

Finance Department means the Finance Department of the Punjab Government.

First appointment includes the appointment of a person not at the time holding any appointment under Government, even though he may have previously held such an appointment.

Foreign service means service in which a Government servants receives his substantive pay with the sanction of Government-

- a) from any source other than the revenues of the Government of Pakistan or of a province of the Railway Department, or
- b) from a Company working a State Railway. It excludes Pakistan Foreign Service.

Gazetted Government servant is a Government servant belonging to the All-Pakistan, Specialist or Provincial Services and any other Government servant holding a post which may be declared to be a gazetted post by competent authority.

General revenues include the revenues of the Government of Pakistan, of a province and of a Railway Department and exclude the revenues of a local fund.

Government means the Punjab Government in the Administrative Department.

Head of Department means the authority shown in column 5 of Appendix D to the

Punjab Budget Manual (Third Edition) in respect of the Government servants whose pay is charged to the corresponding head of account in column 2 of that Appendix, with the following exceptions :-

1. His excellency the Governor is Head of the Department with respect to himself and his personal staff.
2. Commissioners are Heads of Departments with respect to the Government servants whose pay is charged to the group heads "Commissioners" and "District Administration".
3. The following officers of the Forest Department are Heads of Departments for the establishment serving in their circles detailed against them :-

i. Conservator of Forests, Multan Circle.	a) Subordinates Establishment comprising Forests Rangers, Deputy Rangers, Foresters and Forest Guards.
ii. Conservator of Forests, Lahore Circle	b) Ministerial Establishment,
iii. Conservator of Forests, Rawalpindi Circle.	c) Inferior servants and menials.

Heads of Offices means the authorities designated as Disbursing Officers in Appendix D to the Punjab Budget Manual (Third Edition) or any other Government servant declared to be the head of an office by competent authority.

The Headquarters of a Government servant are-

- a) if he is a migratory Government servant, Lahore or summer headquarters of Government, if any, according to the place where he is for the time being in residence ;
- b) if he is a non-migratory Government servant attached to the Headquarters of Government, Lahore, and
- c) in the case of any other Government servant, the station which has been declared to be his headquarters by competent authority or, in the absence of such declaration, the station where the records of his office are kept.

Hill station means any place which a competent authority may declare to be a hill station. It includes-

- a) Murree and its suburbs, i.e, Kuldana, Barian, Upper and Lower Topa, Changla Gali and Gharial;
- b) Sakesar;
- c) Tilla;

d) Fort Munro.

Holiday means-

- a) a holiday prescribed or notified by or under section 25 of the Negotiable Instruments Act, 1881; and
- b) in relation to any particular office, a day on which such office is ordered, by notification of Government in the Gazette, to be closed for the transaction of Government business without reserve or qualification.

Honorarium means a recurring or non-recurring payment granted to a Government servant from general revenues as remuneration for special work of an occasional character.

Inferior service means any kind of service which may be specially classed as such by an order of the competent authority and any other kind of service in a post the pay of which, or if the post is on an incremental scale the maximum pay of which, does not exceed Rs. 60; provided that:

- a) the restorers irrespective of their pay; and
- b) the incumbents as existing on the 19th November, 1934, of the posts on pay exceeding Rs. 10 who were classed as superior under the then existing orders, will continue to be classed as superior.

NOTE-A list of Government servants specially classed as inferior is given in Appendix 3, Part 1.

Joining time means the time allowed to a Government servant in which to join a new post or to travel to or from a station to which he is posted.

Leave on average (or half or quarter average) pay means leave on leave salary equal to average (or half or quarter average) pay, as regulated by rules 8.78 and 8.79.

Leave salary means the monthly amount paid by Government to a Government servant on leave.

Lien means the title of a Government servant to hold substantively, either immediately or on the termination of a period or periods of absence, a permanent post, including a tenure post, to which he has been appointed substantively.

Local Fund means-

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

- b) the revenues of any body which may be specially notified by the competent authority as such.

Migratory Government servant means a Government servant who is required to move with the Government between Lahore and summer headquarters of Government, if any.

Military commissioned officer means a commissioned officer other than-

- i. a departmental commissioned officer; and
- ii. a commissioned officer of the Pakistan Army Medical Corps.

It does not include a warrant officer.

Military Officer means any officer falling within the definition of military commissioned officer, or included in subclause (i) or (ii) of rule 2.38 above, or any warrant officer.

Ministerial servant means a Government servant of a subordinate service whose duties are entirely clerical, and any other class of Government servants specially defined as such by general or special order of the competent authority.

Month means a calendar month. In calculating a period expressed in terms of months and days, complete calendar months, irrespective of the number of days in each, should first be calculated and the odd numbers of days calculated subsequently.

Example--In calculating a period of 3 months and 20 days from 25th January, months should be taken as ending on 24th April and the 20 days on 14th May. In the same way the period from 30th January to 2nd March should be reckoned as 1 month and 2 days, because one month from 30th January ends on 28th February. A period of one month and 29 days commencing from the 1st January will expire, in an ordinary year (in which February is a month of 28 days) on the last day of February, because a period of 29 days cannot obviously mean .to exceed a period of full calendar month and leave for two months from 1st January would end on the last day of February. The same would be the case if February were a month of 29 days or if the broken period were 28 days (in an ordinary year).

Officiate-A Government servant officiates in a post when he performs the duties of a post on which another person holds a lien. A competent authority may, if it thinks fit, appoint a Government servant to officiate in a vacant post on which no other Government servant holds a lien.

Overseas pay means pay granted to a Government servant in consideration of the fact that he is serving in a country other than the country of his domicile.

a) Pay means the amount drawn monthly by a Government servant as-

- i. the pay, other than special pay or pay granted in view of his personal qualifications, which has been sanctioned for a post held by him substantively or in an officiating capacity or to which he is entitled by reason of his position in a cadre, and
- ii. overseas pay, technical pay, special pay and personal pay, and
- iii. any other emoluments which may be specially classed as pay by the competent authority.

In case of a Military Officer in receipt of the rates of pay introduced on July 1st, 1947, pay includes the amount which he receives monthly under the following designations:-

- i. Pay of rank.
- ii. Dearness allowance.
- iii. War excess if any.

b) In the case of a Military Officer in receipt of the rates of pay in force before July 1st, 1947, pay includes the amount which he receives monthly under the following designations:-

- i. Pakistan Army pay and allowances of the rank and staff/additional pay (pay and allowances of the rank as laid down in rule 3 P. and A. Regional, Volume I, Staff/Additional pay under A.I (I) 60/44).
- ii. Consolidated pay of appointment.

NOTE 1.—Judicial pay has been classed as pay under rule 2.44(a) (iii).

NOTE 2.—If language allowances are lump sum allowances, they will be dealt with under rule 555. If they are recurring payment they will fall under the head "pay" under clause (a) (iii) of this rule.

NOTE 3—If the allowances granted to medical officers in medical charge of Railway employees are paid from general revenues they will be classified as "special pay". If they are paid by companies they cannot be treated as "special pay" unless contribution is paid.

Pension-Except when the term "pension" is used in contradistinction to "Gratuity", pension includes Gratuity.

Permanent post means a post carrying a definite rate of pay sanctioned without limit of time.

Personal pay means additional pay granted to a Government servant –

- a) to save him from a loss of substantive pay in respect of a permanent post other than a tenure post due to a revision of pay or to any reduction of such substantive pay otherwise than as a disciplinary measure; or
- b) in exceptional circumstances, on other personal considerations.

Presumptive pay of a post, when used with reference to any particular Government servant, means the pay to which he would be entitled if he held the post substantively and were performing its duties; but it does not include special pay unless the Government servant performs or discharges the work of responsibility, or is exposed to the unhealthy conditions, in consideration of which the special pay was sanctioned.

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

Probationer means a Government servant employed on probation in or against a substantive vacancy in the cadre of a department. This term does not, however, cover a Government servant who holds substantively a permanent post in a cadre and is merely appointed "on probation" to another post.

1. The status of a probationer is to be considered as having the attributes of a substantive status except where the rules prescribe otherwise.
2. No person appointed substantively to a permanent post in a cadre is a probationer unless definite conditions of probation have been attached to his appointment, such as condition that he must remain on probation pending the passing of certain examination.

Public conveyance means a train, steamer or other conveyance which plies regularly, though not necessarily at fixed intervals, a regular course or the conveyance of passengers and does not deviate therefrom according to the wishes of passengers. Cabs, cars and horses are not regarded as public conveyances.

Reserved post means a post which used to be filled by a person appointed by the Secretary of State to a civil service or a civil post under the crown in undivided India and which in the changed circumstances shall be filled by a person appointed by the Governor-General.

Special pay means an addition, of the nature of pay, to the emoluments of a post or of a Government servant, granted in consideration of_

- a) the specially arduous nature of the duties; or
- b) a specific addition to the work or responsibility; or
- c) the unhealthiness of the locality in which the work is performed.

Explanation— The circumstances which justify the grant to a

Government servant of special pay are entirely different in character from those which justify the grant of a compensatory allowance, a difference emphasised in the definition of those terms embodied in rules 2.13 and 232. These definitions should be strictly construed and an exact compliance required with the conditions stated in them as antecedent to the grant of either special pay or compensatory allowance. There is no necessary interdependence between special pay and compensatory allowance. It is not the intention of the rules either that where the cost of living would justify the grant to a Government servant of a compensatory allowance, he should be rendered ineligible for such allowance because he has already been granted special pay in recognition of the duties and responsibilities of his post or that if the attachment of special pay to a post is justified under the terms of the rules it should be subject to reduction because for reasons essentially different, a compensatory allowance as defined in rule 2.13 is subsequently granted.

NOTE 1.—The reasons for the grant of special pay and compensatory allowance should be recorded in the sanctioning orders so that their classification may be duly watched in audit. In cases in which an official record in an open letter is considered undesirable it should be possible to communicate the reasons confidentially to the Accountant-General.

NOTE 2.—When special pay has been sanctioned in the form of a portion or percentage of pay in the ordinary line and the pay in the ordinary line includes an element of sterling overseas pay, such special pay should be determined as follows:

- a) the special pay is admissible on the sterling overseas pay as well as on the rupee basic pay;
- b) the special pay must be expressed and drawn wholly in rupees ;
- c) the sterling overseas pay should for the purpose of calculating the special pay be converted into rupees at the rate of 2s. 1 29/32 d to the rupee

The sphere of duty of a Government servant is the local area outside which he cannot travel without the special orders of competent authority. The sphere of duty of Heads of Departments other than Commissioners is the Punjab; of Commissioners their respective divisions; and of other Government servants as may be ordered by competent authority.

Subsistence grant means a monthly grant made to a Government servant who is not in receipt of pay or leave salary.

Substantive pay means the pay, other than special pay, personal pay or emoluments classed as pay by the competent authority under rule 2.44(a) (iii), to which a Government servant is entitled on account of a post to which he has been

appointed substantively or by reason of his substantive position in a cadre.

NOTE 1.—Substantive pay includes the pay drawn by a probationer in a post to which he has been appointed on probation.

NOTE 2.—Substantive pay does not include overseas pay.

Superior service means service in a post which carries a pay exceeding Rs. 25 or in the case of a post on an incremental scale, the maximum pay of which exceeds Rs. 25, unless such service has been classed as inferior, and any other service which is specially classed as superior, provided that the incumbents, as existing on the 19th November 1934, of the posts on pay exceeding Rs. 10 who were classed as superior under the then existing orders, will continue to be classed as superior.

NOTE. — A list of Government servants specially classed as superior is given in Appendix 3, Part II.

Technical pay means pay granted to a Government servant by consideration of the fact that he has received technical training in Europe or elsewhere.

Temporary post means a post carrying a definite rate of pay sanctioned for a limited time. Such a post can either be held substantively or in an officiating capacity.

Tenure post means a permanent post which an individual Government servant may not hold for more than a limited period.

NOTE—In case of doubt a competent authority will decide whether a particular post is or is not a tenure post.

- a) Time scale pay means pay which, subject to any conditions prescribed in these rules, rises by periodical increments from a minimum to a maximum.
- b) Time scales are said to be identical if the minimum, the maximum, the period of increment and the rate of increment of the time scales are identical.
- c) A post is said to be on the same time-scale as another post on a time-scale if the two time scales are identical and the posts fall within a cadre, or a class in a cadre, such cadre or class having been created in order to fill all posts involving duties of approximately the same character or degree of responsibility, in a service or establishment or group of establishments ; so that the pay of the holder of any particular post is determined by his position in the cadre or class, and not by the fact that he holds that post.

COMMENT

On the introduction of National Pay Scales in year 1972. The time scales were

revised on 2nd June, 1972 and further these scales were revised on 16th May, 1977 and year 1986. It is therefore, suggested that these rules may kindly be consulted.

NOTE.—Identical time-scales one governed by the Civil Service' Regulations and the other by these rules can be treated as identical for the purpose of the Pay Chapter of these Rules. When two posts are on identical time-scales it is reasonable to hold that the duties and responsibilities of the posts are not very different in nature, irrespective of the fact whether the pay of the posts is governed by the Civil Service Regulations or these Rules. Duty rendered in one of them may, therefore, be allowed to count towards increment in the other.

Transfer means the movement of a Government servant from one headquarters station in which he is employed to another such station, either—

- a) to take up the duties of a new post; or
- b) in consequence of a change of his headquarters.

It does not, however, include the move of a migratory Government servant between Lahore and summer headquarters of Government, if any.

Travelling allowance means an allowance granted to a Government servant to cover the expenses which he incurs in travelling in the interests of the public service. It includes allowances granted for the maintenance of conveyances, horses and tents.

COMMENTS

The Government of the Punjab has issued Punjab Travelling Allowances Rules vide notification letter No. F.D/Accpunts/OSD/498 on 10th July, 1976 and time to time amendments were made therein. It is therefore, recommended that the Rules may also be consulted as these Rules "were framed in exercise of the powers conferred by Section 23 of the Punjab Civil Servants Act, 1974.

SCHEDULE

[Referred to in Rule 2.16 (b)]

- I. A Government servant is treated as on duty under the following circumstances:-
- i. "When he is following a duly authorised course of training or instruction in Pakistan or/and abroad, this includes training prescribed for post in the Service/Recruitment Rules or otherwise, require or be undergone by a person appointed by the appointed by the method of initial recruitment before he is given full charge of the post."

NOTE 1—The period of Military training of Civil Government servants, admitted to the Army in Pakistan Reserve of Officers or the Pakistan Territorial Forces or enrolled in the Pakistan National Guard, or the Royal Pakistan Navy Volunteer Reserve is treated as duty.

NOTE 2—The period spent by Civil Government servants whether paid from the Defence Services Estimates or the Civil Estimates on training at Pre-Cadet Provincial School will with the permission of the Head of the Office be treated as duty. This concession is also admissible to temporary Government servants only for so long as they would have continued in service but for their training. These orders will have effect from 1st October, 1942.

Exception 1—Teachers in Government service who are untrained or who being trained are desirous of undergoing a further course of training shall not be regarded as on duty during the course of training. They may be granted leave therefore under the ordinary rules with such leave salary as may be admissible.

The provisions of the above exception do not apply in the following cases:-

- a) women teachers required to undergo a duly authorised course of training approved by competent authority;***
- b) teachers and Assistant District Inspectors of Schools required to attend a course in physical training; and***
- c) Physical Training Supervisors in Government Colleges required to attend the Elementary Library Routine Class conducted by the Punjab University.***
- d) Women teachers from the Government Industrial Schools for Girls or from Government Travelling Demonstration Parties required to undergo industrial training at the Industrial Teachers Training Class for Women, Lahore.***

Exception 2. For the purpose of counting service for leave, an I.C.S. or C.S.P. probationer who joins the service in 1972 and in subsequent years should be treated as on duty from the date on which he begins to draw pay on the I.C.S. or C.S.P. time scale, as the case may be.

- ii. In the case of a student, stipendiary or otherwise, who is entitled to be appointed to the service of Government immediately on passing through a course of training at University, College or School in Pakistan; during the interval between the date of declaration that he has completed the course satisfactorily and his assumption of duties.
- iii. On the first arrival in Pakistan of Government servants appointed in England or abroad who do not, before they report themselves at the seat of the Government of the Punjab, receive orders to take charge of a specified post: during the interval between the date of such report and the date on which they take charge of their duties, provided that the interval between the receipt of orders and their assumption of their duties shall not exceed the amount of joining tune which would be admissible to a Government servant entitled to joining time under the rules in Chapter IX.
- iv. In the case of Government- servants permitted to appear at an optional examination prescribed by Government in any Oriental language during the time spent in preparation in Pakistan for and attendance at the examination, subject to the conditions mentioned below :-
 1. For candidates for standards below that of high proficiency a reasonable time, including the day or days of examination, is allowed for the journey to and from the place of examination and nothing more.
 2. In the case of a candidate for the High Proficiency and Degree of Honour Examinations in all Oriental languages a period for preparation before the examination will be allowed at the discretion of a competent authority which will not exceed three months. If the language is Sanskrit, Arabic or Persian, the candidate must give an undertaking to spend the period allowed under professional tuition at a place approved by the competent authority.
 3. If this place is, in the case of Persian, in Persia ; or in the case of Arabic, hi Arabia, Mesopotamia, Egypt or Syria; or in the case of Sanskrit, any place approved by a competent authority the period allowed for preparation may be extended to six months in all.
 4. The periods allowed for preparation under conditions (2) and (3) above are not admissible more than once, nor can the periods be combined or be taken in instalments. The period permissible in each case also covers the day or days of the examination and the time spent in proceeding to and from the place of examination.
 5. The place of preparation must be approved before hand by the competent authority.

v. In the case of an Engineer Officer of the Public Works Department not appointed from any Civil Engineering College in Pakistan who is required under the rules of the department to pass an obligatory examination in a Vernacular language, for a period not exceeding three months to be spent in Punjab, subject to the conditions mentioned below :-

1. This period of three months may be taken in instalments by a Government servant preparing himself for one or more examinations, but it represents the maximum aggregate amount of leave which may be allowed for the purpose.
2. A Government servant who has already passed an examination in a language by the lower standard is not entitled to count as duty under this rule any time taken for preparing himself for an examination in the same language by the higher standard.
3. As this concession is granted for a specific purpose, viz., to enable Government servants to prepare themselves for an examination, they should, after completing the examination, return to duty at once if not proceeding on leave, and not wait until the expiry of the full period sanctioned for the purpose.

NOTE.—For the purpose of this Rule Kashmir is also included in the Punjab.

- vi. During the period occupied in attending all other obligatory examinations including the time reasonably necessary for the journeys to and from the place of examination.
- vii. During the period occupied in attending all other optional examinations at which a Government servant is permitted to appear by competent authority and during the time reasonably necessary for the journey to and from the place of examination.
- viii. For the treatment of the periods of periodical military training of Reservists of the Pakistan Army in Civil Government employ as duty, see sub-rule 2 under rule 4.3.

II. A Government servant is not on duty during any time he may spend beyond his sphere of duty except in the following circumstances_

1. Under the conditions laid down in clause I above.
2. If a Police Officer, acting within his legal power.
3. If an Excise and Taxation Officer or Assistant Excise and Taxation Officer, acting under the order of-
 - i. the Excise and Taxation Commissioner, or
 - ii. the Deputy Excise and Taxation Commissioner, or
 - iii. the Collector.
4. A Tahsildar, or a Naib-Tahsildar serving in a mahal, a settlement or a colony post

who proceeds under the orders of the Deputy Commissioner, Settlement Officer, or Colonisation Officer, as the case may be, beyond his sphere of duty but inside the district, or who proceeds under the orders of the Commissioner beyond the district to which he is posted.

5. If authorised by competent authority, by general or special order.
6. If a ministerial Government servant or a peon, accompanying a recessing officer to his recess station.

Chapter III**GENERAL CONDITIONS OF SERVICE****OATH OF ALLEGIANCE**

- 3.1. Every person appointed to a post under the rule making control of the Punjab Government shall, before he enters upon his duties, and every person already employed in any such post shall as soon as possible after the coming into force of this rule make and subscribe, before the Head of his office or some person appointed by him, an oath according to the form set out below :-

"I, A, B, having been appointed / holding the post of

do solemnly swear (or affirm) that I bear true faith and allegiance to the Constitution of Pakistan as by law established and that I will faithfully and honestly perform the duties of my office to the best of my ability, knowledge and judgement".

HEALTH AND AGE***i. Medical Certificate of Fitness on First Entry into Government Service***

- 3.2. Except as provided in rules 3.3 and 3.4 no person may be substantively appointed in Pakistan to a permanent post in Government service without a medical certificate of health, in the following form, which must be affixed to his first pay bill :-

"I hereby certify that I have examined A. B., a candidate for employment in the —
 _____ Department, and cannot discover that he/she has any disease
 (communicable or otherwise), constitutional affection or bodily infirmity,
 except_____. I do not consider this a disqualification for employment in
 the office of ____ A. B.'s age is, according to his/her own statement _____ years and by
 appearance about _____ years. The candidate _____
 _____ has been vaccinated within the last 12 months_

or has been re-vaccinated within the last 12 months,

or has already had smallpox and shows obvious scars thereof.

NOTE 1.—Authorities competent to make first appointments may require the submission of a medical certificate of fitness from temporary or officiating Government servants. In any case they must satisfy themselves that the candidate is protected against smallpox.

NOTE 2(A). ---Rule 3.1 deleted by Government letter No. 251-F.R. 55-10621, dated 8-7-55.

NOTE 2.—(i) Medical certificates should ordinarily be required from candidates on first appointment to Government service if they are likely to officiate or to hold temporary posts for any period exceeding

six months.

- ii. Re-employed persons who during their previous term of service under the Government had produced the required medical certificates need not be required to produce a fresh certificate unless the period between their discharge from their old posts and their appointment to the new posts is in excess of three months.
- iii. A temporary Government servant who has already produced the required medical certificate in one office, should not, if transferred to another office without a break in his service, be required to produce a fresh certificate. The person concerned should, however, obtain a certificate from the Head of Office from which he is transferred to the effect that he had already produced the requisite medical certificate of health.]

NOTE 3.—Medical certificates obtained under note 1 and clause (i) of note 2 shall be retained by heads of offices and submitted to the Accountant-General only with the first pay bill in which less the pay of the Government servants concerned as substantive holders of permanent posts is drawn.

NOTE 4.—The Accountant-General, Punjab, is authorised to accept certified copies of medical certificates of the Medical Board, attached to the office of the High Commissioner for Pakistan in England, in the case of officers of Provincial Service and holders of specialist posts recruited in England through the High Commissioner for Pakistan—instead of the original medical certificates required under this rule.

- 3.3. A competent authority may in individual cases dispense with the production of a medical certificate and may by general order exempt any specified class of Government servants from the operation of rule 3.2.
- 3.4. The following classes of Government servants are exempted from producing a medical certificate of health :-
 - 1. A Government servant appointed by the High Commissioner for Pakistan
 - 2. Government servants, other than those serving under the High Court, whose service is classed as inferior.

NOTE 1.—The production of a medical certificate is necessary in the case of a Government servant promoted from non-qualifying service paid from a local fund to a post in superior Government service.

NOTE 2.—No medical certificate is necessary upon a Government Servant being promoted from inferior to superior service, even though while in inferior service he may have been paid from a local fund.

NOTE 3.—Lady teachers should produce a medical certificate of fitness within one year from the date of appointment.

NOTE 4.—Government servants referred to in clause (2) above and

candidates for inferior service under Government, whether temporary, officiating or permanent shall either —

- i. produce a certificate that they have been vaccinated within the last 12 months or have been re-vaccinated within the last 12 months or have already had smallpox and show obvious scars thereof; or***
- ii. in the case of candidates for inferior service under Government shall satisfy a responsible official of the department in which they seek employment, that one or other of the conditions mentioned in the certificate required under clause (i) is satisfied.***

3.5. The medical certificate of health shall be signed by the District Health Officer of the district in which the candidate applies for employment unless the head of the office or of the department in which the candidate seeks service directs that the District Health Officer of some other district should grant the certificate : provided that_

- i.** in the case of a female candidate, the certificate may be granted, at the option of the candidate, and with the previous permission of the District Health Officer of the district _
 - a)** by a member of the Women's Medical Service, Pakistan,
 - b)** by a registered lady doctor holding a qualification registerable by the Pakistan Medical Council.

The certificate issued by a lady doctor shall except in the case of a certificate granted by a member of the Women's Medical Service, Pakistan be countersigned by the District Health Officer;

- ii.** in the case of a candidate for appointment to a post on pay not exceeding fifty rupees, the appointing authority may accept a certificate signed by any medical officer, irrespective of his medical qualifications ;
 - iii.** in the case of a candidate for appointment to a Gazetted post, the medical certificate of health shall be signed by the standing Medical Board at Lahore or the standing Invaliding Committee at Multan and Rawalpindi.
- 3.6.** When a Government servant in whom a defect has been noticed by the examining District Health Officer, but which defect is not considered to be a disqualification for employment in the particular office or department in which he is serving, is subsequently transferred to another office or department the duties of which are of a different character, the transfer shall not be regarded as permanent until the District Health Officer or other medical authority referred to in rule 3.5 has, at the written request of the head of the new office or department, certified either that the defect previously noticed has disappeared or that it does not constitute a disqualification for the new duties entrusted to the servant.

- ii.** Age of Entry into Government service

- 3.7. A person whose age exceeds 25 years may not ordinarily be admitted into pensionable service under Government.

NOTE.---The question of relaxing the age limit for entry into Government service laid down in rules 3.7 and 3.8 should be considered at the time of first appointment to a post whether such appointment is of an officiating, temporary or permanent nature.

NOTE.—The restrictions as to age will not apply in the case of recruitment of ex-soldiers, military pensioners and reservists to inferior posts.

- 3.8. The limit in rule 3.7 is extended to—

- a) twenty-seven years in the case of a person appointed to be a Subordinate Judge, provided that Barristers, Vakils and Pleaders who are actually practising in the High Court at Lahore or Courts subordinate thereto, will be allowed to subtract from their age one year for each year of practice up to maximum of 3 years ;
- b) thirty-five years in the case of Civil Assistant Surgeons who have taken a University Degree;
- c) thirty years in the case of legal practitioners who are appointed as Prosecuting Sub-Inspectors of Police;
- d) thirty-five years in the case of District Health Officers, Assistant Epidemiologists in the Public Health Department and Superintendent, Punjab Vaccine Institute, and forty years in the case of Principal and Superintendent, Punjab Health School, Lahore;
- e) forty years in the case of Kanungos appointed by promotion from among Patwaries.
- f) thirty years in the case of ex-soldiers of the Pakistan Army and regularly appointed town watchmen, who are enlisted in the Subordinate Police Service;
- g) thirty-five years in the case of ex-soldiers and forty years in the case of pensioned soldiers for appointment to the posts of forest guards;
- h) twenty-six years on the first day of June immediately preceding the date on which the appointment is made in the base of Punjab Service of Engineers (Irrigation Branch), Class II;
- i) thirty-five years in the case of officers appointed to Punjab Agricultural Service, Classes I and II not already in Government service

GOVERNMENT OF THE PUNJAB
SERVICES GENERAL ADMINISTRATION AND
INFORMATION DEPARTMENT
NOTIFICATION

Dated Lahore the 3rd August, 1988

No. SORI (S&GAD)-9-36/81. In exercise of the powers conferred on him by Section 23 of the Punjab Civil Servants Act, 1974, the Governor of the Punjab is pleased to make the following amendments in the West Pakistan Delegation of Powers (Relaxation of Age) Rules, 1961, namely :-

- i. For the words "The West Pakistan" occurring in the nomenclature of the Rules the words "The Punjab" may be substituted.
- ii. For the schedule appended to the Rules, the following may be substituted :-

SCHEDULE

Sr.No.	Authorities competent to relax maximum age prescribed for recruitment.	Services and posts in respect of which relaxation is permissible.	Limit up to which age can be relaxed
1.	Authority next, above the Appointing Authority.	All posts for which the authority next below is the appointing authority.	upto one year
2.	Commissioners of divisions.	<ol style="list-style-type: none"> i. All Services and posts for which the Commissioners are the appointing authorities. ii. Services and posts for which an authority subordinate to the Commissioner is the appointing authority. 	upto 5 years, -do-
3.	Head of Attached Department	<ol style="list-style-type: none"> i. All Services and posts for which the Head of Attached Department is the appointing and authority. ii. All Services and posts for which an authority lower than the Head of the Attached Department is the appointing authority. 	Beyond one year upto 5 years -do-

the age limit in respect of all inferior appointments in the Subordinate Civil and Session Courts.]

Class of Establishment	Officiating or temporary appointment	Permanent appointment	REMARKS
1. Subordinates	35 years		
2. Assistant Clerks	30 years	30 years	Provided first appointment in Irrigation Branch is before the age of 25 years, even though there may be a break in the service.
3. Munshis	a) Full powers b) 27 years	a) Full powers b) 30 years	a) For Departmental Candidates: Provided first appointment as a patwari is before the age of 25 years and the service is continuous. b) For outsider Candidates: Provided entered in accepted Munshi candidate List before the age of 25 years and has undergone a definite course of training.
4. Navigation Munshis	Full powers	Full powers	
5. Draftsment	30 years	---	
6. Tracers	Do.	30 years	
7. Artificers	Full Powers	Full Powers	
8. Signallers			
9. Storekeepers			

3.10. The maximum age-limit in rule, 3.8 (a) may, in special circumstances, be relaxed by the Honourable Judges at the time of appointment by not more than one year.

(III) Vaccination and re-vaccination

3.11. Every Government servant shall get himself vaccinated and re-vaccinated at any time when so directed by the Government by general or special order.

WHOLE TIME OF A GOVERNMENT SERVANT AT THE DISPOSAL OF

GOVERNMENT

- 3.12.** Unless in any case it be otherwise distinctly provided the whole time of a Government servant is at the disposal of the Government, and he may be employed in any manner required by proper authority, without claim for additional remuneration, whether the services required of him are such as would ordinarily be remunerated from general revenues, from a local fund or from the revenues of a Pakistan State.

SUBSTANTIVE APPOINTMENT AND LIEN

3.13.

- a) two or more Government servants cannot be appointed substantively to the same permanent post at the same time.
- b) A Government servant cannot be appointed substantively except as a temporary measure, to two or more permanent posts at the same time.
- c) A Government servant cannot be appointed substantively to a post on which another Government servant holds a lien.

- 3.14.** Unless in any case it be otherwise provided in these rules, a Government servant on substantive appointment to any permanent post acquires a lien on that post and cases to hold any lien previously acquired on any other post.

- 3.15.** Unless his lien is suspended under rule 3.16 or transferred under rule 3.18 a Government servant holding substantively a permanent post retains a lien on that post—

- a) while performing the duties of that post;
- b) while on foreign service, or holding a temporary post or officiating in another post;
- c) during joining time on transfer to another post unless he is transferred substantively to a post on lower-pay, in which case his lien is transferred to the new post from the date on which he is relieved of his duties in the old post;
- d) except as provided in Note I below while on leave; and
- e) while under suspension.

NOTE 1. ---When a Government servant holding substantively the post of a Chief Engineer of the Public Works Department, takes leave immediately on vacating his office or post he shall during the leave be left without a lien on any permanent post.

The word "vacate" as used in this note refers only to vacations a result of completion of tenure on attainment of superannuation.

COMMENTS

The Lien of civil servant could not be terminated even with his/her consent before he/she was confirmed in another post. **1994 PLC (C.S) 741**

3.16.

- a) A competent authority shall suspend the lien of a Government servant on a permanent post which he holds substantively if he is appointed in a substantive capacity—
1. to a tenure post, or
 2. to a permanent post outside the cadre on which he is borne, or
 3. Provisionally, to a post on which another Government servant would hold a lien had his lien not been suspended under this rule.
- b) A competent authority may, at its option, suspend the lien of a Government servant on a permanent post which he holds substantively if he is deputed out of Pakistan or transferred to foreign service, or in circumstances not covered by clause (a) of this rule, is transferred, whether in a substantive or officiating capacity, to a post in another cadre, and if in any of these cases there is reason to believe that he will remain absent from the post on which he holds a lien for a period of not less than three years.
- c) Notwithstanding anything contained in clause (a) or (b) of this rule, a Government servant's lien on a tenure post may in no circumstances be suspended. If he is appointed substantively to another permanent post, his lien on the tenure post must be terminated.
- d) If a Government servant's lien on a post is suspended under clause (a) or (b) of this rule, the post may be filled substantively, and the Government servant appointed to hold it substantively shall acquire a lien on it; provided that the arrangements shall be reversed as soon as the suspended lien revives.

NOTE 1.—This clause applies also if the post concerned is a post in a selection grade of a cadre.

NOTE 2.—When a post is filled substantively under this clause, the appointment will be termed "a provisional appointment" the Government servant appointed will hold a provisional lien on the post; and that lien will be liable to suspension under clause (a) or (A) of this Rule.

- e) A Government servant's lien which has been suspended under clause (a) of this rule shall revive as soon as he ceases to hold a lien on a post of the nature specified in sub-clauses (1),(2) and (3) of that clause.
- f) A Government servant's lien which has been suspended under clause (b) of this rule shall revive as soon as he ceases to be on deputation out of Pakistan or on foreign service or to hold a post in another cadre, provided that a suspended lien shall not revive because the Government servant takes leave if there is reason to

believe that he will, on return from leave, continue to be on deputation out of Pakistan or on foreign service or to hold a post in another cadre and the total period of absence on duty will not fall short of three years or that he will hold substantively a post of the nature specified in sub-clause (1), (2) or (3) of clause (a).

3.17.

- a) Except as provided in clause (c) of this rule and in note under rule 3.15, a Government servant's lien on a post may in no circumstances be terminated, even with his consent, if the result will be to leave him without a lien or a suspended lien upon a permanent post.
- b) In a case covered by sub-clause (2) of clause (a) of rule 3.16 the suspended lien may not, except on the written request of the Government servant concerned, be terminated while the Government servant remains in Government service.
- c) Notwithstanding the provisions of rule 3.16 (a), the lien of a Government servant holding substantively a permanent post shall be terminated on his appointment substantively to the post of Chief Engineer of the Public Works Department.

3.18. Subject to the provisions of rule 3.19 a competent authority may transfer to another permanent post in the same cadre the lien of a Government servant who is not performing the duties of the post to which the lien relates, even if that lien has been suspended.

3.19.

- a) Government may transfer a Government servant from one post to another ; provided that except—
 1. on account of inefficiency or misbehaviour, or
 2. on his written request,

a Government servant shall not be transferred substantively to, or, except in a case covered by rule 4.22 appointed to officiate in, a post carrying less pay than the pay of the permanent post on which he holds a lien, or would hold a lien had his lien not been suspended under rule 3.16.

- b) Nothing contained in clause (a) above or in rule 2.35 shall operate to prevent the re-transfer of a Government servant to the post on which he would hold a lien, had it not been suspended in accordance with the provisions of clause (a) of rule 3.16.

NOTE 1.—In cases covered by clause (a) (2) above the Government servant will have his initial pay fixed under rule 4.4 and if necessary under rule 4.10.

NOTE 2.—Permanent transfer from a higher to a lower scale in anticipation of the abolition of a post is not transfer within the meaning of this rule.

NOTE 3.—In cases in which it is desired to give to a Government servant an extension of service on condition that he voluntarily agrees to accept a post in a lower grade so as not to interfere with the legitimate expectations of his juniors to promotion, the only method is to create a temporary post. Such a stop can only be permitted under most exceptional circumstances. It must be regarded as the normal course of events that an extension of service involves delay of promotion to juniors and no proposal for the creation of a temporary post to satisfy legitimate expectations will be considered unless it has been submitted to the competent authority before the extension of service is granted.

SUBSCRIPTION TO PROVIDENT FUNDS

- 3.20.** A Government servant may be required to subscribe to a provident fund, a family pension fund or other similar fund in accordance with such rules as the competent authority may by order prescribe.

COMMENTS

The Government of the Punjab has issued **PUNJAB GENERAL PROVIDENT FUND RULES 1978** under section 23 of Punjab Civil Servant Act 1974, printed in **ESTA CODE BOOK IV 1991** edition. Kindly consult them for further detail

DATE OF RECKONING PAY AND ALLOWANCES

3.21.

1. Subject to any exceptions specifically made in these rules a Government servant shall begin to draw the pay and allowances attached to his tenure of a post with effect from the date on which he assumes the duties of that post if the charge is transferred before noon of that date, otherwise from the following day, and shall Cease to draw them as soon as he ceases to discharge those duties.

NOTE 1.—This rule does not apply to cases in which it is the recognised practice to pay a Government servant at higher rate for more important duties performed during a part only of a day.

2. The date from which a person recruited overseas shall commence to draw pay on first appointment shall be determined by the general or special orders of the authority by whom he is appointed.

- 3.22.** A person recruited abroad who is entitled to and receives a first class passage to Pakistan on first appointment, shall commence to draw pay from the date of arrival in Pakistan subject to his proceeding to take up his duties without avoidable delay, unless it is provided otherwise in his agreement or contract.

NOTE 1.—When a person referred to in this rule is prevented from proceeding at once from the port of disembarkation in Pakistan to take up his appointment, he should be granted leave "not due" under rule 8.74 (e) or leave on private affairs under rule 8.122 as the case

may be. See also note 10 below rule 8.79 and not below rule 8.125 (2)

NOTE 2.—*The stipulation contained in the phrase "Without avoidable delay" occurring in the concluding lines of this rule would be regarded as fulfilled if the person reports for duty within the period allowed by the joining time rules with only one day for preparation. —vide rule 9.5 and to treat any excess over that number of days as "leave not due" or leave on private affairs, as the case may be.*

Explanation. —*The term "without avoidable delay" occurring in this rule refers only to the delay on the part of person concerned in reporting himself for duty (either at Government headquarters or the actual place of duty, as the case may be) and not to delay in actually taking up his duties thereafter.*

NOTE 3.—*The date of arrival in Pakistan in this rule refers to the date of disembarkation at a port in Pakistan.*

- 3.23.** A person recruited abroad, who receives a second class passage to Pakistan on first appointment shall commence to receive pay from the date of embarkation for Pakistan.

CHARGE OF OFFICE

- 3.24.** Except as provided in rules 3.25, 3.26 and 8.26 to 8.34, the charge of a post must be made over at its headquarters, both the relieving and relieved Government servants being present.

COMMENTS

THE GOVERNMENT OF THE PUNJAB has issued Rules under the **title PUNJAB (CIVIL SERVICES) DELEGATION OF POWER RULES 1988 VIDE NOTIFICATION NO : FD/SRI-7-1/82** dated 22nd November 1983 printed at pages 291 to 307 in which full procedure and powers have been incorporated. Kindly consult the same for further reference-;

- 3.25.** A competent authority may permit the provisions of rule 3.24 to be relaxed either as to the place of making over charge or the condition that both Government servants shall be present, or both, provided —
- a)** both Government servants must be present unless the transfer or assumption of charge does not involve the handing or taking over of securities or of moneys other than a permanent advance ;
 - b)** if the Government servant relieved departs before the arrival of his relief, his early departure shall not entail a correspondingly early transfer from another station of a Government servant to perform his duties; and
 - c)** If the Government servant relieving returns after the departure of the Government servant relieved, the delay in his return shall 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.

Explanation. — *In deciding whether the absence of a Government servant involves the transfer of a Government servant from another station for the purposes of the provisos (b) and (c) of this rule, account should be taken only of the substitute who takes the place of the absent Government servant, not of all Government servants, in the chain of arrangements arising from one Government servant's absence on leave.*

NOTE.—*For rules regarding the prefixing and affixing of holidays and vacation to joining time and leave see rules 8.27 to 8.34*

- 3.26.** On condition that the departing Government servant remains responsible for the moneys in his charge, a competent authority may declare that proviso (a) under rule 3.25 is not applicable to any particular case.

NOTE.—*The handing over of a permanent advance is not a transfer of money, but the Government servant going on leave continues to be responsible for the money till the formal assumption of charge by his successor.*

CONTINUOUS ABSENCE FROM DUTY

- 3.27.** ¹Unless a competent authority, in view of the special circumstances of the case, otherwise determines, after five years' continuous absence from duty, elsewhere than on foreign service in Pakistan, whether with or without leave, a Government servant ceases to be in Government employ].

COMPULSORY RETIREMENT

- 3.28.** ²**Retirement from service** : A Civil Servant shall retire from service—

- i. on such date after he has completed ten years of service qualifying for pension or other retirement benefits as the competent authority may, in public interest, direct; and "
- ii. if no direction is given under clause (1) then on the completion of the sixth year of his age :

Provided that no order under clause (1) shall be made in respect of a civil servant unless the competent authority has informed him in writing of the grounds on which it is proposed to make the order and has given him an opportunity of showing cause against him.

Explanation.—*In this section "competent authority" means the appointing authority or a person duly authorised in that behalf not being a person lower in rank than the civil servant concerned.]*

¹ Deleted by No. 3079-SO (SO) IL/76 at 16-2-1977.

² Substituted by S. 12.2 of Punjab Civil Servants Act, 1974

Employment after retirement:

1. A retired civil servant shall not be re-employed under the Government unless such re-employment is necessary in the public interest and is made, except where the appointing authority is the Governor, with the prior approval of the authority next above the appointing authority.
2. Subject to the provisions of sub-section (1) of Section 3 of the Ex-Government Servants (Employment with the Foreign Governments) (Prohibition) Act, 1966, a civil servant may, during leave preparatory to retirement, or after retirement from Government service, seek any private employment:

Provided that, where employment is sought by a civil servant while on leave preparatory to retirement, he shall obtain the prior approval of the prescribed authority.

Chapter IV

PAY

GENERAL

Subject to the rules contained in this chapter a competent authority may fix the pay of a Government servant; but his pay shall not be so increased as to exceed the pay sanctioned for his post without the sanction of the authority competent to create a post in the same cadre on a rate of pay equal to his pay when increased

NOTE.—It is not the intention of this clause that it should give an authority power to grant less pay than or to grant pay in excess of what is permissible under rules 4.4 to 4.6. Rules 4.4 and 4.10 read together, however, enable an authority to fix initial pay in excess of the amount permissible under rule 4.4 alone.

- 2) Notwithstanding the restriction referred to in or imposed by clause (1) above a competent authority may grant to any Government servant-
- i. personal pay as defined in clause (a) of rule 2.47, or
 - ii. special pay as defined in rule 2.52, or
 - iii. both personal pay and special pay.

NOTE 1. --- Special pay of Rs. 10 per mensem may be drawn by a Munshi, when appointed to the post of Ahlmad in the Irrigation Branch.

NOTE 2.—For list of other Government servants in receipt of special pay see statement of Special Pays and Allowances published separately.

NOTE 3. --- (a) The following principles should be strictly observed for the grant of personal pay as defined in rule 2.47:-

No application for the grant of compensatory personal pay should be entertained unless:-

- i. the Government servant's service has been consistently satisfactory and has been of a character superior to what is ordinarily expected of the incumbent of the post;
- ii. the Government servant is fit for promotion but there is no possibility of giving him any advancement in the near future; and
- iii. the Government servant has been at least five years on the same pay or if his pay is progressive, on the maximum pay of his post.

b) The more fulfilment of the conditions mentioned above should not be regarded as

recurring a personal pay to a Government servant as a matter of course, the purpose of the conditions being to enable obviously weak claims to be summarily rejected.

Where it is provided in any rule that the pay of a service or post shall include overseas pay such overseas pay shall, unless it be otherwise expressly provided in such rule, be drawn only by a member of the service or an incumbent of the post whose domicile at the date of his first substantive appointment to such service or post was elsewhere than in Asia and who was specially recruited overseas for service in Pakistan in such service or post. For the purpose of this rule the domicile of a Government servant shall be determined in accordance with the provisions set out in Appendix 4 to these rules and clauses (1) and (2) below-

1. Notwithstanding anything contained in the provisions of Appendix 4 a person who:
 - a) was born and has been educated exclusively in Asia and had not at the date with reference to which his domicile is to be determined resided out of Asia for a total period exceeding six months, or
 - b) had before that date claimed and been deemed to be of Pakistan domicile for the purpose his appointment to any office under the Government or of the conferment upon him by the Government of any scholarship, emoluments or other privilege, shall be deemed to have had his domicile in Asia on that date, unless in the case of a person to whom sub-clause (a) applies and sub-clause (b) does not apply it is proved to the satisfaction of the appointing authority that he did not have his domicile in Asia on that date.
2. If any question arises as to the domicile of any Government servant, the decision of the competent authority shall be final.

Explanation.—In the case of officers of non-Asiatic domicile directly recruited in Pakistan to a service or post in which overseas pay is admissible, each case for the grant of overseas pay will be decided by Government on its merits. Officers of non-Asiatic domicile promoted from lower services to a service or post in which overseas pay is admissible shall not be eligible for the concessions of overseas pay.

NOTE 1.—No Government servant who after his or her appointment to a service or post acquire a new domicile shall thereby lose his or her right to, or become entitled to, overseas pay or passage benefits.

NOTE 2. ---All cases in which it is necessary for Government to determine any question regarding the domicile of an official for the purpose of the special leave rules or in connection with his eligibility for overseas pay and passage concessions shall be referred to the Punjab and North-West Frontier Province, Joint Public Service Commission for advice.

When a Government servant is treated as on duty under rule 2.16 (b) the

competent authority may, at its option, authorise payment to him of the pay of his substantive appointment or any lower rate of pay which it may consider suitable. If the duty consists a course of training or instruction and the Government servant was, at the time when he was placed on such duty, in receipt of higher pay on account of an officiating appointment, he may on every occasion during the period of instruction or training when he would have held that officiating appointment but for such training or instruction, be allowed to draw, instead of either of the rates just specified, pay equivalent to what he would have drawn had he been holding the officiating appointment.¹

1. Civilian Government servants who belong to the Army in Pakistan Reserve of Officers will, when called up for training, draw the following rates of civil pay, in addition to their military pay and allowances for the period of actual training :-
 - i. When proceeding to carry out their training from their duty posts, the pay and allowances they would have drawn in their civil posts but for the training for the whole period of absence on such training inclusive of the time spent in transit to and from;
 - ii. When proceeding to carry out their training while on leave in Pakistan or abroad the civil leave salary and allowances which they would have drawn but for the training; and of
 - iii. When proceeding to carry out the training on the expiry of leave Pakistan taken from their civil posts but before rejoining their civil posts for duty-
 - a) joining time civil pay from the date of disembarkation in Pakistan to the date proceeding that on which their military training commences, and
 - b) full civil pay during the period of actual training and the period spent in journeying to the places of then- civil posts.
2. A reservist of the Pakistan Army in civil employ will, when called up for periodical military training receive military pay and allowances.. He will also receive the excess, if any, of the civil pay over his military pay, provided that this concession is specifically sanctioned by the competent authority. Except where the civil pay of the reservist is met from the Defence Estimates the extra expenditure will not constitute a charge against the Defence Estimates. The period spent in military and naval training and in the journey to and from the place of training by the reservist of the Pakistan Army and the Royal Pakistan Fleet in civil employ will be treated as duty for purposes of civil leave, pension and increments of civil pay.

NOTE 1.—The expressions "Pay of his substantive appointment" and "Pay equivalent to what he would have drawn had he been holding the officiating appointment" occurring in this rule, should be taken to mean "the pay which the Government servant drew in the post which he now substantively" and "the pay which the Government servant drew in the post in which he officiated" respectively. In neither case is there any restriction on the kind of "Pay" to be drawn, and the

expressions should therefore be held to include special pay, if any, which the Government servant drew in the post which he held substantively or in an officiating capacity.

[NOTE 2.—In cases where a person not already in Government Service whether substantive or officiating, on initial recruitment to a post is required under the Service/Recruitment Rules relating to the post the pay and allowances admissible during the period of training shall be regulated as follows: -

(i) Whether the period of training prescribed is less than or up to one year, the emoluments during training period shall be three-fourth of the initial pay of the post plus usual allowances (other than travelling allowance) sanctioned by Government from time to time.

Illustration

If the initial pay of the post is Rs. 200 and an official is required to undergo training for a period of 3 months before he is given full charge of the post, then during that period of 3 months he will draw a pay of Rs. 150 plus allowances (other than travelling allowance) admissible on Rs. 154 and not on Rs. 200. Travelling Allowance will, however be admissible on the minimum of the scale of pay of the post during the period of training.(ii) Where the period of training exceeds one year, pay during the first year of training shall not in any case exceed three-fourth of the initial pay of the post and for every subsequent year of the training the amount of the pay may be raised by the amount of annual increment admissible on initial pay in the time scale of the post.

Illustration

If the pay of a particular post is Rs. 300 and the annual increment is Rs. 25 and the period of training is 3 years, the candidate will draw the following pay during the training:--

1st year	Rs.225
2nd year	Rs.250
3rd year.	Rs.275

The candidate will in addition, draw usual allowances (other than travelling allowance) sanctioned by Government from time to time which will be Admissible on the reduced pay:]¹

FIXATION OF INITIAL PAY

The initial substantive pay of a Government servant who is appointed substantively

¹ Sub. by Notification No. 2645-SO (SR) IV/72. Gaz. of Punjab Part I dt. 19-1-1973.

to a post on a time-scale of pay is regulated as follows:-

- a) If he holds a lien on a permanent post other than a tenure post, or would hold a lien on such a post had his lien not been suspended-
 - i. when appointment to the new post involves the assumption of duties or responsibilities of greater importance (as interpreted for the purposes of rule 4.13) than those attaching to such permanent post, he will draw as initial pay the stage of the time-scale next above his substantive pay in respect of the old post;
 - ii. When appointment to the new post does not involve such assumption, he will draw, as initial pay the stage of the time-scale which is equal to his substantive pay in respect of the old post, or if, there is no such stage, the stage next below that pay, plus personal pay equal to the difference; and in either case will continue to draw that pay until such time as he would have received an increment in the time-scale of the old post or for the period after which an increment is earned in the new post, whichever is less. But if the minimum pay of the time-scale of the new post is higher than his substantive pay in respect of the old post he will draw that minimum as initial pay.
 - iii. When appointment to the new post is made on his own request under Rule 3.19 (a) and the maximum pay in the time-scale of the post is less than his substantive pay in respect of the old post he will draw that maximum as initial pay.

NOTE.—The expression "If he holds a lien on a permanent post" occurring in this clause should be held to include the lien on a permanent post to which a Government servant is appointed in a provisional substantive capacity under rule 3.16 (d) and the expression "substantive pay in respect of the old post" occurring in it should be held to include his substantive pay in respect of that provisional substantive appointment. This clause should, therefore, be held to permit the substantive pay in respect of a provisional substantive appointment being taken into account in determining his initial pay in another post to which he is appointed. When the initial pay of a Government servant in a post is thus fixed, it will not be affected, even if during the tenure of his appointment to that post he reverts from his provisional appointment.

- b) If the condition prescribed in clause (a) are not fulfilled, he will draw as initial pay the minimum of the time-scale:

Provided that, in cases other than cases of re-employment after resignation from the public service, covered by clause(a) or clause (b) if he either-

1. has previously held substantively or officiated in-
 - i. the same post, or
 - ii. a permanent or temporary post, on the same time-scale, or

- iii. a permanent post, other than a tenure post, on an identical time-scale, or a temporary post on an identical time-scale, such post being on the same time-scale as a permanent post, or
2. is appointed substantively to a tenure post on a time-scale identical with that of another tenure post which he has previously held substantively in which he has previously officiated then the initial pay shall not be less than the pay other than special pay, Personal pay of emoluments classed as pay by the competent authority under rule 2.44 (a) (iii), which he drew on the last such occasion, and he shall count for increments the period during which he drew that pay on such last and any previous occasions.

The concession is admissible under clauses (I) (ii) and (I) (iii) of the above proviso in respect of previous service in temporary posts is subject to the conditions that where the Government servant's pay in his previous post was inflated by the grant of advanced increments for any cause, his initial pay in his new post shall, unless otherwise ordered by the authority competent to create the post, be fixed by counting for increments from the minimum of the scale the period of service rendered by him in the previous post or posts on the same or on identical time-scale.

Explanation. ---Reversion to the ordinary cadre of a service from a tenure post included in that cadre or from a tenure or special post not included in it does not constitute substantive appointment to the post and therefore does not fall under this rule.

Exception 1. --- The special pay drawn by a Senior Assistant Superintendent in the Jail Department shall be regarded as part of his substantive pay for the purposes of fixing his initial pay on his promotion to the rank of Deputy Superintendent.

Exception 2.---The condition in sub-clause (iii) of the first proviso that the temporary post should be on the same time-scale as a permanent post shall not be enforced when a temporary post is (i) created by one Government or Department for the purpose of work of the same nature as the ordinary work for which permanent posts exist in a cadre under a different Government or Department and (ii) sanctioned on a time-scale identical with the time-scale applicable to the permanent posts in the cadre under the different Government or Department.

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

NOTE 2.—For the purposes of this rule sterling overseas pay shall be converted into rupees at 2s./29/32d to the rupee or at such rate of exchange as the Central Government may hereafter fix for the purpose.

NOTE 3.—When a Government servant is appointed to a higher post on the date on which his increment in the lower substantive post falls, due, his substantive pay for the purpose of Fixing his initial pay in the higher post shall be inclusive of his increment accruing on that date.

NOTE 4. ---A Government servant when appointed to a post substantively while officiating in it is entitled to have his pay fixed a new under this rule with reference to his substantive, pay at the time in respect of his old permanent post.

NOTE 5.—When the next increment in the time-scale of either the new or old post falls, due, the Government servant should draw the next increment in the time-scale of the new post, and forthwith lose the personal pay allowed under clause (a) (ii) of this rule and all connections with the time-scale of his old post. The personal pay is given to a Government servant only for the purpose of initial pay and not any subsequent stage in the new time-scale in which the Government servant might draw less pay than he would have drawn had he remained in the old time-scale.

NOTE 6.—A time-scale may be of recent introduction, where as the cadre or class to which it is attached may have been in existence on a graded scale before the time-scale came into force or it may be that one time-scale has taken the place of another.

If a Government servant has held substantively, or officiated in, a post in the cadre or class prior to the introduction of new time-scale, and has drawn during the period salary or pay equal to a stage, or intermediate between two stages in the new time-scale, then the initial pay in the new time-scale may be fixed at the salary or pay last drawn" and the period during which it was drawn may be counted for increment in the same stage, or if the salary or pay was intermediate between two stages, in the lower stage of that time-scale.

NOTE 7.---Cases may arise in which a Government servant while officiating in a higher post may take regular leave for a short period and thus revert to his substantive post in which during the leave, an increment accrues to him which raises his substantive pay so as to equal the pay he was drawing in his officiating post. As under rule 4.14 officiating pay has to be fixed on each occasion of appointment to a higher post carrying greater responsibility, the Government servant on re-appointment to the higher post on return from leave is able to get the benefit of the next stage in the time-scale of that post, which he would not get if he continues to officiate without a break. The automatic, fixation in such cases of officiating pay at a rate higher than that drawn on a previous occasion, which the rule allows, is not justifiable, so in these cases the powers conferred by rule 8.16 or 4.16 can reasonably be exercised. For instance, if the competent authority feels that a Government servant who in the normal course would continue to officiate in a higher post has applied for a short period of

regular leave with the deliberate intention of getting the benefit of the increment accruing to him in his substantive scale of pay during the leave for the fixation of his pay in the officiating post on his re-appointment to it, it will be for the consideration of that authority whether the leave applied for should not be refused under rule 8.16. If on the other hand, the effect of the leave on the Government servants officiating pay on subsequent re-appointment to the higher post is not realised at the time, or the competent authority is satisfied that the leave applied for is really necessary or even if a short break in officiating service occurs in the natural course of events, the power conferred by rule 4.16 to reduce officiating pay may quite reasonably be exercised so as to limit the officiating pay on re-appointment to the higher post to what the Government servant would have drawn had he continued to officiate without a break.

NOTE 8.—*See also notes 3 and 4 under rule 4.6.*

NOTE 9.—*Under rules 4.4 and 4.13 it is necessary for the purposes of fixing the initial pay of a Government servant transferred from one post to another on a different scale of pay in a substantive or officiating capacity, to determine the degree of responsibility attaching to the two posts. A declaration of relative degree of responsibility shall therefore be necessary and will be given by the competent authority. Such declarations will however, be necessary only in cases where there is some doubt as to the relative degree of responsibilities attaching to the two posts.*

NOTE 10.—*The intention underlying the restrictive sub-clause of the proviso to clause (b) of this rule is to prevent men who were given enhanced rates of pay when competition in the labour market was keen and qualified men scarce from carrying the inflated pay with them after those conditions had abated to any other posts to which they might be appointed. Accordingly this sub-clause applies even in the case of a temporary Government servant who is appointed to another temporary post either on the abolition of his previous temporary post or for other reasons. In the latter case, however, when the transfer has been made in the interest of Public Service the restriction in question may be relaxed by the authority competent to create the post.*

The words "minimum of the scale" appearing "in the restrictive sub-clause of the proviso should be taken to mean the minimum of the previous post in which the advance increments were granted".

NOTE 11.—*It is permissible to post-date the substantive promotion of a Government servant to a higher post up to a date when it will be to his benefit to be promoted under the operation of this rule. This date may be selected at the option of the Government servant concerned, which must be exercised within six months from the date of order*

making the promotion and when once exercised must be final. No compensation will be given for any consequences which may follow from the exercise of this option. When the option has been exercised an entry should be made to this effect in the service book of the Government servant concerned and attested by the Head of the Office.

These orders will apply to promotions in the same class of appointments and not to cases where there is a complete change in the nature of the appointment and they should be confined to departments or establishments divided into grades.

NOTE 12.—For so long as the promotion is deferred under the orders in paragraph (a) above, the place in the superior grade will remain vacant, but promotions can be made in the place of the Government servant who would have been promoted from the date the vacancy originally occurred as if the promotion had actually taken place on that date. All that would happen is an excess appointment in the lower grade against a vacancy left unfilled in the higher grade and this is permissible under rule 7.15 of the Punjab Financial Rules, Volume I.

The initial substantive pay of a Government servant who is appointed substantively to a post on a time-scale of pay which has been reduced for reasons other than a diminution in the duties or responsibilities attached to posts thereon and who is not entitled to draw pay on the time-scale as it stood prior to reduction, is regulated by rule 4.4 provided, in cases, other than cases of re-employment after resignation from the public service covered by clause (a) or clause(b), of that rule if he either-

1. has previously held substantively or officiated in-
 - i. the same post prior to reduction of its time-scale, or
 - ii. a permanent or temporary post on the same time-scale as the unreduced time-scale of the post, or
 - iii. a permanent post other than a tenure post, or a temporary post, on a time-scale of pay identical with the unreduced time-scale of the post, such temporary post being on the same time-scale as a permanent post, or
2. is appointed substantively to a tenure post, the time-scale of which has been reduced without a diminution in the duties or responsibilities attached to it, and has previously held substantively or officiated in another tenure post on a time-scale identical with the unreduced time-scale of the tenure post,

then the initial pay shall not be less than the pay, other than special pay, personal pay or emoluments classed as pay by the competent authority under rule 2.44 (a) (iii), which he would have drawn under rule 4.4 on the last such occasion, if the reduced time-scale of pay had been in force from the beginning and he shall count for increments the period during which he would have drawn that pay on such last and any previous occasions; provided that service rendered on pay at a stage in a time-scale which is less

than the minimum of the revised scale shall not count for increment in that scale.

NOTE.—A Government servant held up at an efficiency bar in the old scale will not be entitled to initial pay in the reduced scale at a stage higher than the corresponding efficiency bar in the reduced scale. When there is only one efficiency bar in the old scale and more than one in the new scale, he will be held up at the first bar unless he is declared fit to cross it by the competent authority.

The holder of a post the pay of which is changed shall be treated as if he were transferred to a new post on the new pay subject to such restrictions as the competent authority may in each case lay down.

NOTE 1.—This rule shall not adversely affect any person in service on the 9th March, 1926. In respect of such persons this rule should be read as follows:-

"The holder of a post, the pay of which is changed, shall be treated as if he were transferred to the new post on the new pay ; provided that he may at his option retain his old pay until the date on which he has earned his next or any subsequent increment on the old scale, or until he vacates his post or ceases to draw pay on that time-scale. The option once exercised is final."

NOTE 2.—This rule applies to an officiating as well as to a substantive holder of a post.

NOTE 3.—If the maximum pay of a post is altered with no change in the rate of increment and the minimum, the initial pay of the holder of that post should be fixed under rule 4.4 (a) (ii) and not under rule 4.4 (a) (i) even though he may be holding the post substantively. See also note 5 below.

NOTE 4.—For the purposes of rules 4.4 and 4.6 a temporary post on a certain rate of pay (fixed Or time-scale), which is converted into a permanent post on the same or a different rate of pay is not the same post as the permanent post even though the duties remain the same. In other words, in view of rule 2.58 the temporary post, is to be regarded as having ceased to exist and to have been replaced by the permanent post. The incumbent of the temporary post is thus entitled only to the pay of the permanent post if it is on a fixed rate of pay or to the minimum pay of the time-scale of the permanent post if it is on a time-scale unless his case is covered by the concession admissible under proviso (1) (ii) and (1) (iii) to rules 4.4 and 4.5. Consequently service in a temporary post on a certain scale of pay when converted into a permanent post on a different scale of pay will not count for increments in the latter scale.

The provisions of rule 3.19 of Volume II of these rules are not

affected by this note.

NOTE 5.—*The orders in note 4 above do not refer to cases of transfer from one temporary post to another such post or from a temporary post to a permanent post. Nor do they debar service in a temporary post, created as an addition to a cadre, and on the same time-scale from counting towards increments in a permanent post in that cadre even after such a temporary post has been abolished.*

INCREMENTS

An increment shall ordinarily be drawn as a matter of course unless it is withheld. An increment may be withheld from a Government servant by a competent authority if his conduct has not been good or his work has not been satisfactory. In ordering the withholding of an increment, the withholding authority shall state the period for which it is withheld, and whether the postponement shall have the effect of postponing future increments.

NOTE.—*In the case of a Government servant of Non-Asiatic Domicile whose overseas pay is at a certain period of service, subject to a change, from a rupee to a sterling rate, the change must be regarded as an increment and consequently should not take effect if his increment is stopped.*

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

NOTE 1.—*When a Government servant is allowed to pass an efficiency bar which had previously been enforced against him, he should come on to the time-scale at such stage as the authority competent to declare the bar removed may fix for him, subject of course to the pay admissible according to his length of service.*

NOTE 2.—*The orders in this rule apply only to the fixation of pay in the time-scale in which the efficiency bar has been applied. A bar applied in a junior time-scale of a service should not, therefore, affect Government servant's pay in the senior time-scale; he should be paid in the latter scale according to his length of service, unless his pay in such scale is itself affected by the operation of an efficiency bar or by a disciplinary order passed against him.*

The following provisions prescribed the conditions on which service counts for increments in a time-scale:-

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

Although joining time taken by a Government servant under rule 9.1 (b) or (c) on return from extraordinary leave other than extraordinary leave not exceeding 14 days granted in continuation of other leave, counts as duty, yet it does not count for increment.

NOTE 1.—*In the case of a Government servant who, while officiating in one post is appointed to officiate in another, the period of joining time spent in proceeding from one post to the other should be treated as duty in the post the pay of which the Government servant draws during the period, and should be counted for increment in the same post under this rule.*

NOTE 2.—*Although joining time taken under rules 9.1 (b) and 9.1 (c) is treated as duty under rule 2.16 it cannot be treated as duty for the purposes of increment in an officiating post inasmuch as only leave-salary is drawn for that period.*

NOTE 3. ---*In the case of a Government servant who, while officiating in a post, proceeds on training or to attend a course of instruction and who is treated as on duty while under-training those periods of such duty will count for increment in the post in which he was officiating prior to his being sent for training or instruction during which he is allowed the pay of the officiating post.*

Exception 1. ---*The period of training at Sargodha of probationary Inspectors and Sub-Inspectors, Police during which time they draw pay below the minimum rates in the time-scales of pay counts towards increments in the time-scales of pay applicable to them.*

Exception 2.—*The period of training spent by probationary Inspectors of Police in districts, during which time they draw pay below the minimum rates of the time-scales applicable, to them, counts towards increments in such time-scales.*

NOTE 4.---*A Government servant who holds substantively a permanent post in a cadre and is appointed "on probation" to another post (vide concluding portion of rule 2.49) will count service for increment in the post in which it is actually rendered: i.e. the post which he holds " on probation". He will, therefore, draw increments in that post even before the end of his probation if the period of probation exceeds twelve months.*

NOTE 5.—*period of overstayal of leave does not count towards increments.*

NOTE 6.—*For counting of service rendered in a time-scale governed by the Civil Service Regulations for increment in an identical time-scale governed by these rules see note under rule 2.60.*

GOVERNMENT OF WEST PAKISTAN

FINANCE DEPARTMENT

NOTIFICATION

The 29th July 1964.

No. FD SR. III 10(2)/63-In exercise of the powers conferred by clause (2) of Article 178 and Article 170 of the Constitution of the Islamic Republic of Pakistan, the Governor of West Pakistan is pleased to direct that in the rules specified below the amendments shown against each respectively shall be made, namely :--

AMENDMENTS

1. Civil Service Rules (Punjab) Volume I, Part I-For rule 4.9, the following shall be substituted, namely.--

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

a)

- i.** All duty in a post on a time-scale counts for increments in that time-scale.
- ii.** Leave other than extraordinary leave counts for increments in the time-scale applicable to the post on which the Government servant holds a lien as well as in the time-scale applicable to the post or posts, if any, on which he would hold a lien had his lien not been suspended.
- iii.** When a Government servant proceeds on leave from a post which he holds in an officiating capacity or from a temporary post, that period of leave, other than extraordinary leave, during which the Government servant would have officiated or held the temporary post had he not proceeded on leave, counts towards increments in the time-scale applicable to that post :

Provided that the competent authority may, in any case in which it is satisfied that the extraordinary leave was taken on account of illness or for any other cause beyond the Government servant's control, direct that extraordinary leave shall be counted for increments under sub-clauses (ii) and (iii) of this clause.

- b)** Service in another post, whether in a substantive or officiating capacity, and service on deputation count for increments in the time-scale applicable to the post on which the Government servant holds a lien, as well as in the time-scale applicable to the post or posts, if any, on which he would hold a lien had his lien not been suspended.
- c)** If a Government servant while officiating in a post or holding a temporary post on a time-scale of pay is appointed to officiate in another post or to hold another temporary post which does not carry less pay than the pay of his original post his

officiating or temporary service in that post counts for increments in the time-scale applicable to the original post. The period of officiating service in the other post to which the Government servant is appointed in an officiating or temporary capacity which counts for increments in the original post, is, however restricted to the period during which the Government servant would have officiated in the original post but for his appointment to the other post. This clause applies also to a Government servant who was not actually officiating in the original post at the time of his appointment to the other post, but who would have so officiated had he not been appointed to the other post.

- d)** Foreign service counts for increments in the time-scale applicable to--
- i.** the post in Government service on which the Government servant concerned holds a lien as well as the post or posts, if any, on which he would hold a lien had his lien not been suspended ;
 - ii.** any post to which he may receive officiating promotion under rule 10.5 for the duration of such promotion ; and
 - iii.** the temporary post in Government service held at the time of proceeding on foreign service, if the Government servant concerned returns to that temporary post."

By order of the Governor of West Pakistan

AZIZ-UD-DIN-NIAIK

Deputy Secretary to Government (S. Regu)

Finance Department

No. FD SR. III-10(2)/63-1070/64, dated Lahore the 20th July 1964 Copies are forwarded for information to--

- 1.** All Administrative Secretaries to Government, West Pakistan;
 - 2.** All Heads of Attached Departments:
 - 3.** Registrar, High Court of West Pakistan, Lahore.
 - 4.** All Commissioners of Divisions in West Pakistan;
 - 5.** All Regional Heads in West Pakistan;
 - 6.** All District and Sessions Judges, Deputy Commissioners and Political Agents in West Pakistan
- b)** Service in another post, whether in a substantive, or officiating capacity, service on deputation and leave other than extraordinary leave counts for increments in the

time-scale applicable to the post on which the Government servant holds a lien as well as in the time-scale applicable to the post or posts, if any, on which he would hold a lien had his lien not been suspended:

Provided that, the competent authority may in any case in which it is satisfied that the leave was taken on account of illness or for any other cause beyond the Government servants control, direct that extraordinary leave shall be counted for increment under this clause.

Example.---A, pay Rs. 800-1,000, actual acted in the grade of Rs. 1,000-1,200 on the minimum My from 16th April, 1921 to 6th April, 1922, and then proceeded on 10 months leave on average pay from 7th April, 1922. He was promoted substantively to the grade of Rs. 1,000-1,200 on 2nd August, 1922. (white on leave)

He can count the period from 16th April, 1921, to 6th April, 1922, as well as the period of leave from 2nd August, 1922, to 6th February, 1923, for increment in the scale of Rs. 1,000-1,200 as he held a lien in that grade with effect from that date.

NOTE 1.—See also note below Clause (d) of this rule.

NOTE 2.—A Government servant who has elected to remain under the leave rules contained in the Civil Service Regulations is entitled to the benefits of Article 210 of those regulations; in his case the application of that article has the effect of overriding the definition of the word lien" in rule 2.35 for the purpose of the interpretation of that word in this clause.

- c) If a Government servant, while officiating in a post or holding a temporary post on a time-scale of pay, is appointed to officiate in a higher post or to hold a higher temporary post, his officiating or temporary service in the higher post shall, if he is reappointed to the lower post, count for increments in the time-scale applicable to such lower post. The period of officiating service in the higher post which counts for increment in the lower is, however, restricted to the period during which the Government servant would have officiated in the lower post but for his appointment to the higher.

This clause applies also to a Government servant who is not actually officiating in the lower post at the time of his appointment to the higher post, but who would have so officiated had he not been appointed to the higher post.

NOTE 1.—The intention of this rule is to allow the concession, irrespective of whether the higher post is within or outside the department to which the Government servant belongs.

NOTE 2.—This clause applies to Provincial Civil Services Officers holding "listed posts."

- d) If a Government servant's tenure of a temporary post is interrupted by duty in

another post or by leave other than extraordinary leave or by foreign service, such duty, leave or foreign service counts for increments in the time-scale applicable to the temporary post if the Government servant returns to the temporary post:

Provided that, the competent authority may, in any case, where it is satisfied that the leave was taken on account of illness or for any other cause beyond the Government servant's control, direct that extraordinary leave shall be counted for increments under this clause.

NOTE.—This clause applies to substantive and not to officiating tenure of a temporary post. Officiating tenure, whether of a permanent or a temporary post, is governed by clause (b).

- e) Foreign service counts for increments in the time-scale applicable to-
 - i. The post in Government service on which the Government servant concerned holds a lien as well as the post or posts, if any, on which he would hold a lien had his lien not been suspended, and
 - ii. any post to which he may receive officiating promotion under rule 10.5, for the duration of such promotion.

An authority may grant a premature increment to a Government servant on a time-scale of pay if it has power to create a post in the same cadre on the same scale of pay.

NOTE 1.—A proposal to grant an increment in advance of the due date should always be scrutinised with special jealousy as it is contrary to the principle of a time-scale of pay to grant an increment before it is due. Such a grant should not be made or advised except in very rare circumstances which would justify a personal pay to a Government servant whose pay is fixed.

NOTE 2. ---The expression 'scale of pay*' represents the maximum of the scale which is to be taken into account for determining the authority competent to sanction increments rather than the stage of it.

NOTE 3.—The grant of premature increments to members of the Provincial Public Health Service is governed by the rules in Appendix XI to Punjab Medical Manual.

NOTE 4.—In the case of increments granted in advance, it is usually the intention that the Government servant should be entitled to increments in the same manner as if he had reached his position in the scale in the ordinary course and in the absence of special orders to the contrary he should be placed on exactly the same footing, as regards future increments, as a Government servant, who has so risen.

TRANSFER FROM A HIGHER TO A LOWER GRADE OR FROM A HIGER STAGE TO A LOWER STAGE.

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

If a Government servant, is on account of misconduct or inefficiency, reduced to a lower grade or post, or to a lower stage in his time-scale, the authority ordering such reduction shall state the period for which it shall be effective and whether, on restoration, it shall operate to postpone future increments and if so to what extent.

PAY OF OFFICIATING GOVERNMENT SERVANTS

1. Subject to the provisions of rules 4.21 to 4.24 a Government servant who is appointed to officiate in a post shall not draw pay higher than his substantive pay in respect of a permanent post, other than a tenure post, unless the post in which he is appointed to officiate is one of those enumerated in the schedule to this rule or unless the officiating appointment involves the assumption of duties and responsibilities of greater importance than those attaching to the post, other than a tenure post, on which he holds a lien or would hold a lien had this lien been not suspended:

Provided that, the competent authority may exempt from the operation of this rule any service which is not organised on a time-scale basis and in which a system of acting promotions from grade to grade is in force at the time of the coming into force of these rules:

Provided further that, the competent authority may specify posts outside the ordinary line of a service the holders of which may, notwithstanding the provisions of this rule and subject to such conditions as the competent authority may prescribe, be given any officiating promotion in the cadre of the service which the authority competent to order promotion may decide, and may thereupon be granted the same pay (whether with or without any special pay if any ; attached to such posts) as they would have received if still in the ordinary line.

2. For the purpose of this rule, the officiating appointment shall not be deemed to involve the assumption of duties or responsibilities of greater importance if the post to which it is made is on the same scale of pay as the permanent post, other than a tenure post, on which he holds a lien or would hold a lien had his lien not been suspended, or on a scale of pay identical therewith.

NOTE 1.—The words 'duties' and 'responsibilities' used in this rule are to be interpreted in a wide sense as including besides the works to be performed the general responsibilities and liabilities incidental to being member of a particular service. See also note 9 below rule 4.4.

NOTE 2.—Higher officiating pay is not permissible to old incumbents in cases where different posts on different scales of pay have been

merged into a single time scale for entrance into Government service after 31st December, 1930.

NOTE 3.—With reference to the 2nd proviso in clause (1) of this rule it has been decided not to issue a list of the kind referred to therein, but to deal, on its merits, with each case as it arises. In each case so dealt with, adequate safeguard should be laid down so as to prevent the tenure of posts outside the ordinary line of a service by unduly senior Government servants which might cause undue expense and be in other ways contrary to public interest and also to prevent Government servants from receiving the rate of pay attached to selection posts which they would have been regarded as unfit to hold if present in the ordinary line. This point should be carefully kept in view by the authority recommending a case for the declaration by the competent authority.

NOTE 4.—(1) The following guiding principles are laid down for the working of the convention usually known as the "next below rule:—

- 1. A Government servant out of his regular line should not suffer by forfeiting officiating promotion which he would otherwise have received, had he remained in his regular line.***
- 2. The fortuitous officiating promotion of some one junior to a Government servant who is out of the regular line does not give rise to a claim under the next below rule.***
- 3. Before a claim is established, it is necessary that all the Government servants senior to the Government servant who is out of the regular line should have been given officiating promotion.***
- 4. It is also necessary that the Government servant next below him should have been given promotion, unless in any case the officiating promotion has not been given because of inefficiency, unsuitability or leave.***

JERSON ORDERS OF THE PUNJAB GOVERNMENT

- 1.**
 - i.** The holders of special posts such as Secretary to a Governor or Secretary to Government should in cases where the conditions governing the working of the "next below" rule are not clearly fulfilled, be ready to accept loss of officiating promotions to Higher posts in the ordinary lines for short periods, not exceeding three months, in consequence of their incumbency of special posts, and when the stage is reached at which their retention involves loss of substantive or lengthy officiating promotions the proper course would be to make arrangements to enable them to be released from the special rather than to compensate them for the loss

of officiating promotions under the "next below" rule. In posts such cases where an officer is deprived of officiating promotion to a higher paid post owing to it being impracticable for the time being to release him from the post outside the ordinary line no compensation shall be granted in respect of the first three months of his retention in the lower paid post unless the conditions of the "next below" rule are satisfied. In cases where the period for which officiating promotion is lost exceeds three months the officer concerned may be granted the pay of the higher post for the excess period, but arrangements should be made wherever possible to avoid depriving officers of lengthy periods of officiating promotions.

- ii. In cases where the conditions of the "next below" rule are satisfied the officer concerned may be allowed the benefit of the rule for the full period for which he has lost officiating promotion, but, save in exceptional circumstances no officer to whom the next below rule would apply should be retained in a lower paid post for more than six months beyond the date on which he becomes entitled to officiate continuously in a higher post.

2.

- i. The expression "posts outside the ordinary line of a service" in the second proviso to rule 4.13 also includes besides ex-cadre, posts, special posts outside the ordinary line, which are borne, on the cadre of a service. Holders of such posts can be given the benefit of a declaration under that rule provided that the conditions precedent to the application of the "next below" rule are fulfilled in their case
 - ii. Cases of those holders of posts in the ordinary line, e.g. a Joint Magistrate Collector, Assistant Superintendent of Police or Superintendent of Police who may suffer loss of officiating promotion owing to it being impracticable to release them from their posts can also be dealt with under the second proviso to rule 4.13 if the conditions precedent to the application of the "next below" rule are satisfied in any case.
 - iii. In the case of officers, who in the public interest have to be deprived of officiating promotion whether they are serving outside the ordinary line or in the ordinary line and in which case the conditions laid down in the "next below" rule are not satisfied, the instructions contained in clause (1) of Order No. 1 will apply.
3. It has been noticed that in some instances claims have been supported for the protection of more than one officer in respect of a single officiating appointment in cases where a consecutive series of two or more officers in a cadre are on deputation to posts outside the regular line and the officer next below them is promoted to officiate in a higher post in the cadre. In order to eliminate any doubt in the matter, it has been decided that one officer and one officer only, namely the most senior fit officer who is not debarred by the conditions prescribed for the application of the rule should be allowed the benefit of the "next below" rule.

It may happen that the senior most officer serving outside the regular line does not require to be protected under the "next below" rule by his belonging to one or other of the types indicated below :-

- i. An officer serving outside the ordinary line holds a post carrying a scale of pay identical; with that of an administrative post in the ordinary line, and is, by virtue of a declaration in terms of exception below rule 4.4 eligible for the pay and incremental benefits of the higher post in the ordinary line and also for the benefit of special additional pensions by virtue of a declaration under rule 6.15 of the Civil Services Rules, Punjab, Volume II.
- ii. An officer outside the regular line holds a post (generally temporary carrying better pay than the "Identical" scale and qualifying person or by special declaration for special additional pension as for the higher post in the ordinary line.

In such cases the protection under the "next below" rule in respect of any one vacancy occurring in the regular line may go to the next senior most fit officer of the series serving outside the cadre who is not independently protected in respect of pay, increment or pension by belonging to one or other of these types.

NOTE 5.—*In the case of ministerial and other establishments in which there are no grades in the sense in which the word was used in the Civil Services Regulations the proviso in clause (1) of this rule is intended to cover; where necessary all cases of the grant of officiating allowances from one fixed rate of pay to another without change of duty.*

NOTE 6.—

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

NOTE 7.—*The pay of a Government servant officiating in a post the pay of which is subject to increase upon the passing of an examination or on the completion of a certain period of service is the pay which he would, from time to time, receive if he held the post substantively.*

NOTE 8.—*The pay of a Government servant officiating in a post the pay of which has been reduced from the next succession thereto is the reduced pay.*

NOTE 9.—*It is not the intention behind rule 4.14 under which the title*

to presumptive pay is always subject to the provisions of this rule that the presumptive pay of the post as determined by rule 4.4 (ii) be allowed as a matter of course. According to rule 4.13, where the officiating appointment does not involve the assumption of duties and responsibilities of greater importance, it is not permissible for the Government servant to draw pay higher than his substantive pay (if any) in respect of a permanent post. In other words, while the Civil Services Rules, (Punjab) are not prohibitive in respect of officiating promotions in such circumstance they undoubtedly restrict the officiating pay to the substantive pay, from time to time of the Government servant concerned.

The case of a Government servant without a permanent post and therefore having no substantive pay in respect of such a post is, however, different. Rule 4.13 being in applicable in such cases, he is entitled to have his pay regulated exclusively under rule 4.14 read with rule 4.4 (b) but to check any extravagance in officiating pay in such cases it is always open to the competent authority to take resort to the provisions of rule 4.16.

SCHEDULE

1. Posts of Lecturers in Colleges, District Inspectors of Schools, Head Masters and Head Mistresses borne on the cadre of Punjab Educational Service (Class II).
2. Deputy Superintendents of Jail, 1st grade.
3. Assistant Clerks in Circle and Divisional Offices in the Public Works Department, Irrigation Branch, when held by signallers off that Branch.

NOTE—This amendment will have effect as from 8th June, 1935, for purposes of reclamation of pay admissible. No arrears of pay will be admissible as a result of this amendment prior to 1st September, 1942).

Subject to the provisions of rules 4.9 (c), 4.13 and 4.16, a Government servant officiating in a post will draw the presumptive pay of that post, provided that, except in the case of a Government servant whose appointment to the post in which he is officiating was made on his own request under rule 3.19 (a) if the presumptive pay of the permanent post on which he holds a lien or would hold a lien had his lien not been suspended, should at any time be greater than the presumptive pay of the post in which he officiates, he will draw the presumptive pay of the permanent post.

NOTE 1. ---See also Notes 7 and 8 below rule 4.13.

NOTE 2—See also Note 7 to rule 4.4.

NOTE 3.—In its application to cases falling under rule 4.5 this rule has effect from the 1st January, 1931.

When a Government servant officiates in a post, the pay of which has been fixed at

a rate personal to another Government servant, the competent authority may permit him to draw pay at any rate not exceeding the rate so fixed or, if the rate so fixed be a time-scale, may grant him initial pay not exceeding the lowest stage of that time-scale and future increments not exceeding those of the sanctioned scale.

NOTE 1.—This rule prescribes the initial rate of pay only. If the pay personally fixed is on a time-scale it is not intended that an officiating incumbent should be debarred from drawing increments in that time-scale according to the ordinary rules.

NOTE 2.—If a Government servant who is personally qualified to draw overseas pay is appointed to officiate in a post on a time-scale, the pay of which is fixed personally for the substantive holder of the post and includes sterling overseas pay, the lowest stage in the time-scale for the purposes of this rule is the minimum of the time-scale, plus the sterling overseas pay included in the pay fixed personally for the substantive holder of the post.

A competent authority may fix the pay of an officiating Government servant at an amount less than that admissible under these rules.

NOTE 1.—One class of cases falling under this rule is that in which a Government servant merely holds charge of the current duties and does not perform the full duties of the post. See also note 1, below rule 4.1 (2)

NOTE 2.—When a Government servant is appointed to officiate in a post on a time-scale of pay but has his pay fixed below the minimum of the time-scale under this rule he must not be treated as having effectually officiated in that post within the meaning of rule 4.4 or having rendered duty in it within the meaning of rule 4.9. Such a Government servant on confirmation should have his initial pay fixed under rule 4.4. (b) and draw the next increment after he has put in duty for the usual period required calculated from the date of his confirmation.

NOTE 3.—The power conferred by this rule is not exercisable save by a special order passed in an individual case and on a consideration of the facts of that case. A general order purporting to oust universally the operation of rule 4.14 would be ultra vires of this rule. Although the practice of passing ostensibly special order on every individual case would not be ultra vires of this rule it would constitute the grossest possible fraud thereon.

A competent authority may issue general or special orders allowing acting promotions to be made in the place of Government servants who are treated as on duty under Rule 2.16 (b).

NOTE.—Acting promotions have been permitted under this rule in

place of Government servants who are treated as on duty under item (i) of the Schedule to Chapter II.

PERSONAL PAY

Except when the authority sanctioning it orders otherwise, personal pay shall be reduced by any amount by which the recipients pay may be increased, and shall cease as soon as his pay is increased by an amount equal to his personal pay.

PAY OF TEMPORARY POSTS

When a temporary post is created which may have to be filled by a person not already in Government service, the pay of the post shall be fixed with reference to the minimum that is necessary to secure the services of a person capable of discharging efficiently the duties of the post.

When a temporary post is created which will probably be filled by a person who is already a Government servant, its pay shall be fixed by the competent authority with due regard to--

- a) the character and responsibility of the work to be performed, and
- b) the existing pay of Government servants of a status sufficient to warrant their selection for the post.

NOTE 1.—Under these rules, special duty or deputation in Pakistan will not be recognised. A temporary post will be created for the performance of that duty. If the special duty is to be undertaken in addition to the ordinary duties of the Government servant then rules 4.19 and 4.21 will apply.

NOTE 2.—Where a Government servant, whether of Asiatic or non-Asiatic domicile in receipt of overseas pay is, on appointment to a temporary post, granted an increase over his substantive pay in the regular fine and the increase is expressed as a percentage of such pay, the percentage shall apply only to the basic pay and not to overseas pay (Sterling or Rupee).

NOTE 3.—Temporary posts may be divided into two categories, viz., posts created to perform the ordinary work for which permanent posts already exist in a cadre, the only distinction being that the new posts are temporary and not permanent and isolated posts created for the performance of special tasks unconnected with the ordinary work which a service is called upon to perform. A distinction by strict verbal definition is difficult, but in practice there should be little difficulty in applying the distinction in individual cases. The former class of posts should be considered to be a temporary addition to the cadre of a service whoever may be the individual appointed to the post; while the latter class of temporary posts should be considered as unclassified and isolated ex-cadre posts.

2. Temporary posts which by this criterion should be considered as temporary additions to the cadre of a service should be created in the time-scale of the service, ordinarily without extra remuneration. Incumbents of these posts will, therefore, draw their ordinary time-scale pay. If the posts involve decided increases in work and responsibility in comparison with the duties of the parent cadre generally, it may be necessary to sanction a special pay in addition. Such special pay may only be allowed with the approval of the competent authority.
3. For isolated ex-cadre posts it may occasionally be desirable to fix consolidated rates of pay. Where, however, the post is to be held by members of a service, it will ordinarily be preferable also to create the post in the time-scale of the holders service. The observations contained in paragraph 2 above will apply with equal force to the grant of special pay over and above the ordinary time-scale.

NOTE 4.—Substantive appointments to temporary post should be made in a limited number of cases only as e.g., when posts are to all intents, and purposes quasi-permanent or when they have been sanctioned for a period of not less than three years, or there is reasons to believe that they will not terminate within a period of three years. In all other cases, appointments to temporary posts should be made in an officiating capacity only.

COMBINATION OF APPOINTMENTS

A competent authority may appoint one Government servant to hold substantively, as a temporary measure, or to officiate in, two or more independent posts at one time. In such cases his pay is regulated as follows:—

- a) The highest pay, to which he would be entitled if his appointment to one of the posts stood alone, may be drawn on account of his tenure of that post;
- b) for each other post he draws such reasonable pay, in no case exceeding half the presumptive pay (excluding overseas pay) of the post, as the competent authority may fix; and

NOTE.—Pay granted under Rule 4.21 (b) is not special pay.

- c) If compensatory allowances are attached to one or more of the posts he draws such compensatory allowances as the competent authority may fix provided that such allowances shall not exceed the total of the compensatory allowances attached to all the posts.

NOTE 1.—Clause (b) this rule requires that such pay as may be considered "reasonable in the circumstances may be given half the presumptive pay of the post is not therefore to be regarded as the amount normally permissible.

NOTE 2.—Under this rule a Government servant is not entitled to overseas pay in respect of both the posts, that is, he cannot get the benefit of the overseas pay, whether in sterling or rupees, of the

second post.

NOTE 3.—Presumptive pay for the purposes of clause (b) of this rule should according to Rule 2.48 be taken to be what the Government servant who is placed in additional charge will draw as initial pay in the time-scale of the additional post under Rule 4.4. Where he formally transferred to it. In cases, however, in which the maximum pay of the lower post is less than the pay of the Government servant in his substantive post, the application of Rule 4.4 is not clear and accordingly in such a case the maximum of the pay of the lower post should be taken as the presumptive pay for the purposes of clause (b) of this rule.

When a Government servant holds charge of the current duties of a post after being relieved of those of his substantive post, he officiates in that post. If it is not considered that he is entitled to the full officiating pay of the post his pay may be fixed under Rule 4.16. This should be done whenever the Government servant is not carrying out the full duties of the post.

NOTE---See also note 1 below rule 4.1 (2).

When a Government servant holds current charge of another post in addition to that of his own substantive post, he likewise officiates in the former, and the presumptive, pay of the post of which current charge is held may be reduced as in Rule 4.22 above to the amount considered sufficient by the competent authority. After this, if necessary, has been done, the provisions of Rule 4.21 should be applied.

A Government servant is not regarded as holding charge or current charge of a post unless a substantive post exists for the performance of the duties entrusted to him. If no such substantive post exists, the case is one for the grant of special pay or an honorarium.

Example. A Deputy Commissioner cannot hold charge of the post of Settlement Officer after the post has been abolished.

Chapter V

ADDITIONS TO PAY

I--COMPENSATORY ALLOWANCES

(a) General

- 5.1. Subject to the provisions of Rules 5.2 to 5.12 and to the condition that the compensatory allowance is so regulated that it is not on the whole a source of profit to the recipient a competent authority may grant such an allowance to any Government servant.

NOTE 1. — Compensatory allowances to the personal staff of the Governor (including the Military Officers, if any), are regulated by the Government of India (Governor's Allowances and Privileges) Order, 1936.

NOTE 2. — The grant of travelling allowance (which is also a compensatory allowance,-vide Rule 2.13) is regulated by the rules in volume III of those rules.

5.2.

- a) Subject, in respect of house-rent allowance, to the provisions of rule 5.5, a compensatory allowance attached to a post will be drawn in full by the Government servant actually performing the duties of that post.
- b) ¹("&) If a religious festival of (1) Eid-ul-Fitr, (2) Eid-ul-Azha (3) Dussehra (4) Christmas and (5) Easter falls within the last ten days of the month, half the pension of the non-gazetted pensioners belonging to the communication concerned may be drawn in advance but not earlier than 5 days before the Festival. The disbursement of pension will be booked under the respecting final heads of account and will be adjusted in lump sum from the pension of the month during which the festival falls".

(b) Compensatory allowances, other than a house-rent allowance or Jungle allowance or motorcar or motorcycle allowance

- 5.3. (a) A compensatory allowance, other than a house-rent allowance or jungle allowance or conveyance allowance granted for a motorcar or motorcycle, may be drawn up to the maximum periods given below by a Government servant who takes leave other than leave preparatory to retirement from the post to which the allowance is attached, or is transferred therefrom to another post for periods not exceeding those referred to above as well as by the Government servant performing the duties of the post to which the allowance is attached, provided that-

¹ Notification No. FD/ (FR)-14/61 (Vol. III) Gaz. of Punjab Part I, dt. 5-3-1976.

1. the authority sanctioning the leave or transfer, as the case may be, certifies that the Government servant is likely to return, on the expiry of his leave or his temporary duty, to the post to which the allowance is attached or to another post carrying a similar allowance ; and
2. the Government servant certified that he continues to incur the whole, or a considerable part of the expense to meet which the allowance was granted. In the latter case it is left to the discretion of the authority sanctioning the leave or transfer as the case may be, to decide whether and by how much the allowance should be reduced:-
 1. Government servants subject to the leave rules in Section II of Chapter VIII. during first four months of leave on average pay
 2. Government servants subject to the leave rules in Section III of Chapter VIII. During first 120 days, 90 days or 30' days of leave as the case may be.
- b) a Government servant is transferred from one post that carries with it a compensatory allowance granted on account of special expensiveness of living to another post carrying a similar allowance, he may draw the compensatory allowance during joining time under rule 9.1 (a), provided that if the rates differ in the two posts he may draw the lower rate only.

NOTE 1.—In regard to the certificate prescribed in clause (a) of this rule it is the authority competent to control the Government servant's posting that should satisfy itself that there is reasonable expectation that the Government servant is, on the expiry of his leave or temporary transfer, likely to return to the post from which he is being relieved or to another post carrying a similar allowance. A mere hope or unsupported expectation on the part of the Government servant should not form the basis of the certificate. To obviate all misunderstanding on the point, the authority sanctioning the leave or transfer should, in cases in which clause (a) operates, invariably embody in the sanctioning orders a certificate regarding the likelihood of the Government servant's return either to the post from which he proceeds on leave or transfer or to another post carrying a similar allowance.

The certificate mentioned above must be embodied in the original order sanctioning the leave or transfer; otherwise it will not be accepted in audit. A revised order if issued before the Government servant hands over charge to proceed on leave or temporary transfer should be deemed to be the original order.

NOTE 2.—With reference to proviso (2) to clause (a) of this rule a Government servant, who desires to avail himself of the benefit of the rule, should submit his claim with a statement of the relevant

expenses, to the authority sanctioning the leave or transfer, that 'authority should then decide, having regard to the-provisions of Rules 5.1 and 5.2 how much of the allowance should be drawn and communicate his decision to the Accountant-General, with a copy of the statement of expenses referred to above. The copy of the statement of expenses may be sent to the Accountant-General i.e; a confidential cover, if this is considered desirable. It will then be open to the Accountant-General either to accept the decisions or to challenge such of them as to reveal any manifest breach of the canons of financial property,-vide P.F.R.2.10. The provisions of this note do not apply to Government servants in receipt of the compensatory local allowance sanctioned for Lahore and Rawalpindi in whose case the ordinary rule in proviso (2) to clause (a) of this rule will be applicable.

NOTE 3.—*The grant of permanent travelling allowance or horse or conveyance allowance, during joining time and periods of temporary duty in a post other than that for which the allowance is sanctioned is governed by rules 2.7 and 2.16 of the Punjab Travelling Allowance Rules.*

NOTE 4.—*When vacation is combined with leave, the entire period of vacation and leave should be taken as one spell of leave and the period of vacation falling within the first 4 months in the case of Government servants subject to the leave rules in section II of Chapter VIII and within the first 120, 90. or 30 days as the case may be, in respect of Government servants subject to the rules in section III of Chapter VIII, should be treated as leave "on average pay" or "earned leave" for the purposes of this rule.*

NOTE 5.—*See also note below rule 5.5.*

NOTE 6.—*Mounted Police Officers proceeding on leave on average pay not exceeding four months or earned leave not exceeding 90 days under sections II and III of Chapter VIII of these rules, as the case may be, or undergoing promotion courses at the Police Training School, Sargodha, and Sub-Inspectors when posted to the mobile patrols who are in possession of horses or camels shall hand over their mounts to the Lines Officer or the officer-in-charge of the Mounted Police who shall be responsible for the feeding and keeping of such animals under the supervision of a gazetted officer. No conveyance allowance shall be drawn for them for the period of their absence on leave or training at the Police*

This limit also applies to Government servant of Non-Asiatic domicile included in sub-clause (i) of clause (ii) of rule 8.119.

Training School, Sargodha or in the case of Sub-Inspectors when posted to the Mobile Patrol except to meet expenditure actually incurred on the feeding, shoeing and maintenance of animals. The

accounts shall be kept in form 7.24 (3) of the Police Rules, such horses and camels shall be looked after and may be used for instruction or duty by mounted Upper Subordinates under orders of the gazetted officer in supervisory charge. In such cases responsibility under Police Rule 7.12, (b) for loss or injury by misconduct or neglect shall rest with the officer so ordered to look after or use the animals, provided that no policeman shall be held responsible for more than one animal at a time, where however, adequate accommodation for horses and syces is not available in the Police Lines, the Superintendent of Police may authorise such officers to make their own arrangements for the care and maintenance of animals and draw the prescribed conveyance allowance admissible to each of them. Assistant Sub-Inspectors are not Mounted Police Officers, vide Police rule 7.2 and are exempted from the operation of this rule.

NOTE 7.—*When a conveyance or horse allowance of a Government servant has been reduced leave on average pay not exceeding four months during _____, — by the competent authority under this rule earned leave and the Government servant is transferred immediately on the expiry of leave to another post carrying a similar allowance, then during joining time the allowance shall be granted at the rate at which it was drawn during leave.*

NOTE 8.—*The underlying intention of Rule 5.3 to restrict Government servants' entitle to with special care leave appl _____ ...cases where there is an obvious intention to evade the rule by taking leave for four months or less, returning to duty for a few days only and then retiring, refuse to grant leave of any other kind than "leave preparatory to retirement."*

COMMENTS

The Government of the Punjab has issued "**PUNJAB TRAVELLING ALLOWANCE RULES, Vide No : F.D/Accounts/OSD/498 dated 10th July 1976** printed as Book V of **ESTA CODE 1991** Edition in which full details of such allowances have incorporated

(c) Motorcar or motorcycle allowance.

- 5.4.** A portion not exceeding Rs.25 or Rs.10 of an allowance granted on condition that a motorcar or motorcycle, respectively is maintained may be drawn during leave or temporary transfer up to the maximum periods specified in rule 5.3
- i. the substantive pay of the Government servant during the period of claim does not exceed Rs.1,500;
 - ii. the authority sanctioning the leave or transfer certifies that the Government

servant is likely on the expiry of the leave or temporary duty, to return to the post from which he proceeds on leave or is transferred, or to be appointed to a post in which the possession of motorcar or motorcycle, as the case may be, will be advantageous from the point of view of his efficiency; and

- iii. the Government servant certifies that he continued to maintain the vehicle, that the amount claimed was spent by him on garage hire or wages to staff or both for the period for which the amount is claimed and that the vehicle was not during that period in use by anybody.

NOTE 1.—The provisions of notes 1 and 2 under Rule 5.3 above apply mutatis mutandis in the applications of provisos (ii) and (iii) to this rule.

NOTE 2. — The grant of motorcar or motorcycle allowance during joining time is governed by Rule 2.16 of the Punjab Travelling Allowance Rules.

NOTE 3. — See also note below Rule 5.5.

(d) House-rent allowance.

- 5.5.** A house-rent allowance may be drawn by a Government servant on leave or transfer in the circumstances and for the periods specified in Rule 5.3: provided that he certifies that his previous rate of expenditure for a house, continues during his absence, and that he places his house, free of rent at the disposal of the Government servant, if any, who officiates in his post. The officiating Government servant cannot, in such case, draw the house-rent allowance attached to the post. If, however, the officiating Government servant, for a reason which a competent authority considers to be sufficient, refuses the accommodation placed at his disposal, he and not the absent Government servant, will draw the allowance.

NOTE.—Under Rules 5.3, 5.4 and 5.5 compensatory allowance can also be allowed up to a maximum period of 6 months in the case of Government servants granted leave on average pay (or privilege leave) up to 6 months under the special concessions referred to in note 1 to Rule 8.73 (b).

H. ---RENT OF GOVERNMENT RESIDENCES

(a) General.

- 5.6.** The following rules govern the allotment to Government servants for use by them as residences of such buildings owned or leased by Government or such portions thereof as may be made available for the purpose.

NOTE 1.—These rules shall also apply to Ministers.

NOTE 2.—If a Judge of the High Court is provided with residential accommodation either leased or owned by Government, it shall be on

such conditions in regard to the payment of rent or otherwise as are, for the time being, applicable to members of the Civil Service of Pakistan serving at Lahore under the administrative control of the Central Government.

NOTE 3.—If the Chairman or any member of the Punjab and North-West Frontier Province Joint Public Service Commission is provided with residential accommodation either leased or owned by Government, it shall be on such conditions in regard to the Civil Service of Pakistan serving at Lahore under the administrative control of the Provincial Government.

NOTE 4. ---When a Government servant of a government other than the Punjab Government occupies by official arrangement a residence provided by the Punjab Government or vice versa, rent shall be recoverable from the Government servant in accordance with the rules in Appendix 4 to the Punjab Financial Rules.

- 5.7.** Nothing contained in these rules shall so operate as to require payment of rent, for the occupation of residences supplied by Government, by those Government servants who have been exempted from such payment by order of the Governor-General or to affect the amount of rent or charges payable by those Government servants in whose case the amount so payable is prescribed by the Governor-General.

(b) Capital Cost of Building and Assessment of Rents.

(i) CAPITAL COST OF A RESIDENCE

- 5.8.** For the purpose of the assessment of rent, the capital cost of a residence owned by Government shall include the cost or value of sanitary, water-supply and electric installations and fittings, but exclude the cost or value of the site (including expenditure on its preparation); and shall be either-
- a)** the cost of acquiring or constructing the residence and any capital expenditure incurred after acquisition or construction; or, when this is not known.
 - b)** the present value of the residence :

"Provided that, where it is so directed by general or special order, the value of the site and the cost of its preparation shall be included in the capital cost, and the cost of sanitary, water-supply and electric installations may be excluded. If the cost of sanitary, water-supply and electric installations are ordered to be excluded rent for such installations shall be levied at the rates specified under Rule 5.16 (d).

NOTE 1.—For cases in which the above proviso will apply see paragraph 3.27 Punjab Public Works Department Code, 2nd Edition.

NOTE 2.—The cost of restoration or special repairs shall not be added capital cost or present value, unless such restoration or repairs add to accommodation or involve replacement of the existing type of work by

work of a more expensive character.

5.9. For the purpose of Rule 5.8-

i. expenditure incurred on works such as-

- a) raising, levelling, dressing sites;
- b) construction of revetment and retaining walls, unless when incurred in connection with the provision of a tennis court;
- c) storm-water drains; and
- d) boundary pillars;

shall be considered as expenditure on preparation of a site; and (if) expenditure incurred on works such as-

- a) compound walls, fences and gates;
- b) roads and culverts within a compound ;

shall be included in the capital cost of the residence for the purpose of assessment of standard rent

5.10. When the present value of a residence and of the site on which it stands is unknown, vide clause (b) of Rule 5.8 the value of the residence and of the site shall be estimated separately by the Divisional Officer who shall if the estimated value of either does not exceed Rs.- 25,000, submit the estimate to the Superintending Engineering who shall determine the present value. If the Divisional Officer's estimate of either the site or the residence exceeds Rs.25, 000, he shall submit it to the Superintending Engineer, who shall forward it to the Chief Engineer, who shall determine the value of the residence and of the site. The Divisional Officer's estimate shall, in both cases, be accompanied by a report of the Chief Civil Officer of the district in regard to the value of the land and also the value of the building with reference to the market value of similar buildings in the vicinity.

5.11. A competent authority may, for reasons which should be recorded, authorise a revaluation of all residences of a specified class or classes within a specified area to be conducted under Rule 5.10 above, and may revise the capital cost of any or all such residences on the basis of such revaluation.

NOTE.—The intention of this rule is to authorise revaluation of a residence or residences in accordance with Rule 5.10 even when the factors specified in clause (a) of Rule 5.8 are known.

5.12. The capital cost, howsoever calculated, shall not take into consideration (1) any charges on account of establishment and tools and plant other than such as were actually charged direct to the work in cases in which the residence was constructed by Government, or (2) in other cases, the estimated amount of such charges.

NOTE.—Full departmental charges should be levied in cases referred to in Note (1) below Rule 5.8.

- 5.13.** Renewals of a building or of its subsidiary works, such as out-houses, roads, drains, culverts, etc., or new construction, such as retaining walls, necessitated by the occurrence of fire, flood, earthquake, abnormal storm or other calamity will be chargeable to the capital cost, but on completion a competent authority will decide what amount should be written off the original capital cost. When a portion of a building is required to be dismantled to make room for alterations and additions, the capital value of the dismantled portion should be dealt with under the rules in the Public Works Department Code applying to buildings generally:
- 5.14.** A competent authority may, for reasons which should be recorded, write off a special portion of the capital cost of a residence -
1. when a portion of the residence must be set aside, by the Government servant to whom the residence is allotted for the reception of official and non official visitors visiting him on business ; or
 2. when it is satisfied that the capital cost, as determined under the above rules, would be greatly in excess of the proper value of the accommodation provided.

NOTE. ---See also Rule 5.32

- 5.15.** In assessing the cost or value of the sanitary, water-supply and electric installations and fittings (vide Rule 5.8) the following shall be regarded as comprising the installation and fittings: -

Electric Supply

1. Wiring, including the supply line from the main, and all connected apparatus such as fuse boxes and switches.
2. Fixed lamps (bracket and pendant) including shades holders but excluding shades and bulbs.
3. Wall plugs of table lamps, table fans and electric heaters.
4. Fan points (excluding ceiling fans and regulators).
5. Lighting interceptors.
6. Meters when supplied by Government.

Sanitary and Water-Supply

1. Pipe, including service pipe from the main;
2. Apparatus for hot water-supply;
3. Cisterns, taps and other necessary fittings;

4. Baths, basins and lavatory fittings;
5. Meters when provided at the cost of Government.
6. Drains, including the main connection with the sewer; and all connected apparatus such as gulleys, channels, traps and vent pipe for the disposal of house wastes and sewage.

NOTE 1.—The inclusion of these articles in this rule does not bind Government to provide all or any of them in a residence.

NOTE 2.—When table lamp, table fans or other electrical appliances, not included under "Electric Supply" above, have already been supplied, their cost should be included in the capital cost of the residence, out on their becoming unserviceable they should not be replaced the capital cost of the residence being reduced accordingly.

(ii) Standard rent

5.16. The standard rent of a residence shall be calculated as follows:-

- a) In the case of leased residences the standard rent shall be the sum paid to the Jessor plus an allowance for meeting during the period of leases the probable cost of charges for-
 - i. both ordinary and special maintenance and repairs of the residence as may be a charge on Government including maintenance and repairs of any additional work done at Government expense ;
 - ii. Capital expenditure on additions and alterations as may be a charge on Government;
 - iii. interest on capital expenditure referred to in (ii) above; and
 - iv. the rates or taxes in the nature of house or property tax if any, - payable under any law or custom by the owner to a municipality or other local body (but not recoverable from the Government servant to whom the residence is allotted).

The allowances for meeting such capital expenditure on additions and alterations as may be a charge on Government and the interest and depreciation in connection therewith, shall be as laid down in paragraph 3.22 (3) of the Punjab Public Works Department Code. (Second Edition).

- b) In the case of residences owned by Government, the standard rent shall be calculated on the capital cost of the residence, and shall be either of the following whichever is less-
 - i. a percentage of such capital cost equal to such rate of interest as may from time to time be fixed by competent authority plus an addition for municipal and other taxes in the nature of house or property tax in respect of the residence payable by Government and for both ordinary and special maintenance and repairs, such addition being determined under Rule 5.21; or

- ii. 6 per cent per annum of such capital cost. The restriction of 6 per cent per annum shall not apply in the case of residences the capital cost of which is calculated under the proviso to Rule 5.8.
- c) In both cases mentioned in clauses (a) and (b) above standard rent shall be expressed as standard for a calendar month and shall be equal to one-twelfth of the annual rent as calculated above subject to the proviso that, in special localities or in respect of special classes of residence, a competent authority may fix a standard rent to cover a period greater than one month, but not greater than one year. Where a competent authority takes action under this proviso standard rent so fixed shall not be a larger proportion of the annual rent than the proportion which the period of occupation as prescribed under Rule 5.41 infra bears to one year.
- d) When sanitary, water-supply and electric installations as defined in Rule 5.15 are not included in the capital cost of a residence rent shall be assessed on the capital value of such installations at the following percentages :—

	<i>Interest</i>	<i>Maintenance Depreciation</i>
Sanitary installations Water-supply installations,	As per Rule 5.19.	6 ½ per cent (ordinary 5 percent and special per cent).
Electric installation	Ditto	4 per cent 5 per cent

NOTE 1.—Municipal taxes which by local rule or custom are levied on the occupant will be payable by the occupant in addition to the rent payable to Government under these rules.

NOTE 2. ---See also Rule 5.33 infra

NOTE 3.---For the purposes of clauses (a) and (b) above the additions for both ordinary and special maintenance and repairs shall not include anything for the establishment and tools and plant charges, except to the extent allowed under Rule 5.12 ante.

Full Department charges should, however, be levied in cases referred to in Note (1) below Rule 5.8.

- 5.17.** When the standard rent of a residence has been calculated no recalculation on account of minor additions and alterations to the residence shall be made during the next five years, save in the following circumstances :—
1. When the up-to-date additional expenditure chargeable as capital cost exceeds 5 per cent of the figure last adopted as the capital cost-recalculation shall be made with effect from the commencement of the next financial year or from any earlier date from which a new tenant becomes liable for the payment of rent.

2. When a portion of the capital cost of a residence is written off under the orders of a competent authority, the rent should be recalculated forthwith.

NOTE. ---It is the duty of the Executive Engineer to give timely notice to the tenant concerned of the increase in rent. Omission, however, on his part to give such intimation in any case will not constitute a reason for the enhancement or rent taking effect from the date later than that on which it is due under the above rule.

- 5.18. If a building is actually occupied prior to the closing of the accounts of expenditure on its construction, acquisition or equipment, rent is nevertheless chargeable from the date of occupation and should be fixed provisionally with the sanction of the competent authority. The rent thus fixed provisionally while the accounts are open is subject to revision with retrospective effect when they are closed and no remission of rent on this account can be made save with the sanction of the competent authority.

- 5.19. The rates of interest given in the following table should be applied in calculating the standard rent of residences under Rule 5.16 (b):-

Date of acquisition or construction of the residence.	RATE OF INTEREST	
	Buildings occupied on or before the 19th June, 1922.	Buildings occupied after the 19th June, 1922
	Per cent.	Per cent.
Before 1st April, 1919	3 ½	4
1st April, 1919 to 31st July 1921.	3 ½	5
1st August, 1921 to 31st December, 1921.	3 ½	6
From 1st January, 1922 until further orders	6	6

NOTE.—The date of construction referred to in column (1) of this table should be taken as the date on which the accounts of the estimate for the construction of the residence are closed. In respect of expenditure on additions and alterations to residences the interest should be calculated at the rate applicable on the date on which the accounts of the estimates for the additions or alterations are closed.

- 5.20. The average annual cost of maintenance and repairs will consist of two parts—special and ordinary charges— as explained below:—
- i. Special charges will be those incurred in the renewal of floors or roofs, or on other special repairs or replacements occurring at long intervals. Provision for such

charges should be made in the form of percentages on the capital cost of each building. These percentages will vary for different classes of buildings and are laid down in Rule 5.21. When repairs are necessitated by the occurrence of fire, flood, earthquake, abnormal storm or other calamity, the cost of such special repairs should be shown separately in the Capital and the Revenue Accounts under Revenue charges during the year and should not be included in the total charges or taken into account as a basis for the revision of the rent.

- ii. Ordinary charges will include the cost of ordinary annual repairs together with a proportional share of the expenditure that may be required quadrennially or at other short intervals. The amount of these charges as regards buildings constructed or acquired by the Irrigation Branch is estimated as laid down in Rule 5.21. For building constructed or acquired by the Buildings and Roads Branch these will be estimated within the limits laid down in Rule 5.21 by the Executive Engineer of the Division and approved by the Superintending Engineer.

NOTE.—See also Rule 5.13.

5.21. The following percentages of cost will be assessed on account of ordinary and special repairs in calculating the standard rent under Rule 5.16 (b) (i) :--

1. When acquired or constructed through the agency of the Public Works Department, Irrigation Branch :--

Class of buildings	Description	Assessable percentage on the Capital cost of the building Excluding value of Site	
		Special repairs	Ordinary repairs
A.	Those in good order built by the Public Works Department in a semi-permanent style, i.e., with public foundations, kutcha-pucca outside walls, lime-pointed pucca parapets and chimneys terraced jack arch or wooden karri roofs over steel girders.	½	1 ½
B.	Those of a similar style of construction, but not in good condition either built by the Public Works Department, or purchased from private individuals and added to and altered after purchase.		
	Temporary buildings i.e., those with walls of mud masonry with a roof of thatched or tiles or wooden karries.	---	2

		1	3

2. When acquired or constructed through the agency of the Public Works Department, Buildings and Roads Branch--

Class of buildings	Description	Assessable percentage on the Capital cost of the building Excluding value of Site	
		Special repairs	Ordinary repairs
A.	Those in good order built by the Public Works Department in a semi-permanent style, i.e. , with public foundations, kutcha-pucca outside walls, lime-pointed pucca parapets and chimneys terraced jack arch or wooden karri roofs over steel girders.	$\frac{1}{2}$	1 to 3
	Those of a similar style of construction, but not in good condition either built by the Public Works Department, or purchased from private individuals and added to and altered after purchase.		
B.	Temporary buildings i.e. , those with walls of mud masonry with a roof of thatched or tiles or wooden karries.	---	3 to 5
		$1 \frac{1}{2}$	5 to 7

C.			

3. A charge of **4 ½ per cent** of the capital cost will be made in addition to the above to cover the maintenance of water-supply, sanitary and electric installations, where such exist.

NOTE—With reference to the minimum and maximum rates fixed above for annual ordinary repairs, Superintending Engineers of the Public Works Department, Buildings and Roads Branch, should arrange to communicate to the Accountant-General such percentages as are actually applied in fixing the standard rent in each individual case, so that the rents fixed may be susceptible of scrutiny.

(c) Conditions of Tenancy and Rent payable by Government servants.

- 5.22. When Government supplies a Government servant with a residence pleased or owned by it, the following conditions shall be observed:—

- a) The scale of accommodation supplied shall not, except at the Government servant's own request, exceed that which is appropriate to the status of the occupant;
- b) unless in any case it be otherwise expressly provided in these rules, he shall pay (i) rent for the residence, such rent being the standard rent as defined in Rule 5.16 above or 10 per cent of his monthly emoluments whichever is less and (ii) municipal and other taxes payable by Government in respect of the residence not being in the nature of house or property-tax.

- 5.23. Nothing contained in clause (b) of Rule 5.22 above shall operate to prevent Government from-

- i. grouping, after the standard rents have been calculated under the provision of Rule 5.16 above a number of residences, whether in a particular area or of a particular class or classes, for the purpose of assessment of rent, subject to the following conditions being fulfilled:-

1. that the basis of assessment is uniform; and
2. that the amount taken from any Government servant shall not exceed 10 per cent of his monthly emoluments;

- ii. taking a rent in excess of that prescribed in Rule 5.22 (b) above from a Government servant-

1. who is not required or permitted to reside on duty at the station at which the

residence is supplied to him; or

2. who, at his own request, is supplied with accommodation which exceeds that which is appropriate to the status of the post held by him; or
3. who is in receipt of a compensatory allowance granted on account of dearness of living; or
4. who is permitted to sublet the residence supplied to him; or
5. who sublets without permission the residence supplied to him.

NOTE.—Under clause (ii) of this rule rent may be recovered in excess of 10 per cent of a Government servant's emoluments but not in excess of the standard rent as defined in Rule 5.16.

- 5.24. A Government servant who at his own request is supplied with a residence owned or leased by Government of a class higher than that for which he is eligible or affording accommodation in excess of that which is appropriate to his status, shall, unless otherwise decided by the competent authority, be charged the full standard rent as calculated under Rule 5.16 et seq and shall not be given the benefit of the 10 per cent concession afforded by Rule 5.22 (b).
- 5.25. Non-migratory Government servants permitted to recess in the hills shall pay, for houses provided in the hills, 10 per cent of emoluments, or the standard rent whichever is less, for the period of allotment. This rent shall be paid in addition to the rent assessable under the rules for a residence supplied at the Government servant's headquarters.
- 5.26. For the purposes of clause (b) of Rule 5.22 above "emoluments" means:-
 - i. Pay,
 - ii. Payments from general revenues and fees, if such payments or fees are received in the shape of a fixed addition to monthly pay and allowances as part of the authorised remuneration of a post;
 - iii. Compensatory allowances, other than travelling allowance and uniform allowance paid to nurses in hospitals, whether drawn from the general revenues or from a local fund;
 - iv. Exchange Compensation Allowance;
 - v. Pension, other than a pension drawn under the provisions of Chapter VIII of Volume II of these rules or compensation received under the Workmen's Compensation Act, 1923, as subsequently amended;
 - vi. In the case of a Government servant under suspension and in receipt of a subsistence grant the amount of the subsistence grant, provided that if such Government servant is subsequently allowed to draw pay for the period of

suspension the difference between the rent recovered on the basis of the subsistence grant and the rent due on the basis of the emoluments ultimately drawn shall be recovered from him.

It does not include allowances attached to the Quaid-i-Azam's Police Medal and the Pakistan Police Medal.

NOTE 1.—The emoluments of a Government servant paid at piece-work rates shall be determined in such manner as the competent authority may prescribe.

NOTE 2.—The emoluments of a Government servant on leave mean the emoluments drawn by him for the last complete calendar month of duty performed by him prior to his departure on leave.

NOTE 3.—The word "Pension" occurring in this rule should be interpreted as meaning the entire amount of the pension originally sanctioned, and not only the residue after commutation.

NOTE 4.—Whole deduction on account of house-rent from Government servants in receipt of sterling overseas pay should be made in Pakistan and the sterling overseas pay should be converted into rupees at 2S- 1.29.32d in the rupee for the purposes of calculating house-rent if the amount of house-rent has to be determined with reference to pay of the occupier.

- 5.27.** The Government servant to whom a residence is allotted, - vide Rule 539 et seq is responsible for the rent recoverable under the rules during the period of allotment unless exempted by competent authority under the provisions of Rule 5.28.

Rent shall be recovered monthly in arrears for the period of allotment.

(d) Rent-free accommodation and waiving or reducing the amount of rent.

- 5.28.** In special circumstances, for reasons which should be recorded, a competent authority-
- a) may, by general or special order, grant rent-free accommodation to any Government servant or class of Government servants; or
 - b) may, by special order, waive or reduce the amount of rent to be recovered from any Government servant or a class of Government servants; or
 - c) may, by general or special order, waive or reduce the amount of municipal and other taxes, not being in the nature of house or property tax, to be recovered from any Government servant or class of Government servants.

NOTE 1.—The following are the types of cases in which such exemptions or reduction may be sanctioned:-

- a) *When post n a Government servant is not officiating in a post, but is performing the duties of a in addition to those of his substantive post and already pays rent for a house.*
- b) *When a Government servant, in addition to the duties of a post, carries on those of another post which preclude him from occupying the house.*
- c) *When a Government servant has been promoted or transferred to a post in the same station and it is not considered necessary that he should change his residence.*
- d) *When a Government servant officiating in a post for a period not exceeding two months is actually prevented from occupying the house provided for him by circumstances which the competent authority considers sufficient to warrant an exception being made in his favour.*

NOTE 2.—*When rents are fixed in accordance with Rule 5.16 and when one or more Government servants supplied with residences in the particular area are granted a house free of rent or at reduced rent, the proper course is to apply Rule 5.16 first and Rule 5.28 afterwards; that is, the ordinary rent of the occupant of each house should be fixed under Rule 5.16 and any reduction necessary should then be made under this rule.*

NOTE 3.—*A list of Government servants who have been granted rent free accommodation under this rule is given in Appendix 7.*

- 5.29.** When, under clause (a) of Rule 5.28 a Government servant is provided with quarters free of rent the exemption from rent shall, in the absence of any orders of Government to the contrary, be considered to be complete, i.e., no additional charge shall be made in respect of the rent of special services in the building the cost of which has been included in the capital cost of the building.

The concession of rent free quarters does not carry with it the free supply of water and electric energy, the cost of which must be defrayed by the Government servant himself. The rent of water and electric meters the cost of which has not been included in the capital cost of the building is also payable by the Government servant.

NOTE 1.—*The occupants of staff quarters and other buildings appurtenant to Government House, Lahore are exempt from payment of charges for electricity consumed. As regards water charges see the "Exception" below the section "Water charges" in Rule 5.37.*

NOTE 2.—*See also Rule 5.37.*

- 5.30.** Rent will be charged from such Government servants in the Public Works Department (except those in the Public Works Secretariat other than drawing

establishment) as have been in continuous service on regular establishment from a date prior to 1st April, 1925, in accordance with the following principles: -

- a) In the case of those whose emoluments do not exceed Rs. 50 per mensem, no rent will be charged.
- b) In the case of those whose emoluments exceed Rs. 50 per mensem but do not exceed Rs. 100 per mensem, rent will be charged at 5 per cent on the emoluments subject to the proviso that the emoluments are not thereby reduced to less than Rs. 50 per mensem.
- c) In the case of those whose emoluments exceed Rs. 100 per mensem, rent will be charged according to Rule 5.16 above subject to the proviso that the emoluments are not thereby reduced to less than Rs. 95 per mensem.

NOTE.—Artificers in the Irrigation Branch who were discharged and re-appointed after 1st June, 1935, on the reduction of the scale of pay for Artificers from Rs. 45-1-75 to Rs.40-1-60 will continue to enjoy the rent concessions which they were enjoying under this rule prior to 1st June, 1935.

- 5.31.** A competent authority may sanction remission of rent due for the occupation of a Government building when the building is rendered uninhabitable by reason of extensive repairs being in progress, or from any other cause, provided that if the occupier finds that the house has become uninhabitable he shall at once report the matter to the Executive Engineer in charge of the building, who will immediately inspect it and forward a report on the subject to the Superintending Engineer. The latter will take such steps in the matter as he considers necessary, reporting his action to the competent authority, who will then decide whether partial or total remission of rent is to be allowed.

NOTE.—Inconvenience caused by petty or ordinary annual repairs is insufficient to warrant remission of rent which should be granted only when extensive structural repairs, justifying in the opinion of the competent authority the vacation of the building, are carried out.

- 5.32.** When a building is occupied partly as a residence and partly as an office the capital value of the portion occupied as a residence should be separately estimated for the purpose of Rule 5.16. The cost of maintenance of the residential portion should also be separately estimated and accounted for. This is usually done on the basis of plinth area.

NOTE.—When (a) separate office accommodation is provided for the occupant and (b) the use of part of his residence for office or business purposes is optional, no deduction from the rent is permissible on this account. Where, however, a Government servant though provided with office accommodation elsewhere than in his residence is, in the opinion of the competent authority obliged to set apart a portion of his residence for the reception of visitors both official and non-official on

business a deduction from the rent is permissible on this account to the extent of half the assessed rent of the accommodation so used.

- 5.33.** In leasing, acquiring or constructing an official residence for any one of the Government servants mentioned in column 2 of the statement in Rule 5.35, Government will arrange to provide accommodation for visitors in the shape of a waiting room, and for a Commissioner or Deputy Commissioner, quarters for a police guard. The accommodation so provided plus part of the room set apart for the reception of visitors will not be taken into account in calculating the standard rent fixed for such residence under Rule 5.16.

NOTE 1.—Where waiting rooms have been set apart for visitors in 'residence of Gazetted Government servants entitled to rebate of rent under this rule, rebate will also be allowed for the portion of verandahs, if any, attached to the waiting rooms.

NOTE 2.—The guards quarters and visitors waiting room with visitors' Book shed and half of the room set apart for the reception of visitors in the Residence of the Honourable Chief Justice of the High Court, Lahore, are to be treated as non-residential portions for purposes of calculation of rent. Rebate of rent will be granted in respect thereof.

- 5.34.** A rebate of rent will be allowed to the Deputy Collectors of the Irrigation Department for the room in their residential quarters occupied by peons when administrative requirements necessitate their living in the room provided in the quarters and it is not used for Deputy Collector's private purposes.
- 5.35.** In the case of privately-owned buildings hired directly by the Government servants mentioned in column 2 of the statement below for use as residences, the following concessions will be admissible when suitable accommodation (other than a mere open verandah) for visitors or in the case of Commissioner or Deputy Commissioner for a police guard, as the case may be, is set aside to the satisfaction of the authority mentioned in column 3 of the statement:-
- i.** The rent of the waiting room and half the rent of the room in which visitors are received and the rent of the quarters for the police guard will be borne by Government.
 - ii.** The portion of the rent which is thus to be borne by Government on account of the waiting and reception rooms and quarters for the police guard will be assessed by the Executive Engineers concerned on the value of the accommodation in question. Its amount will bear the same proportion to the rent of the premises occupied as the space occupied by the accommodation provided bears to the total plinth area of the building.
 - iii.** The portion payable for the waiting and reception rooms will be paid by the Executive Engineer to the landlord. He will also arrange with the Police Department for the portion payable for the quarters for the police guard being paid by that Department as a police contingent charge direct to the Government servant

occupying the building:-

STATEMENT

1	2	3
1.	Commissioners	
2.	Deputy Commissioners	Commissioner of Division concerned.
3.	Settlement Officers, Assistant Settlement Officers, concerned. Colonization and Assistant Colonization Officers	
4.	Members of the Civil Service of Pakistan or P.C.S. in charge of Sub-Divisions	
5.	Principal, Agricultural College, Lyallpur.	Director of Agriculture
6.	Registrar, High Court of Judicature at Lahore	Honourable Judges of the High Court
7.	Inspector-General of Police, all Deputy Inspectors-General of Police, and all Superintendents of Police (except the Principal, Police Training School, the Personal Assistant to the Inspector-General of Police and the Assistant to the Inspector-General, Special Branch).	Inspector-General of Police
8.	Deputy Superintendent of Police, placed in charge of Sub-Division.	

5.36. Constant changes in the accommodation to be set apart for visitors are depreciated on principle, but so long as these changes are necessary and are made for sound reasons, Government servants concerned can set apart different rooms during summer and winter on condition that the accommodation set apart-

- a) is to the satisfaction of their superiors;
- b) is not less in area than that for which Government waives rent; and
- c) if in excess of that originally reserved, Government is not called upon to waive a large portion of the rent than that already fixed.

(e) Rent for Special Services

5.37. If a residence is supplied with service other than water-supply, sanitary, or electric installation and fitting such as furniture, fans, tennis courts or gardens, the cost of which is not taken into account in calculating the standard rent of the residence under Rule 5.16 and which are maintained at the cost of Government, rent shall be charged for these in addition to the rent payable under rules 5.22 to 5.25. The tenants will also be required to pay the cost of water, electric energy, etc., consumed. The additional rents and charges will be fixed and recovered in full as below. A competent authority may, however, in very special circumstances and for reasons which should be recorded, waive or reduce the additional rent and charges for any of the special amenities referred to above.

NOTE 1.—*The value of the site shall not be taken into account in calculating the rent of special services under this rule.*

NOTE 2.—*Where, however, it is so directed by general or special order:-*

- a) *The value of the site and the cost of its preparation shall be included in the capital cost of tennis courts and gardens.*
- b) *Departmental charges shall be included in the capital cost of furniture, ceiling fans, tennis courts and gardens as well as their maintenance, depreciation and storage charges. The percentage rates for maintenance, depreciation and storage shall not be levied on the capital cost after the addition of the departmental charges but before such addition. Interest shall, however, be calculated on the capital cost including departmental charges.*
- c) *The cost of sanitary, water-supply and electric installations may be excluded from the capital cost of tennis courts and gardens.*

Should the cost of sanitary, water-supply and electric installations be ordered to be excluded, rent for such installations shall be levied at the rates specified under Rule 5.16 (d).

- ii. *For cases in which the above provision will apply see paragraph 3.27 of the Punjab Public Works Department Code, 2nd Edition.*

Furniture

The rent shall be recovered at the rate of 15 per cent per annum of the capital cost as detailed below:-

	Rs.
a) Maintenance	4 per cent.
b) Interest	5 per cent.

c) Depreciation including renewals and replacements	6 per cent
Total	15 per cent

Ceiling Fans

The rent shall be recovered at the rate of 17 per cent per annum on the capital cost as detailed below and shall be recovered during the whole of the year-

	Rs.
a) Interest	4 per cent.
b) Depreciation	6 ½ per cent.
c) Maintenance	4 ½ per cent
d) Storage Charges	2 per cent.
Total	15 per cent

Tennis Court

Rent to be recovered for a tennis court should cover both interest on the capital outlay involved at the rate prescribed by the competent authority for the purposes of Rule 5.16 (b) and average actual maintenance charges for the past three years. The charges, which may be incurred in connection with the provision and maintenance of tennis courts are:-

A. In regard to courts in the plains-

1. construction of the court and of retaining walls where necessary;
2. surfacing of the court with bajri, grass, cement, etc. at the time of construction.

B. In regard to courts in the hills-

1. and
2. as in section A above;
3. Provision and erection of posts and wire-netting for the purpose of - enclosing the court and of permanently fixed posts for suspending lawn-tennis nets;
4. provision and erection of fixture and appurtenances for hanging screens; and

5. maintenance of items 3 and 4 only.

NOTE 1.—The cost of providing and renewing tennis-nets, the marking of courts the provision of screens, the maintenance of the surface of the courts and also the maintenance of items (3) and (4) in section B above, in so far as they relate to the courts in the plains, should, on no account, be admitted as a charges against the State.

NOTE 2.—For the purpose of these rules the maintenance charges shall be revised after every three years,

NOTE 3.—See also note under the head "Garden" below.

Garden

Both interest on the outlay incurred at the rate prescribed by the competent authority for the purposes of Rule 5.16 (b) and actual maintenance charges-should be recovered.

The cost of planting shade trees, shrubs and hedges in the compounds of residential buildings, of transporting soil in a portion of the compound meant for a garden, if the nature of the existing surface soil renders such transportation necessary, in order to form a garden, of grassing plots, of sinking a well and of providing irrigation channels may be debited to public funds as capital expenditure on the residence and included in the capital cost thereof for the purpose of assessment of standard rent. The maintenance of shrubs and hedges and of grass plots shall be a liability of the tenant. The sale-proceeds of timber shall be credited to Government.

NOTE.—If the capital outlay on the tennis court/ garden is not known, it may be determined by the Divisional Officer with reference to the market value of similar tennis court/ garden in the vicinity

Water Charges

Charges for water-supplied to tenants of Government residential buildings are assessed as follows:-

- a) Every official occupying a Government quarter with a separate water connection must pay water charges including the meter rent as fixed by a Municipality, District Board or the Public Health Department. No exception will be granted in such cases.
- b) Where quarters have not been provided with separate water connections and the occupants have to use outside, and technically public taps, no water charges should be recovered from them.
- c) Where water tax as distinct from water charges is levied such tax is payable by the tenants.

Exception.—This rule does not apply to menials and other inferior

servants entitles to rent free quarters under item 15 in Appendix 7 to these rules and Government servants exempted in paragraph 3.16 of Punjab Public Works Department Code, Second Edition.

Classification of Residences

5.38. Government buildings intended for occupation as residences are divided into two classes:-

Class I- Building which will ordinary be occupied by Government servants liable to pay the full standard rent objection to the limit of 10 per cent of their emoluments.

Class II-Buildings from which recovery of the full standard rent is not expected that is, buildings which win ordinarily be occupied by Government servants who are entitled to accommodation rent free or at reduced rents under the sanction of competent authority.

NOTE 1.—The fact that a building in class I is occasionally occupied by a Government servant who is entitled to accommodation rent free, or at reduced rents, will not justify its removal from class I to class II, and similarly a building in class II should not be transferred to class I whenever it is occupied by a Government servant who may be required to pay the full standard rent (subject to 10 per cent of emoluments). Buildings should be transferred from one class to the other only when there is a permanent change in the conditions under which they will ordinarily be rented. Transfers should be made under the orders of the competent authority and should have effect in all cases from the commencement of a financial year.

NOTE 2.—When a building in class II is occupied by any person who is not entitled to quarters rent free, the rent to be paid shall be fixed by the competent authority in general in accordance with the rules in this chapter.

NOTE 3.—In the Forest Department Gazetted Government servants not entitled to rent free accommodation are permitted to occupy quarters meant for free occupation on payment of rents to be assessed by the Public Works Department under the rules in this chapter.

(g) General Rules and Instructions regarding allotment of residences

5.39. The expression "allotted"-means "provided" and a Government servant residing in a Government residence before definite allotment may be regarded as having been allotted that residence. Subject to the provisions of Rule 5.45 the incumbent, permanent or temporary, of a post for whose benefit a residence has been constructed, bought or leased is allotted that residence.

NOTE.—A residence will not be held to have been allotted to a Government servant who shares it by private arrangement with another Government servant to whom it has been allotted.

- 5.40.** A Government servant shall not be considered to be in occupation of a residence when he proceeds on leave, unless the competent authority otherwise directs.
- 5.41.** The period of allotment is determined as follows:-For a non-migratory Government servant-
- a) if the house has been constructed, purchased or leased for the benefit of a particular post, it is the period of incumbency, permanent or temporary, of each Government servant in that appointment; except in the case provided for in Rule 5.45.
 - b) otherwise it is for twelve months at a time, but terminates on his transfer from the place where he is stationed, except in the case of a house in the hills occupied by a Government servant who is permitted to recess in the hills under the rules in force. In this case, the period of allotment is the period of recess enjoyed.

Exception 1.—The staff of Punjab Vaccine Institute which is not supplied with rent free quarters at Lahore' should be considered migratory Government servants within the meaning of that term as defined in Rule 2.37 for the purpose only of allotment in Government residences at Lahore.

Exception 2.—In the case of the Political Assistant, Dera Ghazi Khan, who has two headquarters, viz, Dera Ghazi Khan and Fort Munro, the period of allotment for the residence provided for him at Dera Ghazi Khan is from 1st October to 14th April, and that for the residence at Fort Munro from 15th April to 30th September when he stays there.

- 5.42.** When, during a twelve months' tenancy, a Government residence is vacated, owing either to the occupant's appointment having been altered or to his proceeding on leave the residence should, when this is possible and always when occupation of the residence is a condition of the tenure of the appointment, be allotted to his successor in office and rent recovered accordingly.

When a Government servant takes over charge of an office entitling him to occupy a Government residential building, he should, apart from the usual charges certificate on assumption of office, sign a supplementary certificate stating that he becomes responsible for the rent of the building from a given date. The relieved Government servant should similarly state that his responsibility for rent has ceased. A copy of this certificate should be sent to the Accountant-General and the Executive Engineer concerned to enable the former to exercise a check on the prompt recovery of rent and the latter to complete records, etc. A Government servant will be held responsible for the rent until such date as he vacates the building and,

- a) after informing the Executive Engineer of the division in which the house is situated of the vacation, hands over the key to him; or
- b) in the case of relief by another official, furnishes the Executive Engineer concerned with the certificate referred to above.

If an office does not carry with it any responsibility for the rent of a building, the supplementary certificate will be blank and will be signed with a line drawn across it.

5.43.

- a) The sub-letting of an allotted residence may be permitted under the following conditions by the Chief Engineer, Public Works Department in charge of the building who should be addressed through the head of the tenant's department-
1. that no Government servant who is eligible claims allotment;
 2. that the Government servant to whom the residence is allotted remains personally responsible for the rent and any damage done to the residence beyond fair, wear and tear;
 3. that Government does not recognise the sub-tenancy;
 4. that the rent charged to the sub-tenant does not, except with the sanction of the Government, exceed the rent payable to Government by the Government servant to whom the residence is allotted;
 5. that the sub-tenancy be only for the period of allotment.
- b) When the emoluments of a Government servant to whom a residence may be sublet are greater than those of the Government servant to whom the residence is allotted, the 10 per cent limit will be applied to the higher of the two emoluments for the period of the sub-lease.
- c) In such cases of subletting a Government residence when the lessor is not entitled to rent free quarters or house rent allowance in lieu but the lessee is so entitled, the rent payable by the lessor should be the rent payable by him, 'if he had not sublet the resident, or the rent payable by the lessee, 'if the resident had been allotted to him direct by Government otherwise than free of rent, whichever is higher.
- d) When a Government resident is sublet and the lessor and the lessee are, or the lessor is; entitled to rent free quarters or house-rent allowance in lieu, the following procedure shall be adopted :-
- i. When both the lessor and the lessee are entitled to rent free quarters or house-rent allowance in lieu, the lessor will pay to Government an amount equivalent to the higher of the two house-rent allowances; and
 - ii. when the lessor is entitled to rent free quarters or house-rent allowance in lieu and the lessee is not so entitled, the lessor will pay to Government an amount equivalent to the house-rent allowance admissible to him or to the rent payable by the lessee if the house had been allotted to him direct by Government, whichever is higher.

NOTE 1.—In the case of the quarters in the Rivaz and Chauburji

Gardens Estates, Lahore, the Executive Engineer concerned is permitted to approve of the sublets.

NOTE 2.—Whenever a residence cannot be allotted to the incumbent of the post to which it is attached or to a Government servant of the class for which it was constructed, it may be let to a Government servant not holding the particular post or not belonging to that class subject to the conditions that-

- i. the allotment ceases within two months of a Government servant for whom the residence is intended becoming available at the station as a tenant, and***
- ii. the rent to be recovered under the rules from the temporary tenant is not less than 2/3rd of the standard rent of the house.***

A competent authority may relax the provisions of this note as a special case if considered necessary.

- 5.44.** A competent authority may permit a Government servant to store, at his own risk free of rent, his furniture and other belongings in a house which has ceased to be allotted to him when both the conditions specified below are fulfilled :-
- a)** If the house is allotted to another Government servant under Rule 5.41 - (i) (a), subject to the condition that the latter does not require the residence and is exempted under Rule 5.27 from responsibility for the rent.
 - b)** In any case subject to the condition that arrangements cannot be made to the house under paragraph 3.10 of the Public Works Department Code-First Edition.
- 5.45.** If a Government servant to whom a residence is allotted dies, is dismissed from the service or retires from the service, the allotment to him of the residence shall be cancelled, with effect from [three]¹ month after the date of his death, dismissal or retirement, as the case may be, or with effect from any date after such death, dismissal or retirement on which the residence, is actually vacated, whichever is earlier. In such cases the recovery of rent should be governed by Rule 5.22 (b) supra, i.e. while the original allotment subsists, rent should be charged at the same concessional rate as was being paid by the Government servant before his death, dismissal or retirement, as the case may be. Similarly the concession of rent free quarters, if it was granted in any case, should continue during the period of grace."
- 5.46.** In the case of residences under the control of the Forest Department these rules should be read as if the words "Public Works Department", "Chief Engineer" and "Executive Engineer" were "Forest Department", "Chief Conservator of Forests" and "Divisional Forest Officer", respectively.

¹ Sub. by Gaz. of Punjab Ext. 28th Nov. 1975.

III---COMPENSATIONS

5.47. Claims to compensation made by Government servants will ordinarily be considered only in cases in which-

- i. the exposure of the property to risk is directly connected with the duties on which the Government servant is employed at the time, e.g., when the action of an enemy or insurgents of raiders or wild tribes on the frontier causes the loss of the property of the Government servant employed in the area affected, or
- ii. the property is lost in consequence of endeavours on the part of the Government servant to save the property of Government which was also endangered at the time; or
- iii. the property is destroyed under the orders of competent authority :

Provided that the mere fact that, at the time of accident, the Government servant is technically on duty or is living in Government quarters in which he is forced to reside for the performance of his duties will not be considered as a sufficient ground for the grant of compensation. Compensation will not be granted to a Government servant for any loss of his property-

- a) which is caused by an act of God, e.g., earthquake, flood, etc., or
- b) which is due to an ordinary everyday accident which may occur to any citizen, e.g., loss by theft, even when accompanied by violence or the result of a railway accident, fire, etc., or
- c) which is due in any way to negligence or other default on the part of the claimant

NOTE 1.—Claims for compensation will be considered in respect of animals (1) which are killed, captured or stolen by the enemy; (2) which are destroyed by order of competent authority to prevent the spread of infectious or contagious diseases; or (3) when the loss of the animal is due to exposure or excessive work necessitated by use in the public service or to an accident directly due to such use.

NOTE 2.—Compensation is not admissible where, as a matter of ordinary prudence the owner of the property could and should have insured it. The question whether the property ought to have been insured is one of fact for the decision of the sanctioning authority. Failure to insure motor cars by their owners will, however, be considered as negligence within the meaning of this rule, and no compensation is admissible for any loss sustained by a Government servant who has omitted to insure his car. The kind of insurance contemplated in this case is the ordinary form of insurance which most motorists take out—the kind which a Government servant who buys a car with an advance from Government is required to take out. The ordinary policy provides fully against malicious damage, fire or theft, and it is not considered necessary that Government servants

should cover their cars against any but the risks provided against in ordinary insurance policies.

- 5.48.** When anyone of the conditions in Rule 5.47 is satisfied, a competent authority may, as an act of grace and its discretion, grant compensation to the Government servant up to the then value of the necessaries lost by him.

Explanation.—The question whether the articles lost are "necessaries" within the meaning of this rule will be determined by the sanctioning authority with reference to the Government servant's personal standing and circumstances. Care should be taken not to admit claims for articles which could clearly be regarded as unessential in the circumstances in which the Government servant was situated when the claim arose, or which, as a matter of ordinary prudence, Government servants might have been expected to refrain from taking into such situations.

IV. ---HONORARIA AND FEES

Honoraria

- 5.49.** Subject to the conditions prescribed in Rule 5.50 a competent authority may grant or permit a Government servant to receive an honorarium from general revenues as remuneration for work performed which is occasional in character and either so laborious or of such special merit as to justify a special reward. Except when special reasons, which should be recorded in writing, exist for a departure from this provision, sanction to the grant of or permission to receive an honorarium should not be given unless the work has been undertaken with the prior consent of the competent authority and its amount has been settled in advance.

NOTE 1.—In a case where an honorarium is to be granted to a Government servant there must first be an order of competent authority permitting acceptance of the honorarium by the Government servant, and there must also be an order sanctioning the grant of the honorarium. In a case where an honorarium is to be granted to a Government servant belonging to a department other than the one which is to pay it, there should, therefore, be two sanctions, one for the payment of the honorarium by the department in which the expenditure is to be incurred and the other for the acceptance of the honorarium which must be issued by the department to which the Government servant belongs. In orders to avoid duplication of work in having to give two different sanctions, one single sanction should be given both to the grant and acceptance of the honorarium, and this sanction should be given by the department paying the honorarium after obtaining the concurrence of the department in which the Government servant happens to be serving.

Exception---A Government servant under Punjab Government may accept remuneration up to any amount for work connected with an

examination or examinations conducted by the Pakistan Public Service Commission and up to the limit of Rs. 1,000 during a financial year for work connected with an examination or examinations conducted by Punjab and North-West Frontier Province, and Public Service Commission, without the prior sanction of the authority competent to permit the acceptance of an honorarium by him. For the acceptance of honorarium in excess of Rs. 1,000 in the case of work connected with the examination or examinations conducted by Punjab and North-West Frontier Province Joint Public Service Commission sanction of Punjab Government in the Administrative Department, under which the Government servant is serving, is necessary, - vide serial No.33 of the table below Rule 15.1 of these rules.

NOTE 2.—The sanctioning authority shall record in writing that due regard has been paid to the general principle enunciated in Rule 3.12 and shall record also the reasons which in his opinion justify the grant of the extra remuneration.

NOTE 3.—Note 2 above requires that the reasons for the grant should be recorded in writing as it is intended that the grant of an honorarium should be carefully controlled by Government and scrutinised by audit and that audit should be given an effective opportunity of comment if it be deemed necessary. Accountant-General may, therefore, require that the reasons for the grant of an honorarium should be communicated to him in each case.

NOTE 4.—The amount of an honorarium must be fixed with due regard to the value of the service in return of which it is given.

- 5.50.** When the service rendered falls within the course of the ordinary duties of the Government servant performing it the test of special merit prescribed in Rule 5.49 must be very strictly applied.

NOTE. — The expression "within the course of the ordinary duties" has been defined as follows:-

A service rendered by a Government servant is said to be within the course of the duties of that Government servant when it is of the same nature as that for which his regular employment exists. The test that should be applied in deciding any particular case is to determine whether the service rendered is such as the Government servant habitually performs in the course of his ordinary duties. A service does not cease to be within the course of the duties of the Government servant because it has been rendered for an object not concerned with the usual operations of his department or involves an unusual expenditure or labour.

- 5.51.** Subject to rules under which a fee may be received by a Medical Officer of Provincial, or Subordinate Service, or a medical officer holding a special post for services other than professional attendance (see note 6 below) or the expert witness summoned in criminal courts (see note 7 below) and subject to Rules 5.52 to 5.54 a competent authority may permit a Government servant, if it be satisfied that this can be done without detriment to his official duties or responsibilities, to perform a specified service or series of service for a private person or body or for a public body, including a body administering a local fund or for State which has acceded to Pakistan and to receive as remuneration therefor, if the service be material, a nonrecurring or recurring fee.

NOTE 1.—*The sanctioning authority must make it clear that sanction under this rule to perform work does not involve sanction to the acceptance of a fee in excess of his own power of sanction under this rule.*

NOTE 2.—*Acceptance of fees by Medical Officers of Provincial and Subordinate Services and holders of special posts in the Medical Department for professional attendance is regulated by the rules in Chapter VI of Punjab Medical Manual.*

NOTE 3.—*Government servants of the Education, Agriculture, Medical and Public Health Departments and the staff of the Punjab College of Engineering and Technology, are authorised to undertake work of examining and setting papers in respect of University and other examinations and to accept remunerations therefor provided the total sum so drawn by an individual does not in the case of Education and Agriculture Department and the Punjab College of Engineering and Technology Examinations exceed Rs. 500 and in the case of the Medical and Public Health Department Examination Rs. 1,000 in a financial year. For the acceptance of fees in excess of this sum the sanction of the competent authority should be obtained. In order to watch the above mentioned limits the Heads of Departments concerned should obtain annually from the Government servants of their respective Department, who receive remuneration under this note, a statement showing the amount received by each Government servant in the preceding Financial year.*

NOTE 4.—*Notes 2 to 4 under Rule 5.49 apply mutatis mutandis in the case of fees also.*

NOTE 5.—*The rules prescribing the conditions and limits subject to which a fee may be received by medical officers of provincial and subordinate services and medical officers holding special posts for services other than professional attendance are contained in Appendix 8.*

NOTE 6.—*The rules for the payment of fees to expert witnesses summoned in criminal Courts are contained in Appendix 8-A of*

C.S.R.(Pb.), Vol.1, Part II.

- 5.52.** When a fee is paid to a Government servant for work done by him during time which would otherwise be spent in the performance of official duties, the fee must be credited to Government, provided that a competent authority may, for special reason which should be recorded, direct that the whole or any part of it may be paid to the Government servant.

NOTE 1.—Unless the competent authority otherwise directs no portion of any fee received by a medical officer in civil employ for services other than professional attendance shall be credited to the general revenues.

¹[NOTE 2.—The above rule does not apply to fee received by a Government servant for participation in a radio broadcast or television programme or contribution of any article or writing of any letter to any newspaper or periodical if such broadcast or television programme or article or letter is, in the opinion of the competent authority, of a purely literary, artistic or scientific character.]

- 5.53.** The attesting and revising officers of outlying courts and offices of the Revenue Department (as prescribed in paragraph 42 of the Financial Commissioner's Standing Order No.5) and the attesting and revising officers of the Judicial Department (as prescribed in paragraph 17 of Chapter 3 of the High Court Rules and Orders, Volume III, as amended by Correction Slip No. 32, dated the 25th September, 1930), are permitted to receive with the sanction of the presiding officers of the courts and offices concerned one-tenth of the copying and urgent fees received in respect of the copies attested and revised by them. All copies prepared at Government expense shall, however, be examined and attested without fee.
- 5.54.** When a Government servant of an Educational service is permitted to receive fees for private tuition the financial limits of the powers of sanction accorded to by a competent authority shall be considered to apply to the total amount of fees to be accepted by such Government servant during any particular scholastic term or vacation.

General

- 5.55.** A Government servant is eligible to receive without special permission-
- a) the premium awarded for an essay or plan in public competition;
 - b) any reward offered for the arrest of a criminal, or for information or special service in connection with the administration of justice;

¹ Deleted by Notification No. F.D.-SR-III-8-12/80 Punjab. Gaz. Extd. Part I Oct. 3, 1984.

- c) any reward payable in accordance with the provisions of any Act or regulation or rules framed thereunder;
- d) any reward sanctioned for services in connection with the administration of the customs and excise laws; and
- e) any fees payable to a Government servant for duties which he is required to perform in his official capacity under any special or local law or by order of Government.

5.56. A Government servant whose duties involve the carrying out of scientific or technical research shall not apply for or obtain, or cause or permit any other person to apply for or obtain, a patent for an invention made by such Government servant save with the permission of the competent authority and in accordance with such conditions as the competent authority may impose.

If a question arises whether a Government servant is a Government servant to whom this rule applies, the decision of the competent authority shall be final.

NOTE 1.—Administrative Instructions issued by Government under this rule are contained in Appendix 9.

NOTE 2.—The payment of honoraria as remuneration for the use by Government of inventions patented by persons in Government employ whose duties do not involve the carrying out of scientific or technical research should be regulated by the provisions of section 17 of the Inventions and Designs Act, 1888, and section 21 of the Indian Patents and Designs Act, 1911, and not by Rule 5.49 or 5.56. The terms on which an invention may be used for the services of the Crown should be settled with the approval of the Central Government before any payment is made to the patentee.

Chapter VI

DEPUTATION OUT OF PAKISTAN

6.1. No -deputation of a Government servant out of Pakistan shall be sanctioned without the previous approval of the competent authority.

6.2.

1. When a Government servant is with proper sanction temporarily deputed for duty out of Pakistan either in connection with the post held by him in Pakistan or in connection with any special duty on which he may temporarily be placed his pay shall be regulated as follows:-

a) If he is deputed for duty in Europe or his deputation elsewhere is declared by the competent authority to be under *quasi*-European conditions and if he is sent from Pakistan for the purpose of his deputation and does not include any leave within the period of his absence from Pakistan he shall receive-

for the first month of his absence from Pakistan the pay which he would have drawn if he had remained on duty in Pakistan, for the second month of such absence $11/12$ ths of such amount, for the 3rd month of such absence $5/6$ ths of such amount, for the fourth month of such absence $3/4$ ths of such amount, for the fifth to tenth month of such absence $2/3$ rds of such amount, and thereafter $3/4$ ths of such amount.

b) If he is deputed for duty in Europe or his deputation elsewhere is declared by the competent authority to be under *quasi*-European conditions and if he is not sent from Pakistan for the purpose of his deputation, or, having been so sent, includes a period of leave within the period of his absence from Pakistan he shall receive throughout his deputation $3/4$ ths of the pay which he would have drawn if he had remained on duty in Pakistan.

c) If he is deputed for duty elsewhere than in Europe and his deputation is not declared by the competent authority to be under *quasi*-European conditions, his pay shall be determined by the competent authority with due regard to the provisions of Rule 4.21 of these rules as though a temporary post had been created:

COMMENTS

The Government of the Punjab has issued **DEPUTATION POLICY ON 9th Feb 1974** vide notification letter **No: FD SR. II. 6 (57) 73/22785** printed at pages **84 to 117** printed in Punjab Civil Estt. Code **1983** Edition. Kindly consult for more information. This policy was issued by the Government to bring the issue in line with the Punjab Civil Servants Act **1974**, as these rules were framed under India Act **1935**.

Provided that-

A Government servant having his domicile in Pakistan may in any case, be allowed by the competent authority to draw during the period of deputation out of Pakistan pay not exceeding the full amount of the pay which he would have drawn had he remained on duty in Pakistan, in lieu of the pay admissible to him under sub-clause (a) or sub-clause (b) of this clause.

2. In addition to the pay admissible under clause (1) of this rule a Government servant on deputation may be granted a compensatory allowance of such amount as the competent authority may think fit.
3. The sterling equivalent of the pay admissible under clause (1) of this rule shall be calculated at 2s-1 29/32 d. in the rupee or such rate of exchange as the Central Government may hereinafter prescribe for this purpose.
1. The grant of free passages, and of subsistence and travelling allowance to Government servants on duty in Europe and America is governed by the rules in Chapter XIII and Appendix 10, respectively.
2. See also Note 6 under Rule 8.74 (b).

NOTE 1—A competent authority may depute a subordinate police servant to any country outside Pakistan, to accompany or take charge of criminals or lunatics, or on any other business which is part of his duty as a police officer; and may grant to the officer so deputed-

- a) full pay, for the entire period of absence from Pakistan; with
- b) actual travelling expenses, and a subsistence allowance not exceeding the following scale, while in any country outside Pakistan:-

s.d.

For Government servants of the Inspector class (including Sub Inspector)	22 6 a day
For Government servants of the Sergeant class	15 0 a day;
For Government servants of the Constables and Assistant Sub Inspector classes.	

NOTE 2.—A Government servant placed on deputation while on leave on average pay or on earned leave out of Pakistan may if leave on average pay or earned leave would otherwise be admissible, convert deputation into leave on average pay or into earned leave as the case may be and may receive an honorarium of 1/6th of Pakistan pay on the condition that the cost of passages both from and to Pakistan is borne by the Government servant. The High Commissioner is authorised to act on this decision. Periods of deputation thus converted into leave will count for pension as leave and not as deputation.

These orders should be interpreted as applying to cases where Government servants exercise the option of consuming leave and drawing an honorarium of 1/6th of pay during a period of duty out of Pakistan, i.e., this option can only be exercised by a Government servant whose deputation out of Pakistan has been approved by the proper authority.

The provisions of this note also apply to Government servants subject to the leave rules in the Civil Service Regulations. In their case leave on full pay will take the place of leave on average pay or earned leave.

NOTE 3.--The period of deputation runs from the date on which the Government servant makes over charge of his office in Pakistan to the date on which he resumes it, or, if the Government servant is on leave out of Pakistan at the time he is placed on deputation, the period of the deputation is the time actually occupied by the duty.

NOTE 4.-- (a) Government servants holding Rockefeller Foundation Fellowships should be treated as on deputation and given the following terms:-

- 1. Full Pakistan pay minus overseas pay in the case of Government servants in receipt of overseas pay, or, as an alternative at the option of the Government servant concerned, 'three-fourths of the pay including overseas pay.***
- 2. Compensatory allowance admissible to a first or second class Government servant, as the case may be, under section II of the rules contained in Appendix 10 to Civil Services Rules, Volume I, Part II, regarding allowances of Civil Officers when on duty in Europe or America. This is ordinarily admissible for one year only.***
- 3. Rockefeller stipend.***

They would not be entitled to the United States of America allowance under section IV of the rules contained in Appendix 10 to Civil Services Rules, Volume I, Part II, or to any study leave allowance, and the leave earned by this deputation would be diminished by any period of leave granted by the International Health Board.

- b) The period of deputation spent by Government servants holding Rockefeller Foundation Fellowships counts for leave in terms of Rules 8.69 and 8.116 without regard to the period of deputation.***

NOTE 5.—The term "pay" in the expression "the pay which he would have drawn if he had remained on duty in Pakistan" occurring in this rule, should be interpreted literally with reference to the definition in

Rule 2.44, and the pay which a Government servant would have drawn if he were on duty in Pakistan should be determined, for the purpose of this rule, with reference to what the competent authorities in Pakistan state the Government servant's pay would have been if he were on duty in Pakistan. It will, therefore, be necessary for Accountant-General to intimate to the High Commissioner in each case, after consultation with Government, the pay which a Government servant would have drawn if on duty in Pakistan.

As overseas pay 'is included in "pay" and as a Government servant would draw overseas pay under Rule 6.2 (1), (if entitled to it) had he remained on duty in Pakistan it should be taken into account for the purposes of calculation of the deputation pay under that Rule.

In the case of Government servants who are not deputed out of Pakistan for special items of works; but are placed on continuous service with Commissions and Committee whose functions require work both in and out of Pakistan, the expression should be interpreted as having reference to the pay which they would have drawn in Pakistan had they continued on duty with the Commission or Committee there.

NOTE 6.—In the case of a Government servant proceeding on deputation the grant of return passage to Pakistan on conclusion of a deputation is conditional on his return to duty forthwith on the conclusion of the deputation, unless an arrangement to the contrary effect is specially permitted at the time the deputation closes, or is about to close, and the proposed leave is begun.

NOTE 7.—The provision of 1st class ordinary or P. and O. "special" rate to the place of deputation and back should be left to the discretion of the High Commissioner for Pakistan in cases in which Government servants are placed on deputation in some other country while on leave in England.

- 6.3.** When a Government servant is with proper sanction deputed for duty out of Pakistan to hold a regularly constituted permanent or *quasi*-permanent post, other than a post borne on the cadre of the service to which he belongs, his pay shall be regulated by the orders of the competent authority.

Chapter VII**DISMISSAL, REMOVAL AND SUSPENSION****CESSATION OF PAY AND ALLOWANCES ON REMOVAL OR DISMISSAL**

- 7.1. The pay and allowances of a Government servant who is dismissed or removed from service cease from the date of such dismissal or removal.

ALLOWANCE DURING PERIOD OF SUSPENSION

- 7.2. **1A** Government Servant under suspension shall remain entitled to the Pay and Allowances that he is drawing immediately before his suspension."
- a) In the case of Commissioned Officer of the Pakistan Army Medical Corps or a warrant officer who is liable to revert to military duty, to the pay and allowances to which he would have been entitled had he been suspended while in military employment.
- b) In the case of Government servants other than those mentioned in clause (a) above, to subsistence grant at **2**[such rates as the suspending authority may direct, but no exceeding] one **3**[half] of the pay of that suspended Government Servant:

Provided that the suspending authority may direct that the Government Servant under suspension shall be granted in addition such compensatory allowance as the competent authority may sanction by general or special order for issue under this proviso.

NOTE 1.--The word "pay" occurring in clause (b) of this rule should be interpreted to mean "the pay which the suspended Government servant was drawing immediately before his suspension and which he would have continued to draw if he were not suspended."

4[NOTE 2.--The suspending authority has discretion under clause (a) of this rule to fix the amount of subsistence grant at such figure as it may think fit, subject to the prescribed maximum, but it has not the authority to refuse a subsistence grant altogether.]

ALLOWANCE ON RE-INSTATEMENT

- 7.3. When the suspension of Government servant is held to have been unjustifiable or not wholly justifiable; or

¹ Subs, by Notifi. No. FD (FR)/VI -17/93, dt 26-9-1993. Pub. in Gaz. of Punjab Extd. Part I, dt 20th Oct 1993 [PLD 1994 Cent St 38.]

² Omitted by C. S. No. 4, dated 15-10-1954.

³ Subs, by 2765, SO (SR) IV/75, dated 5-3-1976.

⁴ Deleted by C.S. No. 5 dated 31-3-1955.

¹["Where a Government Servant who was dismissed or removed from service, is reinstated, the revising or appellate authority may grant to him for the period of his absence from duty:

- a) If he is honourably acquitted, the full pay to which he would have been entitled if he had not be dismissed or removed and by an order to be separately recorded any allowances of which he was in receipt prior to his dismissal or removal; or
- b) If otherwise, such proportion of such pay and allowances as the revising or appellate authority may prescribed"

In a case falling under clause (a) the period of absence from duty will be treated as a period spent on duty. In a case falling under clause (b) it will not be treated as period spent on duty unless the revising or appellate authority so directs."

Note .--This rule is absolute and unconditional and so the question of lien does not arise in the case of Government Servant who is dismissed from service and reinstated on appeal when the period of unemployment between (he date of dismissal and reinstatement is declared by the appellate authority as duty.

Administrative Instruction.--Post vacated by a dismissed Government Servant may be filled substantively subject to the condition that the arrangements thus made will be reverse if the dismissed Government Servant is reinstated on appeal].

Note 2.—The term 'revising authority' as used in this rule includes an authority revising its own orders].

LEAVE TO A GOVERNMENT SERVANT UNDER SUSPENSION

- 7.4. Leave may not be granted to a Government servant under suspension. See also Note 2 under Rule 7.3
- 7.5. [A Government servant committed to prison either for debts or on criminal charge should be considered as under suspension from the date of his arrest and should be allowed only those payments as are laid down in Rule 7.2 until the decision of his case by the trial court, unless, however, on being released on bail during the course of trial, the authority concerned reinstates him keeping in view the nature of offence or the grounds for his commitment to prison.

If the Government servant is acquitted or is finally released as a result of the decision of his case by the trial court, an adjustment of his pay and allowances should be made according to the circumstances of the case, the full amount being given only in the event of his being acquitted of the blame or, if imprisonment was for debt, of its being proved that the Government servant's liability arose from circumstances beyond his control. In other cases, the authority shall decide as to whether any penalty should follow as a result of the decision of the case and if so, he may be punished hi accordance with

¹ Subs, by Notifi. No. FD (FR)/VI -17/93, dt 26-9-1993. Pub. in Gaz. of Punjab Extd. Part I, dt. 20th Oct. 1993 [PLD 1994 Cent. St. 38.]

the Rules applicable to him and the punishment should be ordered with retrospective effect from the date of trial court's order of conviction. If the authority decides not to impose any penalty the government servant shall be deemed to be on extraordinary leave for the period he was unable to perform his functions as a result of his conviction by the trial court.]¹

¹ Notification No. FD/SR/33-45/81 dt. 21st January, 1982.

Chapter VIII**LEAVE****SECTION I.-General conditions and extent of application****I. SERVICE COUNTING FOR LEAVE.**

- 8.1 Leave is earned by duty only. For the purpose of this rule a period spent in foreign service counts as duty if contribution towards leave salary is paid on account of such period.

NOTE.—See also note below Rule 2.16 (b).

8.2.

- a) If a Government servant, who quits the public service on compensation or invalid pension or gratuity, is re-employed and if his gratuity is thereupon refunded or his pension is held wholly in abeyance his service thereby becoming pensionable on ultimate retirement, he may, at the discretion of the authority sanctioning the re-employment and to such extent as that authority may decide, count his former service towards leave.

NOTE.—Resignation of the public service, even though it is followed immediately by re-employment, should entail forfeiture of past service for the purpose of leave under the rules in this chapter and should therefore constitute an "interruption of duty."

- b) A Government servant who is dismissed or removed from the public service, but is reinstated on appeal or revision, is entitled to count his former service for leave.

NOTE.—The re-employment of a person who has retired on a superannuation or retiring pension is generally an exceptional and temporary expedient. The service of such re-employed pensioner should therefore be regarded as temporary and his leave during the period of re-employment should be regulated by the rules applicable to temporary Government servants.

COMMENTS

The Government of the Punjab has issued new set of Leave Rules on 13th July 1981 vide notification No : F.D.SR-IU-85/78, printed as book VI of Punjab ESTA CODE 1991 edition repealing all the previous Rules on the subject, saving Rule 8.61 and substituting Rule 8.62, which may kindly be consulted.

II-APPLICATION FOR AND GRANT OF LEAVE**(1) General**

- 8.3. Subject to any instructions given by the Auditor-General of Pakistan in order to

secure efficiency and uniformity of Audit the following rules govern the procedure for making applications for leave and for granting leave in Pakistan.

NOTE.—The instructions given by the Auditor-General of Pakistan are contained in paragraphs 1 to 5 of part I of Appendix II.

(2) Application for Leave.

(a) To whom to be submitted.

- 8.4.** An application for leave, or for an extension of leave, shall be made to the authority competent to grant such leave or extension.

NOTE.—Applications for leave of gazetted Government servants should be made on Form C .S.R. (Pb.) No.2.

- 8.5.** A Government servant on foreign service in Pakistan should submit all applications for leave, other than leave on average pay not exceeding four months if he is subject to the Leave Rules in Section II or earned leave not exceeding 120,90 or 30 days in case he is subject to the rules in Section III of this Chapter, with the report of the Accountant-General, through his employer, to the authority competent to sanction the leave.

(b) Procedure in case of leave on medical certificate.

Instructions for Medical Officers

- 8.6.** Medical officers must 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. In such cases, the opinion that the Government servant is permanently unfit for Government service should be recorded in the medical certificate.
- 8.7.** Every certificate of a medical committee or board or a medical officer recommending the grant of leave to a Government servant must contain a proviso that no recommendation contained in it shall be evidence of a claim to any leave not admissible to the Government servant under the terms of his contract or of the rules to which he is subject.

Medical certificate for gazetted Government servants

- 8.8.** Before a gazetted Government servant can be granted leave or an extension of leave on medical certificate, he must obtain a certificate in the following form, or as nearly in that form as the circumstances permit :--

"Statement of the case _____"

Name (to be filled in by the applicant in the presence of the District Health Officer or official medical attendant).

Appointment ——

Age ——

Total service ——

Service in Pakistan ——

Previous periods of leave of absence on medical certificate

Habits ——

Disease ——

District Health Officer of

Medical Officer at or of

I,

After careful personal examination of the case hereby certify that _____ is in a bad state of health, and I solemnly and sincerely declare that, according to the best of my judgment, a period of absence from duty is essentially necessary for the recovery of his health, and recommend that he may be granted _____ months' leave with effect from _____

District Health Officer

Dated the

or Official Medical Attendant.

NOTE 1. ---This form should be adhered to as closely as possible and should be filled in after the signature of the applicant has been taken. The Certifying Officer is riot at liberty to certify that the applicant requires a change from or to a particular locality, or that he is not fit to proceed to a particular locality. Such certificate should only be given at the explicit desire of the administrative authority concerned, to whom it is open to decide when an application on such grounds has been made to him, whether the applicant should go before a Medical Board to decide the question of his fitness for service.

NOTE 2.—If the Medical Officer who grants the certificate referred to in this rule considers that the circumstances of the case necessitate this he may add to his certificate .under the rule a rider to the effect that the Government servant ought to have leave or an extension of leave at once pending decision of the committee or board referred to in Ruje 8.9 of the Civil Services Rules (Punjab), Volume I, and leave may be given on medical certificate for the intervening period on that certificate.

8.9. Having secured such a certificate, the Government servant must, except in cases

covered by Rule 8.12 obtain the permission of the head of his office, or, if he himself is the head of an office, of the head of his department, to appear before a medical committee or board. He should then present himself, with two copies of the statement of his case, before such a committee or board. The committee or board will be assembled under the orders of the Director, Health Service's, Punjab, who will, where practicable, preside over the board. The committee or board will be assembled either at the headquarters of the province or at such other place as the Government may appoint.

- 8.10.** Before the required leave or extension of leave can be granted, the Government servant must obtain from the committee or board a certificate to the following effect:

"We do hereby certify that, according to the best of our professional judgment, after careful personal examination of the case, we consider the health of C.D. to be such-as to render leave of absence for a period of.....months absolutely necessary for his recovery".

- 8.11.** Before deciding whether to grant or refuse the certificate the committee on board may in a doubtful case, detain the applicant under professional observation for a period not exceeding fourteen days. In that case, it should grant to him a certificate to the following effect :—

"CD. having applied to us for a medical certificate recommending the grant to him of leave, we consider it expedient, before granting or refusing such a certificate, to detain C.D. under professional observation fordays."

8.12.

- i. If the state of the applicant's health is certified by a commissioned medical officer of Government or by a medical officer in charge of a civil station to be such as to make it prejudicial to his health to present himself at any place in which a committee or board can be assembled, the authority competent to grant the leave may accept, in lieu of the certificate prescribed in Rule 8.10 either—
 - a) a certificate signed by any two medical officers, being commissioned medical officers or medical officers in charge of civil stations in whatsoever province they may be serving; or
 - b) if the authority considers it unnecessary to require the production of two medical opinions, a certificate signed by an officer in medical charge of a civil station and countersigned by the Deputy Commissioner of the district or the Commissioner of the division.
- ii. If the applicant is an indoor patient of a hospital, the authority competent to grant the leave may accept in lieu of the certificate prescribed in Rule 8.10, the certificate of a medical officer being either--
 - a) the Superintendent of the hospital and a commissioned medical officer, or

- b) the medical officer in charge of the hospital.

If the medical officer in charge of the hospital is not a commissioned medical officer, the certificate must be countersigned by the medical officer of the district.

NOTE.—The certificate must be signed by the medical officer on the day of the examination.

Medical certificate for non-gazetted Government servants in superior service

8.13.

- a) Except as specially provided in the note under Rule 8.120 in respect of Government servants subject to leave rules contained in section HI of this chapter, every application for leave on medical certificate made by a non-gazetted Government servant in superior service shall be accompanied by a medical certificate given by a registered medical practitioner defining as nearly as possible the nature and probable duration of the illness or by a request for the issue of a requisition for examination by a medical officer of Government. If the applicant is too ill to attend his usual place of duty in order to present his application for leave and await orders upon it, this fact should be stated in the certificate.
- b) The authority competent to sanction leave may, at its discretion, secure a second medical opinion, by requesting the Agency, or District Health Officer, to have the applicant medically examined. Should it decide to do so, it must arrange for the second examination to be made on the earliest possible date after the date on which the first medical opinion was given.
- c) It will be the duty of the Agency or the District Health Officer 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 this purpose he may either require the applicant for leave to appear before himself or require the applicant for leave to appear before a medical officer nominated by himself.

NOTE 1.—The possession of a certificate as prescribed in this rule does not itself confer upon the Government servant concerned any right to leave.

NOTE 2.—A registered medical practitioner includes a medical practitioner-

- a) *whose name appears in the latest annual medical list, and*
- b) *who having been registered after the closing, of the latest medical list, certifies his registration number.*

NOTE 3.—Non-gazetted Government servants should obtain a medical certificate in the following form or as nearly in that form as the circumstances may permit.

"Medical certificate for non-gazetted Government Servants recommended for leave, extension or commutation of leave.

Signature of applicant _____

(to be filled in by the applicant in the presence of Government Medical Attendant or medical practitioner).

I, _____ after careful personal examination of the case hereby certify that _____ whose signature is given above, is suffering from _____, and I consider that a period of absence from duty of with effect from _____ is absolutely necessary for the restoration of his health.

Government Medical Attendant

**Dated the _____ or other registered practitioner
(Second medical opinion if called for by the authority competent to sanction leave)**

Agency or District Health Officer

NOTE 1.—The nature and probable duration of the illness should be specified,-vide Rule 8.13 of the C.S.R. (Pb.), Volume I.

NOTE 2. ---This form should be adhered to as closely as possible and should be filled in after the signature of the applicant has been taken. The Certifying Officer is not at liberty to certify that the applicant requires a change to (or from) a particular locality, or that he is not fit to proceed to a particular locality. Such certificates should only be given at the explicit desire of the administrative authority concerned, to whom it is open to decide, when an application on such grounds has been made to him, whether the applicant should go before a Medical Board to decide the question of his fitness for service.

NOTE 3.—Should a second medical opinion be required, the leave sanctioning authority should arrange for the second medical examination to be made at the earliest possible date. The Agency or District Health Officer's opinion both as to the facts of illness and the necessity for the amount of leave applied for should be recorded. He may require the applicant to appear before him or before a medical officer nominated by him,- vide Rule 8.13 (b) and (c) of C.S.R. (Pb.), Volume I.

Medical certificate for non-gazetted Government servants in inferior service

- 8.14.** In support of an application for leave, or for an extension of leave, on medical certificate, from a non-gazetted Government servant in inferior service, the authority competent to grant the leave may accept such certificate as it may deem sufficient.

(3) GRANT OF LEAVE.

(a) *General*

8.15. Leave cannot be claimed as of right. When the exigencies of the public service so require, discretion to refuse or revoke leave of any description is reserved to the authority empowered to grant it.

The nature of leave applied for by a Government servant, if it is due and admissible, cannot be altered at the option of the authority empowered to grant leave. So while it is open to the sanctioning authority to refuse or revoke leave under this rule it is not open to him to alter the nature of the leave applied for.

8.16. The grant of a certificate under Rule 8.10, 8.12, 8.13 or 8.14 does not in itself confer upon the Government servant concerned any right to leave. The certificate should be forwarded to the authority competent to grant the leave, and the orders of that authority should be awaited. A Government servant who absents himself from his duty without permission of the competent authority is liable to have his absence treated as absence from duty without leave.

8.17. In cases where all applications for leave cannot, in the interests of the public service, be granted, an authority competent to grant leave should, in deciding which application should be granted, take into account the following considerations :--

- a) The Government servants who can, for the time being, best be spared.
- b) The amount of leave due to the various applicants.
- c) The amount and character of the service rendered by each applicant since he last returned from leave.
- d) The fact that any such applicant was compulsorily recalled from his last leave.
- e) The fact that any such applicant has been refused leave in the public interests.

8.18. When a medical committee or board has reported that there is no reasonable prospect that a Government servant will ever be fit to return to duty, leave should not necessarily be refused to him. It may be granted, if due, by a competent authority on the following conditions:"--

- a) If the medical committee or board is unable to say with certainty that the Government servant will never be fit for service again, leave not exceeding twelve months in all may be granted. Such leave should not be extended without a further reference to a medical committee or board.

NOTE 1.—In its application to the Government servants subject to the leave rules in section III of this chapter, this clause should be taken to mean "leave not exceeding 12 months or such shorter period as maybe due and admissible under Rule 8.123."

NOTE 2.—In the case of a Government servant who is granted leave under this clause and who subsequently returns to duty, the leave should be treated as leave on medical certificate for purposes of the proviso to Rule 8.74 (b) (ii).

- b) If the medical committee or board declares the Government servant to be completely and permanently incapacitated for further service he should, except as provided in clause (c) below, be invalidated from the service, either on the expiration of the leave already granted to him, if he is on leave when examined by the committee or board or, if he is not on leave, from the date of the committee's or board's report.
 - c) A Government servant declared by a committee or board to be completely and permanently incapacitated may, in special cases, be granted leave, or an extension of leave, not exceeding six months as debited against the leave account if such leave be due to him. Special circumstances justifying such treatment may be held to exist when the Government servant's breakdown in health has been caused in and by Government service, or when he has taken a comparatively small amount of leave during "his service or will complete at an early date an additional year's service for pension.
- 8.19.** Leave should not be granted to a Government servant who is to be dismissed or removed from service for misconduct or general inefficiency, if such leave will have the effect of postponing the date of dismissal or removal, or to a Government servant whose conduct is at the time forming, or is in the near future likely to form, the subject of departmental inquiry.
- 8.20.** Leave to a gazetted Government servant must not be granted without obtaining a report from the Accountant-General upon his title to leave, except in cases of emergency, and on the responsibility of the Government servant for the consequence of the leave asked for being inadmissible. Such a report from the Accountant-General is not required in the case of a non-gazetted servant unless such Government servant is in foreign service or is applying for leave out of Pakistan.
- 8.21.** It is contrary to accepted principles in the case of a Government servant, on leave preparatory to retirement, either to grant an extension of leave on medical certificate on full average pay or to permit the conversion of leave on half average pay already granted to leave on full average pay on the production of medical certificate.

(b) Leave beyond the date of compulsory retirement.

Government servants subject to the Leave Rules in Part A of Section II of this Chapter.

8.22.

- a) Leave at the credit of a Government servant in his leave account shall lapse on the

date of compulsory retirement provided that if in sufficient times before that date he has—

1. formally applied for leave and been refused it, or
2. ascertained in writing from the sanctioning authority that leave if applied for would not be granted,

in either case the ground of refusal being the requirements of the public service, then the Government servant may be granted, after the date of retirement, the amount of leave so refused subject to a maximum of six months.

b) A Government servant retained in service after the date of compulsory retirement shall earn leave on average pay, at the rate of 1/11th of duty performed after that date and shall be allowed to add thereto any amount of leave which could have been granted to him under clause (a) had he retired on that date. The total period which he may take on each occasion shall not exceed six months. When his duties finally cease, the Government servant may be granted leave preparatory to retirement, up to a maximum of six months, as follows :-

- i. The balance after deducting the amounts of leave, if any, taken during the period of extension, from the amount of leave which could have been granted to him under clause (a) had he retired on the date of compulsory retirement, plus
- ii. the amount of leave under this clause which is due to the Government servant and which he has, in sufficient time during the period of extension—
 1. formally applied for and been refused, or
 2. ascertained in writing from the sanctioning authority, would not be granted if applied for, in either case the ground of refusal being the requirements of the public service.

The leave taken during the period of extension should be debited first against the credit of leave earned during that period; until it is exhausted and then against any credit of leave refused under clause (a) of this rule and carried forward under clause (b).

NOTE 1.—Regarding the date of compulsory retirement see Rule 2.5. Also see Note 7 below Rule 3.28 in respect of ministerial Government servants.

NOTE 2.—When a Government servant who is already on an extension of service applies for leave during the period of his extended service the conditions for the grant of such leave should be the same as for the grant of leave in an ordinary case after the age of compulsory retirement.

NOTE 3.—A Government servant retained in service after the age of compulsory retirement is entitled to earn leave under clause (b) of this rule and a debit balance if any, on the date he attained that age should

be considered as wiped off.

NOTE 4—*The period of 6 months mentioned in this rule includes any period of vacation with which leave is combined.*

NOTE 5.—*A deduction under Rule 8.75 (a) on account of vacation enjoyed should also be made in the case of Government servants whose leave is regulated under clause (b) of this rule.*

NOTE 6.—

1. *Two classes of cases are provided for in this rule-*

- a) Government servants who are not required to be on active duty by Government after the date of compulsory retirement.*
- b) Government servants who are required on active duty after the date of compulsory retirement.*

In the case of the former the conditions in clause (a) and in the latter the conditions in both clauses (a) and (b) of this rule must be fulfilled before leave can be granted after the date of compulsory retirement. When acting under clauses (a) (2) and (b) (2) the amount of leave which would have been refused should invariably be indicated. The leave refused cannot, of course, be such as would extend beyond the date of compulsory retirement.

2. *The refusal of leave does not automatically establish a Government servant's claim to what is a very rare privilege, i.e., grant of leave after retirement, and a recommendation for the grant of leave under this rule should only be made when the refusal to grant leave has been based on very strong grounds of "interest of the public service".*

3. *A Government servant applying for leave must do so in sufficient time to enable a competent authority to decide whether leave should be granted from the date it is asked for, and where necessary to arrange for a special substitute. Such authority has full discretion to grant or refuse leave, but should not hesitate to refuse where it considers that (1) leave is unnecessary, or (2) where the grant may cause some administrative inconvenience, leave could have been asked for and granted earlier; or (3) leave has been asked for only in an endeavour to establish a claim under this rule. When leave has been refused on any of the above conditions it should be clearly indicated to the applicant that leave under this rule will not be granted.*

NOTE 7.—*The leave earned by the period of duty intervening between the refusal of leave pending retirement and the date of compulsory*

retirement is merged in the common pool in the leave account and forms an indistinguishable part of the total leave at credit the whole of which with the exception only of the net amount of leave refused ; lapses under clause (a) of this rule on the date of compulsory retirement. The grant of any leave between the date from which the 'refusal of leave took effect and the date of superannuation should, therefore, be held to be a grant of leave against the amount originally refused. The amount of leave admissible under clause (a) after superannuation in such a case, is therefore, the amount of leave originally refused minus the amount of the post refusal' leave enjoyed; and this difference is subject to a maximum of 6 months. This principle applies equally to leave available under clause (b), including that earned in respect of duty during a period of refused leave.

NOTE 8.—*While the amount of the leave refused under clause (a) or (b) of this rule is fixed the quality of the leave (i.e., on average or half average pay) whether it is taken before or after the date of compulsory retirement or, as the case may be, the date of final cessation of duties, may be varied to the advantage of the Government servant concerned within the normal leave rules by the leave earned and standing to his credit on the date he proceeds on leave, and on second application for leave in sufficient time and its refusal are necessary merely to ensure this variation.*

Government servants subject to the Leave Rules in Part A of Section III of this Chapter.

8.23. No leave shall be granted beyond the date on which a Government servant must compulsorily retire :

Provided that, the authority empowered to grant leave may allow any Government servant who has been denied in whole or in part on account of the exigencies of the public service the earned leave which was due to him pending retirement, the whole or any portion of the earned leave so denied, even though it extends to a date beyond the date on which such a Government servant must compulsorily retire:

Provided further that, a Government servant whose service 'has been extended in the interests of the public service beyond the date of his compulsory retirement may similarly be granted either within the period of extension or, if the conditions of the preceding proviso are satisfied, after its expiry, any earned leave which could have been granted to him under the preceding proviso had he retired on that date and in addition any earned leave due in respect of such extension.

NOTE 1.—*The provisions of Notes 1, 5 and 7 under Rule 8.22 apply mutatis mutandis to Government servants governed by this rule.*

NOTE 2.—*The principle laid down in Note 8 below Rule 8.22 shall also apply mutatis mutandis to Government servants governed by this rule.*

NOTE 3. ---The provisions of Note 9 under Rule 8.22 apply mutatis mutandis to Government servants governed by this rule.

(4) AUTHORITIES COMPETENT TO GRANT LEAVE.

- 8.24.** Appendix 12 specifies the authorities by whom leave admissible under these rules, other than leave on medical certificate under Rule 8.18, leave after the date of compulsory retirement under Rules 8.22 and 8.23 special disability leave under Rules 8.83, 8.84, 8.127 and 8.128 and study leave under Rules 8.86 and 8.129 of these Rules, may be granted, provided that when the grant of leave involves:-
- a) the creation of an additional post requiring the sanction of a higher authority, or
 - b) reference to higher authority for a substitute, the sanction of the higher authority competent to create the additional post or to sanction a substitute will be necessary. Special disability leave, study leave and leave after the date of compulsory retirement can be sanctioned only with the consent of the Finance Department.
- 8.25.** Temporary leave in case of sudden illness may be granted on medical certificate, in anticipation of regular sanction, by the authority empowered to grant casual leave.

III-COMMENCEMENT AND EXPIRY OF LEAVE AND COMBINATION OF HOLIDAYS WITH LEAVE

(1) Commencement and expiry of leave

- 8.26.** Leave ordinarily begins on the day on which transfer of charge is effected and ends on the day preceding that on which charge is resumed. When joining time is allowed under Rule 9.1 (c) to a Government servant returning from leave out of Pakistan, the last day of his leave is the day before the arrival of the vessel in which he returns at her moorings or anchorage in the port of debarkation, or if he returns by air, the day on which the aircraft in which he returns arrives at its first regular port in Pakistan.

NOTE—See note to Rule 9.9 of these rules:

(2) COMBINATION OF HOLIDAYS WITH LEAVE.

- 8.27.** An authority competent to grant leave may permit Sundays, other recognised holidays or vacation to be prefixed to leave or affixed to leave and joining •time, or to be both prefixed and affixed to leave in the circumstances and on the conditions laid down in Rules 8.28 to 8.33.

NOTE---See also Rules 3.25 and 3.26

- 8.28.** When the day (or days) immediately preceding the day on which the leave of a Government servant begins is a holiday (or series of holidays), and a competent authority has permitted under Rule 8.26 the said Government servant to make over

charge (and the Government servant relieving him to receive charge) on the afternoon of the day immediately preceding the holiday or series of holidays, the leave of the Government servant making over charge and any consequent re-arrangement of pay and allowances shall, unless the competent authority in any case otherwise directs, take effect from the first day after the holidays.

- 8.29.** When the day (or days) immediately following the day on which the leave or joining time of a Government servant ends is a holiday (or series of holidays), and a competent authority has permitted the said Government servant to receive charge (and the Government servant relieved to make over charge) on the forenoon of the day immediately following the holiday or series of holidays, the leave or joining time of the Government servant receiving charge is, unless the competent authority in any case otherwise directs, treated as having terminated on, and any consequent re-arrangement of pay and allowances takes effect from the day on which the leave or joining time would have ended, if holidays had not been affixed.

NOTE 1.—*When a competent authority directs otherwise than as in this rule, it should convey the orders in the following form "It is directed under Rule 8.29 that: joining time/leave be treated as having terminated on and the consequent re-arrangement of pay and allowances takes effect from the same date.*

NOTE 2.—*The fundamental principle is that two Government servants cannot be on duty in the same post. Under Rule 8.28/8.29 a competent authority cannot accordingly direct that both the relieving and the relieved Government servants shall be considered as on duty in the same post during the period of holidays. A competent authority can under the rule direct that the leave of the Government servant proceeding on/ returning from leave and the consequent arrangement of pay and allowances shall take effect from the first day after/ before the holidays or from some day during the holidays. If a holiday comes at the beginning/end of leave the Government servant going on/ returning from leave can be allowed under Rule 8.28/8.29 during that holiday, where ordinarily no work is required of him, to go/ remain off and count the holiday as duty, as it would have counted had he not been going on leave / returned to duty before the holiday The Government servant going on/ returning from leave does not then make over till the holiday is over/ then takes over before the holiday commences. If a competent" authority decides that in the circumstances of the case some one must be on the spot in-charge then either (1) the Government servant going on/ returning from leave must remain / return during the holiday or (2) the relieving Government servant/ the Government servant to be relieved must be appointed to/ retain the charge during the whole or part of the holidays according to the orders and he must do the work without drawing the pay of the post, the outgoing/ incoming man being allowed to be away from the station, though being treated as on duty during the whole or part of the holidays.*

- 8.30.** In the case of Government servants serving in vacation departments, vacations may be prefixed or affixed to leave, or both prefixed and affixed or allowed to intervene between two periods of leave, subject to the conditions mentioned in Rules 3.25, 3.26, 8.28, 8.29, 8.75 (c), and 8.120 (c). The previous approval of the Finance Department should be obtained in cases where combination of vacation with the leave involves extra expense to Government.

NOTE.—Recognised holidays intervening between leave and vacation or vice versa should be treated as part of the vacation and such holidays should be taken into account for, the purpose of calculating the maximum amount of leave on average pay or earned leave admissible to a Government servant at any one time.

- 8.31.** When a Government servant is permitted to prefix vacation to leave, he will report before leaving headquarters, or if for urgent reason, the leave is granted during vacation as soon as it is granted that he makes over charge, with effect from the end of the vacation, and the relieving Government servant will then take over charge, and the leave and any consequent re-arrangement of pay will have effect from the end of the vacation.
- 8.32.** When a Government servant is permitted to affix vacation to leave, the Government servant to be relieved will make over charge before the vacation, and any consequent re-arrangement of pay will have effect from the beginning of the vacation.
- 8.33.** In the case of District and Sessions Judges, vacations will be treated as recognised holidays, and may be prefixed or affixed to leave or both prefixed and affixed or allowed to intervene between two periods of leave subject to the conditions mentioned in Rules 3.25, 8.28 and 8.29 above, and provided further that_
- i.** no additional expense is incurred by the State for the period of the vacation;
 - ii.** vacation shall be reckoned as leave in calculating the maximum amount of leave on average pay or "earned leave" which may be included in the particular period of leave;
 - iii.** vacation shall be reckoned as absence for the purpose of the limit of 28 months' continuous absence prescribed in Rule 8.74 (d);
 - iv.** vacation shall be treated as the equivalent of leave on average pay for the purposes of Rule 8.79.

Explanation. As it is not possible to say at the time of sanctioning leave that condition (i) will necessarily be satisfied, any permission to combine leave with vacation is subject to withdrawal in the event of a Government servant being required to carry out the duties of the post during vacation. In such cases either the Government servant will be re-called or, if this is impracticable owing to his absence from Pakistan

or for any other reason, a substitute will be appointed. In the latter case the portion of the Government servant's vacation during which the substitute discharges the duties of the post will be treated as leave.

- 8.34.** Where the application of the above rules as to prefixing and affixing holidays to leave or joining time is doubtful or inequitable, a competent authority will decide which Government servant shall be held to have been in charge, and to which the pay of the post for the holiday or holidays shall be paid.

IV—DEPARTURE ON LEAVE

- 8.35.** Every Government servant proceeding on leave out of Pakistan should procure from the Accountant-General and take with him a copy of the "memorandum of information issued for the guidance of Government servants proceeding on leave out of Pakistan." [Form C.S.R. (Pb.).No.3J. If the leave has been granted on a medical certificate, he must take a copy of the medical statement of his case also.
- 8.36.** A Government servant taking leave out of Pakistan must report his embarkation, through the Accountant-General, to the authority which granted his leave in Form C.S.R. (Pb.) No.4.
- 8.37.** Every Government servant proceeding on leave must record on his application for leave the address at which letters will find him during leave. Subsequent changes in address during leave, if any, should likewise be intimated to the head of the office or the head of the department as the case may be.
- 8.38.** If, in a case not covered by Rule 8.19, an authority competent to remove a Government servant from service decides, before such Government servant departs from Pakistan on leave, that he will not be permitted to return to duty in Pakistan, it must inform him to that effect before he leaves Pakistan.
- 8.39.** If, when a Government servant is about to depart from Pakistan on leave, it is necessary to consider the propriety of removing him for incapacity, whether mental or physical, which is of such a nature that it is impossible to decide, before he leaves Pakistan, whether it will be permanent or temporary; or if for any reason it is considered in expedient that a Government servant on leave should return to Pakistan, a full report of the circumstances must be made by the department of the Government concerned to the High Commissioner for Pakistan or the Pakistan Embassy to enable him to take any necessary measures before the Government servant would, in the ordinary course, be permitted to return to duty. The report should in any case reach the High Commissioner's/Embassy's Office at least three months before the end of the Government Servants leave.
- 8.40.** When leave on medical certificate has been granted to a Government servant, or, in the case of a military officer in civil employ, when the grant of such leave has appeared in orders, and the Government servant or military officer proposes to spend his leave outside Pakistan, the department of the Government must, without delay, forward a copy of the medical statement of the case to the High

Commissioner for Pakistan or the Pakistan Embassy as the case may be.

- 8.41. When a Government servant, who has been granted leave for reasons of health, proceeds outside Pakistan, the authority which granted the leave shall inform the High Commissioner for Pakistan or the Pakistan Embassy, as the case may be, whether a certificate of fitness is required under Rule 8.45.

V—ACCEPTANCE OF EMPLOYMENT DURING LEAVE

- 8.42. A Government servant on leave may not take or accept any employment in Pakistan or abroad without obtaining the previous sanction of—
- a) the Governor-General in the case of a member of all Pakistan service;
 - b) the Governor in the case of a member of Provincial service; and
 - c) any lower authority empowered to appoint him, in any other case :

Provided that, a Government servant who has been granted permission to take any service or accept any employment under this rule, during leave preparatory to retirement shall be precluded, save with the specific consent of the Governor-General or Governor, or any other authority empowered to appoint him as the case may be from withdrawing his request for permission to retire, and from returning to duty.

NOTE 1.—This rule does not apply to casual literary work or to service as an examiner or similar employment' nor does it apply to acceptance of foreign service which is governed by Rule 10.2.

NOTE 2.—The provisions of Note 1 above cannot be used as a means of evading the rules governing foreign service. All cases of foreign service are governed by Rule 10.2 and Government servants should in no case be permitted to take up foreign service except on terms duly approved by the authority competent to sanction the transfer.

NOTE 3.—As Government servants of the Provincial services on substantive promotion to the corresponding all Pakistan Services either become or acquire the status of members of the latter all such Government servants should be treated as members of all Pakistan Services for purposes of this rule. Their cases will, therefore, be governed by the rules made by the Governor-General.

NOTE 4.—This rule should not be construed as permitting a Government servant who avails himself of leave on medical certificate to undertake regular employment during such leave.

NOTE 5.—The employment of Government servants who are on leave preparatory to retirement in trading concerns in Pakistan is prima facie open to grave objection and should be permitted only in very exceptional cases. Accordingly all applications for such employment should be carefully examined before submission to Government.

VI—RECALL FROM LEAVE

- 8.43.** All orders recalling a Government servant to duty before the expiry of his leave, should invariably state whether the return to duty is optional or compulsory. If the return is optional, the Government servant is entitled to no concession. If it is compulsory, he is entitled—
- a) If the leave from which he is recalled is out of Pakistan--
 - i. to receive a free passage to Pakistan, and provided that, he has not completed half the period of his leave by the date of leaving for Pakistan on recall or three months, whichever period is shorter, to receive a refund of the cost of his passage from Pakistan;
 - ii. to count the time spent on the voyage to Pakistan as duty for purposes of calculating leave; and
 - iii. to receive leave salary during the voyage to Pakistan, and for the period from the date of landing in Pakistan to the date of joining his post to be paid leave salary at the same rate at which he would have drawn it had he not been recalled; but returned in the ordinary course on the termination of his leave and for the later period travelling allowance under the Punjab Travelling Allowance Rules.
 - iv. If the leave from which he is recalled is in Pakistan, to be treated as on duty from the date on which he starts for the station to which he is ordered, and to draw travelling allowance under the Punjab Travelling Allowance Rules for the journey, but to draw until he joins his post leave salary only.

NOTE 1.—Orders recalling a Government servant on leave out of Pakistan should in all cases be communicated to him through the High Commissioner/Ambassador for Pakistan.

NOTE 2.—The 'concession' referred to in the second sentence of this rule is a concession of the category permitted by the rule. The concessions under this rule are clearly not intended to affect the privileges of Government servants which are admissible under other rules, the concessions may be availed of when they happen to prove additional to or better than the ordinary privileges.

NOTE 3.—The expression "on the termination of his leave" in clause (a) (iii) of this Rule means "on the termination of the period of leave as determined by his recall as opposed to the whole of the leave he was originally granted." The effect of this interpretation will be to make the same leave salary admissible for the period of transit in Pakistan as would be admissible had the return to duty been voluntary and the period of voyage been leave proper and the period of transit in Pakistan been leave proper or joining time under Rule 9.1 as the case may be.

VII.—RETURN FROM LEAVE.

(1) BEFORE EXPIRY OF LEAVE.

- 8.44. Unless he is permitted to do so by the authority which granted his leave, a Government servant on leave may not return to duty more than fourteen days before the expiry of the period of leave granted to him.

(2) Return from leave on medical certificate.

- 8.45. No Government servant who has been granted leave on medical certificate, may return to duty without first producing a medical certificate of fitness in Form A, in the case of a Government servant on leave in Pakistan, and in Form B in the case of a Government servant on leave out of Pakistan. The authority which granted the leave may require a certificate in Form A below in the case of any Government servant if he is residing in Pakistan, who has been granted leave for reasons of health, even though such leave was not actually granted on a medical certificate.

NOTE.—

- i. If the Government servant on leave is a gazetted Government servant, such certificate should be signed by a commissioned medical officer or medical officer in-charge of a civil station. In other cases, the authority which granted the leave may, at its discretion, accept a certificate signed by any registered medical practitioner.*
- ii. A Government servant who has taken leave on medical certificate should produce the original certificate and the statement of the case on which the leave was granted or extended before the authority asked to certify his fitness to return to duty.*
- iii. A gazetted Government servant who has taken leave on a certificate granted by a Medical Committee or Board should also produce a certificate of his fitness to return to duty from a Medical Committee or Medical Board, except-*
 - 1. in cases in which the leave is for not more than three months, or*
 - 2. in cases in which the leave is for more than three months, or when leave for three months or less is extended beyond three months, but the Medical Committee or Medical Board granting the original certificate, or the certificate for extension, state at the time of granting such certificate, that the Government servant need not appear before another-Committee or Board for obtaining the certificate of fitness to return to duty.*
- iv. No travelling allowance is admissible to a Government servant for journeys performed by him to appear before a Medical*

**Committee or Medical Board for obtaining a certificate of fitness
to return to duty.**

FORM A.

I, A. B. ----- do hereby certify that I have examined C.D. of the Department, and that I consider him fit to resume his duties in Government service.

FORM B.

(To be signed by two medical practitioners)

We certify that we have carefully examined C.D. of the----- Department and find that he is in good health and fit to return to his duty in Pakistan.

Date-----

Place-----

(If the certificate be signed by foreigners, it should be attested by Consular or other authority as bearing the signatures of qualified medical practitioners.)

(3) REPORT OF RETURN FROM LEAVE.

- 8.46.** A gazetted Government servant, on return from leave must report his return to Government.
- 8.47.** A Government servant returning from leave is not entitled, in the absence of specified orders to that effect, to resume, as a matter of course, the post which he held before going on leave. He must report his return to duty and await orders.

VIII—OVERSTAYAL OF LEAVE

- 8.48.** A Government servant who remains absent after the end of his leave is entitled to no leave salary for the period of such absence and that period will, unless his leave is extended by the competent authority, be debited to his leave account as under:-
- a)** In the case of a Government servant, subject to the rules in section II of this chapter, it will be debited as though it were leave on half average pay; and
 - b)** In the case of a Government servant, subject to the rules in section III, it will be treated as follows:-
 - 1.** If the officer is in superior service—
 - i.** as leave on private affairs to the extent such leave is due unless the overstayal is supported by a medical certificate,
 - ii.** as leave on medical certificate to the extent such leave is due, if the overstayal is supported by a medical certificate,

iii. as extraordinary leave to the extent the period of leave due on private affairs and/or on medical certificate falls short of the period of overstayal.

2. If the officer is in inferior service, — as in (i), (ii) and (iii) above *mutatis mutandis*.

Wilful absence from duty after the expiry of leave may be treated as misbehaviour for the purpose of Rule 3.19.

IX - LEAVE SALARY

(I) General.

8.49.

a) Subject to any instructions given by the competent authority in connection with the control of the issue of money from treasuries or by the Auditor-General of Pakistan in order to secure efficiency and uniformity of audit, the following rules prescribing the procedure:—

i. in the payment of leave salary, and

ii. in the maintenance of record of service, shall be observed in Pakistan.

NOTE.—The instructions issued by the Auditor-General of Pakistan are given in Appendix 11.

b) The procedure to be followed elsewhere than in Pakistan in respect of payment of leave salary, extension of leave and return from leave is detailed in Appendix 13.

(2) Payment of leave salary.

8.50.

1. That portion of leave salary which represents overseas pay drawn in sterling shall be paid in all cases in sterling, and unless the Government servant exercises his option under clause (4) below of drawing it in a Dominion or British Colony along with the balance of his leave salary, the payment shall be made by the High Commissioner for Pakistan in London.

2. Subject to the provisions of clause (1), leave salary shall be drawn in rupees if due in respect of leave spent in Asia, and in sterling; if due in respect of leave spent out of Asia:

Provided that_

a) in the case of "leave on average pay" not exceeding four months, or of the first four months of such leave if it exceeds four months ; and in the case of "earned leave" not exceeding 120,90 or 30 days as the case may be, or of the first 120 days of such leave if it exceeds 120 days, leave salary due in respect of an initial period of such leave spent in Asia may, if the Government servant proceeds out of Asia

during the currency of such leave, or within one month of its termination, be drawn in sterling and leave salary due in respect of an initial period of such leave spent out of Asia may, be drawn in rupees;

- b) in the case of leave of any other description; or of the periods of leave on "average pay" after the first four months of such leave and in case of "earned leave" the period of "earned leave" after the first 120 days of such leave, if the amount of leave spent in Asia prior to embarkation does not in all exceed one month, leave salary in respect of the whole of such leave may be drawn in sterling; and
- c) in the case of an Attachment Order having been issued by a Court in Pakistan in accordance with Rule 48, Order XXI, First Schedule, Code of Civil Procedure, 1908 (as amended), that part of leave salary which is attached shall be remitted to the Court in rupees by the accounts authority in Pakistan notwithstanding that the leave salary is due in respect of leave spent out of Asia. The balance of such leave salary shall be drawn in sterling in accordance with the Rules in this section, except that the maximum and minimum rates of leave pay prescribed in Rules 8.79, 8.80 and 8.125 (2) shall be reduced by the amount specified in the "Attachment Order, converted into sterling at the rate 2s.—1 29/32 d. to the rupee or at such rate as may be prescribed by the Central Government for the purpose from time to time.

NOTE 1.—*Vacation should be treated as equivalent of "leave on average pay" or "earned leave" as the case may be for the purpose of this proviso.*

NOTE 2.—*According to Note 1 above vacation is treated as leave on average pay for purposes of proviso (a). As rule stands, therefore, when a Government servant goes put of Pakistan within four months from the commencement of the vacation, he can exercise the option of drawing his pay for vacation in sterling for the period spent in Pakistan. Note 1 to paragraph 16 of Part I of Appendix 11 which states that when vacation is combined or not combined with leave and actually spent out of Pakistan, the Government servant may be authorised to draw his pay for vacation at the Home Treasury or in a British Colony is not, therefore, applicable to the case in which the vacation is spent in Pakistan.*

NOTE 3. ---*For the purpose of this Rule, Cyprus shall be regarded as outside Asia.*

NOTE 4. ---*Since in the case of a Government servant placed on deputation in interruption of leave out of Pakistan, leave is treated as one spell of leave, the leave before and after the deputation should be treated as "initial period" for the purposes of proviso (a) to clause (2) above and the Government servant allowed to draw, if he so desires leave salary in Pakistan for the portion, of leave immediately following the deputation. As deputation is duty for all purposes, it should not be taken into account in calculate, the maximum period of 4 months or*

120, 90 or 30 days as the case may be, prescribed in this rule.

3. Leave salary drawn in rupees shall be drawn in India and Pakistan.
4. Leave salary drawn in sterling shall be drawn in London or, at the Government servant's option, in any British Dominion or Colony which may be prescribed for the purpose, provided that, the Government servant spends his leave in the Dominion or Colony in which he has elected to draw his leave salary, but if leave-salary due in respect of any portion of leave out of Asia and payable to the Government servant in sterling remains undrawn for no fault on his part, the competent authority may authorise the undrawn amount to be paid in Pakistan at the rate of 2s—1 29/32 d. to the rupee or at such rate as may be prescribed by the Central Government for the purpose from time to time.
5. Any leave salary drawn outside Pakistan shall be subject to deduction of Pakistan income-tax and super-tax at the rate which would have been applicable, if that leave salary had been drawn in Pakistan.

NOTE 1.—If leave-salary due in respect of any portion of leave out of Asia and payable to a Government servant in sterling remains undrawn through the late arrival of a steamer it may be held to be non-drawal through no fault of the Government servant concerned and drawal in Pakistan may be permitted as a matter of course.

NOTE 2.—When a portion of the leave salary is paid in sterling, it should, for the purpose of fixing the rupee limit of leave salary prescribed in Rules 8.79 and 8.80, be converted into rupees at 2s. 1

NOTE 3.—Leave salary shall be converted into sterling at the rate of 2s.1 29/32 d. to the rupee or at such rate of exchange as the Central Government may hereafter fix for the purpose.

NOTE 4.—A Government servant subject to the rules in Section II of this Chapter who spends not more than one month of his leave in Asia prior to embarkation is entitled to leave salary in respect of the entire period of his leave subject to the sterling minima prescribed in Rule 8.80.

NOTE 5.—When the vacation and holidays are prefixed or affixed to leave out of Pakistan and are spent out of Pakistan, there is no objection to the drawal from the Home Treasury of pay and leave salary for the whole period provided that the exact amount to be paid on account of each separate period are stated in the Leave Salary Certificate.

NOTE 6.—For the purposes of the application of this rule, the period of voyage to or from Pakistan is treated as leave out of Asia during which leave salary is payable in sterling. These orders apply to all direct (i.e., unbroken) voyages between Pakistan and a post outside Asia

irrespective of the route followed and the time spent in Asia on the voyage including stoppages incidental thereto (e.g., for the purpose of transshipment). They are not, however, intended to make leave salary payable in sterling when the voyage is broken in Asia at the violation of the Government servant or when he spends a portion of his leave in Asia before proceeding to another continent of resuming his duties in Pakistan.

NOTE 7.--The amount of compensatory allowances to be drawn during leave can seldom be settled at the beginning of leave as it depends largely not on anticipated expenditure; but on proved expenditure. It would, therefore, be generally impossible to include in the original leave salary certificate the exact amount of allowances to be drawn during leave. For these reasons, compensatory allowances during the first four months of leave on average pay or during first 120 days of "earned leave" should not be paid at the Home Treasury, except in cases in which such allowances are from the start included in the calculation of leave salary. A Government servant who wishes to draw his compensatory allowances before he returns from leave in England, may leave signed blank bills endorsed to his banker, to be presented in due course and passed for payment into his account.

NOTE 8.—Leave salary may under certain condition, but allowed in some of the British Dominions and Colonies.

X.--LEAVE ACCOUNTS

- 8.51.** A leave account in terms of leave on average pay should be maintained for each permanent Government servant, subject to the Rules in Part A of Section II of this Chapter in the forms prescribed by the Auditor-General of Pakistan. For those subject to Special Leave Rules the form is A.T.C.1 and for those subject to the Ordinary Leave Rules the form is A.T.C.2. These forms are reproduced in Appendix II to these Rules.

The leave account of a temporary or officiating Government servant whose leave is regulated under rules in Part C of Section II of this Chapter should be maintained in Form **C.S.R. (Pb.) No. 5.**

The leave account of a permanent Government servant, subject to the Leave Rules in Section III of this Chapter should be maintained in Form **C.S.R. (Pb.) No.6.**

- 8.52.** The leave account of a gazetted Government servant is maintained by the Accountant-General and that of a non-gazetted Government servant by the head of the office in which he is employed.

XI.--EXTENT AND APPLICATION

(1) Different Sets Of Leave Rules And The Categories Of Government Servants Subject Thereto

8.53. For purposes of grant of leave and leave salary Government servants [other than those mentioned in Rule 8,55, those engaged on contract (vide Rule 8.58) or those for whom special provision regarding leave has been made (e.g., Rule 8.57 below) fall in one of the following categories--

1. Government servants who were in service on the 31st December, 1921, and who did not elect .the leave rules contained in the Fundamental Rules issued by the former Secretary of State under section 96-B of Government of India Act, 1919.
2. Government servants whose leave on the date these rules come into force was regulated by the rules in the Fundamental Rules issued by the former Secretary of State for India in Council under section 96-B of the Government of India Act, 1919, as subsequently adopted and amended from time to time by the Punjab Government.

NOTE.—See also Note 1 under clause (3) below.

3. Government servants who are subject to the Punjab Revised Leave Rules of 1936, namely, Government servants whose domicile is Asiatic or who if their domicile is non-Asiatic, have not been specially recruited overseas for service in Pakistan and who-
 - i. enter or have entered or are have been re-employed in Government service, whether in a permanent or other capacity, on or after 1st January, 1931;
 - ii. were in service whether in a permanent or other capacity on 31st December, 1930, if there is a break in their service after that date;
 - iii. were on. probation on 31st December, 1930, and who were subsequently confirmed in the service or post for which they were on probation, provided that they were specifically, warned at the time of appointment on probation that the leave rules were under revision;
 - iv. entered service as a result of a competitive examination held before 1st January, 1931, provided they were specifically warned before or at the time of the examination that the leave rules were under revision; and
 - v. were in service as paid apprentices on the 31st December, 1930, provided that they were specifically warned at the time of ' appointment as apprentices that the leave rules were under revision.

Explanations—

1. **"Government service" as used in sub-clause (i) shall be deemed to include prior service under any other Government in India or Pakistan or under, Local Funds administered by Government.**
2. **For the purpose of sub-clause (ii), a person re-employed under any of the Re-Employed Personnel (Conditions of Service) Rules (Appendix 5), shall be regarded as having had a break in his**

service.

- 3.** *Persons transferred from the service of any other Government to that of the Punjab Government shall be deemed to have been specifically warned for the purposes of sub-clause (iii), (iv) or (v) if having been in probationary service under that Government on the 31st December, 1930, or having entered the service of that Government as a result of a competitive examination held before the 1st January, 1931, or having entered the service of that Government as paid apprentices before the 1st January, 1931, they received from it a warning of the nature mentioned in sub-clause (iii), (iv) or (v) as the case may be with reference to the revision of leave rules by that Government.*
- 4.** *Notwithstanding anything hereinbefore contained persons who at the time of transfer to the service of the Punjab Government are governed by the Revised Leave Rules issued by the Government under which they were serving prior to transfer shall also be included in category (3).*
- 5.** *The provisions of explanation 3 apply mutatis mutandis to persons transferred from the service of a Local Fund administered by Government.*

NOTE 1.—*Leave of Government servants whose domicile is non-Asiatic and who are specially recruited overseas for service in Pakistan shall be regulated by the rules in Section II of this Chapter.*

NOTE 2.—*Inferior Government servants who were actually engaged prior to 1st January, 1931, and were paid from contingencies should, on promotion to regular establishment, be considered as falling in category (2) above, if they continued in service without break up to the date of promotion.*

NOTE 3.—*Leave of the members of the Dera Ghazi Khan Border Military Police and Baluch Levy enrolled under the North-West Border Military Police Act, 1904, is governed by the rules in Parts I and II, respectively, of Appendix 14.*

NOTE 4.—*The staff employed on Central Agency work will be governed by the Leave Rules of the Central Government or these rules in accordance with the provisions set forth in annexure II of Section I of this Chapter.*

- 8.54** The leave rules relating to category (1) in Rule 8.53 are contained in the Civil Service Regulations and those relating to categories (2) and (3) in Sections II and III, respectively of this Chapter.
- 8.55** A military officer in civil employ (other than a military commissioned officer)

remains subject to the Military Leave Rules; but his leave while in civil employ is regulated by the provisions of Rule 8.93 or 8.132, as the case may be.

- 8.56** Except as regards military officers in civil employment to whom Rule 8.55 applies, the rules in this section and Part A of Section II of this Chapter are not applicable to Government servants paid from Military Estimates who are temporarily transferred to service paid from Civil Estimates (including service in a tenure post). Such Government servants remain subject to the rules which applied to them before their transfer.
- 8.57** The leave of the Advocate-General is regulated by the rules given in Appendix 15.
- 8.58** Leave admissible to Government servants engaged on contract will be determined by the terms of their contracts, provided that no leave will be admissible in excess of the leave which would be admissible to a Government servant holding a permanent post.

NOTE. ---Model Leave Terms for Government servants engaged on contract prior to the 22nd July, 1936, are given in Part II of Appendix 16 and for those engaged on or after that date in Part I of that Appendix.

- 8.59** Leave on medical certificate to Government servants subject to Rules 8.95, 8.96, 8.134 and 8.135 shall not be granted for a period extending beyond the term of the Government servant's contract unless or until it has been decided to retain him in permanent employment.

NOTE.—The provisions of Rules 8.22 and 8.23 apply mutatis mutandis to Government servants engaged on contract.

(2) PERIODS OF OFF DUTY WHICH ARE NOT TREATED AS REGULAR LEAVE

(a) Vacation

- 8.60** Unless the contrary appears from the context vacation counts as duty and not as leave.

A competent authority may specify the departments or parts of departments which should be treated as vacation departments and the conditions in which a Government servant should be considered to have availed himself of a vacation.

NOTE.—The orders issued under this rule are given in the Annexure to this section.

(b) Casual and Quarantine leave

- 8.61** A Government servant on casual leave or on quarantine leave is not treated as absent from duty and his pay and allowances are not intermitted, as such leave is not recognised regular leave and is not subject to the rules in this Chapter.

- 8.62** Rules regulating the grant of casual leave and quarantine leave are given in Appendix 17.

APPENDIX 17

(Referred To In Rule 8.62)

Rules for the grant of Casual.....leave

1---CASUAL LEAVE RULES

Casual leave may be granted to Government servants for short periods subject to the following conditions:--

- i. Casual leave should not ordinarily exceed 10 days at a time and 25 days during any one calendar year;
- ii. The sanctioning authority may, however, grant casual leave upto 15 days at a time in special circumstances.
- iii. It may be granted in conjunction with Fridays or public holidays, but not with any other kind of leave or joining time. In case casual leave is combined with holidays the total period should not exceed 15 days at a time. The public holidays which are sandwiched between the casual leave shall be debited to the Casual Leave Account.
- iv. No Government servant may leave his headquarters during casual leave or holidays except with the permission of the sanctioning authority.
- v. Subject to the delegation of powers which has been or may be made by Government from time to time in this behalf, casual leave may be sanctioned to a Government servant by his immediate officer.
- vi. In emergency the Commissioners of Divisions can sanction casual leave upto 10 days to the Regional and Divisional Officers. In such cases the Commissioners shall inform the Heads of the Attached Departments by a teleprinter message. While applying for such emergency leave, the Regional/Divisional Officer is required to observe the following two conditions:--
 - a) he should certify that the leave applied for is due to him; and
 - b) he should suggest acting arrangements for the disposal of work during his absence.
- vii. The District Officers of other departments while proceeding on casual leave extending beyond 10 days shall inform the Deputy Commissioner of that fact;
- viii. Casual leave shall not be granted to Government servants in conjunction with

training period spent abroad.

- ix.** The record of the casual leave should be kept in the following manner :-
- a)** casual Leave Account of each Government servant should be maintained properly on the prescribed form;
 - b)** it should always remain in the custody of the sanctioning authority;
 - c)** casual leave should not be granted unless the Casual Leave Account is seen by the sanctioning authority to ensure that (i) the Leave applied for, is due and (ii) it is not excessive viz-a-viz the period of service during the year; and
 - d)** casual Leave Account should be closed on the transfer of a Government servant from the department/office or from one section/branch to another in the same department, signed by the sanctioning authority and transferred immediately to the department/office or section/branch to which the officer is transferred.

ANNEXURE I

(See Rule 8.60)

1. A vacation department is a department, or part of a department, to which regular vacations are allowed during which Government servants serving in the department are permitted to be absent from duty.
2.
 - i. The following classes of Government servants serve in vacation departments when the conditions of paragraph 1 above are fulfilled:-
 - a) Educational officers, other than the Director of Public Instruction and inspecting officers and their establishments.
 - b) Judicial officers of rank not higher than that of subordinate judge and their establishments.
 - c) Any other class of Government servant which a competent authority may declare to be so serving.
 - ii. In case of doubt, a competent authority may decide whether or not a particular Government servant is serving in a vacation department.

NOTE 1.—District and Sessions Judges may, with the express permission of the Honorable Judges of the High Court, Lahore, avail themselves, without prejudice to their regular leave, of so much of the vacation during the month of September as is not needed for the disposal of Criminal-business: provided that suitable arrangements, with the approval of the High Court, can be made for the disposal of work and that the State is not put to any additional expenditure in the way of telegraph, postal or other similar charges. Vacation in their case shall be treated as recognised holidays.

NOTE 2.—A complete list of Government servants serving in vacation departments is given in Appendix 18.

3. A Government servant serving in a vacation department 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 forego such vacation, or portion of a vacation; provided that if, as a result of such an order, he has only been able to enjoy a period not exceeding 15 days of the vacation, he shall be considered to have availed himself of no portion of the vacation.

NOTE 1.—A Government servant who has routine duties to discharge during a vacation which do not require his presence at his place of duty and which can be performed, either by himself at some other place or by some other Government servant, shall be considered to

have availed himself of a vacation or a part of it. A Government servant, who absents himself from his place of duty during any part of vacation is expected to arrange for and is responsible for the performance, without any cost to Government, of such routine duty, should a Government servant who is absent from the place of duty during any portion of a vacation be recalled thereto, he will not be entitled to travelling allowance unless the vacation is combined with leave.

NOTE 2.—The words "higher authority" occurring in this paragraph mean in the case of the head of an office or institution the Head of Department and in other cases the head of the office or institution.

ANNEXURE II.**Referred To In Note 4 Below Rule 8.53**

1. The staff employed on central agency work will be governed by the leave rules of the Central Government or the rules of the Punjab Government in accordance with the following principles:-
2. Such staff may be divided into the following categories:-
 - a) Personnel recruited for and employed in agency departments whose pay, leave salary, allowances and pensions are charged direct to the Central Government, i.e., personnel who are paid direct by the Central Government but who are technically under the administrative control of the Punjab Government.
 - b) Personnel recruited and employed in connection with the affairs of the Punjab, whose pay, leave salary, allowances and pensions are charged to Provincial revenues but whom the Punjab Government employs temporarily on agency work. For their services the Central Government pays the Punjab Government an agreed sum and the entire leave charges are borne by the latter.
 - c) Personnel as in category (b) above whose services are employed by the Punjab Government part time or casually, on performing Central agency duties. For their services the Central Government usually pays an agreed sum to the Punjab Government which includes leave charges.
 - d) Personnel falling in either of the three categories given above who have from 1st April, 1937 come under the direct control of the Central Government on resumption by them of the administrative control over certain agency functions.
3. The Government servants belonging to category (a) who entered the service of the Punjab Government before 1st April, 1937 would continue to be governed by the Punjab Government rules and the Central Government would meet their share of leave charges as calculated under those rules. Those recruited on or after 1st April 1937 would be governed by the leave rules of the Central Government. However, such officers who were on 6th January, 1944, governed by the leave rules of the Punjab Government will have an option of remaining under those rules or of coming under the Central Government's leave rules on the principles and conditions laid down in Rule 8.64 of these rules.
 - i. The Government servants falling under categories (b) and (c) (irrespective of the dates of recruitment) would remain under the leave rules of the Punjab Government and the Central Government would meet their share of leave charges as calculated under these rules.
 - ii. The Government servants belonging to category (d) have the option of remaining under the leave rules of the Punjab Government or of coming under the Central Government leave rules on the principles and conditions laid down in Rule 8.64 of these rules.

SECTION II.--Rules applicable to Government servants belonging to category (2) mentioned in Rule 8.53.

General

- 8.63** Unless in any case it be otherwise expressly provided by or under the rules in Part A of this section, a Government servant, transferred to a service or post to which they apply from a service or post to which they do not apply, is not ordinarily entitled to leave under the rules in that part in respect of duty performed before such transfer; but a Government servant reverting from duty as Judge of High Court may count such duty for leave as though it were duty performed in a vacation department; all leave taken during the service concerned being treated as taken under these rules.

NOTE 1.—The term 'Judge' includes an acting Judge for the purposes of the Government of India (High Court Judges) Order, 1937. Leave is granted under this Order to a Judge during the period of his service as Judge. An acting Judge ceases to be a Judge for the purpose of that Order with effect from the date of termination of his duty as Judge. He is not, therefore, entitled to leave as Judge, i.e., leave under the Order referred to above, but is entitled to leave under the rules to which he was subject prior to his appointment as acting Judge. The fact that he has not joined his substantive post immediately on reversion from duty as Judge and before proceeding on leave does not affect the question.

NOTE 2.—An Additional Judge of the High Court will get leave under the Government of India (High Court Judges) Order, 1937, and not under the rules in this Chapter.

- 8.64** Except as provided by Rule 8.63 a Government servant transferred to a service or post to which the rules in Part A of this section apply, from a service or post to which they do not apply, remains under the leave rules to which he was subject prior to his transfer; provided that it shall be open to him at the time of the transfer or any time thereafter to exercise the option of coming under the rules in Part A of this section, subject to the condition that all leave at his credit on the date on which he comes under these rules shall lapse. The intention of exercising this option must be specifically declared to the Government, and the date of such declaration shall be the date of coming under these rules. The option once exercised is final.

PART A—LEAVE TO GOVERNMENT SERVANTS IN PERMANENT EMPLOY

Introductory

- 8.65** The rules in this part of this section govern the leave of a Government servant who holds a lien on a permanent post in civil employ or would hold a lien on such a post had his lien not been suspended.

SPECIAL AND ORDINARY LEAVE RULES

(i) General Rules**8.66**

1. All Government servants who are not subject to the special leave rules are subject to the ordinary leave rules.
2. The following Government servants are subject to the special leave rules, namely:-
 - a) Any Government servant having at the time of his appointment his domicile elsewhere than "in Asia:

Provided that, no such Government servant shall be entitled to the benefits of the special leave rules who, prior to such appointment, has, for the purpose of his appointment to any office under the Government or of the conferment upon him by the Government of any scholarship, emoluments, or other privilege claimed and been deemed to be of Pakistani domicile.

NOTE.—The expression "at the time of his appointment" occurring in this clause means the date of a Government servant's appointment to a service or post to which the provisions of the rules in this section apply.

- b) Any Government servant having at the time of his appointment his domicile in Asia who, prior to the 24th July, 1923, had been admitted to the benefits of the European Services Leave Rules under the Civil Service Regulations, or who between the 1st January, 1922, and the 24th July, 1923, held a post which would have entitled him to such admission had he been subject to the Civil Service Regulations; and
- c) Any Government servant having at the time of his appointment his domicile in Asia who, prior to the 24th July, 1923, held substantively an appointment in a department in which the attainment of a certain rank or a certain rate of pay entitled the Government servants to admission to the benefits of the European Service Leave Rules under the Civil Service Regulations:

Provided that, such a Government servant shall only be entitled to the benefits of the special leave rules when he attains that rank or rate or pay:

Provided further that, the concession allowed by clause (c) of this rule is not admissible to a Government servant who attains such rank or rate of pay by reason of being promoted by selection from a subordinate service or post after the 24th July, 1923

NOTE 1.—Domicile is the sole criterion for admission to the Special Leave Rules, the agreement of a newly-appointed Government servant promises him overseas pay it may be assumed, unless there is any reason to suspect a clerical error, that his domicile is non-Asiatic.

NOTE 2.—A Government servant who becomes eligible to the special leave rules while he is on leave under the ordinary leave rules may,

from the date he becomes so eligible, change the balance of his leave to leave under the special leave rules.

NOTE 3.—The expression "Selection from a Subordinate service or post" appearing in the 2nd proviso to clause (c) of this rule should be interpreted as excluding only such Government servants as are not ordinarily eligible for promotion to the qualifying posts, unless specially selected, and not those who have an admitted right to promotion to a qualifying post in the ordinary course.

8.67 For the purpose of sub-rule (2) of Rule 8.66 the domicile of a person shall be determined in accordance with the provisions set out in Appendix 4:

Provided that, a person who was born and has been educated exclusively in Asia and has not resided out of Asia for a total period exceeding six months shall be deemed to have his domicile in Asia, unless in the case of a person to whom the proviso in sub-rule (2) (a) of Rule 8.66 does not apply it is proved to the satisfaction of the appointing authority that he did not have his domicile in Asia on that date.

8.68 No Government servant who, after his appointment to a service or post, acquires a new domicile, shall thereby lose his right to, or become entitled to admission to, the benefits of the special leave rules.

8.69 If any question arises as to the domicile of any Government servant at the time of his appointment, the decision thereon, of the competent authority shall be final.

NOTE 1.—In the case of a Government servant appointed by the Governor-General who may be under the rule making control of the Punjab Government, the decision of the Governor-General shall be final.

NOTE 2.—For the purposes of this rule the domicile of a Government servant at the date of appointment shall be determined in accordance with, the provisions set out in Appendix 4 to these rules and clauses (1) and (2) of Rule 4.2 and the notes thereunder.

8.70

- a) In the leave account of a Government servant who, immediately prior to the date on which he becomes subject to these rules, was subject to the rules contained in the Fundamental Rules, there shall be credited the periods entered to his credit in the leave account maintained for him under those rules and in addition :-
 - i. if he be under the special leave rules, 5/22nds of the period spent on duty from the date on which these rules come into force;
 - ii. If he be under the ordinary leave rules, 2/11ths of the period spent on duty from the date on which these rules come into force.
- b) In the -leave account of a Government servant who, on entry into Government

service, becomes subject to these rules shall be credited:-

- i. if he be under the special leave rules, 5/22nds of the period spent on duty;
 - ii. if he be under the ordinary leave rules, 2/11 ths of the period spent on duty.
- c) Any Government servant (other than a military commissioned officer) transferred permanently from military to civil employ is entitled to a credit to his leave account based on such portion of his military duty, as under the rules for the time being in force, is permitted to count for pension:

Provided that, in the case of a Government servant who becomes subject to these rules in the calendar year in which he is transferred from military to civil employ, and who before transfer is subject to military leave rules, the credit under this clause shall be reduced by 1/11th of the duty intervening between the date of his becoming subject to these rules and the termination of the calendar year of transfer, but this reduction shall not be made if privilege leave under the military rules is not admissible in respect of the calendar year of transfer because the Government servant has not actually performed duty in the military department during that year.

NOTE 1.—In calculating the leave admissible to Government servants subject to the ordinary leave rules for a part their service and to the special leave rules for the remainder of their service, the periods spent on duty under each of those rules should be taken separately and the calculation of the leave admissible in respect of each of those periods should be made separately.

NOTE 2.—The leave of a Government servant, who has hitherto been in the employ of the Defence Department and subject to the Civil Service Regulations, should, on his permanent transfer to the civil department, be regulated under Fundamental Rule 77 (b). Any temporary service rendered by such a Government servant under the Civil Service Regulations counts for leave under Rule 8.99.

NOTE 3.—The full pay leave for 60 days admissible annually to the Assistant Medical Officers of the Pakistan Army Medical Corps under paragraph 79 (ii) of the Regulations for Medical Services of the Army in Pakistan shall, on their appointment substantively to permanent posts in civil employ, be treated as privilege leave for the purposes of these rules.

NOTE 4.—Service rendered by Civil Assistant Surgeons as temporary officers in the Pakistan Army Medical Corps should be allowed to count for leave, promotion and pension under the civil rules on their reversions to civil employment. Any leave taken by such Government servants while in temporary military employ will be debited to their leave account in the civil department, privilege leave being treated as leave on average pay and sick leave as have on half average pay.

NOTE 5.—Fractions of a day should not appear in the leave account fractions below should be ignored any those of $\frac{1}{2}$ or more should be reckoned as one day.

NOTE 6.—Five twenty-seconds of the period spent on duty should be calculated thus the amount of duty as expressed in terms of years, months and days should be multiplied by five and the product divided by twenty-two. In this process of multiplication and division a month should be reckoned as equal to 30 days.

Two-elevenths of the period spent on duty should also be calculated similarly.

NOTE 7.—For leave calculators showing the amount of leave earned under the Special and Ordinary Leave Rules see tables in Appendix 19.

8.71 The amount of leave debited against a Government servant's leave account maintained under these rules is:-

- a)** the actual period of leave 3n average pay excluding special disability leave on average pay under Rule 8.83 (7) (a); and
- b)** half the period of leave on half average pay (other than disability leave) or on quarter average pay or of special disability leave on average pay under Rule 8.83 (7) (b).

NOTE 1.—In cases covered by Rule 8.70 (e), the leave taken during the period of duty on which the credit to the leave account is based is to be debited as follows

- i.** No privilege leave taken by a military officer under the British or Pakistan Army Leave Rules, before coming under civil rules, is to be debited under (a) above.
- ii.** Furlough, leave on medical Certificate and special leave with allowances are to be debited under (b) above.

NOTE 2.—Leave on average pay taken under Rule 8.93, should not be debited against the leave account under clause (a) of this rule.

NOTE 3.—See also Notes 3 and 4 under Rule 8.70.

NOTE 4.—Extraordinary leave without pay granted under the Civil Service Regulations will not be debited against the leave account.

NOTE 5.—The leave account of an inferior servant should be debited with reference to the kind of leave given i.e. whether it is on average pay or half average pay, and not with reference to the leave-salary actually drawn.

8.72 When a Government servant, who has previously been subject to the ordinary leave rules, is admitted to the benefits of the special leave rules, no change shall be made in the amount of leave previously credited and debited to his account but he shall be entitled to the maximum amount of leave prescribed in Rule 8.74 (a) (i).

8.73 The amount of leave due to a Government servant is the balance of leave at his credit in the leave account.

8.74 Leave may be granted to a Government servant at the discretion of the authority entitled to grant the leave, subject to the following restrictions:-

- a) The maximum amount of leave which may be granted expressed in terms of leave on average pay is:-

The privilege leave which it was permissible to grant to him under the rules, to which he was previously subject, on the date on which he became subject to the Fundamental Rules or to these rules, as the case may be: plus one-eleventh of the period spent on duty from the date of coming under the Fundamental Rules or under these rules, as the case may be, plus

- i. in the case of Government servants under the special leave rules, three years, and
- ii. in the case of Government servants under the ordinary leave rules, two and a half years:

Provided that, special disability leave on half average pay or on average pay under Rule 8.83 (7) (a) or under the Fundamental Rule 83 (7) (a), shall not be taken into account in calculating the maximum prescribed by this clause, and, in the case of such leave taken on average pay under Rule 8.83 (7) (b) or under Fundamental Rule 83 (7) (b), account shall be taken of only half the period thereof.

- b) The maximum amount of leave on average pay, including any furlough on average salary taken under the rules previously in force but excluding special disability leave on average pay under Rule 8.83 (7) (a) or under the Fundamental Rule 83 (7) (a), which may be granted is:-

- i. to a Government servant under the Special Leave Rules, eight months at any one time, and in all, the privilege leave which it was permissible to grant to him under the rules applicable to him on the date on which he "became subject to the Fundamental Rules or to these rules, as the case may be, plus one-eleventh of the period spent on duty since he came under the Fundamental Rules or under these rules, as the case may be; plus one year,
- ii. to a Government servant under the Ordinary Leave Rules four months at any one-time and in all, the privilege leave which it was permissible to grant to him under the rules applicable to him on the date on which he became subject to the Fundamental Rules or to these rules, as the case may be; plus one-eleventh of the period spent on duty since he came under the Fundamental Rules or under these rules, as the case may be:

Provided that, in the case of a Government servant (other than an inferior Government servant) subject to the ordinary leave rules who either takes leave on medical certificate other than leave preparatory to retirement or spends his leave elsewhere than in Pakistan, India, the maximum as prescribed in sub-clause (i) of this clause shall apply.

NOTE 1.—*In the case of a Government servant who is entitled, under orders previously in force, to privilege leave for more than four months, the number of months to be taken at one time as prescribed in sub-clauses (i) and (ii) above may be increased on the first occasion when leave is taken under these rules, by the number of months by which the amount of privilege leave due exceeds four months: provided that this concession has not already been availed of before coming under these rules.*

NOTE 2.—*If under the operation of the proviso to sub-clause (ii) above the maximum amount of leave on average pay admissible at a time (i.e., the period of leave at credit in column 6 of the leave account subject to a maximum of four months has been increased by the grant of leave on medical certificate, further leave on average pay may not be granted in continuation, unless such leave is taken on medical certificate or is spent elsewhere than in Pakistan, India, but such leave on average pay which may be taken on medical certificate or outside Pakistan, India, up to a maximum of 12 months in a Government servant's whole service does not, if due, consume the leave on average pay which may be taken without medical certificate.*

NOTE 3.—*For the purpose of the maximum limit of leave on average pay that, may be granted at any one time, a period of suspension dealt with under Rule 7.3 (b) which is both preceded and followed by leave on average pay should be ignored and the two periods of leave treated as one continuous spell of leave.*

NOTE 4.—

- 1.** *In addition to leave on average pay for 4 months under Rule 8.83 (7) (a) which is debit to the leave account, the maximum amount of leave on average pay that can be taken whether under Rule 8.83 (7) (b) or under clause (b) of this rule or both can be only eight months. This follows from a consideration of the wording in Rule 8.83 (7) (b), under which a Government servant is allowed to draw leave-salary equal to average pay for a period not exceeding the period which would otherwise be admissible to him as leave on average pay. Under clause (b) of this rule this period is limited to eight months under clause (i) or four months under clause (ii) which may be extended by another four months in certain; circumstances [vide proviso to clause (i)]. In case leave on average pay for eight months, if due under clause (b) above, is all taken under Rule 8.83 (7) (b), no further*

leave on average pay can be taken under the provisions of the former rule. The total leave on average pay that can be granted to a Government servant therefore is only twelve months, viz., four months under Rule 8.83 (7) (a) and eight months under Rule 8.83 (7) (b) or under clause (b) of this rule or both.

- 2.** *Under Rule 8.83 (4) special disability leave can be combined with leave of any other kind. There is no objection to the interpolation of ordinary leave between periods special disability leave provided that the limits laid down in clause (b) of this rule are not exceeded in respect of leave on average pay other than special disability leave taken under Rule 8.83 (7) (a).*

NOTE 5.---*If leave on average pay is applied for after a Government servant has had leave on half average pay in continuance of a period of leave on average pay either by the production of a medical certificate or by a Government servant proceeding out of Pakistan & India, the period of leave on average pay that may thence granted should be limited to the period actually covered by the medical certificate or spent elsewhere than in Pakistan, India. The grant of the leave should also be so regulated that the total period of leave on average pay during that spell of leave does not exceed 8 months. In such cases the total period of leave on average pay shall be treated as one continuous spell of leave on average pay in order to determine whether the first four months of the leave should count for pension.*

NOTE 6.—*The expression "at anyone time" in clause (b) of this rule should be interpreted as meaning "in each separate period of leave granted". Subject to the considerations of special cases where a Government servant is placed on deputation outside Pakistan the period of deputation of a Government servant placed on duty while on leave out of Pakistan will ordinarily be treated as an interruption of leave already granted and the leave will be extended by the period equal to the balance of the unenjoyed leave; hut the deputation will not entitle him to a fresh grant of leave. The balance of unenjoyed leave should therefore, be worked out before the deputation intervenes and the amount of leave to be enjoyed subsequently on the expiry of the deputation should be restricted to this available balance.*

NOTE 7.—*When average pay is drawn by virtue of a medical certificate under the proviso to sub-clause (ii) above Government may recover the difference between average pay and half average pay for the period of leave on average pay which would not have been admissible had the proviso not been applied should the Government servant decide later to retire at the end of his leave of or an extension thereof granted to him. An undertaking to this effect should therefore, be taken from those Government servants who take, advantage of the proviso referred to above, but the question whether the Government servant concerned should be called upon to refund the amount drawn*

in excess as leave salary should be decided on the merits of each case, i.e., if the retirement is voluntary refund should be enforced, but if the retirement is compulsorily thrust upon the Government servant by reason of ill health incapacitating him for further service, no refund should be taken.

The leave on average pay on medical certificate granted under the proviso to sub-clause (ii) to a Government servant who subsequently retires should be converted into leave on half average pay and should count for pension as leave on average pay even though the Government servant concerned is not called upon to refund the amount drawn in excess as leave salary.

NOTE 8.—Formal joining at the end of leave on average pay with the intention of taking again leave on average pay with a view to evading the maximum limit to which leave is admissible at any one time under this clause amounts to a deliberate evasion of the rule and through such a course the Government servant seeks to get from the rules an advantage not ordinarily, contemplated by them. No such deliberate or intentional evasion should therefore be permitted but so long as this condition is satisfied it is left to the discretion of the authority granting the leave to grant or refuse it as may seem proper in each case.

- c) Save in the case of leave preparatory to retirement leave not due may be granted subject to the following conditions:-
- i. on medical certificate, without limit of amount and
 - ii. otherwise than on medical certificate, for not more than three months at any one time and six months in all, reckoned in terms of leave on average pay.

NOTE 1.—In cases where a Government servant who has been granted leave not due under this clause applies for permission to retire voluntarily the leave not due shall, if the permission be granted, be cancelled and his retirement shall have effect from the date on which such leave commenced.

NOTE 2.—Leave not due is intended to be regarded as an advance of leave and its grant should therefore be limited to the amount that both (a) can be and (b) will be earned by subsequent duty, further, it is meant to be granted only in exceptional circumstances, such as illness or urgent private affairs; and finally, when the exceptional step of granting such leave is taken it should be irrevocable, except at the request of the Government servant, who should not be penalised if reasonable anticipations fail to materialise. It is accordingly ruled-

- 1. ***that leave not due may in no case be granted unless the sanctioning authority is satisfied that, as far as can be reasonably foreseen, the Government servant will return to duty***

and earn it; and

2. *that except as provided in Note 1 above the leave when granted should in all cases (subject to the Government servant's wishes) be allowed to stand, including cases in which the Government Servant fails to earn it by subsequent duty.*

NOTE 3.—*Leave "not due" can be granted to a Government servant whose leave account shows a debit balance in consequence of the grant of leave "not due" on a previous occasion.*

NOTE 4.—*When the privilege permitted by Rule 8.75 (b) is exercised the additional leave permissible under that clause becomes leave due and thus acquires a character different from the leave not due" leave under Rule 8.74 (c) and Rule 8.75 (b) may therefore be granted in conjunction.*

NOTE 5.—*When Government servants are invalided while on leave "not due" the date of invaliding shall be that following the expiry of the leave already granted.*

- d) The maximum period of continuous absence from duty on leave granted otherwise than on medical certificate is 28 months. This period shall in no circumstances be exceeded by a Government servant who is on leave preparatory to retirement.

NOTE 1. —*The limit of 28 months of continuous absence prescribed in this clause includes the period of vacation, if any, with- which leave is combined.*

NOTE 2. —*The expression "continuous absence from duty on leave" occurring in this clause does not include absence on extraordinary leave,*

- e) When a Government servant returns from leave which was not due and which was debited against his leave account, no leave will become due to him until the expiration of a fresh period spent on duty sufficient to earn a credit of leave equal to the period of leave which he took before it was due.

(ii) Special provision for vacation departments.

8.75

- a) The periods of total leave in Rules 8.70, 8.74(a) and 8.74(b) should ordinarily be reduced by one month for each year of duty in which the Government servant has availed himself of the vacation. If a part only of the vacation has been taken in any year, the period to be deducted will be a fraction of a month equal to the proportion which the part of the vacation taken bears to the full period of the vacation.
- b) Incases of urgent necessity, when a Government servant Requires leave and no leave is due to him, the periods in Rules 8.70 and 8.74(a)v as reduced by clause

(a) of this rule, may be increased by one month for every two years of duty in a vacation department.

- c) When a Government servant combines vacation with leave, the period of vacation shall be reckoned as leave in calculating the amount of leave on average pay which may be included in the particular period of leave.

NOTE 1.--- *A Government servant of a vacation department may be granted the additional leave which is credited under clause (b) of this rule even though he has a debit balance in his leave account due to the fact that leave not due has not been liquidated as required by Rule 8.74 (e).*

The credit of one month under clause, (b) of this rule is for every completed two years of duty and no fractional credit for a period of less than two years is permissible.

NOTE 2.--- *The amount credited to the leave account under clause (b) of this rule as well as that added to the maximum under Rule 8.74 (a) should be the actual amount of additional leave taken under this rule and not the total amount theoretically permissible, viz., one month for every two years of duty.*

NOTE 3. --- *The term 'each year of duty' in clause (a) of this rule should be interpreted to mean, not a calendar year in which duty is performed, but twelve months of actual duty in the vacation department. If the Government servant has enjoyed such vacation as falls within a period of twelve months beginning on the day on which he begins his duty on return from leave or otherwise, then one month should be deducted from his leave account. It does not matter whether the day on which this year ends, falls in a vacation in the succeeding calendar year. The only question is whether the Government servant has enjoyed such vacation as fell within the period of one year as interpreted above.*

If, to take an example, a Government servant before going on leave has not completed a full year of duty (including vacation) during the course of the, second calendar year, then the fraction of one month which should be deducted from the leave account is the fraction which the period of duty, including vacation, bears to the whole year. If, to take a further complication, he has not enjoyed the whole of the vacation which fell during that period less than a year, then the amount which should be deducted is the proportion of the period which the proportion of vacation actually enjoyed bears to the whole period of vacation which fell within that period.

In the case of Government servants who are allowed two vacations in the year instead of one, the period of the two vacations should be regarded as combined into one.

NOTE 4.—In the case of a Government servant who, at the time of going on leave, has not completed a full year of duty and has not for that reason enjoyed any portion of vacation but who enjoys the next vacation in continuation of the leave a deduction of 1/12th may be made for the period for which 1/11th is credited. If subsequently it is found that the vacation has not been enjoyed the deduction already made can be suitably corrected.

NOTE 5.—Under clause (c) of this rule a Government servant subject to the ordinary leave rules can enjoy four months' leave on average pay followed by 3 months' vacation only if the period of vacation is covered by medical certificate or is spent outside Pakistan and India.

(iii) Extraordinary leave.

8.76

- a) Extraordinary leave may be granted in special circumstances (1) when no other leave is by rule admissible, or (2) when other leave being admissible the Government servant concerned applies in writing for the grant of extraordinary leave. No leave-salary is admissible during such leave.
- b) The authority which has the power to sanction leave may grant extraordinary leave as in clause (a) in combination with, or in continuation of" any leave that is admissible, and may commute retrospectively periods of absence without leave into extraordinary leave.

NOTE 1.—Leave "not due" applied for by. a Government servant with or without medical certificate is "leave admissible under rule" and where leave "not due" can be granted the grant of extraordinary leave under this rule will be irregular unless the latter kind of leave is specifically applied for in writing.

NOTE 2.—The power of commuting retrospectively periods of absence without leave into extraordinary leave under clause (b) is absolute and not subject to the conditions mentioned in clause (a), in other words, such commutation is permissible even when other leave was admissible to the .Government servant concerned at the time his absence without leave commenced.

NOTE 3.—Extraordinary leave may be granted either by itself or in combination with or in continuation of other leave subject to the provisions of Rule 3.27.

LEAVE-SALARY

8.77 Subject to the conditions in Rules 8.74, 8.78, 8.79, 8.80 and 8.50 a Government servant on leave shall, during leave, draw leave-salary as follows:-

- a) if the leave is due, leave-salary equal to average pay or to half average pay, or to

average pay during a portion of the leave and half average pay during the remainder, as he may elect;

b) if the leave is not due, leave-salary equal to half average pay:

Provided that, when a non-gazetted Government servant who was in service on the 24th day of August, 1927, takes leave, and

- i.** his pay is less than Rs. 300; or
- ii.** the leave taken does not exceed one month;

his average pay for the purpose of this rule may be taken to be the pay which he would draw in the permanent post held substantively by him at the time of taking leave if this pay be more than the average pay.

NOTE 1. ---The first proviso to this rule is to be interpreted as follows:-

- i. a Government servant who was only temporary or officiating and not holding substantively a permanent post on the 24th August, 1927 or was holding on probation a permanent post on that date and had no lien on any other post has clearly no claim under this proviso, and**
- ii. a Government servant who was in permanent Government service on or before the 24th August, 1927 and who was, therefore, entitled to the privilege under this proviso will retain that privilege if re-employed after quitting public service on compensation or invalid pension or gratuity, or if reinstated after dismissal, provided that he is allowed to count his past service for leave under Rule 8.2 (a) or (b).**

NOTE 2.—For the purpose of first proviso in this rule the pay and status of a Government servant should be determined with reference to the post which he is holding (whether in a substantive or in an officiating capacity) before going on leave. Thus a Government servant who holds substantively a non-gazetted permanent post but who proceeds on leave from a gazetted post should be regarded as a gazetted Government servant for the purposes of that proviso.

NOTE 3. ---The words* as he may elect" in this rule imply election once for all and therefore debar a Government servant from claiming commutation of leave as of right. Thus though the authority which granted leave can, if so disposed, commute it retrospectively into a leave of a different kind, yet a Government servant does not possess any right to insist that it should be so commuted.

NOTE 4.---The election given by clause (a) of this rule is the election between the three different forms of leave-salary mentioned therein, viz; leave-salary equal to average pay or to half average pay or to average pay during a portion of the leave and half average pay during the remainder. The rule is not intended to give any choice as to the period during which average pay or half average pay can be drawn if the Government servant elects the third form. The intention is that the period on average pay should be taken first and should be succeeded by the period on half average pay.

NOTE 5.---A Government servant cannot be compelled against his wishes to take leave on half average pay when leave on a full average pay is admissible to him. This must not be interpreted as interfering with the discretion entrusted to an authority competent to grant leave to determine whether leave should or should not be granted. See also

sub-rule (1) under Rule 8.15.

NOTE 6.---The expression "permanent post* occurring in the proviso to this rule includes also a post on which the Government servant's lien has been suspended if he holds a lien on no other permanent post.

NOTE 7.---The term "pay" in the expression "his pay is less than Rs. 300," occurring in the first proviso, should be interpreted according to the definition given in Rule 2.44. The intention is that the leave-salary should be based on the pay at the time of taking leave in respect of the permanent post to which the Government servant has been appointed substantively, irrespective of whether his lien on that post is retained or has been suspended.

NOTE 8.—The term "pay" in the expression "the pay which he would draw should be interpreted as including "special pay" whether attached to a post or personal to a particular Government servant, since in either case the Government servant would draw it in the post which he holds substantively.

NOTE 9.---The phrase at the time of taking leave* denotes a point in time and that point is the moment at which leave begins. If, therefore, a Government servant proceeds on leave with effect from the forenoon of a day on which an increment falls due, this increment cannot be taken into account in the calculation of his leave salary. His increment does not begin to accrue until the previous midnight is past, and by that time he is assumed to be on leave and therefore incapable of drawing increment because he is no longer on duty.

NOTE 10.—The minimum of a Government servant's time-scale of pay (including overseas pay) should be treated as his average pay for the purpose of leave not due permitted under Note 1 to Rule 3.22 as well as for the purpose of allowing the minimum of half average pay not exceeding the average pay under Rule 8.80.

NOTE 11. —For the purpose of the first proviso to this rule, in the case of a Government servant on foreign service who proceeds on leave either during service:-

- i.** the status of a Government servant while of foreign service i.e., gazetted or non-gazetted should be determined with reference to the permanent post under Government on which he holds a lien or would hold a lien had his lien not been suspended, or, if during his absence on foreign service he is given any promotion under Rule 10.5 with reference to the post under Government to which he is so promoted.
- ii.** The term "his pay" occurring in item (i) of this proviso should be construed to mean what is prescribed under Rule 10.10(b) for counting his pay for the purpose of Rule 27, i.e., the pay drawn

in foreign service at the time of leave is taken less, in the case of Government servant paying his own contribution for leave salary and pension, such part of the pay as may be paid as contribution.

- iii. The expression “the pay he would draw in the permanent post held substantively by him at the time of taking leave” occurring in this proviso should, in its application to a Government servant on foreign service, be taken to mean the pay which he would draw in the permanent post under Government on; which he holds a lien, or would hold a lien had his lien not been suspended, at the time of taking leave.*

8.78 After continuous absence from duty on leave for a period of 28 months a Government servant will draw leave-salary equal to quarter average pay, subject to the maximum and minimum prescribed in Rules 8.79 and 8.80.

NOTE. ---Notes 1 and 2 under clause (d) of Rule 8.74 apply *mutatis mutandis* here also.

8.79

1. During the first four months of any period of leave on average pay, leave-salary is subject to an absolute maximum of Rs.4,000 per mensem but this provision shall not apply to any Government servant, who held, on the 28th September, 1927, a post to which a pay is attached exceeding Rs. 4,000 a month.

Except during the first four months of any period of leave on average pay, leave-salary is subject to the monthly maxima shown in the following table:- Government servants	Average.		Half Average.		Quarter Average.	
	Outside Asia	In Asia	Outside Asia	In Asia	Outside Asia	In Asia
	£	Rs.	£	Rs.	£	Rs.
Government servants subject to the special leave rules.	200	2,000	100	1,000	60	600
Government servants subject to the ordinary leave rules.	150	1,500	75	750	60	600

NOTE 1.—*The maximum of average pay does not apply in the case of a Government servant who is entitled under orders previously in force, to privilege for more than four months, during a period equal to that for which he is entitled to privilege leave.*

NOTE 2.—*The maximum of average pay does not apply to a Government servant serving in a vacation department during a period of leave, on average pay equivalent to one month for each year since his last leave during which he has not availed himself to vacation and*

to a proportionate fraction of a month during which he has taken a part only of the vacation: provided that, in the case of a Government servant who is transferred with leave to his credit from a non-vacation to vacation department the competent authority shall decide, on the first occasion on which he takes leave after such transfer, the period not exceeding four months for which the maximum limit of leave-salary shall not be applied to him. The intention is that vacation should be treated as the equivalent of leave on average pay.

NOTE 3.---*Note 2 above is not meant give any additional advantage but is intended to be a restrictive exception to the main rule in clause(2) of this rule. A Government servant is not/ therefore, entitled to the concession mentioned in that note in addition to the concession granted in the main rule itself but only to the drawing of full pay for a period equivalent to one month for each year since the last leave taken during which vacation has not been enjoyed.*

NOTE 4.—*For the rate of conversion of the leave-salary paid in sterling into rupees see Note 2 at the end of Rule 8.50.*

NOTE 5.—*For the purpose of Note 2 above, when vacation is combined with leave, the first four months of leave on average pay which is exempt from the application of the maximum of average pay (apart from the limit of Rs. 4,000 imposed by clause (1) of this rule) should be calculated after taking into account the full period of the vacation so combined, even when the vacation does not fall within the first four months of any period of combined leave and vacation. In other words, the concession of drawing full average pay earned by detention on duty during vacation since last return from leave as is equal to the residential period, if any, which remains, after deducting the period of vacation from the period of four months. If, however, the officer so elects, he may in the alternative be allowed to have the full amount of leave on average pay at his credit earned by detention on duty during vacation since his last return from leave subject to the limit of four months and to combine with it as much of vacation (on full pay) as would make up the total of four months, the rest of the vacation being sanctioned as leave, on average pay or half average pay, as the case may be.*

- 8.80** Subject to the condition that the leave-salary of the Government servant shall in no case exceed his average pay, leave-salary is subject to the monthly minima shown in the following table :--

Government servants	Average.		Half Average.		Quarter Average.	
	Outside Asia	In Asia	Outside Asia	In Asia	Outside Asia	In Asia

	£	Rs.	£	Rs.	£	Rs.
Government servants subject to the special leave rules.	200	2,000	100	1,000	60	600
Government servants subject to the ordinary leave rules.	150	1,500	75	750	60	600

NOTE 1. *The minima specified above apply only when leave is taken or extended out or Pakistan elsewhere than in India,*

NOTE 2.—*For the rate of conversion of the leave-salary paid in sterling into rupees see Note at the end of Rule 8.50.*

NOTE 3.—*The words "average pay" used in this rule should be interpreted in terms of Rule 2.7 and not be taken as the pay which the non-gazetted Government servant would draw in the permanent post held substantively by him at the time of taking leave, if this pay be more than the average pay.*

NOTE 4. ----*See also Note 10 under Rule 8. 77.*

NOTE 5. ---*The maxima and minima limits laid down in Rules 8.79 and, 8.80 are not applicable to temporary and officiating Government servants, who have no lien on a permanent post,*

- 8.81** The rupee and sterling maxima and minima prescribed in Rules 8.79 and 8.80 shall be applied to leave-salaries, paid respectively in rupees and in sterling.

NOTE. --- *See also Note 4 at the end of Rule 8.50.*

- 8.82** The drawal of compensatory allowance by Government servants on leave in addition to leave salary is regulated by the rules in Chapter V.

ADDITIONAL KINDS OF LEAVE IN SPECIAL CIRCUMSTANCES

(i) Special Disability Leave.

8.83

1. Subject to the conditions hereinafter specified a competent authority may grant special disability leave to a Government servant who is disabled by injury intentionality inflicted or caused in, or in consequence of, the due performance of his official duties in consequence official position.
2. Such leave shall not be granted unless the disability manifested itself within three

months of the occurrence to which it is attributed, and the person disabled acted with due promptitude in bringing it to notice. But the competent authority, if it is satisfied as to the cause of the disability, may permit leave to be granted in cases where the disability manifested itself more than three months after the occurrence of its cause.

3. The period of leave granted shall be such as is certified by a medical board to be necessary. It shall not be extended except on the certificate of a medical board, and shall in no case exceed 24 months.
4. Such leave may be combined with leave of any other kind.
5. Such leave may be granted more than once if the disability is aggravated or reproduced in similar circumstances at a later date, but not more than 24 months of such leave shall be granted in consequence of any one disability.
6. Such leave shall be counted as duty in calculating service for pension, and shall not, except as provided in Rule 8.71 (b), be debited against the leave account.
7. Leave-salary during such leave shall be equal—
 - a) for the first four months of any period of such leave, including a period of such leave granted under clause (5) of this rule, to average pay, and
 - b) for the remaining period of any such leave, to half average pay, or at the Government servant's option, for a period not exceeding the period of average pay which would otherwise be admissible to him, to average pay:

Provided that, the maxima specified in the table in clause (2) of Rule 8.79 shall, notwithstanding anything contained in that rule, apply to the whole period of such leave and the minima specified in the table in Rule 8.80 shall apply when leave-salary during such leave is equal to half average pay, subject to the conditions stated in that rule and in the notes thereunder.

NOTE. ---See Note 4 under Rule 8.74 (b)

8. In the case of a person to whom the Workmen's Compensation Act, 1923, applies, the amount of leave salary payable under this rule shall be reduced by the amount of compensation payable under section 4 (1) (d) of the said Act.
9. The provisions of this rule apply to a civil servant disabled in consequence of service with a military force, if he is discharged as unfit for further military service, but is not completely and permanently incapacitated for further civil service, and to a civil servant not so discharged who suffers a disability which is certified by a medical board to be directly attributable to his service with a military force; but in either case any period of leave granted to such a person 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.

NOTE.—The intention of this clause is not that special disability leave

should be given to cover any portion of a Government servant's military service, but that it should be admissible only after the Government servant's discharge as unfit for further military service.

- 8.84** A competent authority may extend the application of the provisions of Rule 8.83 to a Government servant 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. The grant of this concession is subject to the further conditions:--
- i. that the disability, if due to disease, must be certified by a medical board to be directly due to the performance of the particular duty, and
 - 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 competent authority, so exceptional in character or in the circumstances of its occurrence as to justify such unusual treatment as the grant of this form of leave; and
 - iii. that the period of absence recommended by the medical board may be covered in part by leave under this rule and in part "by other leave, and that the amount of special disability leave granted on average pay may be less than four months.

8.85

1. A Government servant who has been granted special disability leave under Rule 8.83, and whose domicile is elsewhere than in Asia, may be granted by the authority which sanctioned the special disability leave, free passage by sea for himself, his wives and children, to the United Kingdom, or to any port in Europe or in a British colony, dominion or possession, and on the conclusion of such leave return passage to Pakistan, unless he takes leave other than leave on medical certificate in continuation of special disability leave, in which case return passage shall not be granted save with the special sanction of the competent authority : Provided that, the cost of any passages granted under this rule shall not exceed the cost of passages between Pakistan and the United Kingdom.
2. Passages granted under this rule may include travel by land between port of embarkation and port of debarkation and shall be of such class as the sanctioning authority, in each case, may determine.
3. The competent authority may extend the application of the provisions of clauses (1) and (2) to a Government servant who has been granted special disability leave under Rule 8.84 and whose domicile is elsewhere than in Asia, provided that free passages may at its discretion be granted to the Government servant only, or to the Government servant and his wives only.
4. For the purpose of this rule--
 - i. the domicile of a Government servant is his domicile at the time of his appointment

to a Government service as determined in accordance with the provisions of clause (2) (a) of Rule 8.66 and of Rules 8.67,8.68 and 8.69 ;

- ii. "child" means a legitimate child (including a step-child) residing with and wholly dependent on the Government servant, who, if a female, is unmarried, or, if a male, is under the age of 16.

(ii) Study Leave

- 8.86** Leave may be granted to Government servants on such terms as may be prescribed by general or special orders of the competent authority to enable them to study scientific, technical, or similar problems or to undergo special courses of instruction. Such leave is not debited against the leave account.

NOTE.—For the general orders issued under this rule see Appendix 20.

(iii) Maternity Leave.

- 8.87** The competent authority under Rule 8.24 may grant to a female Government servant maternity leave on full pay for a period not ordinarily exceeding three months. The grant of leave should be so regulated that (1) the date of confinement falls within the period of this leave, and (2) the leave does not extend more than six weeks beyond the date of confinement. This leave may be extended to six months on the certificate of the District Health Officer, or of a member of the Women's Medical Service, Pakistan. Maternity leave is not debited against the leave account.

NOTE.—The term "Pay" in this rule includes officiating pay, provided the authority sanctioning the leave certificates that the Government servant would have continued to officiate had she not proceeded on leave.

- 8.88** Leave of any other kind due and admissible or extraordinary leave may be granted in continuation of maternity leave, if the request for its grant be supported by a medical certificate.

NOTE.—This rule does not preclude the grant of maternity leave in continuation of leave of any other kind.

(iv) Hospital Leave

- 8.89** The competent authority under Rule 8.24 of these rules may grant hospital leave to Government servants of the following classes while under medical treatment for illness or injury, if such illness or injury is directly due to risks incurred in the course of their official duties :--

- a) Assistant Medical Officer, compounders, dressers, dais, head attendants, deputy head attendants, matrons and assistant matrons of the Punjab Mental Hospital and all Hospital revised servants employed in the Provincialised hospitals in Punjab

and; the Mayo Hospital,; Lahore.

- b) Government servants employed in Government Presses, whether on fixed pay or at piece rates:
- c) Subordinates employed in Government laboratories.
- d) Subordinates employed on the working of Government machinery
- e) Peons and guards in permanent employ
- f) Syces in the Department of Animal Husbandry.
- g) Linesmen, oilers and cleaners employed in the Public Works Department, Electricity Branch.

NOTE.—The grant of hospital leave is subject; to the condition that the leave-salary is not in addition to the benefits that the employee may be entitled to under section 4 (1) (d) of the Workmen's Compensation Act, but is inclusive of them.

8.90 The competent authority under Rule 8.24 of these rules may grant hospital leave to Government servants of the following classes while under medical treatment for illness or injury, if such illness or injury is certified not to have been caused by irregular or intemperate habits:--

- a) All police officers of and below the rank of Head Constable.
- b) Forest subordinates, other than clerks, in receipt of pay not exceeding
- c) Head warders, warders and orderlies, male and female and matrons of the Jail Department whose pay does not exceed Rs. 50 per mensem.
- d) The following staff of the Punjab Mental Hospital :--
 - i. European warders.
 - ii. Superior warders.
 - iii. Head attendants, and
 - iv. Attendants.

8.91 Hospital leave shall in no case exceed six months in any one term of three years, whether such leave is taken at one time or by instalments, full average pay being allowed for the first three months and half average pay thereafter.

NOTE.—The proviso to Rule 8.77 is also applicable to leave salary in cases falling under this rule subject to the conditions mentioned therein.

- 8.92** Hospital leave is not debited against the leave account and may be combined with any other leave which may be admissible: provided that, the total period of leave, after such combination, shall not exceed 28 months.

LEAVE TO MILITARY OFFICERS

- 8.93** A competent authority may grant leave of the following kinds to military officers in civil employ who remain subject to the Military Leave Rules and to non-commissioned officers in civil employ:—

a)

- i.** Leave on average pay for four months at a time not exceeding in all, the privilege leave which it would be permissible to grant to him under the rules applicable to his case on the date on which he became subject to Fundamental Rule 100 or to this rule, as the case may be, plus 1/11th of the duty performed by him from the beginning of the calendar year following that in which he became subject to Fundamental Rule 100 or to this rule, as the case may be:

Provided that, if privilege leave under military rules is not admissible in respect of the calendar year of transfer because the Government servant has not actually performed duty in the military department during that year, duty counting for leave on average pay shall commence on the date on which he became subject to Fundamental Rule 100 or to this rule :

Provided further that, in the case of a Government servant, who became subject to Fundamental Rule 100 before the 4th of December, 1928 and who took privilege leave under military rules ending during the first six months of the calendar year in which he became subject to that rule, duty counting for leave on average pay shall begin from a date six months after the end of such privilege leave, but so that in no case shall duty performed before the date on which he became subject to that rule count:

Provided further that, in the case of a Government servant serving in a vacation department the provisions of Rule 8.75 shall apply mutatis mutandis to the calculation and grant of leave under sub-clause (i) above:

Provided further that, a Government servant holding substantively a tenure post who is temporarily reverted to military duty, shall be treated as if he had remained subject to this rule throughout the period of his absence from his civil post, any privilege leave taken under military leave rules during that period being treated as leave on average pay taken under this rule.

- ii.** Any leave, other than privilege leave, admissible under military rules, either alone or in combination with leave on average pay.
- a)** The total period of leave should be regulated by the limits in force under the military rules to which the Government servant is subject.
- b)** Leave may be retrospectively commuted by the authority which granted it into any other kind of leave which was admissible to the Government servant concerned at

the time when it was granted:

Provided that, except in the case of a Government servant holding substantively tenure post, no leave under sub-clause (ii) of clause (a) of this rule may be granted to the Government servant unless the Government is prepared to re-employ him immediately upon the termination of the leave:

Provided also that, in the case of a Government servant holding substantively a tenure post, leave under sub-clause (i) of clause (a) may be granted so as to extend beyond the expiry of such term if the leave has been applied for in sufficient time before the expiry of the fixed term and refused owing to the exigencies of the public service.

NOTE 1. ---In the case of a military officer to whom privilege leave was granted under the military rules in respect of a particular official year, instead of a calendar year, service for leave under the civil rules should reckon from the first day of the next official year.

NOTE 2.—In reckoning service for the purpose of calculating leave under this rule a period of six months should be excluded after the expiry of the privilege leave mentioned in sub-clause (a) (i) whether this is taken by itself or combined with other leave.

NOTE 3.—Leave on average pay extending beyond the term of civil appointment is not admissible to military officers holding civil appointments of limited tenure even though the military authorities may agree to the grant of leave.

LEAVE TO GOVERNMENT SERVANTS ON DEPUTATION OUT OF PAKISTAN

8.94 Unless the competent authority in any case otherwise directs, the following provisions apply to Government servants placed on deputation out of Pakistan, under conditions declared to be non-European if the period of the deputation exceeds one year :-

- a)** The period of deputation shall not count as duty for the purposes of this Chapter. 118
- b)** The amount of leave which can be earned by the deputation shall be determined by the competent authority. Such leave can only be taken during the period of deputation and will not be credited or debited in the Government servant's leave account.

Leave salary during such leave shall be equal to the rate of deputation pay:

Provided that, where a deputation originally sanctioned for one year or less is subsequently extended so that the total period exceeds one year, these provisions shall apply only in respect of the period in excess of one year.

PART B.--LEAVE TO PROBATIONERS AND APPRENTICES/LEAVE RESERVES LEAVE TO PROBATIONERS

8.95 During the period of probation a probationer is entitled to leave as follows:-

1. If appointed under contract; or contract, to such leave as is prescribed in his contract, or
2.
 - i. if there be no such prescription in contract, or
 - ii. if appointed otherwise, to such leave as would be admissible to him under the leave rules which would be applicable to him if he held his post substantively otherwise than on probation. If for any reason it is proposed to terminate the services of a probationer, any leave which may be granted to him should not extend beyond the date on which the probationary period as already sanctioned or extended expires, or any earlier date on which his services are terminated by an order of an authority competent to appoint him.

[See also Rule 8.59.]

LEAVE TO APPRENTICES/LEAVE RESERVES

8.96 During the period of apprenticeship an apprentice/leave reserve is entitled to leave as follows :—

1. If appointed under contract, to such leave as is prescribed in his contract; or
2.
 - i. if there be no such prescription in the contract; or
 - ii. if appointed otherwise ;
 - a) to leave on medical certificate on leave salary equivalent to half average pay for a period not exceeding one month in any year of apprenticeship ; and
 - b) to extraordinary leave under Rule 8.76. See also Rule 8.59.

NOTE 1.—This rule has reference to leave earned or taken during the apprenticeship period only and not afterwards. See also Rule 2.16(a) (1).

NOTE 2.—Leave earned by apprentice clerks/leave reserve clerks while officiating in higher posts shall lapse on their reversion to the posts of apprentice clerks/leave reserve clerks. Service rendered as officiating clerk shall, however, count for leave as an apprentice leave reserve/provided the person concerned has not availed himself of any leave earned as officiating clerk prior to reversion.

PART C--LEAVE EARNED BY TEMPORARY AND OFFICIATING SERVICE, SERVICE WHICH IS NOT CONTINUOUS AND PART-TIME SERVICE OR SERVICE

REMUNERATED WHOLLY OR PARTIALLY BY THE PAYMENT OF HONORARIA OR DAILY WAGES

Leave earned by temporary and officiating service.

- 8.97** A competent authority may grant to a temporary engineer of the Public Works Department leave on such terms with such leave salary as it may think fit : Provided that, the leave and leave salary are not in excess of those admissible to a Government servant subject to the ordinary leave rules.
- 8.98**
- i. Except as provided in Rules 8.56 and 8.101 leave may be granted to any other Government servant except a member of the work-charged establishment of the Public Works Department without a lien on a permanent post while officiating in a post or holding a temporary post if he has officiated in or held such post continuously for at least two years, as follows:-
 - a) leave on leave salary equal to average pay up to one-eleventh of the period spent on duty, subject to a maximum of four months at a time ; or
 - b) on medical certificate, leave on leave salary equivalent to half average pay up to two-elevenths of the period spent on duty, subject to a maximum of three months at a time ; or
 - c) extraordinary leave for three months at any one time ;
 - d) any combination of leave under clauses (a), (b) and (c) above, subject to a maximum of six months in all at any one time.
 - ii. If he has officiated in a post or held a temporary post for less than two years continuously he may receive leave as described above only if the grant of the leave involves no expense to Government.

NOTE 1.—Leave of a person on re-employment after retiring on superannuation or retiring pension is governed under this rule. See note below Rule 8.2.

NOTE 2.—The maximum period of six months mentioned in clause (i) (d) does not include the period of vacation, if any, with which the leave is combined.

Exception 1.—In the case of a Government servant officiating in a permanent post or holding a temporary post, in a vacation department, leave granted under clause (a) of this rule shall be on leave salary equivalent to half average pay: Provided that, such a Government servant may be granted, under that clause, leave on leave salary equivalent to full average pay to the extent of one month for each year of duty in which he has not availed himself of any part of the vacation. If a part only of the vacation has been taken in any year, the period of

leave on average pay admissible under the above proviso will be reduced by a fraction of a month equal to the proportion which the part of the vacation taken bears to the full period of the vacation.

Exception II.—In the case of the temporary technical establishment of the Punjab Government Press the condition that there should be no extra expense involved in granting leave shall be enforced even if the temporary service is not less than 2 years.

Exception III. ---The maximum limit prescribed in clauses () and (d) above does not apply to leave taken by teachers for the purpose of undergoing a regular course of training. In such cases the limit of extraordinary leave under clause (c) or any combination of leave under clauses (a) and (c) above shall be subject to a maximum of twelve months which the Director of Public Instruction can grant himself.*

Exception IV. ---In the case of inferior Government servants, the leave salary allowed under clause (i) of this rule will be subject to the same condition as is laid down in the 2nd proviso to Rule 8.77.

NOTE.—Leave to an officiating Government servant can be granted during the incumbency of the officiating tenure of a post and not afterwards, as an officiating Government servant ceases to hold any connection with that post as soon as he leaves it".

- 8.99** If such a Government servant is, without interruption of duty, appointed substantively to a permanent post, his leave account will be credited with the amount of leave which he would have earned by his previous duty if he had performed it while holding a permanent post substantively, and debited with the amount of leave actually taken under Rule 8.98 or the corresponding rule previously in force. Such leave is not an interruption of duty for the purpose of this rule.

NOTE 1.—For the purpose of this rule uninterrupted temporary or officiating service rendered before 1st January, 1922, including privilege leave during such service may be taken into account in calculating the amount of leave to be credited to a Government servant's leave account. Leave taken under Rule 1 in article 336, or Rule 2 in article 339, Civil Service Regulations (Fifth Edition-third Reprint) or article 320 (b) thereof as modified by Government of India, Finance Department, Resolution No. 1367 C.S.R., dated 29th July, 1920, should not be regarded as constituting an interruption of service for this purpose.

NOTE 2.—Resignation of the public service, even though it is followed immediately by re-employment, should entail forfeiture of past service for the purpose of leave under these Rules and should therefore constitute an "interruption of duty for the purpose of this rule".

- 8.100** Temporary and officiating service rendered under the Central Government or any Provincial Government will, if followed by confirmation under the Punjab Government without interruption of duty, be taken into account for the purpose of the leave account maintained under Rule 8.51, provided that under the rules laid down by the other Government such service would have counted had the Government servant in question continued in the service of that Government without a break of service till confirmation.
- 8.101** In the case of temporary establishment which is paid from contingencies on contingent bills leave under Rule 8.98 may be granted only when no extra charge is imposed on the State.
- 8.102** The provisions of Rule 8.22 apply mutatis mutandis to temporary and officiating Government servants whose leave is regulated by the rules in this part.
- 8.103** The concessions in Rules 8.91 and 8.92 are also applicable to head constables and constables of the Additional Police Force, attendants in the Punjab Mental Hospital, Lahore and the inferior and superior temporary establishment of the Government Presses, Punjab, Lahore, whose leave is regulated by the rules in this part. Similarly, the concession in Rule 8.90 is applicable to the head constable and constables of the Additional Police Force and attendants in the Punjab Mental Hospital, Lahore, and that of Rule 8.89 is also applicable to the inferior and superior temporary establishment of the Government Presses, Punjab, Lahore

**LEAVE ADMISSIBLE TO PART-TIME GOVERNMENT SERVANTS AND
GOVERNMENT SERVANTS WHOSE SERVICE IS NOT CONTINUOUS.**

(i) Law Officers.

ASSISTANT LEGAL REMEMBRANCERS

- 8.104** An Assistant Legal Remembrancer, whose pay is fixed at a definite rate but his whole-time is not retained for the service of Government, may be granted leave as follows :-
- a)** Leave on full pay during the vacation of the High Court, provided that no extra expense is thereby caused to Government. Such leave will be counted as duty.
 - b)** Leave on half pay for not more than six months once only in his service after six years of duty.
 - c)** On medical certificate, leave on half pay up to a maximum of 20 months at any one time provided that, three years of duty must intervene between any two periods of leave on medical certificate.
 - d)** On the conditions prescribed in Rule 8.76, extraordinary leave.
- 8.105** Leave under any one of the clauses of Rule 8.104 may be combined with leave under any other clause.

PUBLIC PROSECUTORS

8.106

1. Public Prosecutors will ordinarily be permitted to absent themselves from their duties during the period for which the court of the Sessions Judge is closed for the summer vacation, up to a maximum of one month if the state of work permits ; but such permission may be withdrawn by the Legal Remembrancer when the work so requires. In this case, it should not be necessary to appoint any other person to perform the duties of the Public Prosecutor, who will be permitted to draw his consolidated monthly fees for the period of his absence.
2. When a Public Prosecutor is refused permission to absent himself from duty during the period of the Sessions Court's vacation, he may, with the sanction of Government, be permitted to absent himself from duty at some other time of the year for a period not exceeding one month, during which time he will continue to draw his consolidated monthly fees.
3. Apart from the concession in clause (2) a Public Prosecutor may be permitted by the Legal Remembrancer to absent himself from his duties at any time of the year up to a period of three months, or for a longer period with the sanction of the Government, during which time he will not be entitled to any remuneration other than that provided in clause (6) below.
4. During the absence from duty of a .Public Prosecutor under the provisions of any of the above clauses arrangements may be made by the Legal Remembrancer for the discharge of his duties by another legal practitioner. The Legal Remembrancer may engage a private practitioner either on fees for individual cases at the rates fixed by Government for the employment of private practitioners for criminal case work, or on consolidated fees not exceeding Rs. 400 per month, whichever alternative is in the opinion of the Legal Remembrancer most economical and conducive to efficiency. Such appointment will be made by the Legal Remembrancer in consultation with the local authorities.
5. If no suitable legal practitioner is willing to do the work on Rs. 400 per mensem or if the appointment of a private practitioner on fees does not appear appropriate or economical, the Deputy Commissioner should refer the matter with his recommendations to the Legal Remembrancer for the orders of Government.
6. If the period of absence (other than any period during which the Public Prosecutor is entitled to draw full fees) does not exceed one month, the Public Prosecutor may be allowed to draw the difference, if any, between the rate fixed for his fees and the sum paid to his substitute or substitutes.
7. When the same Public Prosecutor is attached to more districts than one, the Deputy Commissioner of each district concerned must be consulted.

GOVERNMENT PLEADERS

8.107

- a) Government Pleaders must arrange that their services are available at all times, other than the period of the vacation fixed for subordinate civil courts, unless permission of absence has been given.
- b) Government Pleaders who are not Public Prosecutors may be given permission of absence at any time of the year provided that, they can be spared. Such permission must be obtained from the Legal Remembrancer through the Deputy Commissioner.

(ii) Editor And Reporters Of The Pakistan Law Reports

8.108 The Editor and Reporters engaged in the production of the Pakistan, Law Reports (Lahore Series) who are part-time Government servants may be granted leave on average pay up to one-eleventh of the period spent on duty subject to a maximum of four months at a time, provided that no extra expense is thereby caused to Government.

(iii) Departmental Sub-Registrars

8.109 Subject to the deduction of the amount of leave actually enjoyed from the amount of leave of the same sort which has been earned, a Departmental Sub-Registrar may be granted leave as follows :-

i. Leave with pay~

- a) leave on full pay not exceeding one year in the whole of his service up to one-eleventh of the period spent on duty, subject to a maximum amount of leave of four and a half months at a time of which one-and-a-half month may be leave without medical certificate and the rest leave on medical certificate ; and
- b) leave on medical certificate on half pay for not more than six months during his service after the completion of six years of duty.

ii. Leave without pay--

- a) without medical certificate for a period not exceeding one year during the whole of his service;

a sub-registrar, who is also a member of the Central or Provincial Legislature may in addition be granted leave for the period he actually attends the meetings of such legislature or of its select committees;

- b) on medical certificate without any limit.

iii. Any combination of leave under clauses (i) (a), (ii) (b), (ii) (a) and (ii) (b), provided that no combination under clauses (i) (a), (i) (b) and (ii) (a) at any one time exceeds one year.

LEAVE ADMISSIBLE TO GOVERNMENT SERVANTS REMUNERATED WHOLLY OR PARTIALLY BY THE PAYMENT OF HONORARIA OR DAILY WAGES.

8.110 A Government servant remunerated by honoraria may be granted leave on the terms laid down in Rules 8.104 and 8.105 : provided that, he makes satisfactory arrangements for the performance of his duties, that no extra expense is caused to Government, and that, during leave for the kind contemplated by clause (b) of Rule 8.104, the whole of the honoraria are paid to the person who officiates in his post,

8.111 A section-writer or a temporary press servant, paid under the piecework system, or a daily labourer employed in the Public Works Department, if granted leave, is not entitled to any leave salary whatever during his absence.

8.112

1. Labourers employed on a daily wages in Government workshops, power-houses, quarries, electric sub-stations and other similar institutions, or on demolition of buildings, or on blasting operations on roads, or on a power line, a telephone line, or a haulage way in the Electricity Branch of the Public Works Department, who are injured while on duty, may be granted leave while under medical treatment for the injury : provided that, the injury is directly due to risks incurred in the course of their official duties.

2. The total amount of leave granted under clause (1) in any one term of 3 years shall not exceed six months, full wages being allowed for the first three months and half wages thereafter inclusive of compensation under the Workmen's Compensation Act, where such compensation is payable.

8.113 Female servants employed at piece rates or daily rates in permanent or quasi-permanent Government institutions or concerns may be granted maternity leave in accordance with the provisions of Rules 8.87 and 8.88.

LEAVE RULES APPLICABLE TO PERMANENT PIECE-WORKERS EMPLOYED IN THE PUNJAB GOVERNMENT PRESSES WHO ARE NOT CLASSED AS "INFERIOR"

8.114

1.

a) Leave on-average pay will be granted to piece-workers according to their service as shown below :-

<i>Length of service</i>	<i>Leave admissible</i>
Less than 10 years	16 days in each calendar year.
10 years but less than 15 years.	23 days in each calendar year.
15 years and above	31 days in each calendar year.

A permanent industrial employee transferred from the salaried to the piece establishment will be granted in the calendar year in which the transfer takes place such amount of leave as will bear to the appropriate period of leave specified in the second

column of the table above, the same ratio as the portion of the year beginning with the date of transfer bears to the whole year.

NOTE.—In calculating the length of service, the period of continuous temporary service rendered by a piece-worker up to the date of his being brought on to the permanent establishment continuous inferior service rendered up to the date of his promotion to superior service as well as continuous service (temporary and permanent) on the salaried establishment shall be taken into account.

- b) The leave admissible under sub-clause (a) will be non-cumulative, i.e., any leave not taken during the year will lapse without any monetary compensation. In the case of a permanent industrial employee transferred from the salaried to the piece establishment the account of his leave on average pay shall commence with a credit equal to any balance of leave on average pay standing to his credit on the date of his transfer under clause (1) of Rule 8.115. The leave so credited may be taken by him at any time during his service in the piece establishment either alone or in combination with the leave admissible under sub-clause (a) and in the latter case the maximum amount of combined leave that may be granted at any one time shall not exceed four months.
 - c) Gazetted holidays actually enjoyed may, at the option of the pieceworker, be counted against any leave admissible to him under sub-clause (a) or (b) and if so, counted, will be paid for.
 - d) The grant of leave under these rules cannot be claimed as of right and can be refused by the authority competent to grant leave on administrative grounds. It may also be withheld from piece-workers who have been irregular in attendance.
2. Leave on medical certificate on half average pay will be earned at the rate of one month's leave for every complete period of eleven month's-duty, and as regards incomplete periods one day's leave for every 11 days duty. It will be cumulative and will be granted only when no average pay leave is admissible. In the case of a permanent industrial employee transferred from the salaried to the piece establishment no account shall be taken of the leave on medical certificate already enjoyed under clause (4) of Rule 8.115 prior to his transfer to the piece establishment.
 3. Leave without pay may be granted when no other leave is admissible.
 4. No continuous period of leave with pay shall exceed one year; any extension over one year shall be leave without pay.
 5. Injury leave at half pay rates may be granted to a piece-worker who is injured in circumstances which would have given rise to a claim for compensation under the Workmen's Compensation Act, 1923 (VIII of 1923), if he had been a workman as defined therein, whether or not proviso (a) to sub-section (1) of section 3 of that Act is applicable. Such leave shall not be deemed to be leave on medical certificate for the purpose of clauses (2) and (4). It shall be granted from the commencement of

disablement for so long as is necessary, subject to a limit of two years for any one disability and a limit of five years during a piece-worker's total service, including service, if any, on the salaried establishment. Leave granted under clause (5) of Rule 8.115 shall be taken into account in applying these limits. The salary payable in respect of a period of leave granted under this clause shall, in the case of a piece-worker to whom the provisions of the Workmen's Compensation Act, 1923 (VIII of 1923) apply, be reduced by the amount of compensation paid under clause D of subsection (1) of section 4 of that Act.

6. Pay or average pay means remuneration at class rates at the time of taking leave.

NOTE—For the purposes of determining the classification of service of a piece-worker who may be in superior service in one month and in inferior service in another month on account of fluctuation in his earnings, the monthly emoluments shall be taken as equivalent to two hundred times his hourly class rate.

LEAVE RULES APPLICABLE TO PERMANENT SALARIED INDUSTRIAL EMPLOYEES IN THE PUNJAB GOVERNMENT PRESSES WHO ARE NOT CLASSED AS INFERIOR.

8.115

1.

- a)** Leave on average pay will be earned at the rate of one month's leave for every complete period of eleven months duty and as regards incomplete periods, one day's leave for every eleven days' duty:

Provided that, no such leave can be earned by any employee who has four months' leave on average pay to his credit.

NOTE.—Duty rendered during the period of continuous service prior to confirmation will count for leave under this clause, the leave taken on each occasion during that service being deducted from the leave earned in respect of duty rendered prior to such occasion.,

- b)** In the case of a permanent industrial employee transferred from the piece to the salaried establishment, the account of his leave on average pay shall commence with a credit or debit, as the case may be, equal to the difference between-
- i.** Such fraction of leave admissible to him under sub-clause (a) of clause of Rule 8.114 for the calendar year in which the transfer takes place as is equal to the proportion which the portion of the year preceding the date of transfer bears to the whole year; and
- ii.** any leave already taken by him out of the leave admissible:

Provided that, the said credit shall not be taken into account in calculating the four months leave on average pay specified in sub-clause (a) above.

- c) When the total period of leave on average pay standing to the credit of an employee under sub-clauses (a) and (b) is more than four months, the maximum amount of leave on average pay that may be granted to him at any one time shall not exceed four months. In the case of an employee whose account of leave on average pay commences with a debit, no leave on average pay shall be granted until the expiry of a fresh period spent on duty sufficient to earn such credit as will permit the leave to be granted after cancelling the debit.
2. On the production of a medical certificate, to the leave due under the preceding clause, there may be added, subject to clause (4) leave on half average pay up to three months, and a further extension of leave on half average pay not exceeding three months may be granted on the production of a fresh medical certificate granted by the officer in chief medical charge of the district in which the employee is residing.
 3. Leave without pay may be granted when no other leave is admissible.
 4. The total amount of leave on medical certificate admissible to any employee during his service on the salaried establishment shall not exceed two years. In the case of permanent industrial employee transferred from the piece to the salaried establishment, the leave on medical certificate, if any, at his credit under clause (2) of Rule 8.114 on the date of transfer shall automatically lapse and no account shall be taken of the leave on medical certificate already enjoyed by him as a piece-worker prior to his transfer to the salaried establishment
 5. Injury leave at half pay rates may be granted to a permanent salaried, industrial employee below the grade of Overseer, who is injured in circumstances which would have given rise to a claim for compensation under the Workmen's Compensation Act, 1923 (VIII of 1923) if he had been a workman as defined therein, whether or not proviso (a) to subsection (1) of section 3 of that Act is applicable. Such leave shall not be deemed to be leave on medical certificate for the purposes of clause (4). It shall be granted from the commencement of disablement for so long as is necessary subject to a limit of two years for any one disability and a limit of five years during an employee's total service, including service, if any, on the piece establishment. Leave granted under clause (5) of Rule 8.114 shall be taken into account in applying these limits. The salary payable in respect of a period of leave granted under this clause shall in the case of an employee to whom the provisions of the Workmen's Compensation Act, 1923 (VIII of 1923) apply be reduced by the amount of compensation paid under clause (d) of subsection (1) of section 4 of that Act.

SECTION III. ---Rules applicable to Government servants belonging to category (3) mentioned in Rule 8.53.

Definitions

8.116 In the rules in this section-

"leave" includes earned leave, leave on private affairs, leave on medical certificate

and extraordinary leave;

"earned leave" means leave earned in respect of periods spent on duty;

"earned leave due" means the amount of earned leave, calculated as prescribed in Rule 8.119 or Rule 8.136 diminished by the amount of earned leave taken;

"Government servant in a permanent employ" means a Government servant who holds substantively a permanent post or holds a lien on a permanent post or who would hold a lien on a permanent post had his lien not been suspended. It also includes a provisionally permanent Government servant.

General Rules and Conditions

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

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

PART A.--LEAVE TO GOVERNMENT SERVANTS IN PERMANENT EMPLOY

GENERAL PROVISIONS

(i) Earned leave.

8.119 The earned leave admissible to a Government servant is-

a) to a Government servant in superior service-

- i.** if of non-Asiatic domicile recruited in Pakistan and entitled to leave passage concessions one-ninth;
- ii.** if not included in sub-clause (i)--one-eleventh, and

b) to a Government servant in inferior service—one twenty-second of the period spent on duty:

Provided that, when the earned leave due amounts to~

- i.** **150** days in the case of a Government servant included in sub-clause (i) of clause (a),
- ii.** **120** days in the case of a Government servant included in sub-clause (ii) of clause (a), who belongs to a Provincial service or who holds a special post,
- iii.** **90** days in the case of other Government servants included in sub-clause (a) (ii) above, belonging to a subordinate service ; and
- iv.** **30** days in the case of Government servants in inferior service, the Government

servant ceases to earn such leave.

NOTE 1.—A Government servant in superior service in temporary employ serving in the Public Works Department whose post is likely to continue on a quasi-permanent basis, will, after a continuous service of two years, be treated as Government servants in permanent employ for purposes of earned leave.

This note does not apply to a Government servant holding such a temporary post in an officiating capacity only. The leave of such a Government servant would be governed by the Rule 8.136 below.

The temporary posts of artificers on the regular temporary establishment in the Public Works Department, Irrigation Branch, are treated as on a quasi-permanent basis for the purpose of this note.

NOTE 2.—A temporary Government servant in superior service employed on colonisation work, whose post is likely to continue on a quasi-permanent basis for a period at least twelve years, will, after a continuous service of two years, be treated as a Government servant in permanent employ for the purposes of earned leave. The leave of a Government servant holding such a temporary post in an officiating capacity will be governed by Rule 8.136.

8.120

- a) Earned leave is not admissible to a Government servant serving in a vacation department in respect of duty performed in any year in which he avails himself of the full vacation.
- b) The earned leave admissible to such a Government servant in respect of any year in which he is prevented from availing himself of the full vacation is such proportion of 36 days' earned leave if he is included in sub-clause (i) of clause (a) of Rule 8.119 or of 30 days' earned leave if he is included in sub-clause (ii) of clause (a) of Rule 8.119, or of 15 days' earned leave if he is in inferior service as the number of days of vacation not taken bears to the full vacation.

If in any year he does not avail himself of the vacation, earned leave is admissible to him in respect of that year in accordance with the provisions of Rule 8.119.

- c) 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—
 - i. **150** days in the case of a Government servant included in sub-clause (i) of clause (a) of Rule 8.119 ;
 - ii. **120** days in the case of a Government servant included in sub-clause (ii) of clause (a) of Rule 8.11-9 who belongs to a Provincial Service or who holds a special post;

- iii. 90 days in the case of a Government servant belonging to a subordinate service; and
- iv. 30 days in the case of a Government servant in inferior service.

NOTE.—The term "year" occurring in this rule should be interpreted to mean not a calendar year in which duty is performed, but twelve months of actual duty. The earned leave admissible to a Government servant on a particular date should be calculated in the manner indicated in notes 3 and 4 below Rule 8.75.

8.121 Subject to the provisions of Rules 8.15 and 8.23, a Government servant may at any time be granted the whole or any part of the earned leave due to him.

NOTE.—In calculating "earned leave" the actual number of days of duty performed should first be counted and then multiplied by 1/9th, 1/11th, or 1/22nd, as the case may be, the product expressed in days (and fraction of a day) and limited to 150,120, 90 or 30 days as the case may be. In the case of leave enjoyed under the Punjab Revised Leave Rules, 1936, prior to 30th November, 1936, no re-adjustment of leave salary paid prior to that date should be made, but the correct balance of earned leave, as it would have been if the correct method of calculation given above had been applied from the date on which the Government servant became subject to those rules should be re-calculated as and when each person concerned proceeds on leave after the 30th November, 1936.

(ii) Leave on private affairs.

8.122 Leave on private affairs may be granted to a Government servant in superior service to the following extent, namely :--

- a) if belonging to a Provincial Service or a Specialist Service for 18 months in all, and on any one occasion for not more than 3 months if spent wholly in Pakistan or for not more than 9 months if spent wholly outside Pakistan, if the leave is spent partly in and partly outside Pakistan, the period shall be 3 months plus such time as is actually spent outside Pakistan subject to a maximum total period of 9 months;
- b) if belonging to a Subordinate Service for 12 months in all, and on any one occasion not more than 3 months if spent wholly in Pakistan or for not more than 6 months if spent wholly outside Pakistan; if the leave is spent partly in and partly outside Pakistan, the period shall be 3 months plus such time as is actually spent outside Pakistan subject to a maximum total period of 6 months":

Provided that, no such leave may be granted unless the authority competent to sanction leave has reason to believe that the Government servant will return to duty on its expiry (or unless it is included in the grant of leave expressed to be preparatory to retirement).

NOTE.—For the purposes of this rule 'Pakistan' shall be held to

include India.

(iii) Leave on medical certificate.

8.123 Leave on medical certificate not exceeding 12 months in all during a Government servant's service may be granted to him. Such leave shall be given only on the production of a medical certificate as prescribed in Rules 8.8* to 8.14, and for a period not exceeding that recommended by the medical authority; provided that, when the maximum period of 12 months is exhausted, further leave on medical certificate not exceeding six months in all may be granted in exceptional cases :

Provided further that, no leave may be granted under this rule unless the authority competent to sanction leave is satisfied that there is a reasonable probability that the Government servant will be fit to return to duty on its expiry

NOTE.—Except in cases of the kind referred to in Rule 8.12 when the certificate prescribed therein will be sufficient, leave, under the proviso to this rule shall be granted to non-gazetted Government servants only on production of a certificate from the medical board or a medical committee. As regards gazetted Government servants except in the cases covered by Rule 8.12 the medical certificate shall, irrespective of the amount of leave, be always from a medical committee or medical board, vide Rules 8.9 and 8.10.

(iv) Extraordinary leave

8.124

1. Extraordinary leave may be granted to any Government servant in special circumstances-
 - a) when no other leave is by rule admissible; or
 - b) when other leave is admissible, but the Government servant concerned applies in writing for the grant of extraordinary leave.
2. The authority empowered to grant leave may commute retrospectively periods of absence without leave into extraordinary leave.

NOTE---See also note 2 below Rule 8.76 (b).

LEAVE SALARY

8.125

1. A Government servant on earned leave is entitled, if in permanent employ, to leave salary equal to his average pay or to his average substantive pay for the 12 complete months preceding the month in which leave is taken, whichever is greater.

2. A Government servant on leave' on private affairs or leave on medical certificate is entitled to leave salary equal to half of his average pay or to half of his average substantive pay for the 12 complete months preceding the month in which leave is taken, whichever is greater, subject to a maximum of Rs. 750 per mensem:

Explanation. ---For the purposes of this rule, average pay means the average monthly pay earned during the 36 complete months preceding the month in which .the event occurs which necessitates the calculation of average pay, and substantive pay means the pay of the permanent post which the Government servant holds substantively or on which he holds lien or would hold lien had the lien not been suspended.

3. A Government servant on extraordinary leave is not entitled to any leave salary.

- 8.126 The drawal of compensatory allowance by Government servants on leave in addition to leave salary is regulated by the rules in Chapter V.

ADDITIONAL KINDS OF LEAVE IN SPECIAL CIRCUMSTANCES

(i) Special Disability Leave.

- 8.127 In the circumstances and subject to the conditions laid down in clauses (1) to (5), (8) and (9) (and note under it) of Rule 8.83, special disability leave may be granted as follows:-'

1. Such leave shall be counted as duty in calculating service for pension, but half the amount of such leave on full pay taken under sub-clause (b) of clause(2) below shall be counted as "earned leave" taken.
2. Leave salary during such leave shall be equal-
 - a) for the first 120 days in the case of members of provincial and specialist services, 90 days in the case of members of subordinate services and 30 days in the case of inferior Government servants, including a period of such leave granted under clause (5) of Rule 8.83, to full pay ;and
 - b) for the remaining period of any such leave to half pay; or at the Government servant's option for a period not exceeding the period of earned leave otherwise admissible to him under Rule 8.119 or 8.120, to full pay.

NOTE.—The words "full pay" or "half pay" occurring in this clause mean full or half the pay on the last day of duty prior to the commencement of leave.

- 8.128 The application of the provisions of the last preceding rule may, subject to the conditions given below, and to the conditions (i) and (ii) under Rule 8.84, be extended by a competent authority to a Government servant disabled in the circumstances stated in Rule 8.84:-

1. the period of absence recommended by the medical board may be covered in part by leave under this rule and in part by other leave;
2. the amount of special disability leave granted on full pay should be less than 120,90 or 30 days as the case may be.

(ii) Study leave.

8.129 Leave may be granted to Government servants on such terms as may be prescribed by general or special orders of the competent authority to enable them to study scientific, technical or similar problems or to undergo special courses of instruction. Such leave is not debited against the leave account.

NOTE. ---For general orders issued under this rule see Appendix 20.

(iii) Maternity leave and Hospital leave.

8.130 Rules 8.87 to 8.90 and 8.92 apply mutatis mutandis to Government servants subject to the rules in this Part.

8.131 Hospital leave shall in no case exceed six months in any one term of three years, whether such leave is taken at one time or by instalments, full pay being allowed for the first three months and half pay thereafter.

NOTE.—The word "pay" in this rule means the pay on the last day of duty prior to the commencement of leave.

LEAVE TO MILITARY OFFICERS

8.132 A competent authority may grant leave of the following kinds to a military officer in civil employ who remains subject to the military rules and to a noncommissioned officer in civil employ:-

a)

- i. Earned leave for 120 or 90 days at a time, as the case may be, not exceeding all, the privilege leave which it would be permissible to grant to him under the rules applicable to his case on the date on which he became subject to the Punjab Revised Leave Rules, 1936, or to this rule, plus one-eleventh of the duty performed by him from the beginning of the calendar year following that in which he became subject to those rules or to this rule:

Provided that-

1. when earned leave including the privilege leave at his credit under the military rules applicable to his case on the date on which he became subject to the Punjab Revised Leave Rules, 1936, or to this rule, amounts to-
 - i. 120 days in the case of a Government servant belonging to a Provincial Service, or to a Specialist Service; and

- ii. 90 days in the case of a Government servant belonging to a Subordinate Service,
The Government servant ceases to earn leave;
- 2. if privilege leave under the military rules is not admissible in respect of the calendar year of transfer because the Government servant has not actually performed duty in the military department, during that year, duty counting for earned leave shall commence on the date on which he became subject to the Punjab Revised Leave Rules, 1936, or to this rule;
- 3. in the case of a Government servant serving in a vacation department, the provisions of Rule 8.120 shall apply mutatis mutandis to the calculation and grant of leave under this sub-clause; and
- 4. a Government servant holding substantively a tenure post who is temporarily reverted to military duty, shall be treated as if he had remained subject to this rule throughout the period of his absence from his civil post, any privilege leave taken under military leave rules during that period being treated as earned leave taken under this rule.
- ii. Any leave, other than privilege leave, admissible under military rules, either alone or in combination with earned leave.
 - b) The total period of leave should be regulated by the limits in force under the military rules to which the Government servant is subject.
 - c) Leave may be retrospectively commuted by the authority which granted it into any other kind of leave which was admissible to the Government servant concerned at the time when it was granted:

Provided that, except in the case of a Government servant holding substantively a tenure post, no leave under sub-clause (ii) of clause (a) of this rule may be granted to a Government servant unless the Government is prepared to re-employ him immediately upon the termination of the leave:

Provided also that, in the case of a Government servant holding substantively a tenure post, leave under sub-clause (i) of clause (a) may be granted so as to extend beyond the expiry of such term if the leave has been applied for insufficient time before the expiry of the fixed term and refused owing to the exigencies of the public service.

NOTE 1.—Earned leave extending beyond¹ the term of civil appointment is not admissible to military officers holding civil posts of limited tenure even though the military authorities may agree to the grant of leave.

NOTE 2. ---In the case of a military officer to whom privilege leave was granted under the military rules in respect of a particular official year instead of a calendar year, service for leave under the civil rules should reckon on the first day of the next official year.

LEAVE TO GOVERNMENT SERVANTS ON DEPUTATION OUT OF PAKISTAN

8.133 The provisions of Rule 8.94 regarding leave admissible to Government servants on deputation out of Pakistan apply mutatis mutandis to Government servants subject to the rules in this section.

PART B.-LEAVE TO PROBATIONERS AND APPRENTICES LEAVE RESERVES

Leave To Probationers

8.134 During the period of probation a probationer is entitled to leave as specified in Rule 8.95 and sub-rule (1) under it.

Leave To Apprentices Leave Reserves

8.135 During the period of apprenticeship an apprentice Leave Reserves is entitled to leave as follows:-

1. if appointed under contract, to such leave as is prescribed in his contract; or
- 2.
- ii. if there be no such prescription in the contract; or
- iii. if appointed otherwise;
 - a) to leave on medical certificate on leave salary equivalent to half of the pay on the last day of duty prior to commencement of leave for a period not exceeding one month in any year of apprenticeship; and
 - b) to extraordinary leave under Rule 8.124.

NOTE.—The provisions of sub-rule (1) and notes 1, 2 and 3 under Rule 8.96 apply also to apprentices Leave Reserves whose leave is governed by the above rule.

PART C.--LEAVE EARNED BY TEMPORARY AND OFFICIATING SERVICE, SERVICE WHICH IS NOT CONTINUOUS AND PART-TIME SERVICE OR SERVICE REMUNERATED WHOLLY OR PARTIALLY BY THE PAYMENT OF HONORARIA OR DAILY WAGES.

LEAVE TO GOVERNMENT SERVANTS NOT IN PERMANENT EMPLOY

(i) Earned leave

8.136

- a) The earned leave admissible to a Government servant is, when he is in superior service one-twenty-second of the period spent on duty, provided that when the earned leave due amounts to 30 days he ceases to earn such leave.

- b) No earned leave is admissible to a Government servant in inferior service.
- c) Earned leave is not admissible to a Government servant serving in a vacation department.

NOTE.—Leave to an officiating Government servant can be granted during the incumbency of the officiating tenure of a post and not afterwards, as an officiating Government servant ceases to hold any connection with that post as soon as he leaves it. No leave is admissible to a temporary Government servant after the temporary post held by him ceases to exist.

Exception.--For Government servants in superior service in temporary employ serving in the Public Works Department see note under Rule 8.119.

- 8.137** A Government servant not in permanent employ appointed without interruption of duty substantively to a permanent post will be credited with the earned leave which would have been admissible if his previous duty had been duty as a Government servant in permanent employ diminished by any earned leave already taken. Leave is not an interruption of duty for the purpose of this rule.

NOTE.—The authority which granted leave to a Government servant can commute it retrospectively into leave of a different and which may be admissible but the Government servant concerned cannot claim it as a matter of right. Commutation of extraordinary leave taken during temporary service, when no other leave was due, into earned leave on confirmation without interruption of service by giving retrospective effect to the benefit of this rule would, however, be irregular.

The real intention of this rule is to provide only for a retrospective recalculation of the leave at credit on the date of confirmation with a reduction on account of the earned leave already taken. Except for the carry forward of the recalculated credit on confirmation, leave earned and taken should be a closed chapter at that point and no readjustment of any leave taken is automatically permissible as a consequence of such recalculation. The "closed chapter" may, however, properly be reopened, for instance to correct a miscalculation of leave earned or taken or to 'readjust leave earned and taken when confirmation is ordered with retrospective effect; or, at the discretion of the sanctioning authority, to convert, leave of any one kind already taken, into leave due of any other kind admissible at the time the leave was originally taken.

- 8.138** No leave is admissible to temporary establishment paid from contingencies on contingent bills. Such establishment may, however, be allowed extraordinary leave under Rule 8.140.

(ii) Leave on Medical Certificate

- 8.139** Under like conditions to those specified in Rule 8.123 leave on medical certificate may be granted to an officer not in permanent employ, who has completed one

year's continuous service, for a maximum period calculated at 15 days, if he is in superior service, or 10 days if he is in inferior service for every completed year of service less the amount of leave taken under this rule. If such an officer is without interruption of his service appointed substantively to a permanent post, any leave so granted shall be reckoned as leave on medical certificate for the purpose of Rule 8.123.

(iii) Extraordinary Leave

8.140 Subject to the provisions of Rule 8.124 extraordinary leave may be granted for a period not exceeding three months on any one occasion.

NOTE.—The maximum limit of 3 months prescribed in this rule does not apply in the case of teachers in the Education Department who are not in permanent employ and who take leave for the purpose of undergoing a course of training. In their case the limit of extraordinary leave is subject to 12 months which the Director of Public Instruction can grant himself.

(iv) Hospital Leave

8.141 The concessions in Rules 8.92 and 8.131 are applicable to head constables and constables of the Additional Police Force, attendants in the Punjab Mental Hospital, Lahore and the inferior and superior temporary establishment of the Government Press, Punjab, Lahore, whose leave is regulated by the rules in this part. Similarly the concession in Rule 8.90 is applicable to the head constables and constables of the Additional Police Force and the attendant in the Punjab Mental Hospital, Lahore and that of Rule 8.89 is also applicable to the inferior and superior temporary establishment of the Government Press, Punjab, Lahore.

(v) Leave beyond the date of compulsory retirement

8.142 The provisions of Rule 8.23 apply mutatis mutandis to temporary and officiating Government servants whose leave is regulated by the rules in this Part.

(vi) Leave salary

8.143

- i. A Government servant on "earned leave" is entitled to leave salary equal to his pay on the day before the leave commences. No leave salary is admissible during extraordinary leave.
- ii. A Government servant granted leave on medical certificate under Rule 8.139 shall be entitled to leave salary equal to half his pay on the day before the leave commences provided that the leave salary of an officer in inferior service shall not exceed what remains from his pay after providing for the efficient discharge of the duties of the post during his absence.

LEAVE ADMISSIBLE TO PART-TIME GOVERNMENT SERVANTS AND

GOVERNMENT SERVANTS WHOSE SERVICE IS NOT CONTINUOUS

LAW OFFICERS

(i) Assistant Legal Remembrancers

8.144 An Assistant Legal Remembrancer whose pay is fixed at a definite rate but his whole-time is not retained for the service of Government, may be granted leave as follows:-

- a) Leave on full pay during the vacation of the High Court, provided that no extra expense is thereby caused to Government, such leave will be counted as duty.
- b) Leave on half pay for not more than six months once only in his service after six years of duty.
- c) On medical certificate, leave on half pay up to the maximum of 12 months during whole service. When the maximum of 12 months is exhausted, further leave on medical certificate not exceeding 6 months in all may be granted in exceptional cases on the recommendation of a medical board.
- d) On the conditions prescribed in Rule 8.124 extraordinary leave.

NOTE.—Leave under any one of the clauses of this rule may be combined with leave under any other clause.

(ii) Public Prosecutors and Government Pleaders.

8.145 Leave of Public Prosecutors and Government Pleaders is regulated by Rules 8.106 and 8.107, respectively

Editor and Reporters of the Pakistan Law Reports

8.146 The Editor and Reporters engaged in the production of the Pakistan Law Reports (Lahore Series) who are part-time Government servants earn leave up to 1/11th of the period spent On duty subject to the proviso that leave earned should not any time be allowed to accumulate to an extent greater than 90 days. They can be granted leave up to the maximum of 90 days at any one time and will be allowed leave salary equal to the pay on the day before the leave commences, provided no extra expense is thereby caused to Government.

8.147 Subject to the deduction of the amount of leave actually enjoyed from the amount of leave which has been earned a Departmental Sub-Registrar may be granted leave as follows:-

i. Leave with pay-

- a) leave on full pay not exceeding one year in the whole of his service up to 1/11th of the period spent on duty subject to the conditions that-

1. leave earned cannot at any one time be accumulated or granted to an extent greater than 90 days; and
 2. of leave so granted months will be leave without medical certificate and the rest on medical certificate.
- b)** Leave on medical certificate on half pay for not more than six months during his service after the completion of six years of duty.
- ii. Leave without pay-
- a)** without medical certificate, for a period not exceeding one year during the whole of his service;

A Sub-Registrar, who is also a member of the Central or Provincial Legislature may in addition be granted leave for .the period he actually attends the meetings of such legislature or of its select committees.

- b)** on medical certificate, without any limit.
- iii. Any combination of leave under clauses (i) (a), (i) (b), and (ii) (a) and (ii) (b), provided that no combination under clauses (i) (a), (i) (b) and (ii) (a) at any one time exceeds one year.

LEAVE ADMISSIBLE TO GOVERNMENT SERVANTS REMUNERATED WHOLLY OR PARTIALLY BY THE PAYMENT OF HONORARIA OR DAILY WAGES.

8.148. A Government servant remunerated by honoraria may be granted leave as laid down in Rule 8.110.

8.149. Leave to-

1. Section-writers or temporary Press servants, paid under the piece-work system and daily labourers employed in the Public Works Department;
2. labourers employed on daily wages referred to in Rule 8.112 (1) who are injured while on duty; and
3. maternity leave to female servants employed at piece rates or daily rates in permanent or *quasi*-permanent Government institutions or concerns is governed by the Rules (i) 8.111; (ii) 8.112 and (///) 8.113, respectively.

LEAVE RULES APPLICABLE TO PERMANENT PIECE WORKERS EMPLOYED IN THE PUNJAB GOVERNMENT PRESSES WHO ARE NOT CLASSED AS "INFERIOR"

8.150.

1. Leave on full pay may be granted to piece workers according to length of their service as shown in sub-clause (a) of clause (1) of Rule 8.114 and note thereunder.

NOTE.---Sub-clauses (b) to (d) of clause (1) of Rule 8. 114 apply mutatis mutandis her also except that in sub-clause (b) for the word "four months"* and "on average "pay" where ever they occur, the words "90 days" "and "full pay", respectively shall be substituted.

2. Leave on medical certificate on half pay will be earned at the rate of one month's leave for every complete period of 11 months' duty and as regards incomplete periods one day's leave for every 11 days' duty. This leave will be granted only when no leave on full pay is admissible and will be accumulated subject to the maximum of 12 months in the whole service, provided that when the maximum of 12 months is exhausted further leave on medical certificate not exceeding six months in all will be granted in exceptional cases on the recommendation of a medical board or committee. In the case of a permanent industrial employee transferred from the salaries to the piece establishment no account shall be taken of the leave on medical certificate already enjoyed under clause (4) of Rule 8.148 prior to his transfer to the piece establishment.
3. Clauses (3), (4), (5) and (6) and note thereunder of Rule 8.114 are applicable to Government servants subject to this rule also.

LEAVE RULES APPLICABLE TO PERMANENT SALARIED INDUSTRIAL EMPLOYEES IN THE PUNJAB GOVERNMENT PRESSES WHO ARE NOT CLASSED AS INFERIOR

8.151.

1.

- a) Leave on full pay will be earned at the rate of one month's leave for every complete period of eleven months' duty and as regards incomplete periods, one day's leave for every eleven days' duty:

Provided that, no such leave can be earned by any employee who has 90 days' leave on full pay to his credit

NOTE.—Duty rendered during the period of continuous service prior to confirmation will count for leave under this clause, the leave taken on each occasion during that service being deducted from the leave earned in respect of duty rendered prior to such occasion.

- b) In the case of a permanent industrial employee transferred from the piece to the salaried establishment, the account of his leave on full pay shall commence with a credit or debit as the case may be, equal to the difference between-
 - i. such fraction of leave admissible to him under sub-clause (a) of clause (1) of Rule 8.150 for the calendar year in which the transfer takes place as is equal to the proportion which the portion of the year preceding the date of transfer bears to the whole year; and
 - ii. any leave already taken by him out of the leave admissible :

Provided that, the said credit shall not be taken into account in calculating ' the 90 days' leave on full pay specified in clause (a) above.

- c) When the total period of leave on full pay standing to the credit of an employee under clauses (a) and (b) is more than 90 days, the maximum amount of leave on full pay that may be granted to him at any one time shall not exceed 90 days. In the case of any employee whose account of leave on full pay commences with a debit no leave on full pay shall be granted until the expiry of a fresh period spent on duty sufficient to earn such credit as will permit of the leave to be granted after cancelling the debit.
2. On the production of a medical certificate, to the leave due under the preceding clause there may be added, subject to clause (4) leave on half pay up to three months, and a further extension of leave on half pay not exceeding three months may be granted on production of a fresh medical certificate, granted by the officer in chief medical charge of the district in which the employee is residing.
 3. Leave without pay may be granted when no other leave is admissible.
 4. The total amount of leave on medical certificate admissible to any employee during his service on the salaried establishment shall not exceed 12 months provided that when the maximum period of 12 months is exhausted, further leave on medical certificate not exceeding six months in all may be granted in exceptional cases on the recommendation of a medical board or committee. In the case of a permanent industrial employee transferred from the piece to the salaried establishment the leave on medical certificate, if any, at his credit under clause (2) of Rule 8.150 on the date of transfer shall automatically lapse and no account shall be taken of the leave on medical certificate already enjoyed by him as a piece-worker prior to his transfer to the salaried establishment.
 5. Injury leave at half pay rates may be granted to a permanent salaried industrial employee, below the grade of Overseer or General Foreman who is injured in circumstances which would have given rise to a claim for compensation under the Workmen's Compensation Act, 1923 (VIII of 1923) if he had been a workman as defined therein, whether or not proviso (a) to subsection (1) of section 3 of that Act is applicable.

Such leave shall not be deemed to be leave on medical certificate for the purposes of clauses (2) and (4). It shall be granted from the commencement of disablement for so long as is necessary subject to a limit of two years for any one disability and a limit of five years during an employee's total service including service, if any, on the piece establishment. Leave granted under clause (5) of Rule 8.114 shall be taken into account in applying these limits. The salary payable in respect of a period of leave granted under this rule shall in the case of an employee to whom the provisions of the Workmen's Compensation Act, 1923 (VIII of 1923) apply, be reduced by the amount of compensation paid under clause (d) of subsection (1) of section 4 of that Act.

NOTE. --The expression " pay" in this rule means the pay on the day before the let/ commences.

Chapter IX**JOINING TIME****CONDITIONS UNDER WHICH ADMISSIBLE**

9.1 Joining time may be granted to a Government servant to enable him~

- a) to join a new post to which he is appointed while on duty in his old post; or
- b) to join a new post-
 - i. on return from leave on average pay of not more than four months' duration in respect of Government servants subject to the leave rules in section II of Chapter VIII, or from earned leave not exceeding 120, 90 or 30 days as the case may be, in respect of Government servants subject to the leave rules in section III of Chapter VIII; or
 - ii. (if) when he has not had sufficient notice of his appointment to the new post, on return from leave other than that specified in sub-clause (i) ; or
- c) to travel from the port of debarkation or, in the case of arrival by aircraft, from its first regular port in Pakistan and to organise his domestic establishment when he returns from leave out of Pakistan of more than four months' duration in respect of Government servants subject to the leave rules in section II of Chapter VIII, or of more than 120, 90 or 30 days' duration as the case may be, in respect of Government servants subject to leave rules in section III of Chapter VIII; or
- d)
 - i. to proceed from a specified station to join a post in a place in a remote locality which is not easy of access ; or
 - ii. to proceed on relinquishing charge of a post in a place in a remote locality which is not easy of access to a specified station.

NOTE 1. ---The authority which granted the leave will decide whether the notice referred to in clause (b) (ii) was insufficient.

NOTE 2.—Joining time is admissible to a Government servant under clause (c) of this rule for organising his domestic establishment even if he does not make any journey from the port of debarkation.

NOTE 3.—The joining time and travelling allowance of military officers in civil employ are governed by the civil rules in virtue of the provisions of paragraph 593 of the Regulations for the Army in Pakistan and paragraphs 2 (iii) and 14 of the Defence Services Regulations, India Passage Regulations, respectively read with Fundamental Rule 3. These rules admit of the grant of joining time and travelling allowance to military officers in civil, employ not only on the

occasions of their transfer to the civil employ .and retransfer to military employ but also when they are actually serving in civil employ. For the purposes of these rules, privilege leave under the military leave rules should be treated as leave on average pay of not more than four months' duration.

NOTE 4.—The time reasonably required for journeys between the place of training and the stations to which a Government servant is posted immediately before and after the period of training should be treated as part of the training period. This does not apply to probationers holding "training posts" which they may be considered as taken with them on transfer. Such probationers are entitled to joining time when transferred.

NOTE 5.—When a Government servant holding a temporary post is offered through his official superior another such post at some other station at any time before the abolition of his post, he is entitled to joining time.

NOTE 6.—No joining time, joining time pay or travelling allowance shall be granted to a Provincial Government servant who is appointed to a post under the Central Government out joins his new post after termination of his employment under the Provincial Government by resignation or otherwise, unless the employment of a particular Government servant is in the wider public interest. The same applies to a servant of the Central Government or of another Provincial Government who, in similar circumstances, is appointed to a post under the Punjab Government. Further, when a Government servant of one department is appointed to a post in another department, both departments being under the Punjab Government, but joins his new post after termination of his employment under the old department no joining time, joining time pay or travelling allowance shall be allowed unless it is in the public interest to do so. If joining time is allowed in any case it should be the minimum necessary and should in no case exceed the transit period.

NOTE 7.--- Joining time, joining time pay and travelling allowance of Government servants appointed to posts under the Punjab Government on the results of a Competitive examination, which is open to both Government servants and others, is regulated as under :—

- a) travelling allowance, joining time and joining time pay should ordinarily be allowed to all Government servants serving under the Central or Provincial Governments who hold permanent posts in a substantive capacity and that,**
- b) no travelling allowance, joining time pay should be granted in the case of those who are employed in a temporary capacity**

without the sanction of Government.

9.2. No joining time is allowed in cases when a Government servant is transferred from one post to another in the same office establishment.

9.3.

a) A Government servant on transfer during a vacation may be permitted to take joining time at the end of the vacation.

b) When vacation is combined with leave on average pay or earned leave, joining time shall be regulated under Rule 9.1 (b) (i) if the total period of leave on average pay and vacation is not more than four months in the case of Government servants subject to the rules in section II of Chapter VIII, or not more than 120, 90 or 30 days as the case may be, in the case of Government servants subject to leave rules in section III of Chapter VIII, and under clause (c) if vacation combined with leave out of Pakistan exceeds these limits.

9.4. If a Government servant takes leave while in transit from one post to another, the period which has elapsed since he handed over charge of his old post must be included in his leave, unless the leave is taken on medical certificate. In the latter case, the period may be treated as joining time.

Calculation Of Joining Time

9.5. When transfer to a new post involves a change of station joining time is calculated as follows, subject to a maximum of thirty days-

i. Six days for preparation, and, in addition thereto-

For the portion of the journey which the Government servant travels or might travel.	<i>A day for each.</i>	
By railway	250 miles.	or any longer time actually occupied in the journey.
By ocean steamer	200 miles.	
By river steamer	80 miles.	
By motor car or motor-lorry	80 miles.	
By mail cart or other public stage conveyance drawn by horses	80 miles.	
In any other way	15 miles.	

An extra day is allowed for any fraction of distance over that prescribed above.

- ii. When part of the journey is performed by steamer, the days intervening between the Government servant being set free from his office or, if he has no office, receiving his orders, and the departure of the steamer or his start duly regulated to catch the steamer shall be added.
- iii. When air journeys on transfer are performed in the interest of public service by a Government servant entitled to travel by air or specially authorised to do so by a competent authority, 6 days for preparation and in addition, the number of days actually taken in the air journey should be allowed as joining time.

NOTE.—The Administrative Secretary of the Department concerned will be the competent authority in such cases.

NOTE 1.—Sundays are not included in the above calculations, though they are included in the maximum limit of thirty days.

NOTE 2.—A journey by road of five miles or under, to or from a railway station from or to the chief public office of the place, does not count for joining time.

NOTE 3.—In view of the uncertainty which exists as to the point of departure of the ferry steamer from Ghazi Ghat during the flood season, two days instead of one will be allowed as joining time for the journey of about 29 miles between Dera Ghazi Khan and Ghazi Ghat when the bridge of boats is not up. When this extra day is demanded the claim should be supported by the certificate of the senior officer of the Public Works Department in Dera Ghazi Khan.

- 9.6. Only one day is allowed for joining a post which does not-necessarily involves a change- of residence from one station to another. A gazetted holiday counts as a day for the purpose of this rule.
- 9.7. By whatever route a Government servant travels his joining time shall, unless a competent authority specially permits otherwise, be calculated by the route which travellers habitually use.
- 9.8.
 - a) The joining time of a Government servant under clause (b) (i) and (ii) of Rule 9.1 will be counted from his old station or from the place where he receives the order of transfer whichever calculation would entitle him to less joining time. If the leave is being spent out of Pakistan and the order of appointment to the new post reaches him before he arrives at the port of debarkation, the port of debarkation is the place in which he received the order for the purpose of this rule.
 - b) A Government servant taking joining time under clause (b) (i) of Rule 9.1 who receives, while on leave (whether spent in or out of Pakistan orders of transfer to a

station other than that from which he took leave, will be granted full joining time admissible under clause (a) above, without reference to the authority which granted the leave and irrespective of the date on which the orders of transfer are received by him. Should he join his new appointment before the expiry of leave plus the joining time admissible the period short taken should be considered as leave not enjoyed, and a corresponding portion of the leave sanctioned should be cancelled without any reference to the authority which granted the leave. If in any case, the Government servant desires not to avail himself of the full period of joining time admissible, the periods of leave and joining time should be adjusted with reference to such option.

- 9.9. The joining time admissible under clause (c) of Rule 9.1 should be calculated from the date of debarkation of the Government servant at the Pakistan port in the manner prescribed in Rule 9.5; provided that it shall, if he so desires, be subject to a minimum of ten days.

NOTE.—The joining time of a Government servant who returns from leave out of Pakistan and disembarks, not at the first port of call in Pakistan but at another such port, should be reckoned from the day of arrival of the vessel at the second or subsequent port at which he actually disembarks, whether the sea journey from the first port of call in Pakistan to the subsequent port of disembarkation is made in the same steamer which takes him to the first port of call or in some other steamer.

- 9.10. If a Government servant is authorised to make over charge of a post elsewhere than at his headquarters, his joining time shall be calculated from the place at which he actually makes over charge.
- 9.11. If a Government servant is appointed to a new post while in transit from one post to another, his joining time begins on the day following that on which he receives the order of appointment.

NOTE.—A second period of six days for preparation should not be included in calculating the joining time of a Government servant whose appointment is changed while he is in transit.

- 9.12. When a Government servant under the administrative control of the Punjab Government is transferred to the control of another Government, his joining time for the journey to join his post under that Government and for the return journey will be governed by the rules of that Government.

PAY DURING JOINING TIME

- 9.13. A Government servant on joining time shall be regarded as on duty, and shall be entitled to be paid as follows :-
- a) If on joining time under clause (a) of Rule 9.1 he is entitled to the pay which he would have drawn if he had not been transferred; or the pay which he will draw on

taking charge of his new post, whichever is less.

b) If on joining time under clause (b) or (c) of Rule 9.1 he is entitled-

- i. when returning from extraordinary leave, other than extraordinary leave not exceeding fourteen days granted in continuation of other leave, to no payments at all; and
- ii. when returning from leave of any other kind, to the leave salary which he last drew on leave at the rate prescribed for the payment of leave salary in Pakistan.

c) If on joining time under clause (d) of Rule 9.1, he is entitled to pay as though he were on duty hi his post.

NOTE 1.—A ministerial servant on transfer is not entitled to be paid while on joining time unless his transfer is made in the public interests.

NOTE 2. ---A military officer subject to the Military Leave Rules who retains a lien on his civil post is entitled, on joining time, under sub-clause (ii) of clause (b) above, to draw the same amount of leave salary which he would have drawn had he taken leave under Civil Leave Rules, provided that such leave salary shall not be less than that which he actually drew during the last portion of his leave.

NOTE 3.—The words "if he had not been transferred" in clause (a) of this rule should be interpreted in the sense, "if he had continued in his old post".

NOTE 4.—The words "in his post" occurring in clause (c) of this rule mean the post in the remote locality even in the case of a Government servant on straight transfer.

NOTE 5. ---See also Notes 1 and 2 under Rule 4.9 (a).

9.14. In the Public Works Department no extra pay (where the transfer involves the grant of extra pay) can be drawn in any case by a relieving Government servant, until the transfer is complete, but as far as ordinary pay and allowances are concerned an exception may be made to the general rule in all cases in which the charge to be transferred (whether a division, a sub-division or other charge) consists of several scattered works which the relieving and the relieved Government servants are required, by the orders of a superior officer to inspect together before the transfer can be completed. The relieving Government servant will be considered as on duty if the period taken in carrying out these inspections is not considered by the Superintending Engineer to be excessive. While so taking over charge, the relieving Government servant will draw :-

- i. if he is transferred from a post which he holds substantively, his presumptive pay in that post;

- ii. if he is transferred from a post which he has held in an officiating capacity, the officiating pay admissible in that post provided it is not more than the pay he would draw after the transfer is complete ; otherwise his presumptive pay in the permanent post on which he had a lien prior to transfer ;
- iii. if he returns from leave his presumptive pay in the post on which he retained a lien during the leave.

NOTE.—The concession of house-rent allowance or free quarters ordinarily admissible to a Government servant should be treated as "ordinary pay and allowances" within the meaning of this rule and is admissible to both the relieved and the relieving Government servants during the period occupied by them in handing over and taking over charge.

- 9.15** The application of Rule 9.14, which forms an exception to the general rule and which concerns the Public Works Department only, has also been extended to the transfer of charge specified in column 2 of the table below in the case of the following departments. The authority noted in column 3 against each is to determine whether the period spent in completing the transfer of charge is not excessive:

Name of Department	Charge to be transferred.	Authority competent to determine whether the period spent in completing the transfer of charge is not excessive.
1. Jail Department	<ul style="list-style-type: none"> i. Deputy Superintendents and Store-keepers. . ii. Assistant Store Keepers at the following Jails <ul style="list-style-type: none"> 1. Borstal Institution & Juvenile Jail, Lahore. 2. Jhelum. 3. Dera Ghazi Khan. 4. Campbellpur. 5. Jhang. 6. Gujrat. 7. Shahpur Camp. 	Inspector-General of Prisons, Punjab.

	<p>8. Sargodha.</p> <p>9. Sheikhupura.</p> <p>10. Kasur.</p>	
2. Reclamation Department.	Assistant Managers, Adults and Borstal, Reformatory Farms, Burewala.	Reclamation Officer.
3. Industries Department.	<p>Teachers and clerks holding charge of stores in the Government Industrial Schools and Institutes.</p> <p>Store-keepers in the Mayo School of Arts, Lahore, Government Institute of Dyeing and Calico Printing and Demonstration Weaving Factory, Shahdara and Arts and Crafts Depot, Lahore.</p> <p>Lady Superintendent and Head Mistresses who held charge of Stock and Stores in Government Zenana Industrial Schools.</p> <p>Store-keepers and clerks in Marketing Sections. Wool Section and Sericulture Section Laboratory Assistants in the Industrial Research Laboratory. Demonstrators of all Demonstration Parties in the Punjab.</p>	<p>Director of Industries.</p> <p>Ditto ditto.</p> <p>Ditto ditto.</p> <p>Ditto ditto.</p>
4. Agriculture Department.	Store-keepers, Well Supervisors and Well Borers in Workshops and Well Boring Sections and Agriculture Assistants and Clerks attached to Farms.	Director of Agriculture.
5. Judicial Department.	<p>Ahlmads and Record-Keepers in the Courts of District and Sessions Judges including Additional District and Sessions Judges.</p> <p>Ahlmads, Execution Moharrirs. Guardian Moharrirs in the Courts of Senior and other Subordinate Judges and Administrative Subordinate Judges and Readers to Administrative Subordinate Judges.</p> <p>Ahlmads, Naib Sheriffs-in-charge of</p>	<p>District and Sessions Judge concerned up to 10 days.</p> <p>Presiding Officer of the court up to 7 days and District and Sessions Judges up to 10 days.</p>

	execution work and insolvency clerks in Small Cause Courts.	Ditto	ditto.
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OVERSTAYAL AND EXTENSION OF JOINING TIME

9.16 A Government servant who does not join his post within his joining time is entitled to no pay or leave salary after the end of the joining time. Wilful absence from duty after the expiry of joining time may be treated as misbehaviour for the purpose of Rule 3.19.

9.17

- a) A competent authority will, if necessary, extend the joining time as calculated by Rule 9.5; provided the general spirit of the rules is observed.
- b) Within the maximum of thirty days, Heads of Department may, in the case of Government servants of Provincial Services, Temporary Engineers, Temporary Deputy Collectors and non-gazetted subordinates under their control, extend the joining time admissible by rules-
 - i. If the Government servant has been unable to avail himself of the usual mode of travelling, or if not withstanding, due diligence on his part, the journey has occupied more time than is allowed by the rules to the extent of time actually necessary.
 - ii. If such extension is considered necessary for the public convenience or for the saving of public expense, as for example, to prevent unnecessary and merely formal transfers to the extent necessary.
 - iii. If the rules have in any particular case operated harshly, as for example, if a Government servant has through no fault on his part missed a steamer or fallen sick on the journey—to the extent necessary.

JOINING TIME TO PERSONS NOT IN GOVERNMENT SERVICE ON JOINING THE GOVERNMENT SERVICE AND ON REVERSION FROM IT

9.18 If a person in employment other than Government service or on leave, granted from such employment, is, in the interests of Government, appointed to a post under Government, he may, at the discretion of the competent authority, be treated as on joining time while he prepares for and makes the journey to join the post under Government, and while- he prepares for and makes the journey on reversion from the post under Government to return to his original employment. During such joining time he shall receive pay equal to the pay, or, in the case of joining time immediately following leave granted from the private employment, to the leave salary, paid to him, by his private employer prior to his appointment to Government service or pay equal to the pay of the post in Government service, whichever is less.

No. 2319-SO (SR) IV/73

GOVERNMENT OF THE PUNJAB FINANCE DEPARTMENT

Dated Lahore the 16th November, 1973

Subject: EXTENSION IN JOINING TIME.

I am directed to state that a large number of cases are being referred to the Finance Department for extension of joining time in order to regularise delays in the issue of posting orders on grounds of administrative difficulties. Examination in the Finance Department reveals that in most cases the delay is due mainly to the indifference of the officials/officers responsible for issuing the posting orders and no real administrative difficulties are involved. This results in undue hardship to the Government servants concerned and avoidable expenditure to the Government.

2. In this connection, attention is invited to the Government of West Pakistan, Finance Department's circular letter No. 1022-SRVI-64, dated the 9th June, 1964 (copy attached) wherein the administrative authorities were informed that the Government took a serious view of delays in the posting orders and the officials responsible for such delay would be held responsible for loss to the Government. It appears that the instructions in question have been lost sight of with the passage of time. I am to request that the need for exercising due vigilance in issuing the posting orders of the Government servants reporting for duty after joining time, leave, etc. may be re-emphasized and brought home to all the Government functionaries dealing with the cases regarding postings and transfers of other Government Finance Department for extension in joining time of a Government servant detailed reasons for delay in issuing the posting orders must be clearly stated and the action taken against the persons responsible for delay should also be indicated.
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Chapter X**FOREIGN SERVICE****EXTENT OF APPLICATION**

- 10.1** The rules in this **CHAPTER** apply to Government servants who are transferred to foreign service.

NOTE.—*In the case of Government servants on foreign service who are not subject to these rules, the rules regarding contributions, leave salary and pension shall be the same as those applicable to Government servants subject to them.*

GENERAL CONDITIONS**10.2**

- a) No Government servant may be transferred to foreign service against his will.
- b) Subject to the conditions laid down in these rules a competent authority may sanction the transfer of a Government servant to foreign service in or out of Pakistan.

NOTE 1.—*If a Government servant on foreign service in Pakistan is sent by his employer out of Pakistan on duty he should continue to be treated as on foreign service in Pakistan but both in this case and in the converse case of a Government servant on foreign service out of Pakistan deputed by his employer to Pakistan, on duty who similarly continues to be on foreign service out of Pakistan the fact of the Government servant being so deputed should be brought to the notice of the lending authority as it might be necessary to reconsider the question of his emoluments.*

NOTE 2.—*The Government which will be entitled to recover pension contribution on behalf of a Government servant lent to foreign service should be regarded as the Government competent to sanction the transfer.*

Instruction 1. --- The authorities competent to sanction the transfer of Government servants to foreign service should invariably consult before hand-

- a) The Government of Pakistan in regard to any request for the loan of services of a Government servant from a foreign country; and
- b) the Ministry of States and Frontier Regions in regard to any request for the loan of the services of an officer belonging to a Provincial service from Pakistan State.

Their prior consultation is considered necessary in order that they may have an opportunity of considering the proposal from the point of view of their respective

responsibilities, and the authorities concerned should give full weight, to any views which may be expressed in the matter by the Government of Pakistan or the Ministry of State and Frontier Regions as the case may be.

Instruction 2. ---A copy of the orders sanctioning a Government servant's transfer to Foreign Service must always be communicated to the Accountant-General Punjab, by the authority by whom the transfer is sanctioned. The Government servant himself should without delay, communicate a copy to that officer and take his instructions as to the payment of the contributions, report to that officer the time and date of all transfers of charge to which he is a party when proceeding on, while in, and on return, from foreign service and furnish from time to time, particulars regarding his pay in foreign service, leave taken by him, his postal address and any other information which that officer may require.

10.3 A transfer to foreign service is not admissible unless-

- a) the duties to be performed after the transfer are such as should, for public reasons, be rendered by a Government servant; and
- b) the Government servant transferred holds, at the time of transfer, a post paid from general revenues, or holds a lien on a permanent post, or would hold a lien on such a post had his lien not been suspended.

NOTE 1.—*Under this rule the transfer of a temporary Government servant to foreign service is permissible.*

NOTE 2.—*If in any case a proposal is made that a Government servant should be lent to a private undertaking it is necessary that the principles of clause (a) of this rule should be applied most rigorously, and in general the loan of a Government servant to a private undertaking should be regarded as a very exceptional case requiring special justification.*

10.4 If a Government servant is transferred to foreign service while on leave he ceases, from the date of such transfer, to be on leave and to draw leave salary.

NOTE 1.—*Foreign service during leave preparatory to retirement should be treated as "private employment", i.e. a Government servant who has reached or is approaching the age of superannuation, notwithstanding his employment under a foreign employer, should be allowed to take any leave which would be admissible to him had he not accepted such employment and pension contribution should not be required. The concession of drawing leave salary in addition to pay from the foreign employer should not be granted to Government servants who are already in foreign service at the time they apply for leave preparatory to retirement and propose to continue on duty in the service of the same employer during such leave. This concession shall not also be granted to Government servants who retire before reaching the age of superannuation if they take such leave after being*

offered or having made arrangements for employment in foreign service. In such cases they should be required either to retire or go on foreign service terms.

It is, however, always open to the competent authority in exceptional cases, which in its opinion justify such a course, to require that the Government servant should remain in Government service and be placed on usual foreign service terms; .i.e., he would not be on leave and his service should be treated as foreign service counting for pension, contribution being taken from the foreign employer.

NOTE 2.—*In the case of a Government servant who is under Rule 3.28 (c) (3), compelled to retire from active service after five years' tenure of his post (unless re-appointed), even though he has not reached the age of superannuation, there is no objection to his drawing leave salary in addition to pay from the foreign employer during leave preparatory to retirement if he takes such leave after having been offered or having made arrangements for employment under a foreign employer; provided the leave is the last leave taken before the date of such compulsory retirement.*

10.5

- i. A Government servant transferred to foreign service shall remain in the cadre or cadres in which he was included in a substantive or officiating capacity immediately before his transfer. He may be given such substantive or officiating promotion in those cadres as the authority competent to order promotion may decide. In giving promotion such authority shall take into account-
 - a) the nature of the work performed in foreign service, and
 - b) the promotion given to juniors in the cadre in which the question of promotion arises
- ii. In any individual case the competent authority may grant a Government servant, outside his cadre or cadres but in his own line, such promotion as it considers he would have got had he not been transferred to foreign service.

NOTE 1.—*The words "in his own line" used in the above rule refer to posts to which a Government servant may normally look for promotion in his own department or office.*

NOTE 2.—*This rule should not be interpreted in such a manner as to allow adventitious increments to a Government servant in foreign service merely because he might, had he remained in Government service, have been fortunate enough to secure promotion to a post outside the cadre of the service to which he belongs.*

- 10.6 A Government servant in foreign service, if appointed to officiate in a post in

Government service, will draw pay calculated on the pay of the post in Government service on which he holds a lien or would hold a lien had his lien not been suspended and that of the post in which he officiates. His pay in foreign service will not be taken into account in fixing his pay.

- 10.7** A Government servant transferred to foreign service may not, without the sanction of the competent authority accept a pension or gratuity from his foreign employer in respect of such service.

PAY AND JOINING TIME

- 10.8** A Government servant in foreign service will draw pay from the foreign employer from the date on which he relinquishes charge of his post in Government service. Subject to any restrictions which the competent authority may by general order impose, the amount of his pay, the amount of joining time admissible to him and his pay during such joining time will be fixed by the authority sanctioning the transfer in consultation with the foreign employer.

NOTE 1.—*The restrictions given in Annexure A to this Chapter have been imposed for regulating the amount of remuneration to be paid to Government servants on foreign service in Pakistan.*

NOTE 2.—

- a)** *It is not possible to express any part of the pay of a Government servant on foreign service in sterling. The question whether Government servants entitled to sterling overseas pay should be given a corresponding increase in their rupee pay is one for settlement in each case in consultation with the foreign employer, if it is decided after such consultation that an increase should be granted, the calculation of the rupee value of sterling pay will be made at the uniform rate of 2s. 1 29/33 d to the rupee (Note 1 below Article 229 of Account Code, Volume IV)*
- b)** *In cases, where the pay of Government servants in foreign service is fixed as the pay they would receive in Government service from time to time or the pay of the post in Government service with or without an addition thereto in the form of a percentage of such pay and/or a fixed sum, the foreign employer can equitably be called upon to pay the equivalent of sterling overseas pay according to the terms of the arrangement, though even in such cases his concurrence should be obtained. The sterling pay will then be converted monthly to rupees at the rate mentioned in the above paragraph, (c) If, however, a foreign employer prefers to make his own arrangements to disburse the overseas pay in sterling and the employee agrees to it, there should be no objection to the adoption to such a procedure; in that case, for the purpose of calculating contribution the amount paid in sterling should be converted to rupees at the uniform*

rate of exchange.

NOTE 3.—Where a Government servant, whether of Asiatic or non-Asiatic domicile, in receipt of overseas pay is granted on transfer to foreign service in Pakistan or on the occasion of extension of the period thereof an increase over his substantive pay expressed as a percentage of such pay, the percentage should be applied only to the basic pay and not to his overseas pay (Sterling or Rupee).

Instruction.—When any Government servant lent on foreign service conditions retires from Government service without, at the same time, retiring from the service of his foreign employer, the Accountant-General shall communicate to the foreign employer through the usual authorities a statement showing the date of retirement and the amount of pension drawn from the Government so as to give the foreign employer the opportunity, if he be so inclined of revising the existing terms of employment.

CONTRIBUTIONS FOR LEAVE SALARY, PENSION, ETC

10.9

- a) While a Government servant is in service contributions towards the cost of his pension must be paid to general revenues on his behalf.
- b) If the foreign service is in Pakistan contributions must be paid on account of the cost of leave salary also.
- c) Contributions due under clauses (a) and (b) above shall be paid by the Government servant himself, unless the foreign employer consents to pay them. They shall not be payable during leave taken while in foreign service.
- d) By special arrangement made under Rule 10.17 (b), contributions on account of leave salary may be required in the case of foreign service out of Pakistan also, the contributions being paid by the foreign employer.

NOTE 1.—Pensions, throughout this Chapter, include Government contribution if any, payable to a Government servant's credit in a Provident Fund.

NOTE 2.—A Government servant who is a subscriber to a Contributory Provident Fund and who is transferred to foreign service shall pay monthly subscriptions calculated on the rate of pay drawn in foreign service. The foreign employer or the Government servant himself according to the arrangement made under clause (c) of Rule 10.9 shall pay, in addition for the period of active foreign service, at such times as Government may prescribe in each case, a contribution determined by the formula $X + XY$, where X equals the amount which would have been credited monthly to the subscribers' account in the Provident Fund had he not proceeded on foreign service, the rate of pay drawn

by him , in foreign service being rewarded as his "emoluments" for this purpose, and Y equals the fraction which the amount recoverable as leave salary contribution bears to pay drawn in foreign service.

NOTE 3.—*In the case of a Government servant on foreign service, whose pay is fixed as in clause (b) of Note 2 under Rule 10.8 and who is entitled to passage concessions under the rules in Chapter XIII a contribution for passages at the rates and on the conditions mentioned in Rule 13.14 should be levied in addition to the leave and pension contributions during the whole tenure of the Government servant under the foreign employer, whether he may be on leave or on duty. The amount so recovered from the foreign employer should be credited to the Receipt head of the Department to which the Government servant permanently belongs.*

These orders also apply to Government servants of the Education Department employed in Chiefs Colleges.

NOTE 4.—*In the case of a Government servant in foreign service in Pakistan, a contribution on account of leave salary is recoverable from the foreign employer and in return for this contribution Government accepts the charge for leave salary. As the rates prescribed for such contribution have been calculated on the basis of the leave on full or half average pay normally taken by a Government servant during the total period of his service and do not take into account any compensatory allowance which may form part of leave salary as defined in Rule 2.34 the whole expenditure in respect of any compensatory allowance for periods of leave in or at the end of foreign service shall be borne by the foreign employer. In order to avoid any misunderstanding it is desirable that a condition to this effect should be inserted in the terms of transfer to foreign service.*

Instruction.—*When a Government servant is transferred to foreign service, or when the period of foreign service of a Government servant is extended, It should be stipulated that contributions for pensions, leave salary and passages where the Government servant is entitled to passage concessions, or for pension alone, as the case may be, will be recoverable at the rates in force from time to time. Similarly, if the Government servant is on a non-pensionable footing and subscribing to a Contributory. Provident Fund and if he is allowed to retain this privilege while in foreign service, the orders should specify the arrangement made with reference to note 3 above and state that these will be subject to amendment consequent upon any revision of the orders contained in that note. The necessity for making a stipulation to this effect is impressed upon authorities competent to sanction transfers to foreign service of Government servants.*

- a) The rates of contributions payable on account of pension and leave salary shall be such as the competent authority may by general order prescribe.
- b) The rates of pension contribution are designed to secure to the Government servant the pension that he would have earned by service under Government if he had not been transferred to foreign service.
- c) The rates of contribution for leave salary are designed to secure to the Government servant leave salary on the scale and under the conditions applicable to him. In calculating the rate of leave salary admissible, the pay drawn in foreign service less in the case of Government servants paying their own contributions such part of pay as maybe paid as contributions will;-
 - i. In the case of Government servants subject to the leave rules in section II of Chapter VIII, count as pay for the purpose of Rule 2.7; and
 - ii. in the case of Government servants subject to the leave rules in section III of Chapter VIII, count for the purpose of Rule 8.125 as pay on the last day of duty in respect of the permanent post which the Government servant then holds substantively or on which he holds a lien or would hold a lien if it had not been suspended.

NOTE.—The rates of contributions prescribed under this rule and the method of their calculation are given in Annexure B to this Chapter.

- 10.11** A competent authority may remit the contributions due in any specified case or class of cases.

NOTE 1.—The following classes of Government servants are exempted from the payment of contributions under this rule:-

- 1. Assistant Medical Officers on foreign service in local fund charitable hospitals and dispensaries from payment of leave and pension contributions.**
- 2. Women Assistant -Medical Officers of provincial cadre employed by local bodies from payment of leave contribution.**

NOTE 2.—See also note below paragraph 3 of Annexure B to this Chapter.

- 10.12** If a contribution which is due in respect of a Government servant in foreign service is not paid within fifteen days from the end of the month in which the pay on which it is based has been drawn by the Government servant concerned, he or, where the foreign employer has assumed liability for payment of contribution, the foreign employer must pay to Government unless specifically exempted by a competent authority, interest on the unpaid contribution at the rate of four pies a day per Rs. 100 upon the amount due, from the date of expiry of the period of fifteen days up to the date on which the contribution is finally paid.

Where contributions are paid not in cash but by book adjustments in the accounts made by the Accountant-General any interest levied on overdue contributions should be charged up to the date on which the adjustment is finally made in the accounts.

- 10.13** Interest on overdue contributions will only be remitted in exceptional circumstances when, for instance, the payment of the contribution has been delayed through no fault of the Government servant of the foreign employer concerned. Interest will not be remitted, in consequence of delay on the part of the Accountant-General to make a claim, if the facts on which the claim is based were within the knowledge of the Government servant for the foreign employer concerned.
- 10.14** A Government servant in foreign service may not elect to withhold contributions and to forfeit the right to count as duty in Government service the time spent in foreign employ. The contribution paid on his behalf maintains his claim to pension, or to pension and leave salary, as the case may be, in accordance with the rules of the service of which he is a member. Neither he nor the foreign employer has any right of property in a contribution, paid and no claim for refund can be entertained.

LEAVE

- 10.15** A Government servant transferred to foreign service must, before taking up his duties in foreign service, make himself acquainted with the rules or arrangements which will regulate his leave during such service.
- 10.16** A Government servant in foreign service in Pakistan may not be granted leave otherwise than in accordance with the rules applicable to the service of which he is a member, and may not take leave or receive leave-salary from Government unless he actually quits duty and goes on leave.

NOTE 1.— A Government servant on foreign service in Pakistan is himself personally responsible for the observance of this rule: by accepting leave to which he is not entitled under the rules he renders himself liable to refund leave-salary irregularly drawn, and in the event of his refusing to refund, to forfeit his previous service under Government, and to cease to have any claim on Government in respect of either pension or leave-salary.

NOTE 2.— For the restrictions in respect of the grant of leave preparatory to retirement see note below Rule 10.18.

10.17

- a) A Government servant in foreign service out of Pakistan may be granted leave by his employer on such conditions as the employer may determine. In any individual case the authority sanctioning the transfer may determine before hand in consultation with the employer the conditions on which leave will be granted by the employer. The leave-salary in respect of leave granted by the employer will be paid by the employer and the leave will not be debited against the Government servant's leave account.

NOTE.—Leave granted under this clause should be treated as leave and not as duty for the purposes of pension.

- b) In special circumstances, the authority sanctioning a transfer to foreign service out of Pakistan may make an arrangement with the foreign employer under which leave may be granted to the Government servant in accordance with the rules applicable to him as a Government servant, if the foreign employer pays leave contribution at the rate prescribed under Rule 10.10 (a).

NOTE.—For the restrictions in respect of the grant of leave preparatory to retirement see note below Rule 10.18.

REVERSION FROM FOREIGN SERVICE

- 10.18** A Government servant reverts from foreign service to Government service on the date on which he takes charge of his post in Government service, provided that, if he takes leave on the conclusion of foreign service before rejoining his post, his reversion shall take effect from such date as the competent authority may declare.

NOTE.—When a Government servant on foreign service in or out of Pakistan applies for leave preparatory to retirement, coupled with permission to remain in the service of the foreign employer, leave may be granted only on the condition that the Government servant's reversion to Government service will, under this rule take effect from the date of taking leave. He will then get the concession of adding leave-salary from Government to pay drawn from the foreign employer, just as if he had been permitted to take private employment during leave preparatory to retirement, but he will not be able to increase his pension because his pension will thereafter be calculated on the pay which he would have got on resuming duty in Government service. The question of the Government servant's reversion to Government service need not be pressed if he agrees not to continue to work under the foreign employer for the period of leave; that is, he may have leave without reverting to Government service, and may have his pension calculated on the pay which he would have drawn on foreign service if under the rules such pay is permissible to count for pension.

Where, however, a Government servant has been on foreign service whether in or out of Pakistan for a considerable period a claim for the grant of leave preparatory to retirement and for drawal of leave salary in respect of such leave should be carefully scrutinised and such leave should not ordinarily be granted. Leave preparatory to retirement is justified only in cases where a Government servant desires to establish himself in new conditions and possibly in new employment but cannot be justified where he is already well-established by length of service in employment on foreign service.

- 10.19** When a Government servant, reverts from foreign service to Government service, his pay will cease to be paid by the foreign employer, and his contributions will be

discontinued with effect from the date of reversion.

ADDITIONS TO REGULAR ESTABLISHMENT

10.20 When an addition is made to a regular establishment on the condition that its cost, or a definite portion of its cost shall be recovered from the persons for whose benefit the additional establishment is created, recoveries shall be made under the following rules:-

- a) The amount to be recovered shall be the gross sanctioned cost of the service, or of the portion of the service, as the case may be, and shall not vary with the actual expenditure of any month.
- b) The cost of the service shall include contributions at such rates as may be laid down under Rule 10.10 (a) and the contributions shall be calculated on the sanctioned rates of pay of the members of the establishment.
- c) A competent authority may reduce the amount of recoveries or may entirely forego them.

NOTE 1.—*With reference to clause (c) all leave and pension contributions recoverable on account of establishments employed on Killabandi operations in all estates in the province have been remitted.*

NOTE 2. ---*The following procedure shall be adopted in applying the rates of contributions prescribed under Rule 10.10 (a) to cases falling under this rule:-*

- i. Pension contribution.—In the case of a Government servant of one of the Provincial Services, Class I, or holding a special post of corresponding rank, the amount to be recovered as contribution should be the average of the rates prescribed in columns 2 and 3 of the table in annexure B to this Chapter, which may relate to him. In the case of a Government Provincial Service, Class II, or holding a special post of corresponding rank servant of _____ a fraction Subordinate Service of the total maximum monthly pay of all the sanctioned posts equal to the average of the percentages laid down in column 4/5 of the table referred to above should be levied.*
- ii. Contribution for leave salary—The rate to be applied in calculating the amount to be levied as contribution in respect of a member of one of the Provincial Services, Class 1 or holding a special post of corresponding rank, should be the average of the rates "prescribed for Government servants subject to the special and ordinary leave rules in Section II Chapter VIII whereas the actual percentage prescribed for other Government servants should be levied on the total sanctioned cost, or in the*

case of time scales of pay on the average cost of all the posts concerned in all other cases.

NOTE 3.—The following rates of contributions shall apply in the case of additions to the regular establishment made prior to the date from which these rules come into force:-

- a) The additions made before the 1st August, 1913 are subject to the rates prescribed in the original Fifth Edition of the Civil Service Regulations, even though the incumbents may change or any further additions be made to the additional establishment, vide Note 3 to Article 783, Civil Service Regulations.**
- b) The rates of contributions applicable to the additions made on or after the 1st August, 1913, and before the 27th January, 1922, are those prescribed in Articles 769 and 770 of the Reprint of the Fifth Edition of the Civil Service Regulations, irrespective of any change of incumbents or further additions to the additional establishment.**
- c) The additions made on or after the 27th January, 1922, are subject, up to the 28th February, 1929 to the rates laid down in Government of India, Finance Department letters No.64.RB., dated the 27th January, 1922 and No. F. 81 C.S.R., 24, dated the 4th August 1924 and up to 31st December, 1938, to the rates announced in Government of India, Finance Department, Resolution No.F. 81. R., 1.24, dated the 11th February 1929, and thereafter to the rates announced in Punjab Government, Finance Department, Notification No.726 F. 39/12149, dated 29th March, 1939.**
- d) In all cases, renewal of sanctions to additions to regular establishments should be treated as new sanctions.**

NOTE 4.—A contribution for passages should also be levied where necessary in respect of Government servants entitled to passage concessions who form additions to the regular establishment under this rule at the same rates as are applicable to Government servants entitled to passage concessions who are transferred to foreign service, viz., Rs. 50 per mensem in the case of Government servants entitled to 1st Class C passage and Rs.30 per mensem in case of other Government servants. In this case contribution should be levied during the whole period of service in the additional post including any leave taken except that it should not be charged during leave where:-

- a) the leave taken is leave preparatory to retirement ;or**
- b) the Government servant concerned will, on return from leave, be**

given different duties and not return to the additional post; or

- c) the substitute in the additional post for the Government servant on leave is entitled to passage concessions and a contribution for passages is recovered on his behalf.*

NOTE 5.—*The procedure laid down in note 2 above is also applicable to all Government Commercial concerns in which leave and pensionary charges are adjusted on contribution basis in their regular commercial accounts or in which pensionary charges are taken into account in calculating the issue price of goods manufactured or fees for services rendered or to any other department in which pensionary charges are adjusted in the regular accounts on the basis of foreign service contribution rates.*

ANNEXURE A

(Referred to in note 1 to Rule 10.8)

The amount of remuneration to be granted to a Government servant transferred to foreign service in Pakistan should be regulated by the following principles:-

1. When the transfer of a Government servant to foreign service in Pakistan is sanctioned the pay which he shall receive in such service must be precisely specified in the order sanctioning the transfer. If it is intended that he shall receive any remuneration or enjoy any concession of pecuniary value, in addition to his pay proper, the exact nature of such remuneration or concession must be similarly specified. No Government servant will be permitted to receive any remuneration or enjoy any concession, which is not so specified; and, if the order is silent as to any particular remuneration or concession, it must be assumed that the intention is that it shall not be enjoyed.
2. The following two general principles must be observed in sanctioning the conditions of transfer;
 - a) The terms granted to the Government servant must not be such as to impose an unnecessarily heavy burden on the foreign employer.
 - b) The terms granted must not be so greatly in excess of the remuneration which the Government servant would receive in Government service as to render foreign service appreciably more attractive than Government service.

NOTE.—The intention of this principle is to prevent undue increase in the emoluments of the individual Government servant transferred to foreign service. His pay in foreign service should, therefore be fixed rather with reference to the post which he would have held in Pakistan had he not been transferred, than with reference to the post in Pakistan corresponding to that held by him in foreign service:

3. Provided that, the two principles laid down in paragraph (2) above are observed, a competent authority may sanction the grant of the following concessions by the foreign employer. Such concessions must not be sanctioned as a matter of course but in those cases only in which their grant is in accordance with local custom and the wishes of the foreign employer, and is, in the opinion of the competent authority justified by the circumstances. The value of the concessions must be taken into account in determining an appropriate rate of pay for the Government servant in foreign service:-
 - a) The payment of contributions towards leave salary and pension under the ordinary rules regulating such, contributions.
 - b) The grant of travelling allowance under the ordinary travelling allowance rules of the Punjab Government or under the local rules of the foreign employer and of permanent travelling allowance, conveyance allowance and horse allowance.

- c) The use of tents, boats, and transport on tour, provided that this is accompanied by a corresponding reduction in the amount of travelling allowance admissible.
 - d) The grant of free residential accommodation which may be furnished, in cases in which the competent authority considers this to be desirable, on such scale as may seem proper to that authority.
 - e) The use of motors, carriages and animals.
 - f) Payment by the foreign employer of such compensatory allowance as would be paid by the Government at the station at which he is employed in foreign service, were the Government servant in the service of Government.
4. The grant of any concession not specified in paragraph (3) above requires the sanction of the Finance Department.
 5. Specific terms in regard to travelling allowance to be allowed to Government servants for journeys on transfers to foreign service and on reversion therefrom, should invariably be prescribed by sanctioning authorities in consultation and agreement with the foreign employer, i.e., it should be made clear in the orders sanctioning the transfer whether the travelling allowance for such journeys, which is payable by the foreign employer, is to be regulated by the Punjab Travelling Allowance Rules or by the rules framed by the foreign employer.

ANNEXURE B**(Referred to in note under Rule 10.10)**

The following rates of contributions have been prescribed by Government under Rule 10.10 (a):--

1. Rates of monthly contribution for pension payable during active foreign service in respect of—

Length of Service	Members of Class I Provincial Services and Government servants holding special posts of corresponding rank with non-Asiatic domicile	Members of Class I Provincial Services and Government servants holding special posts of corresponding rank with Asiatic domicile.	Members of Class I Provincial Services and Government Servants holding special posts of corresponding rank.	Members of the Subordinate Services
Years	£ s.	Rs.	Percentage of the maximum monthly pay of the grade substantively held	Percentage of the maximum pay of the grade sub-stantively held.
0.1	6 9	63	5	4
1.2	7 5	70	5	4
2.3	8 2	78	5	5
3.4	8 18	86	6	5
4.5	9 14	94	6	5
5.6	10 10	102	7	6
6.7	11 6	110	7	6
7.8	12 2	117	8	7
8.9	12 19	125	8	7
9.10	13 15	133	9	7
10.11	14 11	141	9	8
11.12	15 7	149	10	8'
12.13	16 3	157	10	9

13.14	16	19	164	10	9
14.15	17	16	172	11	9
15.16	18	12	180	11	10
16.17	19	8	188	12	10
17.18	20	4	196	12	10
18.19	21	6	204	13	11
19.20	21	16	211	13	11
20.21	22	13	219	14	12
21.22	23	9	227	14	12
22.23	24	5	235	15	12
23.24	25	1	243	15	13
24.25	25	17	251	15	13
25.26	26	13	258	16	14
26.27	27	9	266	16	14
27.28	28	6	274	17	14
28.29	29	2	282	17	15
over 29.	29	18	290	18	15

2.

- i. Rates of monthly contribution for leave salary payable during active foreign service in respect of Government servants subject to the leave rules in Section II of Chapter VIII are as given below :--

Percentage of pay drawn in foreign service.

Members of the Class I Provincial Services and Government servants holding special posts of corresponding rank, subject to the 'special leave rules.

16 2/3

Members of Class I Provincial Services and Government servants holding special posts of corresponding rank, subject to the ordinary leave

15

rules.

Members of Class II Provincial Services,
Government servants holding special posts of
corresponding rank, and members, of Subordinate
Services.

12 ½

- ii. Government servants subject to the Leave Rules in Section III of Chapter VIII.

NOTE 1.—In the case of contract officers governed by the leave terms in Parts I and II of appendix 16 to the Civil Services Rules (Punjab), Volume I, Part II and who are transferred to foreign service the leave salary contribution should be recovered at the rates prescribed for Government servants subject to the Leave Rules in sections III and II Chapter VIII, respectively.

NOTE 2.—The authorities who are competent to sanction transfers to foreign service should determine for the Contract Officer concerned, after taking into consideration the terms of contract or if these are not conclusive the pay and status in Government service, which of the three prescribed rates of leave salary contribution is appropriate in this case. The rate of leave salary contribution should be also specified in the orders transferring such a Contract Officer to foreign service.

3. The rate of foreign service contribution in respect of inferior servants will be as under:--

For leave salary	Nil
For pension	1/16th

NOTE.—The non-recovery of contribution for leave salary in the case of inferior Government servants transferred to foreign service should be considered as remission of such contribution under Rule 10.11 of these rules. It will, however, not effect the title of an inferior Government servant to leave and leave salary under Rules 8.1 and 10.10 (c) of these rules.

4. The following instructions should be observed in the calculation of the amounts of contributions-
- i. The term "active foreign service" in paragraphs 1 and 2 above is intended to include the period of joining time which may be allowed to a Government servant both on the occasion of his proceeding to and reverting from foreign service, and accordingly contributions are leviable in respect of such periods.
- ii. "Length of Service" means the total period running from the date from which service for pension commences or is likely to commence including service, counting for pension under Rules 3.19 and 3.20 of Volume II of these rules.

- iii. The sterling rates of pension contribution should be converted into Pakistan Currency at the uniform rate of Is.6d. to the rupee.
- iv. The leave salary contribution for the period of joining time taken by a Government servant in continuation of leave under clause (b) of Rule 9.1 before reversion from foreign service should be calculated on the pay he was getting immediately before he proceeded on leave.
- v. In the case of a temporary Government servant who is transferred to foreign service, it is for the competent authority to decide whether or not to recover pension contributions having regard to the probabilities of the Government servants, qualifying for a pension. If it is decided to recover such contributions they should be calculated, with reference to his length of service in the following manner:-
 - a) if he is on a time-scale of pay, on the maximum of the time-scale; and
 - b) if he is on a fixed rate of pay, on that pay.

In such cases the recovery of contributions for leave salary does not present any difficulty the amounts being calculated

Volume II of these rules the period which they are once to add under that rule to their service qualifying for superannuation pension should be taken into account in reckoning "length of service" for determining the rates of foreign service contribution on account of pension prescribed above.

- vii. Government servants who were transferred to foreign service before the 5th September, 1928, and who retire either directly at the end of their present sanctioned term of foreign service or within three years of its conclusion, should be allowed pension calculated wholly or partly, as the case may be, on their pay in foreign service.

Chapter XI**SERVICE UNDER LOCAL FUNDS**

- 11.1.** Government servants paid from local funds which are administered by Government are subject to the provisions of Chapters I to IX and XII to XIV of these rules.

NOTE 1.—Employees of local funds administered by Government who are not paid from general revenues and are therefore not government servants, are subject to the provisions of Chapters I to IX of these rules.

NOTE 2.—The expression 'local funds which are administered by Government means funds administered by bodies which by law or rule having the force of law come under the control of Government in regard to proceedings generally and not merely in regard to specific matters, such as the sanctioning of the budget or sanction to the creation or filling up of particular posts or the enactment of leave, pensions or similar rules; in other words it means funds over whose expenditure Government retains complete and direct control.

- 11.2.** The transfer of Government servants to service under local funds which are not administered by Government will be regulated by the rules in Chapter X.
- 11.3.** Persons transferred to Government service from a local fund which is not administered by Government will be treated as joining a first post under Government, and their previous service will not count as duty performed. A competent authority may, however, allow previous service in such cases to count as duty performed on such terms as it thinks fit.

NOTE 1.—Uninterrupted service rendered by District Medical Officers of Health under District Boards only prior to 1st April, 1927, the date of their Provincialisation, shall count for purposes of fixing their pay under this rule.

Chapter XII**RECORD OF SERVICE****GAZETTED GOVERNMENT SERVANTS**

12.1. A record of the services of a gazetted Government servant will be kept by the Accountant-General in such form as the Auditor-General may prescribe.

NOTE---The form prescribed is A.T.C.3 (New), _vide Article 187 of Audit Code (reproduced in Part II of Appendix II).

NON-GAZETTED GOVERNMENT SERVANTS service books

12.2. A service book in the form prescribed by the Auditor-General in Article 188 of Audit Code (reproduced in Part I of Appendix II) must be maintained for every non-gazetted Government servant holding a substantive post on a permanent establishment, with the following exceptions:-

- a) Government servants the particulars of whose service are recorded in a history of services or a service register maintained by the audit officer;
- b) policemen of rank not higher than that of head constable;
- c) members of the Baluch Levy up to and including the rank of Havildar; and
- d) inferior servants of all sorts.

12.3. In all cases in which a service book is necessary under Rule 12.2 such a book must be supplied for the Government servant at his own cost on his first appointment to Government service. It must be kept in the custody of the head of the office in which he is serving and transferred with him from office to office, but should not be made over to him nor should it be given to him when proceeding on leave. When a non-gazetted Government servant officiates in a gazetted post the service book should be kept by the head of the office to which he permanently belongs, but when he is confirmed in such a post the service book should be forwarded to the Accountant-General for record. It may be given up to the Government servant, if he resigns or is discharged from the service without fault, an entry to this effect being first made in the service book.

When no longer required by the audit office the service book belonging to a pensioner may also be returned to him, if asked for by him, after his pension has been sanctioned subject to the safeguard that a closing entry under the signature of the authority sanctioning the pension is made prominently in the book at the end of the record of service as follows:-

"_____left the service on pension on (date)" and this book is returned to him at his own request.

NOTE.—Whenever a pensioner is re-employed, the service book if

returned to him, should be taken back and a note regarding his re-employment made therein. In the case of military pensioners and ex-Service men, an entry regarding their past service and pay drawn while in military service should also be recorded.

- 12.4.** Every step in a Government servant's official life must be recorded in his service book, and each entry must be attested by the head of his office, or, if he himself is the head of an office, by his immediate superior. The head of the office must see that all entries are duly made and attested, and that the book contains no erasure or overwriting, all corrections being neatly made and properly attested.

NOTE.—The head of an office may authorise any gazetted government servant serving under him to attest entries in the service book of a non-gazetted Government servant. This will not, however relieve the head of the office of his responsibility for the accuracy of the entries so attested.

- 12.5.** A record should be made in the service book of a Government servant of the allocation of all leave taken by him where such apportionment is necessary in accordance with the rules for the allocation of leave salary of Government servants who are transferred to service under another Government, vide Appendix 4 to Punjab Financial Rules.
- 12.6.** Every period of suspension from employment and every other interruption of service must be noted, with full details of its duration, in an entry made across the page of the service book, and must be attested by the attesting officer. It is the duty of the attesting officer to see that such entries are promptly made.
- 12.7.** Personal certificates of character must not, unless the head of the department so directs, be entered in a service book, but, if a Government servant is reduced to a lower substantive post, the reason of the reduction must be briefly shown.
- 12.8.** It is the duty of every Government servant to see that his service book is properly maintained as prescribed in rule 12.4 in order that there may be no difficulty in verifying his service for pension. The head of the office should, therefore, permit a Government servant to examine his service book should he at any time desire to do so.
- 12.9.** When a Government servant is transferred to foreign service, the head of his office or department must send his service book to the Accountant-General, both at the time of his transfer to foreign service and retransfer to Government service. No entry relating to the time spent in foreign service may be attested by any authority other than the Accountant-General, See also Article 189 of Audit Code (reproduced in Part II of Appendix II).

Service Rolls

- 12.10.** In the case of policemen of rank not higher than that of head constable, there must be maintained for each district by the Superintendent of Police

a service roll in English in which the following particulars should be recorded for each man holding substantively a permanent post in the constabulary:-

- a) The date of his enrolment.
- b) His caste, tribe, age, height and marks of identification when enrolled.
- c) The rank which he from time to time holds; his promotions; and his reductions or other punishments.
- d) His absence from duty, with or without leave.
- e) Interruption in his service.
- f) Every other incident in his service which may involve forfeiture of a portion of it, or may affect the amount of his pension.

The roll must be checked by the vernacular roll and order book and the punishment register, and every entry in it must be signed by the Superintendent.

12.11. A service roll in form C.S.R.(Pb.), No.7 should be maintained for every other class of non-gazetted Government servants for whom no service book is necessary, except the Government servants mentioned in exception (a) to rule 12.2 and in rule 12.10.

Chapter XIII**PASSAGES****I.--GENERAL**

- 13.1.** A competent authority may grant free passages to or from Pakistan in the following cases:--
- a)** to any Government servant appointed abroad for public service in Pakistan and return passage on the termination of his appointment;
 - b)** in urgent cases where in its opinion it is desirable that a Government servant or his dependants should leave Pakistan, and where the pecuniary circumstances of the individuals concerned are such that they are unable to leave without such assistance. In addition to the free passages travelling expenses by rail to the port of embarkation may also be granted;
 - c)** a free return passage for any Government servant entitled to a return passage on the termination of his agreement, whose services are retained in the public interest beyond the original period of his engagement. The competent authority may also sanction an extension of an original concession in regard to free passages home for Government servant's family.
- 13.2.** A departmental officer of the commissary class, or a departmental warrant officer, in civil employ shall be entitled to the same passage concessions as he would receive if he were in military employ.
- 13.3.**
- I.** A competent authority may sanction the following terms for any Government servant deputed out of Pakistan:-
 - a)** If the period of deputation is not expected to exceed one year or if the period of deputation is expected to exceed one year and the Government servant does not take his family with him--
 - 1.** for the journey from his headquarters to the port of embarkation travelling allowance at the rate which would be admissible to him were the journey one on tour;
 - 2.** free passage (with diet) to the port of debarkation;
 - 3.** travelling allowance at the rates admissible under the rules in Appendix 10 from the port of debarkation to destination in cases of deputations to Europe or America, and actual travelling expenses in the case of deputations to other countries;
 - 4.** actual expenses incurred on account of dock dues and passport fees subject to production of receipts;

5. similar terms for the return journey.

- b) If the period of deputation is expected to exceed one year and the Government servant takes his family with him—
- a) for the journey from his headquarters to the port of embarkation travelling allowance at the rates which would be admissible to him were the journey one on transfer;
 - b) free passage (with diet) to the port of debarkation for himself and each member of his family entitled to travelling allowance under sub-clause (1);
 - c) actual cost of transport of excess luggage from the port of embarkation to the port of debarkation up to a maximum of 60 maunds;
 - d) for himself and family as described in sub-clause (2) travelling allowance at the rates admissible under the rules in Appendix 10 from the port of debarkation to destination in the case of deputations to Europe or America, and actual travelling expenses in the case of deputations to other countries;
 - e) actual cost of transporting luggage from the approved port of debarkation to destination within the limit laid down in sub-clause(3);
 - f) actual expenses incurred on account of dock dues and passport fees subject to production of receipts;
 - g) similar terms for the return journey.

NOTE—Return tickets for steamer journeys should be purchased in cases where the period of deputation is not expected to exceed the period for which such tickets are available.

- II. A competent authority may, in exceptional circumstances, sanction a passage by air from or to Pakistan to a Government servant deputed out of Pakistan, and grant to him the terms detailed in clause (I), other than those relating to his own passage and travelling allowance for himself hi Pakistan in lieu *of which the Government servant may be granted-
- 1. travelling allowance for the journey from his headquarters to the airport from which the passage has been sanctioned, at the rate which would be applicable were the journey one on tour
 - 2. free air passage to the airport of debarkation;
 - 3. in cases covered by clause (I) (a) the actual cost of transporting luggage—
 - a) from his headquarters to the sea port at which he would have embarked had he travelled by sea, subject to a limit of one-fourth of the rail fare between those two places of the class to which he is entitled, and

- b) from the sea port above mentioned to the port at which he would have this embarked had he travelled by sea, subject to a maximum of the charges payable for conveyance by sea of the amount of luggage which he would have carried free had a sea passage been sanctioned for him; and
4. similar terms for the return journey.

NOTE.—A free passage granted for Government purposes ought not to be used mainly or largely to enable a man to charge private expenses to Government. The grant of a return passage to Pakistan on conclusion of a deputation is conditional on Government servants' return to duty forthwith on the conclusion of the deputation unless an arrangement to the contrary effect should be specially permitted at the time the deputation closes, or is about to close, and any leave is begun.

- 13.4. The grant of free passages to Government servants engaged on contract is regulated by the rules in Appendix 21.
- 13.5. Instructions regarding the booking of passages are contained in Appendix 22.

II.--PASSAGE CONCESSIONS ADMISSIBLE TO CERTAIN CLASSES OF GOVERNMENT SERVANTS

Extent of application

- 13.6. The rules in this section apply to any Government servant who belongs to a service or holds substantively a permanent post specified in Schedule I or Schedule II and was specially recruited overseas for service in Pakistan in such service or post, and who at the date of his appointment to such service or post had his domicile elsewhere than in Asia:

Provided that, they shall not apply to any Government servant unless he elects in writing to forego any benefits in the matter of free passages for himself or his family to which he may be entitled under any other rules or orders or order or any agreement, except such passages to Pakistan as may be granted on first appointment: Provided further that, nothing in these rules shall, except with the express sanction of the competent authority, entitle a Government servant on probation to receive any passage benefit to which he was not already entitled in respect of a voyage commenced prior to the date of his confirmation in the service to which he belongs.

NOTE.—For the purpose of this rule the domicile of a Government servant at the date of appointment shall be determined in accordance with the provisions set out in Appendix 4 to these rules and clauses (1) and (2) of rule 4.2, and the notes thereunder.

Explanation-- the case of officers of non-Asiatic domicile directly recruited in Pakistan to a service or post in which the concession of passage benefits is admissible under the rules in this section, each case for the grant of passage benefits will be decided by Government

on its merits. Officers of non-Asiatic domicile promoted from lower services to a service or post in which the concession of passage benefits is admissible, shall not be eligible for the grant of passage benefits.

Definitions

13.7. For the purposes of the rules in this section-

- a) "passage" means a unit of credit in an individual passage account, and represents in the case of a Government servant or his wives one standard return fare, and in the case of a child one standard single fare;
- b) "standard fare" means the cost for the time being, according to the table of rates published by the P. & O. Company, of an ordinary, as distinct from off season ticket for an adult, giving first class C grade accommodation to services or posts specified in Schedule I to this Chapter, and a second class B passage in the case of services or posts specified in Schedule II for a journey between Karachi and London by mail steamer of that Company,

"standard single fare" means a standard fare for a journey one way only, and

"standard return fare" means a standard fare for a journey both ways;

c) "port in Pakistan" means-

- 1. in the case of journeys beginning or ending by sea—the actual seaport in Pakistan at which an entitled person embarks on or disembarks from a steamship departing for or arriving from a place outside Asia as the case may be.
- 2. in the case of journeys beginning or ending by land routes—Quetta, Peshawar, or the actual official station of a Government servant in the Punjab; and
- 3. in the case of journeys by air—Karachi (Drigh Road) Air Port.

NOTE.—Tours by land routes will be deemed to include—

- i. Journeys by Afghanistan or Iran, through Russia or Asia Minor to Europe or elsewhere ; and
- ii. journeys by Iraq and Syria, notwithstanding, that they may begin or end by sea between Pakistan and the Persian Gulf and include a sea journey across the Mediterranean:

Provided that, they will not include land journey to or from the port of embarkation or disembarkation, as the case may be, in Pakistan.

d) "port outside Asia" means and includes—

- i. in the case of journeys beginning or ending by sea—the actual seaport of arrival or

departure situated in the country of destination outside Asia, other than a Channel port in England London being deemed to be the seaport of arrival or departure in the case of a sea journey beginning or ending at a Channel port in England; and

- ii. in the case of journey beginning or ending by land or air routes—the actual place of destination or departure situated in a country outside Asia, London being deemed to be the place of destination or departure in the case of journeys by land or air routes beginning or ending at a Channel port in England:
- e) "Government servant" means a Government servant to whom these rules apply;
- f) "child" means, except in rule 13.17 a legitimate child who is, if a male under the age of 12 or if a female under the age of 21 and unmarried on the advertised date of sailing of the vessel in which the journey is performed or on the actual date of commencement of the journey, according as the first part of the journey is made by sea, or by land or air, and includes a step-child or a child adopted under the British Adoption of Children Act, 1926, who is wholly dependent on a Government servant ; and in rule 13.17 a legitimate child or step-child or a child adopted under the British Adoption of Children Act, 1926, of any age, who is wholly dependent on the Government servant;
- g) "cost of a journey" means in the case of a journey by sea or air, the cost of that journey as fixed in the published rates for the time being in force of the steamer or air transport company by whose vehicle the journey is made, and in the case of a journey by a land route the actual cost incurred by the traveller for conveyance on the journey.

NOTE.—Payment from passage accounts of charges for "supplements" for superior accommodation fixed in the published rates of a company is permissible as part of cost of a journey.

Number of passages admissible

13.8.

1. The maximum benefits to which Government servants appointed before attaining the age of 26 years shall be entitled under these rules, shall be~
 - a) In the case of a Government servant appointed on or after the 1st April, 1930--
 - i. for the Government servant himself, four return passages ;
 - ii. for his wives, the number of return passages shown in the following scale :--

Government servant's total length of service at date of marriage.	Number of return passages.
Less than 7 years	4

7 years or over but less than 14 years	3
14 years or over but less than 21 years	2
21 years and over	4

iii. for each child, one single adult passage.

b) In the case of a Government servant appointed before the 1st April, 1930:--

i. for the Government servant himself the number of return passages shown in the following table :--

Government servant's total length of service on the 1st April, 1930.	Number of return passages.
Less than 7 years	4
7 years or over but less than 14 years	3
14 years or over but less than 21 years	2
21 years and over	4

ii. for his wives, the same number of return passages to which the Government servant himself is entitled ; provided that in the case of a Government servant who was first married on or after the 1st April, 1930, the scale of benefits for his wives shall be that prescribed in clause (a) (ii) ; and

iii. for each child one single adult passage.

2. The maximum benefits, to which Government servants appointed after attaining the age of 26 years shall be entitled under these rules,

a) In the case of a Government servant appointed on or after the 1st April, 1930--

i. for the Government servant himself, the number of return passages shown in the following scale :--

Government servant's age at date of appointment.	Number of return passages.
Under 31 years	4
31 years or over but under 38 years	3
38 years or over but under 45 years	2

45 years or over	1
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- ii. for his wives, the same number of return passages to which the Government servant himself is entitled :

Provided that, in the case of a Government servant who was first married after the date of his appointment the scale of benefits for his wives shall be as follows :--

<i>Government servant's age at date of marriage</i>	<i>Number of return passages.</i>
Under 31 years	4
31 years or over but under 38 years	3
38 years or over but under 45 years	2
45 years or over	1

- iii. for each child, one single adult passage.

b) In the case of a Government servant appointed before the 1st April, 1930--

<i>Government servant's age on 1st April, 1930.</i>	<i>Number of return passages.</i>
Under 31 years	4
31 years or over but under 38 years	3
38 years or over but under 45 years	2
45 years or over	1

- ii. for his wives, the same number of return passages to which the Government servant himself is entitled :

Provided that, in the case of a Government servant who was first married on or after the 1st April, 1930, the scale of benefit for his wives shall be that prescribed in the proviso to clause (a) (ii) ; and

- iii. for each child, one single adult passage.

3. A Government servant shall be entitled for a second or subsequent wives to either the benefits set out in the appropriate table hereinbefore contained or any benefits which were available to him, but were not utilised, for the wives by the immediately prior marriage, whichever are less.

Passage Accounts

13.9. A separate account shall be opened in sterling by the Accountant-General, Punjab, for each Government servant and if he is married, for his wives and for each child. Subject to the provisions of rule 13.13, these accounts shall be credited, respectively with the number of passages to which the Government servant, his wives and children are entitled under rule 13.8 or rule 13.13 as the case may be, and no transfer of any credit shall be made from one account to another. Within the amount of these' credits, the Government servant shall be entitled to draw for himself, his wives and his children, respectively, the cost of a journey between a port in Pakistan and a port outside Asia ; provided that, the amount drawn from an individual account shall not exceed a standard single fare in the case of a single journey, and a standard return* fare in the case of a return journey, save in respect of a child under 12 in whose case the amount drawn shall not exceed the cost of a half standard single or return fare, as the case may be.

13.10.

1. Payment for all sea or air journeys shall be made by the Steamship Accountant - General, Punjab, to the _____ companies either direct or recognised firms of passenger Air Transport through _____ and not to the Government servants their accredited agents themselves.
2. Payment on account of journeys excepted in clause (1) and journeys by land routes shall be made by the Accountant-General, Punjab, to the Government servant making the claim.

13.11. The accounts mentioned in rule 13.9 shall be debited with the sums actually drawn from general revenues under that rule.

13.12. When a standard fare is increased or decreased, the balance at credit of each account referred to in rule 13.9 shall be increased or decreased, as the case may be, in proportion to the increase or decrease in that fare.

13.13.

1. In the case of pensionable Government servants engaged on contract for definite periods and of Government servants whose service is not pensionable, no credit, shall be made under rule 13.9 in such Government servant's personal account or in those of his wives and children until he has completed five years' service from the date of his appointment to a qualifying post or service, and a second, third and fourth passage, if due under the provisions of rule 13.8 shall not be credited to the Government servant's account or that of his wives until the Government servant has completed 5,10 and 15 years service, respectively, from the date with effect from which the first credit is made : provided that, if before the conclusion of any such quinquennial period of service, any such Government servant applies to the sanctioning authority to receive any benefits prescribed in these rules for himself, his wives or his children, as the case may be, he may be granted such benefits up to the value in each case of the amount which will fall due to be credited to his account on behalf of himself, his wives or his children at the conclusion of such period of service, on his satisfying the sanctioning authority that he intends to

complete the said period of service, and on his entering into a written agreement to that effect in the form prescribed by the sanctioning authority.

NOTE.--A return ticket shall be taken in respect of a return journey in cases in which it is possible to (Jo so. If, however, such a journey is performed on two single tickets, the aggregate that can be drawn from an account in respect of the two single journeys shall not exceed a standard return fare.

Explanation (1). The written undertaking to be furnished by an officer who is sanctioned an advance under this rule need not be such as can be legally enforced. It is sufficient for the purpose of this rule if the written agreement is expressed in the form of "I hereby undertake to continue in Government service up to———.

Explanation (2). The expression "The date with effect from which the first credit is made," in this rule means the date on which the first credit is afforded in the personal passage account of the officer.

Explanation (3). The expression "The date with effect from which the first credit is made," in rule 13.13(1) means the date on which the first credit is afforded in the personal passage account of the Government servant.

2. For the purposes of this rule, the sanctioning authority shall be the authority which is empowered to grant leave to the Government servant concerned.

Passages during the periods of foreign service and during service under other Governments

- 13.14.** Any benefits for himself and for his wives to which a Government servant is entitled under rule 13.8 shall be in abeyance for any period of foreign service in respect of which it has been agreed between the Government and the foreign employer that the Government servant shall receive from the foreign employer any concessions of the kind contemplated in these rules, and the sums credited to the accounts of the Government servant and his wives shall be reduced by one-seventh of a standard return fare for each completed year of such period.

In the case of other Government servants entitled to 2nd class B passages who are on foreign service in respect of which there is no agreement about payment of passage benefits by the foreign employer, a contribution fixed at the rate of Rs. 30 per mensem will be levied from all foreign employers under whom such Government servants may be serving. In the case of Government servants entitled to 1st class C passages who are on foreign service in respect of which there is no agreement about payments of passages benefits by the foreign employer, a contribution at the rate of Rs. 50 per mensem will be levied from all foreign employers under whom such Government servants may be serving. The contribution shall be payable throughout the Government servant's service under the foreign employer, i.e., whether he is on duty or on leave. This contribution shall be credited to provincial revenues and not to the accounts of the

Government servant and his wives.

13.15. If the services of Government servants who are admitted to these passage concessions are transferred to the Central Government or to another provincial Government, adjustment should be made in respect of such Government servants on the basis of the foreign service rate of contribution (i.e., Rs. 50 for Government servants entitled to 1st class C passage and Rs. 30 per mensem for Government servants entitled to 2nd class B passage) and the procedure adopted for the purpose should be the same, mutatis mutandis, as laid down in rule 22 of the Rules for the Accounting and Auditing of the passage concessions contained in Appendix 15, Audit Code, Volume II (First Edition-Second reprint of 1935).

Passages after retirement

13.16.

2. A Government servant is entitled to the benefits provided by these rules in respect of any journey between a port in Pakistan and a port outside Asia performed by himself or his wives or any of his children before the date of his retirement: provided that —
 - a) If a Government servant is proceeding out of Asia on leave preparatory to retirement, he, his wives or any of his children shall be entitled to receive, so far as their respective credits permit the benefits admissible under rule 13.8 for a single journey,
 - b) If a Government servant having proceeded out of Asia on leave with the intention of returning to duty in Pakistan and having drawn for himself, his wives or any of his children the benefits admissible under rule 13.8 for a return journey, retires during or on the termination of such leave, he shall (unless the Government is satisfied that the return to Pakistan of the Government servant or any member of his family is justified) refund to their respective passage accounts, the difference between the benefits admissible under rule 13.8 for a return and a single journey.
3. A Government servant, his wives or any of his children shall be entitled to receive, so far as their respective credits permit, the benefits admissible for a single journey under rule 13.8, in respect of a journey from a port in Pakistan to a port outside Asia commenced within six and completed within twelve months after the Government servant's retirement.

Passages for wife and children in case of a Government servant's death

13.17. Notwithstanding anything elsewhere contained in these rules, if a Government servant dies while in service his wives and each of his children shall be entitled, at any time not being more than one year from the date of his death, to receive from general revenues the cost of a single journey from a port in Pakistan to their destination outside Pakistan, such cost not to exceed one standard single fare for each such person:

Provided that, the competent authority may, in special cases, extend the said

period of one year to any period not exceeding two years.

Lapse of balance in the passage account

13.18. Any balance remaining at the credit of any person in his or her personal account after such person has ceased to be eligible for any benefits under these rules shall lapse to Government

Additions to Schedule

13.19. The competent authority may, from time to time, by notification in the Punjab Gazette add any service or post to those included in Schedule and upon such notification, the provisions of the Schedules and of the rules relating to it shall be applicable to the members of the service or the holders of the posts so added.

Supplementary rules

13.20. The competent authority may, from time to time, by notification in the Punjab Gazette make supplementary rules to carry out the purposes and objects of these rules.

NOTE.—The supplementary rules, governing the procedure relating to the grant of passage benefits, issued under this rule are reproduced in annexure to this Chapter.

SCHEDULE

Services and posts entitled to 1st class C Passages

[See rules 13.6 and 13.7 (b)]

The Punjab Educational Service, Class 1.

The Punjab Agricultural Service, Class 1.

The Punjab Veterinary Service, Class 1.

The Punjab Service of Engineers (Buildings and Roads Branch)

The Punjab Service of Engineers, Class 1 (Irrigation Branch)

The Punjab Forest Service, Class 1.

The post of Superintendent, Rawalpindi Central Jail, while held by Captain E. M. Hodder, I. A

The posts of Executive, Resident, Deputy Chief, and Chief Engineers in the Electricity Branch while held by officers especially recruited overseas for service in Pakistan from the date of their confirmation in the Punjab Service of Engineers, Electricity Branch.

NOTE.—Mr. V. F. Critchley, Chief Engineer, Electricity Branch, is entitled to the benefits of these rules from the date of his appointment in the Punjab Public Works Department, Electricity Branch.

ANNEXURE

(Referred to in note under rule 13.20)

SUPPLEMENTARY RULES GOVERNING THE PROCEDURE RELATING TO THE GRANT OF PASSAGE BENEFITS.

1) Every Government servant making a claim for passage benefit shall make an application (i) in the case of a journey commencing from a "port in Pakistan" to the Accountant-General, Punjab and (ii) in the case of a journey commencing from a "port outside Asia," to the High Commissioner or Ambassador for Pakistan.

2)

1. The application shall be made sufficiently in advance of the date of the commencement of the journey and shall specify_

- i. the person or persons in respect of whom claim is made;
- ii. the route selected for each person and whether the journey will be performed wholly or partly by sea, air or land route;
- iii. the amount claimed for each person in respect of journey by land route;

NOTE.— Journey by land route includes a journey made by a Government servant in his own car.

iv. any other fact relevant to the claim.

2. If the application is made to the High Commissioner or Ambassador, the Government servant must present with the application a certificate from the Accountant-General, Punjab, stating the amount in the personal passage account at the credit of each person for whom the benefit is claimed.

3. The Government servant shall be bound to furnish any further information at the Accountant-General or the High Commissioner, as the case may fit to call for.

3) On being satisfied that the claim is in order--

1.

a) The Accountant-General, Punjab/ High Commissioner shall pay or arrange to pay to the Government servant in cash the total amount claimed by him in respect of journeys by land route of the persons included in his claim and shall obtain from the Government servant a receipt for the amount so paid. This payment shall be provisional. It shall be made before the commencement of the journey and adjusted subsequently as provided in rule 5 below; and

b) the Accountant-General, Punjab/ High Commissioner shall, intimate the fact of the payment and the total amount paid under sub - clause (a) above to the _____ ; High Commissioner/ Accountant-General, Punjab and

2. the Accountant-General, Punjab/ High Commissioner shall, furnish to the applicant a certificate certifying (balance) available for each person for journeys by sea or

air, and stating that a passage may be engaged for each such person at the charge of general revenues up to the said amount. The certificate shall also state that any refund claimed in respect of a passage engaged on the certificate shall be made to the Accountant-General, Punjab /High Commissioner

Provided that, the amount paid in cash under clause (1) above plus the amount certified in clause (2) above shall in no case exceed the maximum amount that can be drawn from the individual account concerned under rule 13.9.

4) Notwithstanding anything contained in rules 2 and 3 above, the amount claimed for that part of a journey which is performed by land route on a through ticket issued by a steamship or air transport company may be included, if so, requested by the Government servant, in the amount certified under rule 3(2) above.

5)

1. ***journeys by land route---*** In respect of the amount paid in cash under rule 3 (l)above, the Government servant shall, on completion of the journey, submit a certificate in the following form:-

"1. I certify that the total cost, the details of which are as stated below actually incurred by me for conveyance on the journey from _____ to _____ is _____

Details:-

1. Food.
2. Lodging.
3. Transport charges.

12. I certify that I performed the journey in my own car."

2.

- a) The certificate prescribed in clause (1) above, shall be accepted as final discharge in respect of the amount stated therein and the Accountant-General, Punjab, shall make adjustment accordingly.
- b) If the amount originally paid to the Government servant in cash is more than the amount certified by him, the difference shall be recovered from him.
- c) If the amount originally paid to the Government servant in cash is less than the amount certified by him, the Government servant shall be entitled, if he so elects, to receive a further payment in cash from the individual passage account concerned of an amount not exceeding the difference between the amount actually spent by him and the amount originally paid to him, provided that in no case shall

¹ Only in the case of overland journeys in Government servant's own car.

the total of the amount paid to him in respect of the land journey and the amount paid for his sea/air passage exceed the maximum amount admissible to him under the Passage Rules in Chapter XIII.

3. In the case of journeys ending at a "port outside Asia," the certificate prescribed in clause (1) above shall be submitted to the High Commissioner, who shall scrutinise it and after making the recovery, if any, in accordance with clause (2) (b) above, shall transmit it to the Accountant-General, Punjab.

In other cases, the certificate shall be submitted to the Accountant-General, Punjab, who will make the recovery, if any, due under clause (2) (b) above.

4. A claim for a further payment in cash, submitted under clause (2) (c) above shall not be paid except on the authority of the Accountant-General, Punjab.

Exception---The Government servant shall not be required to submit the certificate prescribed above in respect of a journey between a Mediterranean Port and London, if the amount claimed by him in respect of such journey is 38 or less. In such cases the original payment will be treated as final.

6)

1. **Passages by sea or air**—When the Government servant engages the passage or passages by sea/by air, he will present the certificate granted under rule 3 (2) above to the steamship/air transport company, and if the cost of any passage engaged by him exceeds the amount entered in the certificate, the difference must be paid by the Government servant himself.
2. If for any reason the Government servant after obtaining the certificate; but before presenting it to the steamship/air transport company, finds that he does not desire to use it, he shall return it without delay to the Accountant-General, Punjab, or the High Commissioner, as the case may be.
3. If the Government servant, after presenting the certificate to the steamship/air transport company, cancels the passages which he has engaged, he shall at once inform the Accountant-General, Punjab, or the High Commissioner, as the case may be, that he has done so; he shall also take steps to recover the certificate from the steamship/air transport company and return it to the Accountant-General, Punjab, or the High Commissioner.
4. If the Government servant cancels a passage engaged by him, for the cost of which the steamship/air transport company has presented a claim for payment, he shall, not only communicate with the company but also immediately inform the Accountant-General, Punjab, or the High Commissioner, as the case may be, who will apply to the steamship/air transport company for a refund.
5. Any amount forfeited by the Government servant as a result of cancelling a passage in circumstances where the steamship/air transport company is entitled to claim such forfeiture may be debited to the passage account concerned.

- 7) Rules 1 to 6 above do not apply in their entirety to cases in which a Government servant in Pakistan wishes to obtain a passage or passages for his family resident outside Asia. In such cases the application shall, in the first instance be made to

the Accountant-General, Punjab, and shall specify the information detailed in rule 2 (1) above. The Accountant-General, Punjab, shall dispose of the claim in accordance with rule 3 (1) (a) and 3 (2) above. In respect of the amount paid to him in cash the Government servant shall submit a certificate as prescribed in rule 5 above after the journey has been completed by his family. The certificate granted by the Accountant-General, Punjab, shall be sent by the Government servant to the High Commissioner with full information as regards the steamer or air line and the route by which it is desired to travel and the class of accommodation required. On receipt of the certificate and the information, the High Commissioner will on behalf of the Government servant, arrange with the steamship/air transport company for the required passages.

If the cost of any such passage exceeds the amount certified by the Accountant-General, Punjab, the Government servant must arrange for the payment of the difference to the High Commissioner before the passage is engaged. As soon as the necessary arrangements have been made by the High Commissioner, he will intimate the fact with full particulars to the Government servant concerned, as well as to the Accountant-General, Punjab. If for any reason the Government servant after obtaining the certificate from the Accountant-General, Punjab, but before forwarding it to the High Commissioner does not desire to use it, he shall return it without delay to the Accountant-General, Punjab. If, after forwarding the certificate to the High Commissioner, it is found that the passages are not required or if passages already engaged are cancelled, the Government servant will be responsible for intimating the fact promptly to the High Commissioner, and for returning the ticket or tickets to the High Commissioner. He will be similarly responsible for intimating promptly to the steamship/air transport company the cancellation of a passage already engaged. On receipt of intimation, the High Commissioner will take steps to obtain a refund from the steamship/air transport company, where necessary, and will also inform the Accountant-General, Punjab, of the non-utilisation of a certificate presented to him or the cancellation of a passage.

- 8) If a Government servant draws for his wives or any of his children the benefits admissible under rule 13.9 for a return journey, he shall make a declaration in due course to the Accountant-General, Punjab, that the second halves of the return tickets have been utilised by the persons for whom the benefits were drawn. If the second halves of the tickets are not so utilised the Government servant shall return them to the Accountant-General, Punjab, who will take steps to obtain a refund from the steamship/air transport company.
- 9) In urgent or special cases the competent authority may sanction such modifications of the procedure prescribed in these rules as it may deem to be necessary.
- 10) The High Commissioner and the Accountant-General, Punjab, may adopt, in exceptional cases not covered by the Rules in this Annexure, a suitable procedure, provided that the spirit of any Rule is not contravened.

Chapter XIV**CLASSIFICATION OF SERVICES (INCLUDING METHOD OF RECRUITMENT AND APPOINTMENT THERETO AND NUMBER AND CHARACTER OF POSTS), CONDUCT AND DISCIPLINE AND PUNISHMENTS AND APPEALS****SECTION I--CLASSIFICATION OF SERVICES****(a) General**

- 14.1.** Besides the All-Pakistan Services which are under the rule-making control of the Governor-General the services under the administrative control of the Punjab Government consist of the following classes:-
- i. the Provincial Services; and
 - ii. the Subordinate Services.
- 14.2.** In the case of a person to whom these rules apply and who is not already included in any of the classes given in rule 14.1 the competent authority shall decide the class to which he shall belong.
- 14.3.** Save where his former appointment has been terminated by his removal under rule 14.10 (vi) no appointment of a person who is included in a service to any other service or post shall operate to deprive him, without his consent, of any right or privilege to which he may have been entitled as a member of his former service.
- 14.4.** A competent authority may make rules regulating (1) the method of recruitment to the different services, (2) the strength, (including both the number and character of posts) of such services, and (3) the making of first appointment to the different services.

NOTE 1.—Rules relating to the subjects mentioned in this rule for the different services have been issued separately by the departments concerned.

NOTE 2.—This rule in so far as it provides for the number and character of posts and their rates of pay to be determined by rule cannot suitably be applied in respect of all ministerial and petty officers and inferior servants. Accordingly these Government servants have been excluded from the operation of this rule to that extent.

NOTE 3.—The extent to which the various departments and heads of departments or other subordinate authorities exercise powers to in respect of the creation or abolition of both permanent and temporary posts and the varying of emoluments of post are given in Chapters XV and XVI.

NOTE 4.—Although a competent authority has full powers to create

posts and to fix the pay thereof under this rule, the Governor-General's Sanction is necessary to the holding in abeyance of a 'reserved' post and the creation in its place of a temporary post of different status.

(b) Provincial Services.

- 14.5.** The Provincial Services consist of such services as the competent authority may from time to time declare by notification in the Punjab Gazette to be included in the Provincial Services.

NOTE—For the list of services declared as provincial services see Schedule at the end of this Chapter.

Subordinate Services

- 14.6.** Subordinate Services include persons to whom these rules apply and who are not already included in any of the services comprised in clause (i) of rule 14.1.

SECTION II--CONDUCT AND DISCIPLINE

- 14.7.** A competent authority may make rules to regulate the conduct of the members of the Provincial and Subordinate Services and holders of special posts.

NOTE.—Rules issued under this rule are contained in Appendix 23 to these rules.

¹SECTION III--PUNISHMENTS AND APPEALS

(i) Extent of application.

14.8.

- i. Subject to the provisions of section 243 of the Government of India Act, 1935, and clause (if) below the rules in this section [called the Punjab Civil Services (Punishment and Appeal) Rules] shall apply to all persons serving His Majesty in a civil capacity in connection with the affairs of the Punjab.
- ii. Nothing in these rules shall apply to--
 - a) persons for whose appointment and conditions of service special provision is made by or under any law for the time being in force;
 - b) persons appointed to a civil service or civil post by the Governor-General;
 - c) persons employed temporarily, on the terms that their appointment may be terminated on one month's notice or less (Appendix 2);

¹ This section contains the Punjab Civil Services (Punishment and Appeal) Rules issued by the Punjab Government under clause (b) of subsection (2) of section 241 of the government of India Act, 1935.

- d) persons in respect of whose conditions of service special provisions has been made by agreement entered into before or after these rules were made;
- e) any class of persons in respect of whom the Government makes a declaration that their conditions of service shall not be governed by these rules (Appendix 24):

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

14.9. All powers, rights and remedies provided by these rules are in addition to and not in derogation of, the provisions of other rules made under section 241 of the Government of India Act, 1935.

(ii)Penalties

14.10. The following penalties may, for good and sufficient reasons as hereinafter provided, be imposed upon members of the services to which these rules are applicable, namely: -

- i. Censure;
- ii. Withholding of increments or promotion, including stoppage at an efficiency bar;
- iii. Reduction to a lower post or time-scale, or to a lower stage in a time-scale;
- iv. Recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence or breach of orders;
- v. Suspension;
- vi. Removal from the civil service of the Crown, which does not disqualify from future employment;
- vii. Dismissal from the civil service of the Crown, which ordinarily disqualifies from future employment.

Explanation--The discharge--

- a) of a person appointed on probation, during the period of probation.
- b) of a person appointed otherwise than under contract to hold a temporary appointment, on the expiration of the period of the appointment.
- c) of a person engaged under contract, in accordance with the terms of his contract does not amount to removal or dismissal within the meaning of this rule.

NOTE 1.—Punishing authorities have full discretion to publish in the Punjab Government Gazette reasons for dismissal where such publication is considered desirable in the public interest.

NOTE 2.—In order to guard against the inadvertent re-employment of persons dismissed from Government service the authority passing an order of dismissal should intimate through his Head of Department the names and other particulars of such persons to the Chief Secretary for transmission to the Central Government for circulation to all Governments in Pakistan.

NOTE 3.—The provisions of this Rule do not override the provisions of section 36 of the Punjab Courts Act and of the Payment of Wages Act in so far as the imposing of fines on the establishment governed by these Acts, is concerned.

(iii) Withholding of payment of emoluments of a Government servant suspected of embezzlement.

14.11. When a Government servant is suspected of being concerned in the embezzlement of Government moneys and is placed under suspension, the authority competent to order his dismissal may direct that, unless he furnishes security for the reimbursement of the said moneys to the satisfaction of his immediate official superior, the payment of any sums due to him by Government on the date of his suspension shall be deferred until such time as the said authority passes final orders on the charges framed against him:

Provided that, such Government servant shall be entitled to the payment of a subsistence allowance in respect of the period for which the pay is withheld.

(iv) Authority to impose punishment

14.12. Subject to the provisions of the rules in this section and of subsection (2) of section 240 and subsection (3) of section 241 of the Government of India Act, 1935, the authorities competent to impose any of the penalties specified in rule 14.10 shall be such as may be prescribed by the Government.

(v) Inquiry before imposition of certain penalties

14.13.

1. Without prejudice to the provisions of the Public Servants (Inquiries) Act, 1850, no order of dismissal, removal or reduction shall be passed unless the person concerned has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.
2. The grounds on which it is proposed to take such action shall be reduced to the form of a definite charge or charges, which shall be communicated in writing to the person charged, and he shall be required within a reasonable time to state in writing whether he admits the truth of all or any of the charges, what explanation or defence, if any, he has to offer and whether he desires to be heard in person. If he so desires or if the authority empowered to dismiss, remove or reduce him so directs an oral enquiry shall be held at which all evidence shall be heard as to such of the charges as are not admitted. The person charged shall, subject to the

conditions described in clause (3), be entitled to cross-examine the witnesses, to give evidence in person and to have such witnesses called, as he may wish, provided that the officer conducting the enquiry may, for reasons to be recorded in writing, refuse to call any witness. The proceedings shall contain a sufficient record of the evidence and a statement of the finding and the grounds thereof:

Provided that--

- a) it shall not be necessary to frame any additional charge when it is proposed to take action in respect of any statement or allegation made by the person charged, in the course of his defence;
- b) the provisions of the foregoing clauses shall not apply where a person is dismissed, removed or reduced in rank on the ground of conduct which has led to his conviction on a criminal charge ; or where an authority empowered to dismiss him or reduce him in rank is satisfied that, for some reason to be recorded by. him in writing it is not reasonably practicable to give him an opportunity of showing cause against the action proposed to be taken against him ; and
- c) all or any of the provisions of clause (2) may in exceptional cases for special and sufficient reasons to be recorded in writing be waived, where there is a difficulty in observing exactly the requirements of that clause and those requirements can be waived without injustice to the person charged.

3.

- a) Where any person has made a statement on oath in evidence before any criminal or civil court in any case in which the person charged was a party and had full opportunity to cross-examine such person, and where it is intended to prove the same facts as deposed to by such person in such statement in any inquiry under the Public Servants (Inquiries) Act, 1850, it shall not be necessary to call such person to give oral evidence. The certified copy of the statement previously made by him in any such case may be read as evidence; Provided that the Officer conducting the inquiry may in the interest of justice, order the production of such witness in person either for further examination or for further cross-examination by the person charged.
- b) The Government servant charged shall not be allowed, except at the discretion of the enquiring officer to be exercised in the interest of justice, to call as a witness in his defence any person whose statement has already been recorded and whom he has had opportunity to cross-examine or whose previous statement has been admitted in the manner herein provided.
- c) Notwithstanding his authority to record evidence on oath the Enquiring Officer shall not be regarded as a court.
- d) In cases investigated by the Anti-Corruption Department of the Punjab Government the Enquiring Officer shall not save with the express permission of the Officer-in-Charge of that Department, have access to the files of or to any of the statements

of witnesses recorded by the Officers of that Department.

4. No person who is called upon to produce his defence as to charges which form the subject-matter of an inquiry against him shall be allowed to engage counsel:

Provided that, if the charge or charges are likely to result in the dismissal of such person he may, with the sanction of the Inquiring Officer ; be represented by counsel:

Provided further that, if in an inquiry, counsel is engaged on behalf of any department of Government, the person against whom the charges are being inquired into, shall be entitled to engage counsel.

5. After the enquiry against a Government servant has been completed and after the punishing authority has arrived at a provisional conclusion in regard to the penalty to be imposed, the accused officer shall, if the penalty proposed is dismissal, removal or reduction be supplied with a copy of the report of the enquiring authority, and be called upon to show cause, within reasonable time not ordinarily exceeding one month, against the particular penalty proposed to be inflicted upon him. Any representation submitted by the accused in this behalf shall be taken into consideration before final orders are passed.

NOTE.—Charges need not necessarily be framed in relation only to specific incidents or acts of misconduct. When reports received against a Government servant or a preliminary enquiry show that his general behaviour has been such as to be unfitting to his position, or that he has failed to reach or maintain a reasonable standard of efficiency, he may and should be charged accordingly, and a finding on such a charge may be a valid ground for the infliction of any authorised departmental punishment, which may be considered suitable in the circumstances of the case. It will still be necessary to communicate the charges of misbehaviour or of inefficiency or of both, as the case may be, to the Government servant concerned, but the statement which is to be communicated to the Government servant in support of the charges need not specify particular acts of misconduct. It will be sufficient in the statement to give the gist of the reports on the basis of which misbehaviour or inefficiency is alleged.

(vi) Right of appeal

14.14. Subject to the provisions of clause (b) of subsection (3) of section 241 of the Government of India Act, 1935, every person shall be entitled to appeal, as hereinafter provided, to such superior authority as may be prescribed by the Government against an order, not being an order of Government—

- a) imposing upon him any of the penalties specified in rule 14.10;
- b) discharging him in accordance with the terms of his contract if he has been engaged on a contract for a definite or for an indefinite period and has rendered under either form of contract continuous service for a period exceeding five years at

the time when his services are terminated;

- c) reducing or withholding the maximum pension, including an additional pension, admissible to him under the rules governing pensions;
- d) terminating his appointment otherwise than upon his reaching the age fixed for superannuation.

(vii) Order which may be passed by appellate authority.

14.15.

1. In the case of an appeal against an order imposing any penalty specified in rule 14.10, the appellate authority shall consider-
 - a) Whether the facts on which the order was based have been established;
 - b) whether the facts established afford sufficient ground for taking action ; and
 - c) whether the penalty is excessive, adequate or inadequate ; and after such consideration shall pass such order as it thinks proper:

Provided that, no penalty shall be increased unless opportunity is given to the person concerned to show cause why such penalty should not be increased

2. An authority from whose order an appeal is preferred under these rules shall give effect to any order made by the appellate authority.

(viii) Second appeal when a penalty is increased.

14.16. In every case in which an appellate authority other than Government increases the penalty inflicted by an authority subordinate to itself upon a person, such person shall be entitled to submit a second appeal to the authority prescribed by Government.

(ix) Right of revision.

14.17. After an appeal or the second appeal provided in rule 14.16 has been rejected a person may apply for revision to such superior authority as may be prescribed by the Government:

Provided that, the power of revision shall be exercised only-

- a) if the appellate authority is one other than Government, and
- b) On the ground of material irregularity in the proceedings of the enquiring of appellate authority or on the discovery of new and important matter or evidence which after the exercise of diligence was not within the knowledge of the petitioner or could not be produced by him when the orders were made against him or on account of some mistake or error apparent on the face of the record:

Provided further that, Government may at any time revise any order passed by it in exercise of its appellate powers under these rules

(x) Power of a superior authority to revise the proceeding of an inferior authority

14.18. The Government or the head of a department may call for and examine the records of any case in which a subordinate authority has inflicted any of the penalties specified in rule 14.10 or in which no penalty has been inflicted and after making further investigation, if necessary, may confirm, remit, reduce or, subject to the provisions of sub-clause (1) of rule 14.15, increase the penalty or subject to the provisions of rule 14.13, inflict any of the penalties specified in rule 14.10.

(xi) Prohibition as to collective appeals.

14.19. Every person preferring an appeal shall do so separately and in his own name.

(xii) Manner of presentation of appeal or application for revision.

14.20. Every appeal or application for revision preferred under these rules shall contain all material statements and arguments relied on by the appellant or applicant shall contain no disrespectful or improper language, and shall be complete in itself. Every such appeal or application for revision shall be submitted through the head of the office to which the appellant or applicant belongs or belonged and through the authority from whose order the appeal or application for revision is preferred. It will be open to the appellant or the applicant to forward to the Honourable Minister of the Department concerned, one advance copy of the appeal or application for revision, for information.

(xiii) Withholding of appeals or applications for revision.

14.21.

1. An appeal or application for revision may be withheld by an authority subordinate to Government if--
 - a) it is an appeal or application for revision in a case in which under these rules no appeal or application for revision lies; or
 - b) it does not comply with the provisions of rule 14.20; or
 - c) it is an appeal and is not preferred within six months after the date on which the appellant was informed of the order appealed against, and no reasonable cause is shown for the delay; or
 - d) it is a repetition of a previous appeal or application for revision and is made to the same appellate or revisionary authority by which such appeal or application for revision has been decided and no new fact or circumstances are adduced which afford ground for a reconsideration of the case:

Provided that, in every case in which an appeal or application for revision is

withheld the appellant or applicant shall be informed of the fact and the reasons for it:

Provided further that, an appeal or application for revision withheld on account only of failure to comply with the provisions of rule 14.20 may be re-submitted at any time within one month of the date on which the appellant or applicant has been informed of the withholding of the appeal or application and, if re-submitted in a form which complies with those provisions, shall not be withheld.

2. No appeal or application for revision shall lie against an order withholding an appeal or application passed by a competent authority.
3. Any appellate or revisionary authority may call for the records of any , appeal or application for revision withheld by an authority subordinate to it, which under these rules may be made to it and may pass such order thereon as it consider fit.

(xv) Saving of the functions of the Public Service Commission.

14.22. Nothing in these rules shall be deemed to affect the functions of the Punjab and North-West Frontier Province, Joint Public Service Commission as specified in section 266 of the Government of India Act, 1935, and as limited by the Punjab and North-West Frontier Province, Joint Public Service Commission (Limitations of Functions), Regulations.

SCHEDULE

(See note below Rule 14.5)

List of Provincial Services

1. Punjab Civil Service.
2. Punjab Educational Service (Men's Branch) (Class I).
3. Punjab Educational Service (Men's Branch) (Class II).
4. Punjab Educational Service (Women's Branch) (Class I).
5. Punjab Educational Service (Women's Branch) (Class II).
6. Punjab Health Services (Class I).
7. Punjab Health Services (Class II).
8. Punjab Police Service. .
9. Punjab Agricultural Service (Class I).
10. Punjab Agricultural Service (Class II).
11. Punjab Service of Engineers (Buildings and Roads Branch).

12. Punjab Service of Engineers (Old) (Buildings and Roads Branch).
13. Punjab Service of Engineers (Irrigation Branch) (Class I).
14. Punjab Service of Engineers (Irrigation Branch) (Class II).
15. Punjab Forest Service (Class I).
16. Punjab Forest Service (Class II).
17. Punjab Veterinary Service (Class I).
18. Punjab Veterinary Service (Class II).
19. Punjab. Co-operative Service.
20. Punjab Navigation-Deputy Collectors (Revenue Branch) Service.
21. Punjab General Service.

CHAPTER XV**CONSENT ORDERS**

- 15.1** With reference to rule 2.14 consent to rule 2.14 consent has been given by the Finance Department to the exercise of the powers by the Administrative Departments in the cases given below/Consent of the Finance Department may also be considered to have been given to the exercise of power by an authority to whom power has been specifically delegated under any rule of this Handbook.

NOTE 1.--Unless otherwise provided by a special order, the assent of the Finance Department may be considered to have been given to the exercise by the Administrative Department of such powers as have been delegated to the Heads of Departments or other subordinate authorities.

NOTE 2. ---The term "pay" as used in this chapter and the following chapter does not include special pay.

NOTE 3. ---In cases where the assent of the Finance Department is considered to lie given to the creation of a permanent post, such assent may, unless there exists a specific presumption of assent in regard to the creation of a temporary post of a similar kind, be held to cover the creation of a temporary post within the same limits.

NOTE 4. ---The powers in regard to the creation of posts are intended to be exercised in individual cases only. Departments should refer to the Finance Department any proposals involving a general addition to the establishments of a number of offices.

NOTE 5. ---The powers to create posts is subject to the condition that the new posts are created on the new scales of pay.

NOTE 6. ---Sec also Note 5 below rule 16.1.

CHAPTERS XV & XVI deleted vide Notification No. 965-A-SO (SR) IV/76, dated 24th June, 1976.

1	2	3	4
S. No	Rule under which assent given	Nature of power	Extent
1.	2.27 (C)	Power to declare a Government servant's headquarters.	Full powers
2.	2.42	Power to appoint a Government servant to officiate in a vacant post.	Ditto
3.	2.53	Power to define the limits of Government servant's sphere of duty.	Ditto
4.	Schedule to Chapter II, paragraph I (iv) (2)	Fixation to a maximum of three months, the period allowed for preparation for an examination in Oriental languages.	Ditto
5.	Schedule to Chapter II, paragraph I (iv) (3)	Extension up to six months of the period of preparation in special case.	Ditto
6.	Schedule to Chapter II, paragraph I (iv) (5)	Approval of the place of preparation for an examination in Oriental languages.	Ditto
7.	Schedule to Chapter II, paragraph I (vii)	Power to permit a Government servant to appear in an optional examination.	Full power
8.	Schedule to Chapter II, paragraph II (5)	Power to sanction the absence of a government servant on duty beyond his sphere of duty	Full powers, provided absence does not exist beyond 30 days.
9.	3.3	Power to dispense with the production of a medical certificate.	Full powers in individual cases.
10.	3.16	Power to suspend a lion	Full powers
11.	3.18	Power to transfer a lion	Ditto
12.	3.25	Power to relax the provisions of rule 3.24	Full powers, provide that the place of makeover charge is with in the Punjab.
13.	3.26	Power to declare that proviso (a) to rule 3.25 is not applicable to any particular case.	Full power
14.	3.28 (b) (i)	Power to require a ministerial	Full power

		Government servant to retire between the ages of 55 and 60 years.	
15.	4.1 (2) (ii)	To grant special pay to any Government servant for discharging in addition to his own duties the duty of a superintendent of a boarding house attached to an educational institution.	Education department to Rs. 60 for a boarding house attached college and Rs. 40 for boarding house attach a school.
16.	4.1 (2) (ii)	To grant special pay to Gauge Readers in the Public Works Department, Irrigation Branch, for doing dak work in addition to their own duties.	Public Works Department Irrigation Branch Subject to the amount the special pay not exceeding Rs. 1 per month some in each individual case.
17.	4.1 (2) (ii)	To grant special pay to Signalers, Chowkidars or other inferior establishment employed in the Irrigation Branch of the Public works Department, ho are required to do dak work in addition to their own duties.	Public Works Department Irrigation Branch – Subject to the amount of special pay not exceeding Rs. 2-8-0 per mensum for Signalers and Telephone Attendant and Rs. 1 for Chowkidars and others in each individual case.
18.	Ditto	To grant special pay to Railway Dak Runners employed in the Irrigation Branch of the Public Works Department, who are required to do the duties of Dak Munshis in addition to their own duties.	Public Works Department Irrigation Branch – Subject to the amount of special pay not exceeding Rs. 2-8-0 per mensum in each individual case.
19.	4.3	Power to reduce the pay and allowances of a Government servant treated as on duty under rule 2.16 (b)	Full powers
20.	4.7	Power to withhold increments	Ditto
21.	4.11	Power to fix the pay of a Government servant transferred as a penalty to a lower grade or post up to the maximum pay of the lower grade or post.	Ditto
22.	4.12	Power to declare that service in a lower grade or post shall not count	Ditto

		for increment when the degraded Government servant is reinstated.	
23.	4.16	Power to reduce the pay of an officiating Government servant.	Ditto
24.	4.22	Power to appoint a Government servant to hold substantively or to officiate in two or more independent posts at one time.	Ditto
25.	5.5	Power to accept an officiating Government Servant's reason for refusing to occupy the house, placed at his disposal by the permanent incumbent while on leave or transfer.	Ditto
26.	5.31	Power to sanction remissions of rent when a building is inhabitable.	Full powers
27.	5.40	Power to direct that a Government servant on leave shall be in occupation of a. residence.	Ditto
28.	5.48	Power to grant compensation to Government servants for the accidental loss of their property.	Up to limit of Rs. 1000 or a month's pay of the Government servant concerned, whichever is less.
29.	5.49 and 5.51	Power to grant or permit a Government servant to receive an honorarium not connected with the examinations hold by the Pakistan or Punjab North West Frontier Province Joint Public Service Commission or to permit o. Government servant to receive fees.	Up to a maximum of Rs. 500 in each individual case, this being the aggregate during a financial year in the case of recurring fee (or honorarium) provided that the service rendered does not fall within the course of the ordinary duties of the Government servant, in which case the limit is Rs. 50. consent of the Finance Department is not presumed when the honoraria or fees are granted merely in recognition or the satisfactory way in

			which a government servant has carried out the work for which is paid the existence of special work, the performance of which is sanctioned under rule 5.55 is essential to consent being presumed.
30.	5.49	Power to permit a Government servant to receive an honorarium from the Pakistan or Punjab and North West Frontier province Joint Public Service Commission in connection with the examination held by the Commission.	Full powers.
31.	5.51	Power to sanction the acceptance of fees by police constables who are placed in-charge of cattle-pounds attached to police stations.	Full powers.
32.	5.51	Power to sanction the undertaking of work for which a fee is offered	Full powers.
33.	5.52	Power to direct that the whole or part of a fee for work done during the time, which would otherwise be spent in the performance of official duties, be paid to the Government servant.	Full powers.
34.	8.2 (b)	Power to declare that the former service of a reinstated Government servant shall not count for leave in whole or in part.	Full powers.
35.	8.18	Power to grant leave to a government servant in respect of whom a -----committee has reported that there is no reasonable prospect that he will ever be fit to return to duty	Full powers.
36.	8.24	Power to grant leave	Full powers.
37.	8.28 and 8.29	Power to direct in any case other wise than is laid down in rules 8.28 and 8.29	Full powers.
38.	8.34	Power to decide in doubtful or inequitable cases which Government servant shall be held	Full powers.

		to have been incharge and to whom the pay of the post for the Sunday or holiday shall be paid.	
39.	8.42 (b)	Power to grant permission to a Government servant on leave to accept employment or take up service.	Full powers.
40.	8.48	Power to extend leave overstayed	Full powers.
41.	Paragraph 2 (ii) of annexure to section I Chapter VIII	Power to decide in case of doubt whether a particular Government servant is serving in vacation department	Full powers.
42.	8.97	Power to grant leave to a Temporary Engineer.	Full powers.
43.	8.106	Power to grant leave to a Public Prosecutor and to make officiating arrangements or appointment or appointments during the period of his leave.	Full powers, subject to the conditions laid down in rule 8.106
44.	9.7	Power to permit the calculation of joining time by a route other than which Travellers habitually use.	Full power
45.	10.2 (b)	Power to transfer a Government servant to foreign service in Pakistan	Full powers, subject to the conditions noted against Serial No. 50
46.	10.8	Power to fix pay in foreign service	Full powers, subject to the conditions in Annexure A to Chapter X and provided that:- (a) The pay fixed. (i) does not exceed Rs. 1000 per mensum (ii) does not exceed by more than 40 per cent, the substantive pay (excluding overseas pay ion Sterling or rupees) last drawn by the Government service. (iii) Is not increased at intervals of less

			<p>than three years, except that a Government servant who belongs to a graded service or who is on a timescale, may get an increase up to 40 per cent of each increment in addition to his increment.</p> <p>(b) No concessions are sanctioned in addition to pay, except-</p> <p>(i) payment by foreign employer of leave and pension contributions;</p> <p>(ii) grant of travelling allowance under the Punjab Government Travelling Allowance Rules.</p> <p>(iii) Payment by the foreign employer of such compensatory allowance as would be paid by Government at the station at which he is employed in foreign service, were the Government servant in the service of Government.</p>
47.	10.18	Power to decide the date of reversion of a Government servant returning after leave from foreign service.	Full powers
48.	Note under rule 14.4	Creation or abolition of permanent posts on the following scales (i) All Departments except Public	Full powers except in regard to posts in the secretariat Office or the

		<p>Works and Administration of Justice-</p> <p>(a) junior clerk Rs 60-4-100/ 5-120 (b) Mechanics Rs 50-4-90 (c) Orderlies and peons Rs 25-1/2-30 (d) Other posts: provided that the maximum pay of the posts does not exceed Rs. 100 and provided also that the pay of the post is the same as that sanctioned for the similar posts already in existence.</p> <p>(ii) Administration of Justice-</p> <p>(a) Clerical and Ministerial posts-</p> <p>1) English clerks for the High Court Rs. 60-1-100/5-120 2) English Clerks for the Courts subordinate to the High Court Rs. 60-4-120/5-120 3) Vernacular Clerks for the Courts subordinate to the High Court Rs. 60-4-100/5-120 (b), (c) and (d) As in entry No. above.</p> <p>(iii) Public Works Department – (a), (b) and (c) As in entry No. (i) (d) other posts; provided that the maximum pay of the posts does not exceed Rs. 200 and provided also that the pay of the post is the same as the sanctioned for similar posts already in existence.</p>	<p>Department concerned in respect of which assent is given only in regard to creation of posts on the inferior establishment other than Jamadars and Ushers and Orderlies attached to Gazetted Government servants.</p>
49.		<p>Creation of temporary posts other than those to the creation of which Finance Department's assent may be presumed under note 3 to rule 15.1 read with Serial No. 52 above.</p> <p>(i) All Departments (except public Works) (ii) Public Works Department.</p>	<p>Provided the pay of the post does not exceed that sanctioned for similar permanent posts or Rs. 250 per mensem, whichever is less and that the appointment does not extend for more than 6 months in one and the same financial year. Provided-</p> <p>(i) The pay of the</p>

			<p>post does not exceed that sanctioned for similar permanent post.</p> <p>(ii) The pay of the posts does not exceed Rs. 350 per mensem in the Building and Roads Branch and Rs. 500 per mensem in the Irrigation and Electricity Branches in the case of work charged establishment and Rs. 350 in other cases;</p> <p>(iii) The pay of the incumbent of the post is fixed in accordance with the provisions of the rules.</p> <p>(iv) The appointment, except in the case of work-charged establishment does not extend for more than 6 months within one and the same financial year</p>
50.	Note 2 under rule 14.4	Home Department- Creation of temporary posts of inspectors (European or Pakistani and officers below that rank in connection with the imposition of additional police posts under sections 13, 14 and 15 of the Police Act, 1861)	Provided that the pay and allowances of the post created is according to the sanctioned scales as laid down in Chapter X of the Police Rules, Volume I
51.	Note 2 under rule 14.4	Increase or reduction in the pay of a permanent or temporary post	Provided that the maximum pay of the

			post is in conformity with the scales prescribed in entries 53, 54 and 55, respectively, after the increase or before the reduction, as the case may be.
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Chapter XVI**DELEGATION ORDERSSS**

- 16.1.** With referent to Rule 2.14 delegations have been made to the exercise of the powers by the heads of departments and other subordinate authorities in the cases detailed below:

NOTE 1.—The delegations in respect of the creation of posts do not refer to menial establishment, the pay of which is debited to contingencies.

NOTE 2.—The power to create a permanent post may, unless there exists a specific delegation in regard to similar temporary posts, be held to coyer a temporary post within the same limits.

NOTE 3.—Unless otherwise provided by a special order a higher authority in a department may exercise the powers delegated to an authority subordinate to it.

NOTE 4.—See also notes 2, 4 and 5 below rule 15.1, which apply mutatis mutandis to the delegations in this Chapter.

NOTE 5.—In respect of delegations for creation of posts, fees or commission which are the authorised emoluments of the post should be considered as pay or part of pay of the post for the purposes, of determining the authority competent to create the post.

S. No	Rule under which delegation made	Nature of power	To whom delegated	Extent
DELEGATIONS TO HEADS OF DEPARTMENTS OF HEADS OF OFFICES GENERALLY				
1)	2.27 (c)	Power to declare a Government servant's headquarters	Heads of Departments	Full powers in case of those Government servants whom they can appoint
2)	2.42	Power to appoint a Government servant to officiate in a vacant post	Authority competent to make a substantive appointment to the post	Full power
3)	2.53	Power to define the limits of a Government servant's sphere of duty.	Head of Department	Full powers in case of those Government servants whom they can appoint.
4)	Para II (5) of Schedule to Chapter II	Power to sanction the absence on duty of a Government servant beyond his sphere of duty.	Head of Department Head of Offices	Full powers in individual cases, provided that the absence is for reasons of a public nature, which should be stated and does not exceed 14 days in each case. Ditto in respect of Government servants whom they can appoint.
5)	3.2	Power to dispense with the production of a medical certificate in the case of a Revenue Patwari entering Government service.	Head of Department	Full powers in individual cases.

6)	3.14	Power to suspend the lien of a Government servant.	Head of Department	As regards Government servants under them whom they can appoint.
7)	3.33	Power to relax the provisions of rule 3.22	Heads of Departments or other authorities competent to grant leave.	In respect of Government servants to whom they are competent to grant leave
8)	3.24	Power to declare that proviso (a) to rule 3.23 is not applicable to any particular case.	Ditto	Ditto
9)	3.26 (a)	Power to retain a Government servant, other than a ministerial servant, in service after the age of 55 years and up to the age of 60 years.	Heads of Departments	In cases of non gazetted servants only and on public grounds which must be recorded in writing.
10)	3.26 (a)	Power to retain a Government servant, other than a ministerial servant, in service after the age of 60 years.	Ditto	In cases of non-gazetted servants and in very special circumstances only which under the recorded in writing
11)	3.26 (b) (i)	Power to require a ministerial Government servant to retire between the age of 55 and 60 years.	Heads of Department and authorities subordinate the	As regards non gazetted Government servant whom they are competent to appoint except in the case of Head Vernacular Clerks of the offices of commissioners and Superintendents and Head Vernacular Clerks of the office /Deputy Commissioners.
12)	3.26 (b) (i)	Power to require Superintendents and head Vernacular Clerks of Deputy Commissioners offices to retire between age of 55 and	Financial commissioner	Full powers

		60 years.		
13)	4.1 4.20 and 4.21	Power to fix pay.	Heads of Departments and Superintending Engineers, Public Works Department, Irrigation Branch.	In respect of temporary posts which they are specifically authorized to create.
14)	4.3	Power to reduce pay and allowances of a Government servant treated as on duty.	Ditto	In individual case of non gazetted servants only whom they can appoint without reference to the higher authority.
15)	4.1	Power to withhold increments	(i) where service rules have been notified, the authority competent to do so under the service rules.	As provided in the service rules
			(ii) When no service rules have been notified, Heads of offices except as provided in sub clauses (a) to (c) below.	Full powers
			(a) Judges of the High Court of Judicature at Lahore	Full powers in respect of members of the Provincial Civil Service (Judicial Branch)
			(b) superintending Engineers, Irrigation Branch.	Full powers in respect of Zilladars and Draftsman serving under them
			(c) Authority competent to make the appointment in electricity Branch.	Full powers in respect of temporary staff employed in the Public Works Department, Electricity Branch.
16)	4.11	Power to order Government servants transferred as a	The authority empowered to make	Full powers

		penalty to a lower grade or post to draw any pay not exceeding the maximum of the lower grade or post.	the transfer	
17)	4.12	Power to declare that service of a Government servant reduced shall not count for increment on re instatement.	The authority competent to re instate.	Ditto
18)	Proviso 1 to 4.13	Power to decide whether officiating pay should or should not be given in case of clerical and subordinate posts not borne on provincial scales.	Heads of Offices	Subject to the principles laid down in Rule 4.13. <i>Note- officiating appointment in offices of Deputy Commissioners are regulated by the special orders relating thereto.</i>
19)	4.16	Power to reduce pay of officiating Government servants.	Heads of Departments	Full powers
20)	4.22	Power to appoint a Government servant to hold substantively or to officiate in two or more independent posts at one time.	Ditto	With respect to Government servants whom they are competent to appoint to all the posts referred to provided that none of the other posts shall be in the same office as the post carrying the highest pay.
21)	5.54	Power to grant compensation to Government servants serving under them for the accidental loss of their property.	All Heads of Departments and Commissioners of divisions other than the chief Engineers, Public Works Department: financial commissioners, Inspector General of Police and the Honorable Judges of the High Court.	Up to a limit of Rs. 500 or a month's pay of the Government servant concerned whichever is less. Up to a limit of Rs. 1000 or a month's pay of the Government servant concerned whichever is less.

			Chief Engineers, Public Commissioners, Inspector General of Police and Honorable judges of the High Court.		
22)	5.55	Power to grant or permit a Government servant to receive an honorarium.	Heads of Departments	For sums not exceeding Rs. 50 in each individual case during a financial year.	rendered does not fall within the course of the
23)	5.57	Power to permit a Government servant to receive fees.	Ditto	For sums not exceeding Rs. 500, this being the aggregate during a financial year in the case of a recurring fee.	
24)	5.57	Power to sanction the undertaking of work for which a fee is offered.	Ditto	Where the fee involved does not exceed Rs. 500, this being the aggregate amount during a financial year in each case of a recurring fee.	
25)	5.57	Power to direct that the whole or any part of a fee for work done during official time may be paid to a Government servant who did the work.	Any authority having power to sanction the acceptance of the fee.	To the extent of his power to sanction the acceptance of the fee.	
26)	8.27 and 8.28	Power to direct in any case otherwise than is laid down in rules 8.27 and 8.28.	Heads of Departments.	In respect of Government servants to whom they are competent to grant leave.	
27)	8.47	Power to extend leave overstayed.	The authority granting the leave.	Up to 14 days out of Pakistan.	
28)	9.7	Power to order that joining time should be calculated by a route other than that which travelers habitually use.	Heads of Departments	Full powers	

29)	10.2 (b)	Power to transfer a Government servant to foreign service in Pakistan.	Ditto	Full powers, subject to the conditions in serial No. 31
30)	10.8	Power to fix pay of a Government servant in foreign service.	Ditto	<p>Full powers, subject to the conditions in Annexure A to Chapter X, and provided that.</p> <p>(a) The pay fixed.</p> <p>(1) does not exceed Rs. 150 per mensem;</p> <p>(2) does not exceed by more than 25 per cent the substantive pay (excluding overseas pay whether sterling or Rupee) last drawn by the Government servant in government service;</p> <p>(3) is not increased at intervals of less than three years, except that a Government servant who belongs to a graded service or who is on a time scale may get an increase up to 25 per cent of each increment, in addition to his increment.</p> <p>(b) No concessions are sanctioned in addition to pay except-</p> <p>(1) payment by the foreign employer of leave and pension contributions, and in the case of Government servants eligible to contribute towards the Punjab contributory Provident Fund,</p>

				<p>the payment by the foreign employer of Government's share of the contribution towards the fund;</p> <p>(2) grant of travelling allowance under the Punjab Travelling Allowance Rules.</p> <p>(3) Payment by the foreign employer of such compensatory allowance as would be paid by Government at the station at which he is employed in foreign----- were the Government Servant in the service of Government.</p>
30 – Concl'd	(A) DELEGATION TO HEADS OF DEPARTMENTS OR HEADS OF OFFICES GENERALLY – CONCLUDED			
31)	10.18	Power to decide the date of reversion of a Government servant returning after leave from foreign service.	Heads of Departments	Full power
	(B) DELEGATION TO SPECIFIC HEADS OF DEPARTMENTS AND OTHER SUBORDINATE AUTHORITIES			
32)	4.1 (2) (ii)	To grant special pay to Kanungos (whether Sadr, Naib-Tehsildars or Tehsil Offices Kanungos) whose work is substantially increased by Settlement Operations or Colony Work	Settlement Officers, Extra Assistant Commissioners in charge of Settlement Operations and Colonization Officers.	Up to Rs. 5 per mensem.
33)	4.1 (2) (ii)	To grant special pay to Kanungos and Patwaris employed as Teachers and Assistant Teachers in a Patwari School.	Director of Land Records	Up to Rs. 25 per mensem to Field Kanungo and Rs. 10 per mensem to a Patwari, subject to the condition that the special pay is not paid beyond

				51/2 months.
34)	4.3	To sanction the grant of pay while on training to a candidate for the post of –	Commissioners of Divisions	Full powers subject to the condition that the rate of pay does not exceed in the case of-
35)		(a) Tehsildar. (b) Naib-Tehsildar, who is not in Government Service.		(a) Tehsildar Rs.75 per mensem. (b) Naib-Tehsildar Rs. 60 per mensem.
36)	4.3	To sanction the grant of a stipend or pay during settlement or colony training to a candidate for the post of Kanungo.	Colonization Officers, Settlement Officers, Deputy Commissioners placed in charge of Settlement Operations.	Full powers subject to the conditions that in the case of a candidate who is not a Government servant the rate of stipend does not exceed Rs. 35 per mensem. A candidate who holds substantive permanent post in Government Service, will receive while under training in a district not under settlement, the pay at initial stage of the time scale of Patwari throughout the period of his training and while under training in a settlement, the rate of pay to be drawn by him will be equal to the presumptive pay of the post which he holds substantively, provided it does not exceed the initial stage of the time scale of Kanungo. A Kanungo candidate, recruited from the patwar class, will, while receiving training as a Settlement

				Patwari, receive the pay of his substantive post as Patwari. But if such a candidate holds a substantive post in Government service, he will draw pay equal to the presumptive pay of the post he holds substantively, provided it does not exceed the initial stage of time scale of field Kanungo.
37)	5.57	Power to permit Revenue Officials below the rank of Tehsildar to receive fees.	Deputy Commissioners	Up to a maximum of Rs. 500 this being the aggregate during a financial year in the case of a recurring fee provided the service rendered does not fall within the scope of the ordinary duties of the Government servant.
38)	5.57	Power to sanction the undertaking of work for which a fee is offered by Revenue Officers below the rank of Tehsildars.	Ditto	
39)	Note 2 under Rule 14.4	To sanction payment to establishment sent to new settlement at the expiry of an old one before the commencement of the new settlement is sanctioned.	Financial Commissioner	Full powers, provided that budget provision is not exceeded, and that no fresh posts are created.
40)	Ditto	To create posts of Patwaris and to change grading and pay of the Patwaris establishment.	Ditto	Full powers
41)	Ditto	To create temporary posts for Settlements and Colonization Operations.	Commissioners of Divisions	(a) Pay of the posts shall not exceed that sanctioned in similar permanent posts

				with a maximum of Rs. 120. (b) Within the financial year
42)	Ditto	To create temporary posts of Field Kanungos.	Ditto	(a) Pay to be in accordance with the sanctioned rate for similar permanent posts. (b) For six months within the financial year.
43)	Ditto	To create temporary posts of Patwaris and Assistant Patwaris for doing work other than that given in Serial No. 44.	Ditto	(a) Pay to be in accordance with the sanctioned rate for similar permanent posts (b) For six months within the financial year.
44)	Ditto	To create temporary posts of Patwaris for recopying revenue records.	Director of Land Records	Up to six months in each case and for work already sanctioned by the Financial Commissioner or Government.
45)	Ditto	To create temporary posts of Field Kanungos and Patwaris to carry on the duties of Field Kanungos and Patwaris appointed as Teachers and Assistant Teachers in a Patwari School.	Ditto	For 5½ months only, subject to the condition that the pay of the Field Kanungo and Patwaris should not exceed Rs. 60 and Rs. 35 per mensem, respectively.
Land Revenue - concluded				
46)	Note 2 under Rule 14.4	To create temporary posts for settlement and colonization operations except settlement and colony Patwaris.	Settlement Officers, Extra Assistant Commissioners in charge of settlement operations and Colonization Officers.	(a) Pay of the posts shall not exceed that sanctioned for similar permanent posts with a maximum of Rs. 30 per mensem. (b) Within the financial year.
47)	Ditto	To create temporary posts for the destruction and re-arrangement of records in Sadr Kanungo's offices.	Deputy Commissioners	1. To be used only when there is abnormal pressure of work. 2. Pay to be in accordance with sanctioned rates for

				similar permanent posts and subject to the maximum of Rs. 60. 3. For six months within the financial year.
48)	Ditto	To create temporary posts of one Reader and one peon for each Assistant commissioner and Extra Assistant Commissioner under settlement training.	Settlement Officers	(a) Pay not to exceed:- Readers – Rs.60 – 4 – 100/5 – 120. Peons – Rs. 25 – ½ - 30. (b) The period of the appointment shall be for so long as the Assistant Commissioner remains under settlement training.
49)	Ditto	To create temporary posts of Clerks and Muharrirs for the management of Dhundi and Bruce bad Estates.	Deputy Commissioners, Dera Ghazi Khan.	(a) Only when there is abnormal pressure of work. (b) Pay to be in accordance with the sanctioned rates for similar permanent posts and subject to a maximum of Rs. 75 per mensem. (c) For six months within the financial year.
Excise and Taxation Department				
50)	2.27	Power to declare the headquarters of Excise and Taxation Inspectors and Sub-Inspectors.	Excise and Taxation Commissioner	Full powers.
51)	Note 3 under rule 14.4	To create temporary posts in the Excise and Taxation Department.	Excise and Taxation Commissioner.	(a) At rates not exceeding permanent scale with a maximum of Rs. 100 per mensem. (b) Within the financial year. (c) Subject to report to

				Government.
52)	Ditto	To create temporary posts to carry on the business of a shop for retail vend of opium and to sanction the remuneration thereof.	Deputy Excise and Taxation Commissioner.	(a) Remuneration not to exceed Rs. 50 per mensem. (b) Within the financial year. (c) Subject to report to the Excise and Taxation Commissioner.
53)	Ditto	To create temporary posts of peons in the Excise and Taxation Department.	Deputy Excise and Taxation Commissioner.	(a) At rates not exceeding the permanent scales. (b) For six months only within the financial year. (c) Subject to report to the Excise and Taxation Commissioner.
54)	2.27	Power to declare a Government servant's headquarters.	} Conservators of Forests	Full powers in case of those Government servants whom they or any authority subordinate to them can appoint.
55)	2.53	Power to define the limits of a Government servant's sphere of duty.		
56)	3.23	Power to relax the provisions of rule 3.22.	Ditto	In respect of Government servants to whom they or any authority subordinate to them are competent to grant leave.
57)	3.24	Power to declare that proviso (a) to rule 3.23 is not applicable to any particular case.	Ditto	Ditto
58)	4.1, 4.20 and 4.24	Power to fix pay	Ditto	In respect of temporary posts which they are specifically authorized to create.
59)	5.55	Power to grant or permit a	Ditto	Up to a maximum of Rs. 50 in

		Government servant to receive honorarium		each individual case, this being the aggregate during the financial year in the case of recurring honorarium, provided the work does not fall within the scope of the ordinary duties of the Government servants.	
60)	5.57	Power to permit a Government servant to receive fees.	Ditto	Up to a maximum of Rs. 500, this being the aggregate during a financial year in the case of a recurring fee, provided the service rendered does not fall within the scope of the ordinary duties of the Government servant.	
61)	5.57	Power to sanction the undertaking of work for which a fee is offered.	Ditto	Ditto	
62)	8.27 and 8.28	Power to direct in any case otherwise than is laid down in rules 8.27 and 8.28.	Ditto	As against item No. 53.	
63)	Note 2 under Rule 14.4	To create temporary posts specified below on pay not exceeding that shown against each and to sanction such local allowances as are admissible:- Per mensem up to	Chief Conservator of Forests and Conservator of Forests, Punjab.	Within the financial year.	
64)					Rs.
	1) Oversees, Draftsmen and Supervisors				14 0
		2) Storekeepers	12 0		

	3) Mechanics	10 0		
	4) Carpenters	75		
	5) Foresters and Darogas	45		
	6) Forest Guards and Watchers	30		
	7) Clerks (Divisional, Range, Expolitation Depot including Muharrirs and Munshies)	12 0		
	8) Peons	30		
	9) Enumerators for working plan	45		
	10) Draimen (Skilled men)	45		
	11) Boatmen	30		
	12) Firemen	30		
	13) Godown Assistants	75		
	14) Permanent Way Inspectors	10 0		
	15) Platelayers	75		
	16) Curators of Museums	10 0		
	17) Compounders	55		
	18) Assistant Medical Officers	10 0		
	19) Surveyors	14 0		
	20) Demarcation Darogas	80		

The amounts shown against the posts in column 3 are liable to alteration on the revision of the scales of some of those posts.

65)	Note 2 below rule 14.4	To create temporary posts of clerks and peons.	Inspector General of Registration	(a) Pay not to exceed – Clerks, Rs. 80/100 per mensem. Peons, Rs. 25 per mensem. (b) Within the financial year.
66)	4.3	To sanction pay while under training in a district not under settlement to a candidate for the post of Kanungo who is already in Government service.	Deputy Commissioners	Provided the rate of the pay shall be the minimum of the scale of a Patwari.
Transport Department				
67)	5.1	To sanction house rent allowance	Secretary Provincial Transport Authority.	Motor Vehicle Inspectors. Motor Mobile Petrol Inspectors, Sergeants Motor Mobile Petrol Sub-Inspectors, Constables, and other staff on traffic checking posts deputed from the Police Department subject to the maximum of the rate allowable to each rank under serial No. 103 below at different stations.
General Administration and Revenue Department				
68)	5.55	Power to sanction the payment of honoraria to Government servants appointed as examiners, supervisors, or invigilators in connection with the examination held by Punjab and North-West Frontier Province Joint Public Service commission	Chairman of the Punjab and North-West Frontier province joint Public Service Commission.	Up to the maximum of Rs. 1,000 in each individual case during a financial year.
69)	Note 2 under Rule 14.4	To create temporary posts of clerks	Financial Commissioners.	(a) Only when there is abnormal pressure of work.

				<p>(b) Pay not to exceed Rs. 100. (c) Within the financial year.</p>
70)	Ditto	<p>To create temporary posts:-</p> <ol style="list-style-type: none"> 1) Required for Commissioner's offices; 2) Required for special Land Acquisition Officers; 3) Required in Deputy Commissioners' Offices to deal with work arising out of land acquisition proceedings; 4) Required in Deputy Commissioner's offices to help in work connected with Takavi distribution; 5) Required for the delimitation of boundaries; 6) Required for camps of exercise and military maneuvers. 	Commissioners of Divisions	<p>(a) Pay to be in accordance with the sanctioned rates for similar permanent posts and subject to a maximum of Rs. 120 per mensem. (b) Within the financial year.</p>
71)	Ditto	To create or reduce permanent or temporary posts of copyists.	Ditto	<ol style="list-style-type: none"> 1) Pay not to exceed Rs. 60 per mensem. 2) Subject to the report being made to the Financial Commissioner.
72)	Note 2 under Rule 14.4	<p>To create temporary posts:-</p> <ol style="list-style-type: none"> 1) For Deputy Commissioner's offices; 2) For the destruction of records in district records rooms; 3) Temporary Potedars other than those whose pay is met from the head "48 – Currency" (Central). 	Deputy Commissioners	<p>(a) Only when there is abnormal pressure of work. (b) Pay to be in accordance with sanctioned rates for similar permanent posts and subject to a maximum of Rs. 75 for (1) and Rs. 60 for (2) and (3). (c) For 6 months within the financial year, except in</p>

				the case of (3) where the period is one month.
73)	Ditto	To create temporary posts of additional peons either on service of processes or on ordinary district work.	Collectors	<p>(a) Only when there is abnormal pressure of work.</p> <p>(b) Pay to be in accordance with the sanctioned scale for similar permanent posts.</p> <p>(c) For six months within the financial year.</p>
74)	Ditto	To create temporary posts of Potedars other than those whose pay is met from the head "48 – Currency" (Central).	Commissioners of Divisions	<p>(a) To be used only when there is abnormal pressure of work.</p> <p>(b) Up to a period of six months within the financial year.</p>
75)	Ditto	To create temporary posts of Naib-Tehsildars, their Muharrirs on the scale of Rs. 60 – 4 – 100/5 – 120 and their peons.	Ditto	For three months.
76)	Ditto	To create temporary posts on the scale given below required for the court of each Assistant and Extra Assistant Commissioner, stipendiary or honorary, who is appointed in exceed of the recognized strength of the district:- One Reader. One Ahlmad. One Peon.	Deputy Commissioners	<p>a) Not to exceed – Readers Rs.75–6–165/7–175. Ahlmads Rs.60–4–100/5–120. Peons 25 – ½ - 30.</p> <p>b) The period of the posts shall be for so long as the posts of additional Assistant and Extra Assistant Commissioners are created and shall in no case extend 10 days beyond the date on which the officers relinquish their charge.</p>

				c) The staff is limited to a reader and a peon for Government servants who do not exercise the powers of a Magistrate of the first class.
77)	Ditto	To create temporary posts of peons for Transport Registration Officers when a peon cannot be spared from the existing Tahsil Establishment.	Ditto	a) Pay not to exceed Rs.25– ½ - 30. b) For six months.
78)	Note 2 under Rule 14.4	To create temporary posts	Speaker, Punjab Legislative Assembly.	a) For three months. b) The pay and allowances of any temporary post so sanctioned shall not exceed Rs. 120 per mensem or that sanctioned for similar permanent posts, whichever is less. c) The pay and allowances shall not in any case exceed the rates admissible for similar posts in the Punjab Civil Secretariat.
Administration of Justice.				
79)	3.14	Power to suspend the lien of members of the Punjab Civil Service (Judicial Branch) on posts in the selection grade.	Honourable Judges of the High Court of Judicature at Lahore.	Full powers, provided the Government servant whose lien is suspended is holding a superior post on which no other Government servant holds a lien and there is no reasonable expectation of his reversion within three years.
80)	3.26 (b) (i)	Power to require a Ministerial Government servant to retire	District and Session Judges	In respect of non-gazetted Government servants who they

		between the age of 55 and 60 years.		or authorities subordinate to them are competent to appoint.	
81)	4.16 and 4.22	Power to grant additional pay to Government servants of the Provincial Civil Service (Judicial Branch) appointed to hold charge of the current duties of the office of District and Sessions Judge in addition to their own duties.	Ditto	Up to 1/5th of the substantive pay of the Government servants concerned subject to a maximum limit of Rs. 200 per mensem in each case and provided the period of the additional charge exceeds seven days.	
82)	Note 2 under Rule 14.4	To create new permanent ministerial posts required for the High Court of Judicature at Lahore and courts subordinate there to.	The Honourable Judges of the High Court of Judicature at Lahore	The pay of the post shall not exceed – a) For the High Court For subordinate Courts	Rs. 60-4 100-5/120
83)	Ditto	To create new permanent posts in the process-serving establishment required for the High Court of Judicature at Lahore and courts subordinate thereto.	Ditto	The pay of the posts shall not exceed the following limits: -	
84)				1) Civil Nazir 2) Naib-Nazirs 3) Baillifs 4) Process-Servers	Rs.120-8-200/10-250. Rs. 604-100/5-120. Rs.35-1-45. 30-1/2 - 35
85)	Ditto	To create new permanent posts in the inferior establishment required for the High Court of Judicature at Lahore and Courts subordinate thereto.	The Honourable Judge of the High Court of Judicature at Lahore.	The pay of the posts shall be subject to the following limits –	

86)				1) Daftries 2) Peons 3) Other inferior appointments including menials	Rs.30-1-40. Rs.25-1/2– 30. Rs. 25.
				Provided that posts of Jamadars. Ushers or of Orderlies attached to gazetted Government servants shall not be created.	
87)	Ditto	To create temporary ministerial and inferior posts required for the High Court of Judicature at Lahore and courts subordinate thereto.	Ditto	a) The pay to such posts shall be in accordance with the sanctioned scale for permanent posts. b) Within the financial year unless the pay is according to the scale laid down in serial Nos. 80, 81, and 87.	
88)	Note 2 under Rule 14.4	To create the post of a messenger for each district court when the amount of station dak to be dealt with appears to render this necessary.	The Honourable Judges of the High Court of Judicature at Lahore.	Pay to be on usual scale.	
89)	Ditto	To create new temporary posts of special Public Prosecutors in emergent cases.	Legal Remembrance to Government, Punjab	a) The pay attached to such post not to exceed Rs. 500 per mensem. b) The period of appointment not to exceed three months.	
90)	Ditto	To create temporary posts	District and Sessions	a) Pay not to exceed –	

91)		on the scale given below for the courts of Temporary Additional District and Sessions Judges: - One Reader. One Translator. One Ahlmad. One Copy Clerk. One Usher. Two peons.	Judges	Reader Translator Ahlmad Copy Clerk Usher Peon	Rs.120-8-200/10-250. Rs.75-6-105/7-175. Rs.60-4-100/5-120. Rs.60-4-100/5-120. Rs.25-1/2-30 plus a Special Pay of Rs.5. Rs.25-1/2-30.
b) The period of appointment shall be for so long as the posts of temporary Additional District and Sessions Judges are created, subject to the limit that sanction shall not be given to extend beyond the last day of the financial year.					
92)	Note 2 under Rule 14.4	To create temporary posts required for the courts of Additional Sub-Judges on the following scale:- One Reader,	District and Sessions Judges	a) Pay not to exceed -	
93)		One Ahlmad, One Naib-Nazir, and One peon		Reader Ahlmad Naib-Nazir Peon	Rs.75-6-105/7-175. Rs. 60-4-100/5-120. Rs.60-4-100/5-120. Rs.25-1/2 -30.
b) The period of appointment shall be for so long as the post of additional Sub-					

				Judges in created subject to the limit that sanction shall not be given to extend beyond the last day of the financial year. c) Provided a Naib-Nazir is entertained only if held to be necessary by the District and Sessions Judge.
94)	Ditto	To create temporary posts of Bailiffs for execution work in connection with applications made to courts on behalf of Co-operative Societies.	Ditto	Provided- a) The pay attached to such posts is in accordance with the sanctioned scale of permanent Bailiffs. b) The pay plus leave and pension contribution in accordance with the rate fixed by the Punjab Government under Rule 10.10 are recovered from the Societies concerned.
Jail Department				
95)	Note 2 under Rule 14.4	To create posts of turnkeys on a permanent footing in judicial lock-ups in the Province.	Inspector General of Prisons, Punjab	Full Powers.
96)	Ditto	To create temporary posts of Jail Warders and other subordinates of inferior rank and of menials required on the occasion of the alteration in the status of a District Jail from a lower to a higher class.	Ditto	a) Provided that the establishment is kept within the sanctioned strength for the class to which the Jail is raised. b) For six months.
97)	Ditto	To create temporary posts in other cases of urgent	Ditto	a) Provided that the pay does not exceed Rs.60 or the

		necessary.		pay drawn in similar posts in the Jail Department, whichever is less; and b) For six months.
98)	Ditto	To create temporary posts of warders to guard condemned prisoners and civil prisoners in civil wards outside main walls.	Ditto	Provided – i) That the pay does not exceed that sanctioned for similar permanent posts, and ii) The appointment in the case of temporary warders to guard condemned prisoners is made in accordance with paragraphs 852 and 853 of the Punjab Jail Manual.
99)	Note 2 under Rule 14.4	To create a temporary post of female warder in a jail when the female warder already attached to the jail is granted casual leave.	Superintendents of jails	i) The power shall be exercised in those jails only to which there is only female warder. ii) The period of the temporary post shall be limited on each occasion to the period of casual leave taken and shall not exceed 20 days in a year for each female warder granted casual leave. iii) The pay shall not exceed the pay drawn in similar permanent posts.
100)	..	To fix the classification of District Jails for the purposes of determining the allowance admissible to medical officers for their	Inspector General of Prisons, Punjab	Provided the scale of prisoners, as noted below is not exceeded –
101)				1 st class jails 500 or more. 300 and not

		administrative charge.		2 nd class jails 3 rd class jails 4 th class jails	more than 499. 150 and not more than 299. More than 50 and less than 150.
<p>The figures should be the average of the preceding year, but discretion may be used. When owing to abnormal causes the average number is greater or less than it may reasonably be expected to be in the year under consideration.</p>					
Police Department					
102)	Para. II (5) of Schedule to Chapter II.	Power to sanction the absence on duty of a Government servant beyond his sphere of duty.	Deputy Inspector General of Ranges	Full powers in respect of Gazetted Government servants attached to districts, provided that the absence is for reasons of a public nature which should be stated and that the period of absence does not exceed 14 days.	
103)	Para. II (5) of Schedule to Chapter II.	Power to sanction the absence on duty of a Government servant beyond his sphere of duty.	Superintendents of Police under whose orders they are serving.	Full powers in respect of Government servants shown below, provided that the absence is for reasons of a public nature which should be stated and that the period of absence does not exceed 14 days:- 1) Prosecuting Reserve, City, Cantonment, C. I. D. and other Inspectors.	

				<p>2) Sergeants.</p> <p>3) Prosecuting C. I. D. and other Sub-Inspectors.</p> <p>4) Assistant Sub-Inspectors.</p> <p>5) Head Constables and Constables.</p>
104)	Ditto	Ditto	Assistant Inspector General, Government Railway Police.	Full powers in respect of Government servants shown below, provided that the absence is for reasons of a public nature which should be stated and that the period of absence does not exceed 14 days: - Inspectors, Sergeants, Sub-Inspectors, Assistant Sub-Inspectors, Head Constables and Constables of the Government Railway Police.
105)	Para. II (5) of Schedule to Chapter II.	Power to sanction the absence on duty of a Government servant beyond his sphere of duty.	Superintendent of Police of the district in which group headquarters are fixed.	Full powers in respect of Government servants shown below, provided that the absence is for reasons of a public nature which should be stated and that the period of absence does not exceed 14 days – Inspectors, Sergeants, Head Constables and Clerks of Motor Vehicle Inspection Staff.
106)	3.26 (a)	Power to retain Government Servants other than ministerial servants, in service after the age of 55 years.	Deputy Inspectors General of Police and the Assistant Inspector General, Government Railway	As regards Sub-Inspectors, Assistant Sub-Inspectors and Sergeants of Police up to the age of 60 years.

				Police.		
107)	Ditto	Ditto		Superintendents of Police	As regards Head Constables and Constables up to the age of 60 years.	
108)	5.37	Power to sanction acceptance of fees		Inspector General of Police, Punjab.	Full powers in regard to Police Constables, who are placed in charge of cattle pounds attached to Police stations.	
109)	5.37	Power to sanction the undertaking of work and to permit the Bandsmen of the Dera Ghazi Khan, Baluch Levy to receive fee from the Dera Ghazi Khan District Board for the work done in connection with the Annual Horse and Cattle Fair.		Commissioner, Multan Division	Up to a limit of Rs.20.	
110)	5.1	To sanction house rent allowances.	a) Inspector General of Police b) Deputy	i) European Inspectors ii) Sergeants 1) Pakistan	Up to a maximum of Rs.60 per mensem throughout the Punjab in respect of the Government Railway Police only. Rs.45 per mensem throughout the Punjab in respect of Government Railway Police only.	continue to draw his existing allowance on long leave. Subject to conditions laid down in Rule 10.76 of the Punjab Police Rules and further, where house-rent allowance in excess of the revised rates prescribed with effect from once until

111)			<p>Inspector General of Police and Assistant Inspector General, Government Railway Police.</p> <p>c) Superintendents of Police and Assistant Inspector General, Government Railway Police.</p>	<p>Inspectors at</p> <p>a) The headquarters or Cantonments of Lahore Rawalpindi, Multan, Lyallpur and Montgomery.</p> <p>b) The headquarters or Cantonments of Gujranwala, Sheikhpura, Sargodha and Campbell pur.</p> <p>c) Any other place in the Punjab.</p> <p>2) Probationary Inspectors</p> <p>1) Sub-Inspectors at:-</p> <p>a) The headquarters or Cantonments of Lahore, Rawalpindi, Multan, Lyallpur Montgomery and Muree.</p> <p>b) The headquarters or Cantonments of Lahore, Rawalpindi,</p>	<p>Rs.36 per mensem.</p> <p>Rs.20 per mensem.</p> <p>Rs. 12 per mensem</p> <p>Up to a maximum of half the rates admissible to Inspectors.</p> <p>Rs.18 per mensem.</p> <p>Rs. 10 per mensem.</p>	
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				<p>Multan, Lyallpur Montgomery and Murree.</p> <p>c) Any other place in the Punjab.</p> <p>2) Probationary Sub-Inspectors.</p>	<p>Rs. 6 per mensem.</p> <p>Half the rates admissible to Sub-Inspectors.</p>	
				<p>3) Assistant Sub-Inspectors, Probationary Assistant Sub-Inspectors and Head Constables at –</p> <p>a) The headquarters or Cantonments of Lahore, Rawalpindi, Multan, Lyallpur, Montgomery and Mrree.</p> <p>b) The headquarters or Cantonments of Gujranwala, Sheikhupura, Sargodha. Campbell pur and</p>	<p>Rs. 5 per mensem.</p> <p>Rs. 3-8-0 per mensem.</p>	<p>Where in any individual case a Government servant is in with effect from 1st August 1929, he will continue to transfer or by his proceeding on long leave. Subject to conditions laid down in Rule 10.79 of the Puniab Police Rules and further receipt of</p>

				any hill station other than Muree, c) Any other place in the Punjab. 4) In the headquarters or Cantonments of – a) Sheikhpura, Montgomery and Lyallpur. b) Lahore, Sialkot, Gujranwala, Jhang, Multan, Rawalpind, Gujrat, Shahpur, Jhelum and Attock. 5) Else where	Rs. 2-8-0 per mensem Up to Rs.3 per mensem for married Constables. Up to Rs. 2 per mensem for married Constables. Up to Rs. 1 per mensem for married Constables.	
Education Department						
112)	4.1 (2) (ii)	To grant special pay to vernacular agricultural masters who are in charge of school farms and have to do extra agricultural work in addition to their normal duties.	Director of Public Instruction, Punjab.	Up to a limit of Rs.10 per mensem in each individual case.		
113)	5.55	Power to grant or permit the medical officers in charge of hospitals and dispensaries to receive an honorarium for conducting medical inspection of school children.	Ditto	At the rate of Rs.8 per hundred boys examined.		

114)	5.37	Powers to sanction the acceptance of fees for private tuition.	Inspectors of Schools, Principals of Government Colleges and Circle Inspectresses of schools.	For sums not exceeding Rs. 200 per mensum.
115)	5.1	To grant compensatory allowance to married superintendents of boarding houses attached to Government Middle, High and Normal Schools and Degree and intermediate Colleges, where suitable free quarters are not available.	Directors of Public Instruction, Punjab.	Provided the allowance does not exceed 10 percent on their pay.
Directorate of Health Services				
116)	10.2 (b)	Power to transfer Women Assistant Medical Officer to foreign service under local bodies.	Director, Health Services	Full powers subject to the conditions in Serial No. 110.
117)	10.8	Power to fix pay of Women Assistant Medical Officers in foreign service under local bodies.	Ditto	Full powers, provided the pay fixed is not in excess of that drawn in Government service and provided further that no concessions are sanctioned in addition to pay except – 1) payment by the foreign employer of Government's share of the contribution towards the Contribution Provident Fund; 2) grant of traveling allowance under the Punjab Traveling Allowance Rules; and

				3) grant of free quarters or an allowance of Rs.15 in lien thereof.
118)	Note 2 under Rule 14.4	To create posts of Dispensers and peons for Assistant Medical Officers on plague duty when they are sent round with medical panniers.	Director of Health Services	Provided – a) The pay shall not exceed that sanctioned for similar posts on the permanent establishment. b) Within the financial year.
119)	Ditto	To create temporary posts of attendants for nursing duties when a mental patients is admitted to any local hospital in Lahore for treatment.	Medical Superintendent, Punjab Mental Hospital, Lahore.	a) Pay not to exceed that sanctioned for corresponding permanent posts. b) Within the financial year for a period not exceeding 30 days in each case. c) The number of temporary attendant not to exceed two for each mental patient. d) With the sanction of the Director Health Service more than two but not more than four attendants may be entertained in the case of those patients who require more than two attendants. e) The Medical Superintendent to report to the Director, Health Services when he exercises the powers delegated to him.
120)	Note 2 under Rule 14.4	To create temporary posts of extra probationer attendants to deal with mental patients	Medical Superintendent, Punjab Mental	a) To the extent of one for every ten such patients. b) Pay not to exceed that

		in excess of 950 in the Punjab Mental Hospital, Lahore.	Hospital, Lahore.	sanctioned for a corresponding permanent post.
121)	Ditto	To sanction the creation of temporary posts of special attendants by Medical Superintendent, Punjab Mental Hospital, Lahore, to look after dangerous mental patients other than criminal patients admitted in the Punjab Mental Hospital, Lahore.	Director of Health Services, Punjab.	<p>a) To be used in an emergency only, and also when the cost of maintenance is to be recovered from a local body or cantonment authority whether by way of fixed annual contribution or otherwise.</p> <p>b) Pay not to exceed that sanctioned for a corresponding permanent post.</p> <p>c) The number of temporary special attendants not to exceed two for each mental patient.</p>
122)	Ditto	To sanction the creation of the post of a temporary special nurse by the Medical Superintendent Punjab Mental Hospital, Lahore, to look after the child of a destitute female inmate.	Director, Health Service Punjab.	<p>a) To be used in an emergency only.</p> <p>b) Period of employment of such nurse in each case not to exceed 2 years subject to the condition that the services of the nurse shall be dispensed with when no longer required.</p> <p>c) Pay not to exceed that sanctioned for a corresponding permanent post.</p> <p>d) The number of temporary nurses should not exceed one for each such woman.</p>

123)	Ditto	To create temporary posts of special attendants for private mental patients.	Medical Superintendent, Punjab Mental Hospital, Lahore.	<p>a) Pay not to exceed that sanctioned for a corresponding permanent post.</p> <p>b) The number of temporary attendants not to exceed one or each mental patient and two in an exceptional case.</p> <p>c) With the sanction of the Director Health Services more than two but not more than four attendants may be entertained in the case of an extremely dangerous or suicidal patient.</p>
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**PUNJAB
LEAVE RULES, 1981**

No. F. D. SR 111-1-85/78, dated 13th July, 1981 : In exercise of the powers conferred by Section 23 of the Civil Servants Act, 1974, the Governor is pleased to make the following rules, namely :—

1) Short title, application and commencement:

1. These rules may be called the Revised Leave Rules, 1981.
2. They shall apply to all civil servants other than those who were employed before the first day of July, 1978, and opted not to be governed by the Revision of Leave Rules issued under the Finance Department's Circular Letter No. FD. SR-III-1-85/78, dated 5th November, 1978.
3. They shall come into force at once.

2) When leave earned:

1. All service rendered by a civil servant qualifies him to earn leave in accordance with these rules but shall not be earned during the period of leave.
2. Any period spent by a civil servant in foreign service qualifies him to earn leave provided that contribution towards leave salary is paid to the Government on account of such period.

3) Earning and accumulation of leave:

1. A civil servant shall earn leave only on full pay which shall be calculated at the rate of four days for every calendar month of duty rendered and credited to the leave account as "Leave on Full Pay".
2. Duty period of fifteen days or less in a calendar month shall be ignored and that of more than fifteen days shall be treated as a full calendar month for the purpose of calculation of earned leave,
3. If a civil servant proceeds on leave during a calendar month and returns from it during another calendar month and the period of duty in either month is more than fifteen days, the leave to be credited for both the incomplete months shall be restricted to that admissible for one full calendar month only.
4. There shall be no maximum limit on the accumulation of such leave.

4) Civil servants in Vacation Department:

1. A civil servant in Vacation Department may earn leave on full pay:—

- a) When he avails himself of full vacation in a calendar year at the rate of one day for every calendar month of duty rendered,
 - b) When during any year he is prevented from availing himself of the full vacation as for a civil servant in a non-vacation department for that year, and
 - c) When he avails himself of only a part of the vacation—as in (a) above *plus* such proportion of thirty days as the number of days of vacation riot taken bears to the full vacation.
2. The provisions under rule 3 (2—4) shall also be applicable in the case of civil servants of a Vacation Department.

5) Leave on full pay:

The maximum period of leave on full pay that may be granted at one time shall be as follows:—

- | | |
|--|----------|
| a) Without medical certificate | 120 days |
| b) With medical certificate | 180 days |
| <i>plus</i> | |
| c) On medical certificate from leave account in entire service | 365 days |

Note. --- Under the Leave Rules, 1955, leave on half average pay could be converted into leave on full pay on the strength of Medical Certificate up to a maximum of twelve months in terms of leave on full pay in the whole service. The account of this kind of leave was separately maintained in the leave account under the said Rules. Such leave availed of by the civil servants before the introduction of these rules, shall be debited against the maximum limit of 365 days fixed under this rule.

6) Leave on half pay:

1. Leave on full pay may, at the option of the civil servant, be converted into leave on half pay, the debit to the leave account will be at the rate of one day of the former for every two days of the latter, fraction of one-half counting as one full day's leave on full pay.
2. The request for conversion of leave referred to in sub-rule (1) shall be specified by the civil servant in his application for the grant of leave.
3. There shall be no limit on the grant of leave on half pay so long as it is available by conversion in the leave account.

7) Leave to be applied, etc., in terms of days:

Leave shall be applied for, expressed, and sanctioned, in terms of days.

8) Carry forward of existing leave:

All leave at credit in the account of a civil servant on the first day of July, 1978, shall be carried forward and expressed in terms of leave on full pay and the leave account in such cases shall, with effect from the first day of July, 1978, or, in the case of a civil servant who was on leave on that, date, with effect from the date of his return from leave, be recast asunder:—

I. Leave on full pay :

- | | |
|------------|---------|
| a) 1 month | 30 days |
| b) 1 day | 1 day |

II. Leave on half pay

- | | |
|------------|---------|
| a) 1 month | 15 days |
| b) 2 days | 1 day |

Note: Fractions, if any, shall be ignored.

9) Extraordinary leave (leave without pay):

1. Extraordinary leave without pay may be granted on any ground up to a maximum period of five years at a time, provided that the civil servant to whom such leave is granted, has been in continuous service for a period of not less than ten years, and, in case a civil servant has not completed ten years of continuous service, extraordinary leave without pay for a maximum period of two years may be granted at the discretion of the head of his office:

Provided that the maximum period of five years shall be reduced by the period of leave on full pay, or half pay, if granted in combination with the extraordinary leave

2. Extraordinary leave up to a maximum period prescribed under sub-rule (1) may be granted, subject to the conditions stated therein, irrespective of **the fact whether a** civil servant is a permanent or a temporary employee.

10) Recreation Leave:

Recreation leave may be granted for fifteen days once in a financial year, the debit to the leave account may, however, be made before ten days leave on full pay:

Provided that such leave shall not be admissible to a civil servant in a Vacation Department.

Note: Casual Leave (as Recreation Leave) shall however continue to be granted for 10 days only subject to other conditions under the Government instructions.

11) Leave not due :

1. Leave not due may be granted on full pay, to be offset against leave to be earned in future, for a maximum period of three hundred and sixty-five days in the entire period of service, subject to the condition that during the first five years of service it shall not exceed ninety days in all.
2. Such leave may be converted into leave on half pay.
3. Such leave shall be granted only when there are reasonable chances of the civil servant resuming duty on the expiry of the leave.
4. Such leave shall be granted sparingly and to the satisfaction of the sanctioning authority but it shall not be admissible to temporary civil servants.

12) Special Leave:

1. A female civil servant, on the death of her husband, may be granted special leave on full pay, when applied for, for a period not exceeding one hundred and thirty days.
2. Such leave shall not be debited to her leave account.
3. Such leave shall commence from the date of death of her husband and for this purpose she will have to produce death certificate issued by the competent authority either along with her application for special leave or,)

that is not possible, the said certificate may be furnished to the leave sanctioning authority separately.

13) Maternity Leave:

1. Maternity leave may be granted on full pay, outside the leave account, to a female civil servant to the extent of ninety days in all from the date of its commencement {as specified in the application for leave) or forty-five days from the date of her confinement, whichever be earlier.
2. Such leave may not be granted for more than three times in the entire service of a female civil servant except in the case of a female civil servant employed in a Vacation Department who may be granted maternity leave without this restriction.
3. For confinements beyond the third one, the female civil servant (in a non-Vacation Department) would have to take leave from her normal leave account.
4. The spells of maternity leave availed of prior to the coming into force of these rules shall be deemed to have been taken under these rules.

5. Maternity leave may be granted in continuation of, or in combination with, any other kind of leave including extraordinary leave as may be due and admissible to a female civil servant.
6. Leave salary to be paid during maternity leave shall be regulated, as for other leave, in accordance with the existing instructions of the Government.
7. The leave salary to be paid during maternity leave will, therefore, remain unaffected even if an increment accrues during such leave and the effect of such an increment will be given after the expiry of maternity leave, in the event of resumption of duty by such female civil servant.

14) Disability Leave:

1. Disability leave may be granted, outside the leave account on each occasion, up to a maximum of seven hundred and twenty days on such medical advice as the head of office may- consider necessary, to a civil servant, other than a civil servant in part-time service, etc., disabled by injury, ailment or disease contracted in course or in consequence of duty or official position.
2. The leave salary during disability leave shall be equal to full pay for the first one hundred and eighty days and on half pay for the remaining period.

15) Leave ex-Pakistan:

1. Leave ex-Pakistan may be granted on full pay to civil servant who applies for such leave or who proceeds abroad during leave or takes leave while posted abroad or is otherwise on duty abroad, and makes a specific request to that effect.
2. The leave pay to be drawn abroad (in foreign currency) shall be restricted to a maximum of three thousand rupees per month.
3. The leave pay shall be payable in Sterling if such leave is spent in Asia other than Pakistan and India.
4. Such leave pay (in foreign currency) shall be payable for the actual period of leave spent abroad subject to a maximum of one hundred and twenty days at a time.
5. The civil servants appointed after the 17th May, 1958, shall draw their leave salary in rupees in Pakistan irrespective of the country where they happen to spend their leave.
6. Grant of leave ex-Pakistan will be regulated and be subject to the same limits and conditions as prescribed in rules 5, 6 and 9.

16) Leave preparatory to retirement:

1. The maximum period up to which a civil servant may be granted leave preparatory to retirement shall be three hundred and sixty-five days.

2. Such leave may be taken, subject to availability, either on full pay, or partly on full pay and partly on half pay, or entirely on half pay, at the discretion of the civil servant.

17) Encashment of refused leave preparatory to retirement:

1. If, in case of retirement on superannuation ¹[or voluntary retirement on completion of thirty years qualifying service] a civil servant cannot, for reasons of public service be granted leave preparatory to retirement duly applied for insufficient time, he will in lieu thereof, be granted lump-sum leave pay for the leave refused to him subject to a maximum of one hundred and eighty days leave on full pay.
2. Such leave can be refused partly and sanctioned partly but the cash compensation shall be admissible for the actual period of such leave so refused not exceeding one hundred and eighty days.
3. The payment of leave pay in lieu of such refused LPR may be made to the civil servant either in lump-sum at the time of retirement or may, at his option, be drawn by him month-wise for the period of leave so refused.
4. For the purpose of lump-sum payment in lieu of such refused leave, only the "Senior Post Allowance" will be included in "Leave Pay" so admissible.
5. In case a civil servant on leave preparatory to retirement dies before completing one hundred and eighty days of such leave, his family shall be entitled to lump-sum payment equal to the period falling short of one hundred and eighty days.

18) Power to refuse leave preparatory to retirement, etc.,

1. Ordinarily, leave preparatory to retirement on superannuation, shall not be refused.
2. All orders refusing leave preparatory to retirement a civil servant and recalling civil servant from leave preparatory to retirement shall be passed only by the authorities specified below :—
 - i.* For civil servants of Grade 17 and above. Chief Secretary Personally.
 - ii.* For civil servants of Grade 16 and below. Secretary of the Administrative Deptt. concerned Personally.
3. The authorities specified in sub-rule (2) shall not delegate these powers to any other authority.
4. All proposals regarding refusal of such leave to an officer of Grade 17 and above

¹ Added *vide* F. D. No. SR-Sii-1-85/78. dated 18th March. 1982.

shall be referred to the Chief Secretary, with detailed justification at least three months, before an officer is due to proceed on such leave.

Note: Rules 17 and 18 may be read with the Finance Department's circular letters at pages 31 to 37.

19) ¹⁷In-service death :

1. In the case a civil servant dies while In case a civil servant dies, while in service by a Medical Board a lumpsum payment equal to leave pay upto one hundred and eighty days out of the leave to his credit shall be made to his family as defined for the purposes of family pension or, as the case may be, to the civil servant.
2. For the purpose of lumpsum payment under sub-rule (1), only the "Senior Post Allowance" will be included in the "Leave Pay" so admissible. (These orders shall take effect from 16th September, 1985)

20) Reasons need not be specified, etc.,

1. It shall not be necessary to specify the reasons for which leave has been applied so long as that leave is due and admissible to a civil servant.
2. Leave applied for on medical certificate shall not be refused:

Provided that the authority competent to sanction leave may, at its discretion, secure a second medical opinion by requesting the Civil Surgeon or Medical Board, as the case may be, to have the applicant medically examined.

21) Leave when starts and ends:

Instead of indicating whether Leave starts or ends in the forenoon or afternoon, leave may commence from the day following that on which a civil servant hands over the charge of his post and may end on the day preceding that on which he resumes duty.

22) Recall from leave, etc.,

¹⁷ Rule 19 substituted vide Noti. No. F. D.-SR-II-2-100/87, dated 1st February, 1988. Original version was as under:

"19. In-service death :

1. In the case a civil servant dies while In case a civil servant dies, while in service a lumpsum payment equal to leave pay upto one hundred and eighty days out of the leave to his credit shall be made to his family as defined for the purposes of family pension
2. For the purpose of lumpsum payment under sub-rule (1), only the "Senior Post Allowance" will be included in the "Leave Pay" so admissible.

1. If a civil servant is recalled to duty compulsorily with the personal approval of the head of his office from leave of any kind that he is spending away from his headquarters, he may be granted a single return fare plus daily allowance as admissible on tour from the station where he is spending his*leave to the place where he is required to report for duty.
2. In case, the civil servant is recalled to duty at headquarters and his remaining leave is cancelled, the fare then admissible shall be for one way journey only.
3. If the return from leave is optional, the civil servant is entitled to no concession.

23) Overstayal after sanctioned leave, etc.,

1. Unless, the leave of a civil servant is extended by the head of his office, a civil servant who remains absent after the end of his leave shall not be entitled to any remuneration for the period of such absence, and without prejudice to any disciplinary action that may be taken against him, double the period of such absence shall lie debited against his leave account.
2. Such debit shall, if there is insufficient credit in the leave account, be adjusted against future earning.

24) Any type of leave may be applied for:

A civil servant may apply for any type of leave which is due and admissible to him and it shall not be refused on the ground that another type of leave should be taken in the particular circumstances, for example, a civil servant may apply for extraordinary leave or leave on half-pay even if leave on full pay is otherwise due and admissible to him, or he may proceed on extraordinary leave followed by leave on half-pay and full-pay rather than that on full pay, half pay, and without pay.

25) Combination of different type of leave, etc.,

One type of leave may be combined with joining time or with any other type of leave otherwise admissible to the civil servant:

Provided that leave preparatory to retirement shall not be combined with any other kind of leave.

26) Civil servant on leave not to join duty without permission before its expiry:

Unless he is permitted to do so by the authority which sanctioned his leave, a civil servant on leave may not return to duty before the expiry of the period of leave granted to him.

27) Leave due may be granted on abolition of post etc.,

1. When a post is abolished, leave due to a civil servant, whose services are terminated in consequence thereof, shall be granted without regard to the availability of a post for the period of leave.

2. The grant of leave in such cases shall, so long as he does not attain the age of superannuation, be deemed automatically to have also extended the duration of the post and the tenure of its incumbent.

28) Manner of handing-over charge when proceedings on leave, etc.;

1. A civil servant proceeding on leave shall hand over the charge of his post, and if he is in Grade 16 and above, he shall, while handing over charge of the post, sign the charge relinquishment report.
2. If leave ex-Pakistan has been sanctioned on medical grounds, the civil servant shall take abroad with him a copy of the medical statement of his case.

29) Assumption of charge on return from leave, etc.,

1. A civil servant, on return from leave, shall report for duty to the authority that sanctioned his leave and assume charge of the post to which he is directed by that authority unless such direction has been given to him in advance.
2. In case he is directed to take charge of a post at a station other than that from where he proceeded on leave, travel expenses as on transfer shall be payable to him.

30) Account offices to maintain leave account:

1. Leave account in respect of a civil servant shall be maintained as part of his Service Book.
2. The accounts offices shall maintain the leave accounts of civil servants of whom they were maintaining the accounts immediately before the coming into force of these rules.

31) Leave to lapse when civil servant quits service:

All leave at the credit of a civil servant shall lapse when he quits service.

32) Pay during leave:

1. Leave pay admissible during leave on full pay shall be the greater of:—
 - a) the average monthly pay earned during the twelve complete months immediately preceding the month in which the leave begins, and
 - b) the pay drawn on the day immediately before the beginning of the leave.
2. When leave on half-pay is taken, the amounts, calculated under clauses (a) and (b) of sub-rule (1) shall be halved to determine the greater of the two rates.

33) Leave earned by civil servant employed in non-continuous establishment:

1. A civil servant employed in a non-continuous establishment may be granted only

earned leave and disability leave as admissible to, and subject to the conditions laid down for, a civil servant employed in a continuous establishment and no other kind of leave shall be admissible to such civil servant.

2. A civil servant who is transferred from a non-continuous establishment to a continuous establishment and *vice versa* shall carry forward the balance of earned leave at his credit on the date of his transfer.

Explanation: In this rule, "non-continuous establishment" means an establishment which does not function throughout the year and "continuous establishment" means an establishment which functions throughout the year.

34) Quarantine leave:

1. Quarantine leave is in 'the nature of extra casual leave and a substitute shall normally not be employed during the absence of a civil servant on such leave :

Provided that where the exigencies of service are compelling, the head of the office may employ a substitute for reasons to be recorded in writing.

2. A civil servant may be granted quarantine leave outside his leave account to the extent that his authorized medical attendant recommends and the period of such leave shall be treated as duty with full pay and allowances of the post held by him at the time of proceeding on leave.

35) Leave application, its sanction, etc.

1. Except where otherwise stated, an application for leave or for an extension of leave must be made to the head of office where a civil servant is employed and, in the case of the head of office, to the next above administrative authority and the extent of leave due and admissible shall be stated in the application.
2. An audit report shall not be necessary before the leave is sanctioned.
3. When a civil servant submits a medical certificate for the grant of leave, it shall be, by an authorized medical attendant in the form attached to these rules.
4. Leave as admissible to a civil servant under these rules may be sanctioned by the head of Administrative Department, Attached Department, Office or any other officer authorized by him to do so and, when so required, leave shall be notified in the official Gazette.
5. In cases where all the applications for leave cannot, in the interest of public service, be sanctioned to run simultaneously, the authority competent to sanction leave shall, in deciding the priority of the applications, consider ;—
 - i. whether, and how many applicants can, for the time being, best be spared;
 - ii. whether any applicants were last re-called compulsorily from leave; and

- iii. whether any applicants were required to make adjustment in the timing of their leave on the last occasion.

36) Hospital leave and Study Leave:

Subject to these rules, the provisions regarding Hospital Leave and Study Leave contained in the C. S. R. (Punjab) shall continue to apply to the civil servants.

Hospital Leave and Study Leave as contained in the C. S. R. are given at Pages 23 and 24 respectively.

FORM-I

FORM OF MDICAL CERTTFICATC

Signature of applicant

**MEDICAL CERTIFICATC FOR CIVIL SERVANTS RECOMMENDED FOR LEAVE OR
EXTENSION**

I, -----, after careful personal examination of the case, hereby certify that whose signature is given above, is suffering from _____ and I consider that a period of absence from duty with effect from _____ is absolutely necessary for the restoration of his health

Dated, the _____

Government Medical Attendant

FORM-II**APPLICATION FOR LEAVE**

Note: - Item 1 to 11 must be filled in by all applicants. Item 12 applies only in the case of Government servants of Grade 16 and above.

1. Name of applicant.
2. Leave Rule applicable.
3. Post held.
4. Department or Office.
5. Pay.
6. House Rent Allowance; Conveyance Allowance or other Compensatory Allowances drawn in the present post.
7.
 - a) Nature of leaves applied for.
 - b) Period of leave in days
 - c) Date of commencement.
8. Particular Rule/Rules under which leave is admissible.
9.
 - a) Date of return from last leave. .
 - b) Nature of leave.
 - c) Period of leave in days.

Dated**Signature of applicant**

10. Remarks and recommendation of the Controlling Officer.

11. Certified that leave applied for is admissible under Rule _____ and necessary conditions are fulfilled.

Signature Designation**Dated**

12. Report of Audit Officer.

Dated

Signature Designation

13. Orders of the sanctioning authority certifying that on the expiry of leave the applicant is likely to return to the same post carrying the compensatory allowances being drawn by him.

Dated

Signature Designation

EXPLANATORY INSTRUCTIONS FOR FILLING UP THE LEAVE ACCOUNT FORM

1. This leave account will be maintained for all civil servants of the Provincial Government who were in service on the 1st July, 1 978 including those who were on leave on that date and have not opted to retain the existing leave rules and all others, who entered service on or after 1st July,1978.
2. All leave at credit in the account of a civil servant who was in service on the 1st July, 1978 shall be converted in terms of leave on full pay at the following rates:—
 - (i) **LA. P.**

a) 1 month	30 days.
b) 1 day	1 day.
 - (ii) **L. H.P. :**

a) 1 month	15 days.
b) 2 days	1 day

(Fractions if any to be ignored)

3. The Leave Account shall commence with an opening entry "Due on 1st July, 1978" or in the case of a civil servant, who was on leave on 1st July, 1978 with effect from the date of his return from leave. For the purpose of computing the leave at credit, the service upto 30th June, 1 978 will be taken into account. The leave due in terms of leave on full pay, in days will be noted in Column No. 21.
4.
 - i. In calculating the leave earned on full pay at the rate of 4 days for every calendar month the duty period of 15 days or less in a calendar month shall be ignored and those of more than 1 5 days shall be treated as a full calendar month for the purpose. If a civil servant proceeds on leave during a calendar month and returns from if during another calendar month and the period of duty in either month is more than 15 days, the leave to be credited for both the incomplete months will be restricted to only. There of this leave that admissible for one full calendar month shall be no maximum limit on accumulation
 - ii. The provision (1) above will not apply to a vacation department. In its case, a civil servant may earn leave on full pay (a) when he avails himself of full vacation in a calendar year.....at the rate of one day for every calendar month of duty rendered (b) when during any year he is prevented from availing himself of the full vacation.....as for a civil servant in a non-vacation department for that year, and (/) when he avails himself of only a part of the vacation.....as in (a) above *plus* such proportion of thirty days as the number of days of vacation not taken bears to the full vacation.

- 5.**
 - a) Leave on full pay may be converted into leave on half pay at the option of the civil servant; the debit to the leave account will be at the rate of one day of the former for every two days of the latter, fraction of one-half counting as one full day's leave on full pay. The request for such conversion shall be specified by the civil servant in his application for the grant of leave.
 - b) There shall be no limit on the grant of leave on half pay so long as it is available by conversion in the leave account.
- 6.** L. P. R. on full pay will be noted in column No. 10 while that on half pay in columns No. 13 and 14.
- 7.** Leave not due may be granted on full pay to be offset against leave to be earned in future for a maximum period of 365 days in the entire period of service, subject to the condition that during the first five years of service it shall not exceed 90 days in all. Such leave may be converted into leave on half pay. It shall be granted only when there are reasonable chances of the civil servant resuming duty.
- 8.** The grant of special leave. Maternity leave. Disability leave. Extraordinary leave, payment of leave pay for refused L.P.R. upto a maximum of 180 days, lump-sum payment equal to full pay upto 180 days out of leave at credit made to the family of a Government servant, whose death occurs while in service. Seaman sick leave, Departmental leave, Study leave, Hospital Leave and Quarantine leave shall be noted in column No. 22, Maternity leave other than three times in entire service shall, however, be debited to the relevant column of the leave account.
- 9.** When a Government servant applies for leave columns 2 to 7 shall be filled in showing the period of duty upto the date preceding that on which a Government servant intends to go on leave. The full calendar months to be noted in column 5 shall be worked out on the lines indicated in para. 4 above.
- 10.** When a Government servant returns from leave, columns 8 to 23 shall be filled in according to the nature of leave. If leave not due to is availed of, the minus balance to be shown in column No. 21 should be written in red ink.

EXTRACTS FROM C.S.R. (PUNJAB) VOLUME I. PART I ABOUT HOSPITAL AND STUDY LEAVE

HOSPITAL LEAVE

8.89. The ¹[competent] authority.....may grant hospital leave to Government servants of the following classes while under medical treatment for illness or injury, if such illness or injury is directly due to risks incurred in the course of their official duties :—

- a) Assistant Medical Officer, compounders, dressers, dais, head attendants, deputy head attendants, matrons and assistant-matrons of the Punjab Mental Hospital and all Hospital menial servants employed in the Provincialized hospitals in the Punjab and the Mayo Hospital, Lahore;
- b) Government servants employed in Government Presses, whether on fixed pay or at piece rates
- c) Subordinates employed in Government laboratories;
- d) Subordinates employed on the working of Government machinery;
- e) Peons and guards in permanent employ;
- f) Syces In the Department of Animal Husbandry;
- g) Linesmen, oilers and cleaners employed in the .Public Works Department, Electricity Branch.

Note: The grant of hospital leave is subject to the condition that the leave salary is not in addition to the benefits that the employee may be entitled to under Section 4 (1) (d) of the Workmen's Compensation Act, but is inclusive of them.

8.90. The [[competent] authority.....may grant hospital leave to Government servants of the following classes while under medical treatment for illness or injury, if such illness or injury is certified not to have been caused by irregular or intemperate habits :—

- a) Ail police officers of and below the rank of Head Constable;
- b) Forest subordinates, other than clerks, in receipt of pay not exceeding Rs. 50 ;
- c) Head warders, warders and orderlies, male and female and matrons of the Jail Department whose pay does not exceed Rs. 50 per mensem;

¹ The authorities competent to sanction leave have been mentioned in the (Civil Services) Delegation of Powers Rules, 1962,

d) The following staff of the Punjab Mental Hospital:—

1. European warders ;
2. Superior warders ;
3. Head attendants ; and
4. Attendants.

8.91. Hospital leave shall in no case exceed six months in any one term of three years, whether such leave is taken at one time or by instalments, full average pay being allowed for the first three months and half average pay thereafter.

8.92. Hospital leave is not debited against the leave account and may be combined with any other leave which may be admissible: provided that the total period of leave, after such combination, shall not exceed 28 months.

STUDY LEAVE

Rules 8.86 and 8.129 of Civil Services Rules (Punjab), Volume I, Part I dealing with study leave are reproduced hereunder:—

¹[Rules 8.86 and 8.129: Leave may be granted to Government servants on such terms as may be prescribed by general or special orders of the competent authority to enable them to study scientific, technical or similar problems or to undergo special courses of instruction. Such leave is not debited against the leave account.

¹ The contents of Rules 8.86 and 8.129 are the same.

Appendix 20 of C S R. (Punjab), Volume i, Part II is given below:—

¹ [APPENDIX 20]

(Referred to in notes under Rules 8.86 and 8.129 of C. S. R. (Punjab), Vol. I. Part I)

STUDY LEAVE RULES PRESCRIBED BY THE GOVERNOR

1. Study leave may be granted as additional leave to Government Servants for the study of scientific, technical or similar problems, or in order to undertake special courses of instructions.
2. These rules are not intended to meet the cases of Government servants deputed to other countries at the instance of Government, either for the performance of special duties imposed on them or for the investigation of specific problems connected with their technical duties. Such cases will continue to be dealt with on their merit under the provisions of ²[Rule 6.1 of the C. S. R, (Punjab). Vol. I].
3. The rules shall apply to the Departments of Health, Forestry and Wildlife, Agriculture, Education, Communication and Works. Industries and Mineral Development. Irrigation and Power. Livestock and Dairy. Development. Housing, Physical and Environment Planning Department and Labour Department.
4. The rules may be extended by the authorities empowered to sanction study leave to any Government servant, including Government servant of a Federal Service, not belonging to any of the departments mentioned above, in whose case if the sanctioning authority is of the opinion that leave should be granted in the public interest to pursue a special course of study or investigation of scientific or technical nature.
5. The powers granted by these Rules to the Government may be delegated to any other authority subject to any condition they may think fit to impose.
6. Extra leave on half pay for the purpose of study may be taken either in or outside Pakistan. It may be granted to a Government servant of any of the Departments named above provided that when a Government servant borne permanently on the cadre of one Department is serving temporarily in another Department the grant of leave will be subject to the conditions :—
 - a) that the sanctioning authority can make local arrangements to carry on his work in his absence ; and
 - b) that the sanction of the parent Department which he is permanently attached is obtained before leave is given.

¹ Appendix 20 substituted *vide* F.D. Noti. No. F.D. S.R. 11-2-42/88. dated 18th March, 1989

² Rule 6.1. "No deputation of a Government servant out of Pakistan shall be sanctioned without the previous approval of the competent authority".

7. Study leave should not ordinarily be granted to Government servants who have less than five years' service. Such leave shall not be granted to Government servants within three years of the date of superannuation or the date of which they have the option of retiring.
8. Administrative Departments may grant study leave to Government servants under their administrative control subject to such restrictions as may be applicable.
9. The study leave should be granted with due regard to the exigencies of the public service. In no case should the grant of this leave in combination with leave other than extraordinary leave or leave on medical certificate, involve an absence of a Government servant for more than 28 months from regular duties, or exceed two years in the entire service of a Government servant; nor should it be granted with such frequency as to remove him from contact with his regular work or to cause cadre difficulties owing to his absence on leave. A period of 12 months at one time should ordinarily be regarded as a suitable maximum and should not be exceeded save for exceptional reasons.

Note 1: The period of two years may be extended to three years on the merit of each case for obtaining a Doctorate, subject to the condition that the extension should not be available for scholars who fail to complete the courses within, the prescribed time limit.

Note 2: The limits of absence from regular duties prescribed above include the period of vacation, if any with which study leave and other leave may be combined.

Note 3: Extraordinary leave may be taken in conjunction with study leave without regard to the maximum prescribed above.

10. A Government servant whose study leave is combined with any other kind of leave should be required to take his period of study leave at such a time as to retain at its conclusion, a balance of other previously sanctioned leave sufficient to cover the period spent in returning to duty.
11. When a Government servant has been granted a definite period of study leave and finds subsequently that his course of study will fall short of the sanctioned period to any considerable extent his absence from duty should be reduced by the excess period of study leave unless he produces the assent of the sanctioning authority in Pakistan to his taking it as ordinary leave.
12. Except as provided in paragraph 13 all applications for study leave should be submitted with the Accountant-General's certificate to the head of the department through the prescribed channel, and the course or courses of study contemplated and any examination which the candidate proposes to undergo should be clearly specified therein. If the course of study is outside Pakistan the Head of the Department should also forward to the Embassy of Pakistan a copy of the approved programme of study. If it is not possible for the Government servant to give full details as above, in his original application, or if after leaving Pakistan he

wishes to make any changes in the programme which has been approved in Pakistan, he should submit particulars as soon as possible to the Embassy of Pakistan. In such cases, he should not unless prepared to do so at his own risk, commence the course of study, nor incur *any* expenses in connection therewith, until he receives approval to the course through the Embassy of Pakistan.

13. Government servants on leave outside Pakistan who wish to convert part of their leave into study leave or to undertake a course of study during leave, should before commencing study and before incurring any expenses in connection therewith, submit a programme of their proposed course of study to the Embassy of Pakistan. The programme should be accompanied by an official syllabus of the course, if one is available and by any documentary evidence that the particular course or examination has the approval of the competent authority in Pakistan. In the absence of such evidence the programme may, if approved by the Embassy of Pakistan, be proceeded with but no study leave allowance will be admissible until the concurrence of the competent authority in Pakistan is received.
14. No course of study will be recognised as qualifying for the grant of study allowance, or for study leave for any other purpose unless it has been approved in at least broad outline by the competent authority in Pakistan in accordance with paragraph 12 and 13 above, and unless, in cases where it has not been found possible to submit full particulars to the authorities in Pakistan, it has been approved in detail by the Embassy of Pakistan before it is begun.
15. A study allowance will be granted for the period spent in pursuing a definite course of study at a recognised 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. The rates are 25 Shillings per diem in the United Kingdom, and 4.20 per diem in the other countries. These rates are liable to revision. During study leave in Pakistan a Government servant shall be allowed study allowance of Rs. 300 p.m. in addition to half average pay or 75% of full pay whichever is more beneficial. In no case will subsistence allowance be granted in addition to study allowance, and ordinary travelling expenses will not be paid but in exceptional cases claims may be considered on their merits by the competent authority.
16. Study allowance will be admissible upto 14 days for any period of vacation. A period during which a Government servant interrupts his course for his own convenience cannot be considered as vacation. Study allowance will be given at the discretion of the competent authority for any period upto fourteen days at one time, during which the Government servant is prevented by sickness duly certified by a medical practitioner from pursuing the sanctioned course of study. In the case of a Government servant retiring from service without returning to duty after a period of study leave the study allowance will be forfeited and the study leave will be converted into ordinary leave to the extent of the ordinary leave standing to his credit on the date of retirement. Any balance of the period of study leave mentioned which cannot be so converted will be excluded in reckoning service for pension.

Note: A Government servant of vacation department can draw study allowance during vacation if he prosecutes his studies during the period. The period of such a vacation will be taken into account in calculating the maximum period of two years or three years as the case may be for which study allowance is admissible.

17. Government servants granted study leave are ordinarily required to meet the cost of fees paid for courses of study. In exceptional cases the competent authority may waive this condition.
18. On completion of a course of study, a certificate on the proper form (which may be obtained from the Embassy of Pakistan), together with certificates of examinations passed or of special study shall when the study leave has been taken outside Pakistan, be forwarded to the Embassy of Pakistan. In the case of a definite course of study at a recognised institution the study allowance will be paid in such manner as may be prescribed by the Government on claims submitted by the Government servant from time to time, supported by proper certificates of attendance.
19. Study leave will count as service for promotion and pension, but not for leave. It will not affect any leave which may already be due to a Government servant; it will count as extra leave on half average pay but will not be taken into account in reckoning the leave on half average pay taken by the Government servant towards the maximum period admissible under the Revised Leave Rules, 1981.
20. On an application for study leave outside Pakistan being sanctioned by the competent authority, it shall inform the Embassy of Pakistan of the particulars of the case. It will be necessary for each Government servant concerned¹ to place himself in communication with the Embassy, who will arrange any details and issue any letters of introduction that may be required.

INSTRUCTIONS ABOUT CASUAL LEAVE

(Extract taken from Manual of Secretariat Instructions)

- i. Casual leave should not ordinarily exceed 10 days at a time and 25 days during any one calendar year. The sanctioning authority may, however, grant casual leave upto 15 days at a time in special circumstances.
- ii. Casual leave may be granted in conjunction with Fridays or public holidays, but not with any other kind of leave or joining time. When it is combined with holidays, the total period should not exceed 15 days at a time.
- iii. Subject to the delegation of powers which has. been or may be made by Government from time to time in this behalf, casual leave may be sanctioned to a Government servant by his immediate superior of grade 16 and above.
- iv. Casual leave account of officers and Stenographers of officers of the rank of Deputy Secretary and above should be maintained in the Establishment and 'Accounts Branch of the Department concerned. Their applications should be marked to the Establishment and Accounts Branch which will add the casual leave account of the applicants and submit the papers to the concerned officers immediately for orders.
- v. When the officers proceed on leave or tour, their Stenographers should report for duty to the Deputy Secretary in charge of the Wing in the Department.
- vi. Casual leave account of the ministerial establishment including Section Stenographers should be maintained in the Section in which they are working.
- vii. No Government servant should leave his headquarters during casual leave or holidays without the permission of the leave sanctioning authority.
- viii. Government servants are not entitled to casual leave as of right. The casual leave is granted to them by way of grace to enable Government servants to attend to their private affairs of casual nature.

CIRCULARS

Encashment of Leave Preparatory to Retirement

[An extract taken from the Finance Department's circular letter No, P.O. P.C. 2-1/83. dated 25th August. 1983.]

"24. Encashment of Leave Preparatory to Retirement: At present encashment of Leave Preparatory to Retirement upto six months is permissible to Government servants provided the Leave Preparatory to Retirement is refused by Government in public interest. Henceforth, the option for encashment of Leave Preparatory to Retirement shall rest with the Government servant concerned. In case a Government servant opts not to take Leave Preparatory to Retirement he shall be allowed leave salary for the period for which Leave Preparatory to Retirement is admissible subject to a maximum of six months".

[An extract taken from Finance Department's circular letter No. F.D. P.O. 2-1/83. dated 2nd December, 1983 by which different provisions of Finance Department's letter No. F.D. P.C.-2 /83. dated 25th August. 1983 were clarified.]

"VII—Paragraph 24. Encashment of Leave Preparatory to Retirement:

- 12.** A Government servant who desires to get the benefit of encashment of L P. ft. upto a period of six months must (a) submit his written option to do so at least three months before the date of commencement of his .leave preparatory to retirement, and (b) surrender the whole leave preparatory to retirement due to him.
- 13.** The condition mentioned at (a) in para 12 above is not applicable to the Government servants who were due to proceed on L. P. R. before the 25th August, 1983 or whose L. P. R. is due to commence within a period of three months from the date of issue of this letter. The following provisions would govern the cases of such Government servants :—
 - a)** A person whose L. P. R. was due to commence on or before the 25h August; 1983 but he did not proceed on L. P. R. would be deemed to have exercised his option for encashment of L P. R. However, the actual period of leave for the purpose of encashment will be counted from 1st July. 1983.
 - b)** A Government servant who proceeded on L. P. R. on or before the 25th August, 1983 would be deemed to have exercised his option to proceed on L P. R. Thus, he is not entitled to claim encashment of L. P. R. by getting the un-expired L. P. R. cancelled.
 - c)** The Government servants whose L. P. R. is due to commence within a period of three months from the date of issue of this letter may exercise their option any time before the commencement of L P. R."

**FINANCE DEPARTMENT'S CIRCULAR LETTER NO. F.D. S.R. IIM-53/83. DATED 15TH
MAY, 1983**

Subject: Encashment of Leave Preparatory to Retirement.

Sir,

I am directed to refer to Para 12 of F.D.'s circular letter No. F.D.-P.C.-2-1/83, dated 2nd December. 1983. and to clarify that a Government servant who desires to get the benefit of encashment of L P. R. should submit his written option to the leave sanctioning authority.

Sd/-

Deputy Secretary (SR)

for Finance Secretary.

**FINANCE DEPARTMENT'S CIRCULAR LETTER NO. F.D. S.R. IIM-53/83. DATED 4TH
JUNE. 1984**

Subject: Encashment of Leave Preparatory to Retirement.

Sir,

I am directed to refer to this Department's circular letter No. F.D.-P.C.-2-1/83. dated 2nd December. 1983. and to say that some doubts have been expressed about the admissibility of pay and allowances, grant of medical leave, etc.; during the surrendered period of L. P. R. for the purpose of encashment of L. P. R. These issues are clarified in the following paragraphs:

Pay: Pay for the purpose of encashment of L P. R. includes Basic Pay. Special Pay. Technical Pay, Personal Pay and any other emoluments which may be specifically classed as "Pay" by the competent authority

A civil servant who opts for encashment of L P. R. may either draw leave pay for the period for which L. P. R. is admissible subject to a maximum of 180 days in lumpsum after retirement or on month to month basis during such period. The amount of leave pay would, however, be determined on the basis of pay which would have been admissible on the date, on which L P. R. applied for would have commenced.

Allowances: Senior Posts Allowance will form part of the pay for the purpose of encashment of L. P. R. No other allowance forms part of pay for this purpose.

Medical Leave: As per para. 12(6) of the F. D.'s circular letter No. F.D-P.C -2-1/83. dated 2nd December. 1983. a Government servant who desires to get the benefit of encashment of L. P. R. would surrender the entire leave preparatory to retirement due to him. Therefore, no leave of any kind is admissible during the period of surrendered L P. R. if the benefit of encashment of L. P. R. is to be availed of.

Duration of Surrendered Leave: A Government servant who opts for encashment of L P. R. and has 365 days or lesser period of L. P. R. on full pay at his credit can have his L. P. R. encashed for the actual period of L. P. R. subject to a maximum of 180 days. He cannot avail of any portion of L P. R. in that case.

Sd/-

Deputy Secretary (SR)

for Finance Department

FINANCE DEPARTMENTS CIRCULAR LETTER NO. F.D. S.R. III-1-53/83, DATED 8TH AUGUST, 1984

Subject: Encashment of Leave Preparatory to Retirement.

Sir,

I am directed to refer to Para. 24 of this Department's letter, No. F.D.-P.C.-2-1-1/83, dated 25th August.1983 wherein it has been provided that a Government servant who desires to get the benefit of encashment of t. P. R. upto a period of 180 days must surrender the entire leave preparatory to retirement due to him. This provision debarred those Government servant from availing of the facility of encashment of L P. R. who. for reasons beyond their control, had to take leave during the period of L. P. R. surrendered by them for the purpose of encashment. This had created hardship in certain cases and it has therefore, been decided in partial modification of the instructions contained in this Department's circular letter No. F.D. SR. III-1 -53/83. dated 4th June. 1984. that the competent authority may, where it is satisfied that the leave applied for by a Government servant (during the period of leave surrendered for encashment) is unavoidable or is fully justified, e g.. in cases of illness, supported by medical certificate or for performance of Haj, etc., grant leave to an employee during this period. In such a case, however, the amount of cash compensation shall be reduced by an amount equal to the leave pay for half of the period of leave taken. For example if an employee who has opted for encashment of L P. R. takes 60 days of such leave, his cash compensation equal to 30 days leave pay will be forfeited.

2. A civil servant who wishes to forego his L P. R. in favour of cash compensation shall exercise his option to this effect in writing and submit it to the authority competent to sanction L. P. R., who will accept the option and issue formal sanction for the payment of cash compensation.

Sd/-

O.S.D. (Pay Commission)

FINANCE DEPARTMENT'S CIRCULAR LETTER NO. FD. SR. 111-1 -36/84, DATED 20TH FEBRUARY, 1985

Subject: Encashment of Leave Preparatory to Retirement.

Sir,

I am directed to say that according to rule 17 of Revised Leave Rules, 1981, read with para. 24 of FD's circular letter No. FD. PC-2-1/83, dated 25th August, 1983 a civil servant on superannuation is entitled to encashment of Leave Preparatory to Retirement subject to the maximum of one hundred and eighty days.

2. A doubt has arisen whether or not a civil servant who proceeds on voluntary retirement after completion of thirty years service qualifying for pension shall be allowed encashment of L. P. R. It is clarified that a civil servant is entitled to encashment of Leave Preparatory to Retirement under Rule 17 of Revised Leave Rules, 1981, read with para. 24 of Finance Department's circular letter No. PF. PC-2-1/83, dated 25th August, 1983 and para. 13 (a) of the letter of even number dated 2nd December, 1983 subject to the conditions that:—
 - a) he has completed at least 30 years qualifying service on the date of commencement of L P R ;
 - b) he surrenders the entire L P R due to him.

Sd/-

Deputy Secretary (SR)

for Secretary Finance

FINANCE DEPARTMENT'S CIRCULAR UTTER NO. FD-SR-II1-1-89/84. DATED 31ST MARCH. 1985

***Subject:* Encashment of Leave Preparatory to Retirement.**

Sir,

I am directed to state that, in partial modification of the orders contained in paragraph 12 and 13 of this Department's letter No. FD.PC. 2-1/83. dated the 2nd December, 1983. letter No. FD-SR-IIM-53/83. dated the 15th May, 1984 and para. 2 of letter No. FD-SR-H11-53/83. dated the 8th August, 1984. it has been decided that (a) unless a government servant opts to proceed on Leave Preparatory to Retirement or submits an application for L. P. R , he may be deemed to have opted for encashment of L. P. R.. according to the rules, and (6) on receipt of a request from a government servant deemed to have opted for encashment of L. P. R., the authority competent to sanction L. P. R., will issue formal sanction for the payment of cash compensation.

2. All pending or previously decided cases where a government servant has failed to exercise option for encashment for L. P. R., may be decided in the light of these instructions.

Sd/-

Deputy Secretary (SR)

for Finance Secretary.

**FINANCE DEPARTMENT'S CIRCULAR LETTER NO. FD-SR-II-2 (4)/88, DATED 7TH
JULY, 1988**

Subject: Encashment of Leave Preparatory to Retirement.

Sir,

I am directed to invite a reference to this Department's letter No. FD. SR. 111-1-36/84, dated 20th February, 1985 and to state that it has come to the notice of the Government that a doubt has been felt in some quarters about the length of qualifying service required for entitlement to encashment of L. P. R. in case of voluntary retirement. I am to invite your attention to the amendment made in Rule 17 of Revised Leave Rules, 1981 issued *vide* Finance Department's notification No. FD. SR. 111-1-85/78, dated 18th March, 1982 (copy enclosed). According to the above amendment the civil servant will be entitled to encashment of L. P. R., in case of voluntary retirement on completion of thirty years qualifying service.

2. Condition No. (a) in this Department's letter No. FD. SR. III-1 -36/84. dated 20th February, 1985. may be treated to have been amended and the words "on date of commencement of L. P. R." occurring therein deemed to have been deleted.

Sd/-

Deputy Secretary (SR)

CIRCULAR LETTER NO. FD. SR-III-1-36/84, DATED 9TH AUGUST, 1989

Subject: Encashment of Leave Preparatory to Retirement.

I am directed to say that according to rule 17 of Revised Leave Rules, 1981 read with para. 24 of Finance Department's circular letter No. FD. PC-2-1/83, dated 25th August, 1983, civil servants retiring either on superannuation or after completion of 30 years qualifying service for pension are entitled to encashment of L. P. R., subject to a maximum of 180 days. Presently, encashment of L. P. R. is not admissible to Government servants seeking retiring pension on voluntary basis after completion of 25 years service.

2. The Governor of the Punjab has now been pleased to decide that civil servants who proceed on retirement on voluntary basis after completion of 25 years qualifying service, without availing L. P. R., may also be deemed to have exercised the option of not proceeding on L. P. R., and may be allowed encashment in accordance with the condition applicable to civil servants who retire on superannuation or after completion of 30 years qualifying service for pension.

**COPY OF FINANCE DEPARTMENT CIRCULAR LETTER NO. FD.SR.III-1-53/83,
DATED 12.05.1990.**

Subject: Encashment of Leave Preparatory to Retirement.

I am directed to refer to this Department's circular letter No. FD.SR. III-1-36/84 dated 9.8.1989 on the above cited subject, wherein civil servants proceeding on voluntary retirement after completing 25 years qualifying service for pension without availing LPR were allowed encashment in accordance with the conditions applicable to the civil servants who retire on superannuation or after completing 30 years service for pension.

2. It is clarified that this benefit will be subject to the following conditions:-
 - i. encashment in lieu of LPR shall be admissible in case where service qualifying for pension is less than 25 years;
 - ii. such civil servants shall continue to serve for 365 days after qualifying service of 25 years for the purpose of encashment of LPR.

THE
W.P. DELEGATION OF POWERS:
(RELAXATION OF AGE) RULES. 1961

Noti No. SO X II (S & G A D) 2-34/61, dated 10th January, in pursuance of the Presidential Proclamation of the seventh day of October. 1958. and in exercise of all powers enabling him in that behalf the Governor of the West Pakistan is pleased to make the following rules namely:

- 1)
1. These rules may be called the W. P. Delegation of Powers (Relaxation of Age) Rules, 1961.
 2. They shall apply in respect of all the services end post under the Government of West Pakistan, except such services and posts as may be specified by Government by notification in the official gazette.
 3. They shall come into force at once.
- 2)
- Notwithstanding anything to the contrary contained in any service or recruitment rules in force in West Pakistan or in any part thereof, the authorities and officers specified in Column 2 of the Schedule annexed to these rules may -far reasons to be recorded, relax up to the extent mentioned in Column 4 the maximum age limit prescribed for recruitment to any post or service specified against such authority or officer in Column 3 of the Schedule.
- 3)
- The powers conferred under these rules shall be in addition to and not in derogation of powers to relax age qualifications delegated or conferred under any other rules or orders for the time being in force in West Pakistan.

SCHEDULE

Serial No.	Authorities competent to relax maximum age prescribed/ for recruitment.	Service and post in respect of which relaxation is permissible.	Limit upto which age can be relaxed.
1	2	3	4
1.	Administrative Department.	All services and posts 8, years for which the Government is the appointing authority.	5 Years

2.	Head of Attached Department.	<ul style="list-style-type: none"> i. All services and post 6 years for- which the Head .of Attached Department is the appointing authority. ii. All services and post for which an authority lower than the Head of Attached Department is the appointing authority. 	5 Years
3.	Commissioner of Divisions.	<ul style="list-style-type: none"> i. All services and post for which Commissioner is the appointing authority. ii. All services and post for which an authority subordinate to Commissioner is the appointing authority. 	5 Years
4.	Additional Chief Secretary to Govt. Of Punjab.	All services and posts.	10 Years

Punjab

Civil Servants (Change in Nomenclature of Service & Abolition of Classes)

Rules, 1974

13th July, 1974]

No. SOR-III-1-52/73, In exercise of the powers conferred by Sec. 23 of the Punjab Civil Servants Act. 1974. the Governor of the Punjab is pleased to make the following rules:—

1)

1. These rules may be called the Punjab Civil Servants (Change in Nomenclature of Services and Abolition of Classes) Rules. 1974.
2. They shall come into force at once.

2) In these rules unless there is anything repugnant in the subject or context—

- a) "Classes" means Class I, Class II, Class III and Class IV in which the civil posts and services are classified under any rules or orders for the time being in force;
- b) "Functional Unit" means a group of posts or a part of such group sanctioned as a separate unit in or under a department ;
- c) "Grade" means 'national scale of pay' in which a number of posts, in a functional unit, carrying same duties and responsibilities is placed ; provided that in the case of a person who does not opt for the national scales of pay or the post which has not been placed in the national scales of pay. 'National Scale of Pay' means the presumptive national scale of pay corresponding to the existing scale of pay in which such person, or as the case may be, the post would have been placed but for the aforesaid reasons:

Provided that in case of a person whose pay has been fixed in the National Scale of Pay corresponding to the pre-national scales selection grades or who moves over to the next higher national scale of pay without change in the nature of duty and assumption of higher responsibilities or under prescribed conditions after reaching the maximum of the lower national scale of pay. 'national scale of pay' means the lowest national scale of pay admissible for his post;

- d) "Province" means the Province of the Punjab ;
- e) "Punjab Unified Grade" means the grade to which a civil servant is entitled in respect of his existing post; and
- f) "Services" means the Civil Services of the Province and include civil posts connected with the affairs of the Province.

- 3) Notwithstanding anything contained in any rule, order, regulation or instruction, the names of services are with Immediate effect, changed to Punjab Unified Grades and all references to a service in any rule, order, regulation or instruction shall consistent with the subject and context, be construed as reference to the respective Punjab Unified Grade.
- 4) All persons, other than the persons appointed on *ad hoc* basis, who immediately before the coming into force of these rules were members of a service or held a civil post connected with the affairs of the province are subject to their existing *inter 59* seniority position, appointed in their existing posts to the respective Punjab Unified Grade.
- 5) Notwithstanding anything contained in the Civil Services Rules and any other rules or orders for the time being in force all classes and classifications of services and posts as gazetted and non-gazetted are abolished.
- 6) For the purposes of application of any existing rule, order or instruction, reference to a class or to a post as Gazetted or Non-Gazetted shall be construed as reference to the corresponding Grade as specified in the table below :—

<i>Gazetted Post Class</i>	<i>Corresponding Grades</i>
<p>1. Class I</p> <p>2. Class II</p> <p>3. Special Gazetted</p>	<p>1. Grades 17 to 23.</p> <p>2. Grade No. 16.</p> <p>3. Grade No. 16.</p>
<p><i>Non-Gazetted Posts</i></p> <p>4. Class III</p> <p>5. Class IV</p>	<p>4. Grades 3 to 16.</p> <p>5. Grades 1 and 2.</p>

- 7) Notwithstanding anything contained in any rule, order or instruction, all reservations of posts for purposes of appointment promotion or transfer in favour of persons belonging to a particular service or cadre, or holding a particular post, are abolished.

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This index has been compiled solely for the purpose of facility of reference. No expression in it should in any way be considered as in any way interpreting the rules. Where an assent or delegation order is referred to, its serial number has been added in brackets.

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5.	-	<i>Deleted</i>
6.	Note 3 to Rule 5.28	List of Government servants granted rent free quarters.
7.	Note 5 to Rule 5.51	Rules regulating the acceptance of fees by medical officers of the Provincial and Subordinate Services and Medical Officers holding special posts from private persons or bodies or public bodies for services other than professional attendance.
8.	Note 6 to Rule 5.51	Rules for payment of fees to expert witnesses summoned in criminal courts.
9.	Note 1 to Rule 5.56	General instructions for regulating the grant of permission for the taking cut of patients by Government servants whose duties involve the carrying out of scientific or technical research.
10.	Note 2 below Rule 6.3	Rule governing the grant of subsistence and travelling allowances to Government servants of Provincial Services and Government servants holding special posts under Punjab Government when on duty abroad.
11.	Note to Rule 8.3 note to 8.49 (a) note to 12.1. 12.2 and 12.9	Instructions issued by the Auditor General in regard to the application for and grant of leave and payment of leave salary and record of service.
12.		<i>Deleted</i>
13.	Note 3 to Rule 8.53	<i>Deleted</i>
14.		Part – I. Rules governing the leave of members of the Dera Ghazi Khan Border Military Police. Part – II. Rules governing the leave of members of the Dera Ghazi Khan Baluch levy.
15.	8.57	Conditions of Service of the Advocate General.
16.	Note to Rule 8.58	Model terms for the grant of leave to Government servants engaged on contract.

17.	8.62	Rules for the grant of casual and quarantine leave.
18.	Note to Paragraph 2 of annexure to Section I of Chapter VIII	List of Government servants serving in vacation Departments.
19.	-	<i>Deleted</i>
20.	Note below Rule 8.129	Orders relating to the grant of leave to Government servants for the study of scientific, technical or similar problems, or for undertaking special courses of instructions.
21.	-	<i>Deleted</i>
22.	-	<i>Deleted</i>
23.	-	<i>Deleted</i>
24.	-	<i>Deleted</i>
25.	-	Punjab Civil Services (Treatment of Government employees suffering from tuberculosis) Rules, 1947

CIVIL SERVICE RULES (PUNJAB)

VOLUME I (PART II)

APPENDIX I

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Appendix 2**[REFERRED TO IN RULE 1.4 (iii)]**

List of Government Servants employed on seasonal / part time basis who are liable to discharge at such notice as may be prescribed by the Competent Authority

- 1}- Aya
- 2}- Barber
- 3}- Bearer
- 4}- Beldar
- 5}- Bulavi
- 6}- Brick layer
- 7}- Boatman
- 8}- Beldar cum Bahishti
- 9}- Blacksmith
- 10}- Bellowman
- 11}- Boring Mechanic
- 12}- Carpenter
- 13}- Cook
- 14}- Cooli
- 15}- Cobbler
- 16}- Camel man with on or two camels.
- 17}- Cycle Mistri
- 18}- Cart man with one or two bullock.
- 19}- Chaukidar
- 20}- Cleaner
- 21}- Cattle Attendant
- 22}- Camelmen without camel.
- 23}- Driller
- 24}- Dak Runner
- 25}- Dhobi
- 26}- Dog Catcher
- 27}- Embalmer
- 28}- Electrician
- 29}- Engine Driver
- 30}- Ferrier
- 31}- Fitter
- 32}- Fireman
- 33}- Farash
- 34}- Gasman
- 35}- Greaser

- 36}- Gate keeper
- 37}- Gang Jamadar
- 38}- Galfman
- 39}- Head Dhobi
- 40}- Hammal
- 41}- Head Mali
- 42}- Hammer man
- 43}- Improver
- 44}- Jamadar
- 45}- Kitchen man
- 46}- Khalasi
- 47}- Khansama
- 48}- Khidmatgar
- 49}- Kamathi
- 50}- Mali Chaukidar
- 51}- Mechanic
- 52}- Motor Cycle Mistri
- 53}- Mochie
- 54}- Mason
- 55}- Moulder
- 56}- Milling Operator
- 57}- Mat Maker
- 58}- Maid Servant
- 59}- Masalchi
- 60}- Mali
- 61}- Nabbard
- 62}- Oilman
- 63}- Parkba Coolie
- 64}- Pattern Maker
- 65}- Painter
- 66}- Ramoshi
- 67}- Rescueman
- 68}- Sweeper
- 69}- Syie
- 70}- Shop Boy
- 71}- Sheep Cleaner
- 72}- Store Attendant
- 73}- Tindal
- 74}- Tinsmith
- 75}- Tailor
- 76}- Tubewell Operator

- 77}**- Turner
- 78}**- Welder
- 79}**- Weaver
- 80}**- Waterman
- 81}**- Any other Government servant not included in the Appendix but employed on seasonal/part-time basis.

APPENDIX 3
(Classification of posts into Superior and Inferior)

-----Deleted-----

APPENDIX 4
(Provision for the determining of domicile)

-----Deleted-----

APPENDIX 5
(Revised Rates of Pay Rules)

-----Deleted-----

APPENDIX 6**(Referred to in note 3 to rule 5.28)****LIST OF GOVERNMENT SERVANTS GRANTED RENT-FREE QUARTERS**

Rent-free accommodation has been granted to the Government Servants mentioned in column 8 of the table below subject to the conditions, if any, given in column 4.

S. No	Department	Designation of Government servants	Remarks
1	Forests	<ol style="list-style-type: none"> 1. Tramway Establishment at Chhanga Manga viz Fitter, Mechanic, Engine Drivers and Fireman. 2. beldars (Forest Villagers) employed on daily labor in the various irrigated Plantations. 3. Dupery Rangers 4. Foresters 5. Forest Guards 6. Forest Rangers in charge of range 7. Hostel Warden of Punjab Forest School Ghora Gali and Bahawalpur 8. range Clerks 9. Peons 	
			Deputy Rangres and Foresters are granted the monthly compensatory allowance of Rs. 2 and Rs. 1.5 respectively in cases in which accommodation is not available Conservators are authorised to hire quarters for all Forest Guards in the Punjab at a monthly rent not exceed in Rs. 2.5 in each case when accommodation is not available.
			A compensatory allowance Rs. 4 per mensum is granted where not rent free quarters are available. Where accommodation is available. Where accommodation is available but Government is not under obligation to provide such accommodation.
2	Transport	Motor Vehicles Inspectors, motor Mobile Patrol Inspectors, Sergeants, Motor Mobile Patrol Sub-Inspectors and other staff on Traffic checking posts, deputed form the Police Department.	May be provided with free quarters in Police Lines, Stations, etc. when quarters are not available in Police Lines, etc. other suitable quarters may be provided or house-rent

			allowance granted.
3	General Administration		
	(i) Governors Secretariat	Occupants of the staff quarters and other buildings appurtenant to the Governors House, Lahore and the summer residence of the Governor.	On governors House Estates at Lahore and the summer residence of the Governor.
	(ii) District Administration	(1) Tehsildars, Naib-Tehsildars or other Tehsil Officials.	When quarters are built in a Tehsil building or compound for these Government servants.
		(2) Political Tehsildar, Dera Ghazi Khan	Separate quarter built for him near Jirga Hall at Fort Munro as his summer quarters.
	(iii) Reclamation Department	(1) Staff of the Reformatory School, Faisalabad.	Where accommodation is not available for occupation by a member of the staff, no house rent allowance will be given in lieu.
		(2) Staff of the Reformatory Farms, Burewala, including the superintendent of the Farms.	
4	Administration of Justice	Court Officer of the High Court of Judicature, at Lahore.	
5	Jails	(1) All Superintendents. (2) Deputy Superintendents (3) Assistant Superintendents	(a) Who live in buildings attached to the jail or in quarters specially provided close to the jail. If quarters are not provided at Government expense they receive house rent allowance in lieu thereof. The rate of house rent allowance sanctioned for Superintendents, Deputy Superintendents and Assistant Superintendents is normally subject to a maximum of 10 per cent of pay or Rs. 60, Rs. 40 and Rs. 30 per mensem respectively, whichever is less, but a higher allowances not exceeding the amount actually paid all house rent may be granted in exceptional circumstances with the consent of the Finance Department. The

			grant of such allowance is contingent on the government servant providing himself with a residence within a distance convenient for the purpose of his duties at the jail and approved by the inspector General. (b) The house rent allowance mentioned in (a) above will not be admissible during the period the government servants remain on training.
		(4) Assistant Medical Officers	Residential quarters shall ordinarily be provided at each Jail for these government servants.
		(5) Dispensers	
		(6) Warders Staff	
Note 1- Every Government servant of Jail for whom residential quarters are provided shall reside therein.			
Note 2- Every Government servant for whom no residential quarters are available at any Jail, shall, (except in the case of Assistant Medical Officer holding dual appointments) reside within such distance of the Jail as the superintendent may from time to time, in his discretion, fix in that behalf.			
Note 3- Accountants and Account Clerk (recruited as such after the 4th October, 1932, shall, when attached to the Central Jail at Multan and be required to pay rent for accommodation which is provided for them at these jails.			
Note 4-Clerks employed at Jails (other than those employed on the accounts side who are required by their Superintendents in the interest of public service to reside in the quarters provided by Government in the Jail premises, are exempt from payment of rent.			
6	Police		
	(i) District Executive Force	(1) All Police Officials of rank lower than that of Assistant or Deputy Superintendent of Police.	May be provided with free quarters in Police lines. Stations, etc., When quarters are not available in Police Lines, etc. other suitable quarters may be provided or house rent allowance granted.
		(2) Unmarried probationary Assistant Superintendents under training at the Police Training School, Sargodha.	May Quarter be provided for them at the School.
		(3) Principal Police Training School, Sargodha.	Quarters be provided for him at the School.

		(4) Probationary Deputy superintendents of Police under training at the Police Training School, Sargodha.	Quarters be provided for him at the School.
	(ii) Baluch Levy	(1) Subedar-Major, Baluch Levy. (2) Jamadar, Baluch Levy	(i) A separate quarter provided for him at khar as his summer residence. (ii) A family quarter provided for him in Baluch Levy Lines, Dera Ghazi Khan.
		(3) 4 Havildars, Baluch Levy (4) 10 Sepoys, Baluch Levy	(i) A separate quarter provided for him at khar as his summer residence. (ii) A family quarter provided for him in Baluch Levy Lines, Dera Ghazi Khan.
		(5) Tailor, Baluch levy	
		(6) Shoe-maker, Baluch Levy	A room in the Barracks of Baluch Levy Lines at Dera Ghazi Khan.
7	Education	(1) Superintendents of the hostels attached to Government Educational Institutions.	
		(2) Educational officials in Government Colleges	(i) May be granted rent free quarters with the special orders of
			(ii) Except in very special cases the concession will be confined to the Principal and one professor.
			(iii) Residences will be assigned to the members of college staff selected by Government.
		(3) The nurses and many mistresses of the Government Colleges for Women and Schools for Girls as possible.	Free-Living accommodation in a school or College premises, wherever accommodation is available on the condition that definite duties as regards the supervision of pupils out of school or college hours are assigned to each of them. This concession will be generally confined to mistresses working away from their home towns. Note: - By "Free living accommodation" it is not intended to rent accommodation, by merely to give permission to teachers being provided with

			a room whenever and wherever accommodation is available in Government Girls Schools and Colleges in the Province.
		(4) Hostel Superintendent of Vocational School/Institutes for Boys and Girls.	If quarters suitable to unmarried and married men do not exist an allowance in lieu of rent free allowed quarters not exceeding 10 per cent of pay may be allowed.
8	Health	(1) All Medical Officers both Military and Civil and all Assistant Medical Officers holding resident appointments in hospitals, dispensaries, Jails or Mental Hospital: all dispensers, dispensary servants and Government Servants holding posts in National Pay Scales 1-3 employed in hospitals and dispensaries whether Government or Local Fund, Clerical establishment of the Punjab Mental Hospital, and storekeepers attached to the Mayo and Lady Willingdon Hospitals Lahore.	(a) Where accommodation is specially provided for any post. (b) Where no accommodation is provided each case shall be dealt with on its merits and no house rent allowance will be granted unless the Government servant is required to provide himself with accommodation in a particular locality for the proper performance of his duties.
		(2) All Assistant Medical Officers employed in sanctioned posts whether under Government or under Local Bodies other than those mentioned in (i) above.	
		(3) Members of the Women's Service of Medical Officers and Assistant Medical Officers.	If rent free accommodation is not provided they will be granted house rent allowance of Rs. 30 per men sum in the case of Medical Officers and Rs. 15 per mensem in the case of Assistant Medical Officers provided the grant of this compensatory allowance shall in all cases be contingent upon the Government servant concerned provided herself with accommodation which in the opinion of the Authority under whom she is serving is conveniently near to the premises in which her regular duties have to be performed.

		(5) Staff of the Punjab Mental Hospital living in Government quarters on the hospital premises.	
	Punjab Health School	(1) One Superintendent.	
		(2) one Assistant Superintendent	
		(3) One Principal	
9	Agriculture	(1) Superintendent, Government Gardens, Lahore.	
		(2) All Mukaddams irrespective of pay who are employed on Farms or in research sections.	Provided the quarters -----are those normally allotted to the -----and Superintendents of the -----
		(3) Beldars and tenants employed on Agricultural farms.	
10	Livestock, Fisheries and Dairy Development		
	(i) Government Livestock Farms in Sahiwal District.	<ol style="list-style-type: none"> 1. Managers 2. Farm Overseers 3. Veterinary Assistant Surgeons 4. Agricultural Assistants 5. Dairy Supervisors 6. Veterinary Compounders 7. Mukaddams 8. Stock Assistants 9. Milk Salesman 10. Storekeepers 11. Assistant Storekeepers 12. Truck Drivers 13. Tractor Drivers 14. Blacksmith 	

		<ul style="list-style-type: none"> 15. Carpenters 16. Ministerial Establishment including Head Clerks, Accountants and Junior Clerks. 17. Jamadar Cultivation 18. Jamadar Stock 19. ploughmen 20. Cow Herds 21. Dairy Attendants 22. Store Attendants 23. Syees 24. Shepherds 25. Sweepers 26. Bahisties 27. Malis 28. peons 29. Chowkidars 30. Forest Guards 31. Bellow Boys 	
11	Industries	<ul style="list-style-type: none"> 1. General Manager, Government Weaving and Finishing Centre, Shahdara. 2. Mechanical Forman of the Government Weaving and Finishing Centre, Shahdara 3. Manager, Government Weaving and Finishing Centre, Shahdara. 4. Mechanic, Government Weaving and Finishing Centre, Shahdara. 5. Boiler Engineer, Government Weaving and Finishing Centre, Shahdara. 	
12	Stationery and Printing	<ul style="list-style-type: none"> 1. Controller Printing and Stationery Department Lahore. 2. Superintendent Punjab Government Press, 	

		<p>Lahore.</p> <p>3. Manager (Works), Punjab Government Press, Lahore.</p> <p>4. Manager (Works), Punjab Government Press Bahawalpur.</p>	
13	Public Works		
	(i) Irrigation Branch	<p>1. Signalers including relieving and Apprentice Signalers</p> <p>2. Dispensers</p> <p>3. Fire Fighters, attached to the Irrigation Workshops Moghalpura.</p> <p>4. Tube-well Operators</p>	<p>Government quarters will only be occupied by Relieving and Apprentice Signalers if available and cannot be claimed as of right.</p> <p>The Tube-well Operators allotted quarters at the site of tube-well shall pay rent of Rs. 2 per mensem.</p>
	(ii) Buildings and Highways	<p>1. Dispenser, Chauburji Garden Estate Lahore</p> <p>2. Ferry Superintendent, Ferry Service Ghazighat.</p>	
14	Co-Operation	<p>1. Principal, Co-operative Training Centre Faisalabad.</p> <p>2. Hostel Superintendent, Co-operative Training Centre, Faisalabad.</p> <p>3. Hostel Superintendent, Pak: German Institute of Co-operative Agriculture, Multan.</p> <p>4. Dispenser, Pak-German Institute of Co-operative Agriculture Multan.</p>	

APPENDIX 7**(REFERRED TO IN NOTE 5 TO RULE 5.51)**

Rules relating the acceptance by Medical Officers of the Provincial and Subordinate Service and Officers holding special posts of fees from private persons or bodies of public bodies for services other than Professional Attendance

- 1) For the purposes of these rules:-
 - a) A "Medical officer of the Provincial Service" means a District Health Officer, holding charge of a District, or a Medical Superintendent of the District Headquarter Hospital, as the case may be, or a Medical Officer in charge of the Hospital or dispensary maintained by Government or a Local Body or employed in any other capacity in an institution under the control of the Punjab Government.
 - b) A "Medical Officer of the subordinate Service" means an Assistant Medical Officer employed in a Hospital or dispensary maintained by Government or a Local Body.
 - c) An "Officer holding a Special Post" means a Government servant employed on a special post which has been declared as such by the Punjab Government and is not included in the cadre of either Provincial or Subordinate Service.
 - d) A "Private person" means a person other than a Government servant entitled to free service.
 - e) A "Private body" means an institution having no concern with Government or any public body.
 - f) (A "Public body" means an institution financed by public funds such as municipality, district board or a like institution. In these rules a public body will also include a state acceding to Pakistan.
 - g) "Duty" means official work done by an Officer in connection with Government.
- 2) the fees fixed in these rules do not apply to work done in the ordinary course of duty and the acceptance of fees will be subject to the following conditions :-
 - a) No work or class of work involving the acceptance of fees may be undertaken on behalf of a private person or body or public body, except with the knowledge and sanction, whether general or special, of the Punjab Government.
 - b) The fee received shall be divided as follows :-
 1. in cases where Medical Officer is permitted to retain the whole of a fee, he should collect in himself.
 2. In case where the fees are divisible between the Government and the Government servant concerned :-

- i. If the amount of the fee and the distribution of shares between the Government and the Government servant are known before hand, the share due to Government should be credited to the Revenue Head of Account of the Department to which the Government servant belongs and the rest should be collected by the Government servant himself. The Government shares should be paid into the treasury as far as possible, by the body or person paying fee.
- ii. If the amount of fee or the share are known only approximately, all fees should in, the first instance, be credited by the body or person paying the fee to the head "Deposits of the fees received by Government servants for work done for private bodies" pending final settlement. When the share due to Government is known it should be credited to the Revenue Head of the Department to which the Government servant belongs and the rest should remain under the deposit head for disbursement to the Government servant in accordance with the procedure as laid down in Subsidiary treasury Rules 4.137.

Note. ---The above procedure will not apply to a fee for examination by a Medical Board for commutation of pension three-fourth of which will be paid to -the Medical Board in case by the examinee.

- c) For private bacteriological, pathological and analytical work carried out in Government Laboratories and the Chemical Examiner's Department, 70 per cent of the fees shall be credited to Government, the remainder being allowed to the Director of the Laboratory or the Chemical Examiner, as the case may be who may divide it with his assistants in such manner as he considers equitable. No payment, will however be made to officers from the sale-proceeds of the vaccines.
 - d) The rates shown in the rules are maxima which a medical officer will be free to reduce or remit if he is entitled to appropriate them himself. In cases where the fee is divisible between the medical officer and Government, the former may charge lower rates in special cases where he considers it necessary either owing to the pecuniary circumstances of the patient or for some other reason of public interest and the share of Government will be calculated on the basis of the fee actually realized instead of the scheduled fee, provided that the approval of Government is obtained by a general or special order in this behalf.
- 3) Services for which fees will be charged under these rules include the undermentioned :-
1. Post-mortem and medico-legal examination (performed not in the ordinary course of duty).
 2. Evidence in a court of law.
 3. Medical examination for postal insurance.
 4. Medical examination for commutation of pension.
 5. Medical examination of candidates for Government service.

6. Service as Examiners in a University or a State Medical Faculty or as lecturer in an institution.
7. Private bacteriological examination.
8. Private tests and analysis conducted in the Chemical Examiner's Department.
9. Medical Opinion in arbitration cases under the Workmen's Compensation, Act.
10. Medical examination of persons in the Police Lock-ups.
11. Issue of injury certificates required by Insurance Companies.

4)

²²

- a) No fee is leviable by Government medical officers whether employed by Government or Local Bodies for medical legal work, including all postmortems and medico-legal examinations, performed on behalf of Government and which fall within the scope of their regular duties.
- b) If a medical officer conducts a post-mortem or other medico-legal examination, not in the ordinary course of his duties (such as examination done for cases from other provinces or administrations) he will according to his rank be entitled to charge the following fee from the party concerned:--

<i>Class of Officer</i>	<i>Postmortem, examinations</i>	<i>Other Medico-legal examinations</i>
	Rs.	Rs.
1. District Health Officer or Medical Superintendent.	16	10
2. Medical Officer	10	4
3. Assistant Medical Officer	---	2

- c) If a Medical Officer whether of the Provincial or the Subordinate Service examines a private medico-legal (non-cognizable) case other than a post-mortem in his capacity as a private medical practitioner he will, according to his rank be entitled to charge the following fee from the party concerned :-
1. District Health Officer or Medical Superintendent.
 2. Medical Officer

²² Post mortem and medico-legal examinations,

3. Assistant Medical Officer

- d) Government medical officers who are not in receipt of an allowance for doing railway work are entitled, to receive from the Pakistan Railways a fee of Rs. 4 for the examination of injured railway passengers. The examination will be conducted at the request of a railway authority, other than the Railway Police.

5)

- a) If a Medical Officer is required to give evidence on the results of any examinations falling under rule 4 (b) and (c) above he shall not be entitled to any further remuneration - except the usual expenses admissible to a witness for travelling and diet.

- b) If a Medical Officer is summoned to give expert evidence in a court of law at the instance of a private person or party his attendance at court shall be regulated as follows :—

1. The officer may accept such fee as the Government may permit him to accept having regard, to his eminence in the medical profession, the importance of the case and the distance of the court from his headquarters.
2. In each such case the officer should apply to Government for sanction in the same way, as for example, an officer has to obtain permission of Government for accepting fee.
3. The Government would, in according permission, be at liberty to recover from the fee such amount as may be considered reasonable for the loss of the officer's time in the even of his attendance at the court interfering with the performance of his official duties.
4. The officer's travelling and subsistence allowance would be paid by the private person or party at whose instance he may be summoned.

- 6) ¹ A District Health Officer or a Medical Superintendent is entitled to a fee of Rs. 4 from the Postal Department for examination a candidate for postal insurance sent for him by the Head of an office or department in compliance with the rules for the Post Officer Insurance Fund.

- 7) ² District Health Officer or a Medical Superintendent is entitled to a fee of Rs: 16 from an applicant for commutation of pension to be examined by him in accordance with the rules for the "commutation "of pensions. Similarly a District Health officer or a Medical Superintendent of the Provincial service or a Medical Officer who acts as a member of the Standing Invaliding Committees, Multan and Rawalpindi, will receive a share of Rs. 4, from the fee of Rs. 16 paid by an applicant for commutation of pension for his medical examination.

¹ Medical examination for postal insurance

² Medical examination for commutation of pension

- 8) ¹ Medical Officer's belonging to the Provincial service or holding special posts, are, when required to act as member of the Provincial Medical Board, entitled to a share of Rs. 4 per candidate for examination candidates for appointment to All-Pakistan posts and special posts.

Note. ---Candidates sent by the selecting, or appointing authority to District Health Officers or Medical Superintendents for medical examination should be examined free of charge.

- 9) ² Medical Officers of the Provincial service and officers holding special posts may receive fees or honoraria for superintending, conducting examinations, setting of question papers and the examination of answer papers of the University examinations and examination held under the Punjab State Medical Faculty and also for delivering lectures in an institution. The scale of fees thus charged will be such as the University or the Faculty or the institution concerned may from time to time fix.
- 10) ³ Medical Officer of the Provincial and subordinate service and officers holding special posts are permitted to charge fees for all bacteriological and Pathological examination undertaken for private persons and institutions at Government laboratories, where the levy of such fees has been sanctioned, the rates are shown in annexure A.
- 11) ⁴ The Chemical Examiner to Government, Punjab, Lahore, and his Assistants are permitted to receive fees from other Governments, municipalities and private parties for chemical analysis, etc., as laid down in Annexure B to these rules.
- 12) ⁵ Medical Officers are entitled to charge fees at the following rates for giving medical opinion in arbitration cases under the Workmen's Compensation Act :-

	Rs.
District Health officer or Medical Superintendent	32
Medical Officer	10
Assistant Medical Officer	4

¹ Medical examination of candidates for Government service

² Services as examiner in & University or of State Medical Faculty or as lecturer in an institution

³ Private bacteriological and pathological examinations

⁴ Private tests and analyses conducted in the Chemical Examiners Department.

⁵ Medical opinion arbitration in cases under the Workmen Compensation Act

- 13) ¹ Medical Officers of the Provincial and subordinate Services and Officers holding special posts are entitled to charge fees at the following rates for medical examination of persons in Police Lock-up as a precaution against torture by the police or as a ground for the grant of bail, subject to the discretion of the Court to allow or not to allow such fees as the financial status of the accused person concerned in each individual case permits:-

	Rs.
District Health officer or Medical Superintendent	10
Medical Officer	4
Assistant Medical Officer	2

The Court concerned, while forwarding the application from a person in Police Lock-up for medical examination to the Medical Officer for compliance, shall, however, record in writing its decision that the fee is or is not to be charged.

¹ Medical examination of persons in Police Lock-up

- 14)** ¹ Medical Officer are entitled to charge fees at the following rates for issuing injury certificates required by the Insurance Companies.

	Rs.
District Health officer or Medical Superintendent	16
Medical Officer	5
Assistant Medical Officer	2

- 15)** The scale of fees given above and in the annexures to these rules in subject to revision that may be considered necessary from time to time by the Punjab Government.

¹ Issue of Injury certificate required by Insurance companies

APPENDIX 7**ANNEXURE A**

Scale of charges for private bacteriological and pathological work done at Government Laboratories.

<i>Nature of work</i>	<i>Rate of fees Rs.</i>
1. Widal's reaction to any combination of organism i.e. typhoid, paratyphoid, malt etc.	22.50
2. Widal's reaction (single organism)	7.50
3. Examination of blood smears (for differential leucocytic count)	7.50
4. Wasserman reaction (blood or cerebrospinal fluid)	30.00
5. Examination of blood smears (for malaria, relapsing fever etc.)	7.50
6. Estimation of Haemoglobin	3.00
7. Size of R.B.C. (Halo-meter)	3.00
8. Mean Cell Volume	7.50
9. Total red cell count, total leucocytic count each	7.50
10. Counting of blood platelets	7.50
11. Estimation of bleeding time	7.50
12. Estimation of Coagulation time	7.50
13. Fragility of red blood cells	12.00
14. Examination of blood for reticulocytes	7.50
15. Estimation of blood sugar (one estimation)	15.00
16. Blood sedimentation rate	7.50
17. Sugar Tolerance test (5 specimens of blood)	48.00
18. Estimation of blood urea	22.50

19. Estimation of blood calcium	22.50
20. Estimation of chlorides in blood	15.00
21. Estimation of blood cholestaral	24.00
22. Estimation of blood creatinic	22.50
23. Blood alkali reserve	22.50
24. Estimation of inorganic phosphate	22.50
25. Van Ben Borgh's Reaction	7.50
26. Kahn's precipitation, test for syphilis	24.00
27. Formal gel Reaction for Kalazar	7.50
28. Estimation of Urine a) Clinical qualitative (i.e.) 1. Chemical 2. Physical b) Litte (Microscopic) c) Clinical quantitive, i.e. estimation of sugar albumen, urea, acetone indican d) Bacteriological combined with 6s) (6) (d)	7.50 3 Per item 15.00
29. Urea concentration test and urea clearance test	37.50
30. Examination of Faeces--- a) Microscopical b) Bacteriological c) Both combined	7.50 24.00 30.00
31. Microscopic examination of diphtheria swabs	7.50
32. Culture of diphtheria swabs	24.00
33. Examination of Basal Smears for leprocy.	7.50

34. Analysis of stools for fat contents or fatty acid contents	24.00
35. Occult Blood in stools	3.00
36. Inoculation of small animals for diagnostic purpose Tuberculosis etc.	30.00
37. Routine culture examination of an organism	24.00
38. Culture of tubercle bacilli	30.00
39. Examination of sputum (for tubercle bacilli)	4.50
40. Section of morbid tissue	48.00
41. Preparation of special autogenous vaccine:	
a) By use of ordinary media	24.00
b) where special complicated work is necessary involving animal experiment	48.00
42. For each dose of vaccine supplied	3.00
43. Determination of Kh. Factor (Determination R. H. state) of blood for clinical purposes	24.00
44. Pus smears, cervical smears, urethralaye, throat etc.	7.50
45. Scraping from ulcer, sores film etc.	7.50
46. Treponoma Pallidum :---	
a) Staining	7.50
b) dark ground illumination	7.50
c) both methods combined	12.00
47. Blood culture negative	24.00
48. Blood culture (positive and identity)	45.00
49. Blood Grouping	15.00
50. Fractional test meal (consisting of detailed, examination of eleven, specimens)	48.00

51. Chemical examination of pathological fluids such as vomit, cerebra spinal ascitic, pleural etc.	15.00
52. Pathological fluids (Microscopic) fluids as given above	7.50
53. Lange's cellcidal gold test	24.00
54. Examination of Water. Bacteriological analysis each sample	37.50
55. Bacteriological examination of disinfectants,,Bideals Walker Test	75.00
56. Examination of urine, urobilinogen	3.00
57. Examination diastase	15.00
58. Examination of Friedman's Pregnancy test	30.00
59. Examination of Urea Estimation	15.00
60. Examination of Chlorides	7.50
61. Examination of Drugs	15.00
62. Examination of Semen (Routine).	15.00
63. Examination Semen (Complete)	22.50
64. Examination of Urine, bile pigment and salts	6.00
65. Examination of Blood complete picture	30.00
66. Bone marrow count	15.00
67. Examination of blood prothrombine	15.00
68. Examination Sputum (concentration methods)	7.50
69. Examination Milk	7.50
70. Examination of Fungi culture	24.00
71. Sere-logical examination Gonococcal (G.O.F.T.)	30.00
72. Serological examination Weil Felix	15.00
73. Serological examination Paul Bunnel Tests	15.00
74. Serological Examination Sodium or Potassium estimation	15.00

75. Serological examination Uric Acid	15.00
76. Serological examination Diastase	15.00
77. Serological examination Plasma protein	15.00
78. Serological examination Plasma Alumin and Globulin Ratio	15.00
79. Serological examination Takata's test	15.00
80. Serological examination Vendon Berg (qualitative test)	7.50
81. Serological quantitative test	24.00
82. Biological assay of Penicillin	48.00
83. Biological sul essay	48.00
84. Antibiotic and sulpha sensitivity	32.00
85. Animal inoculation Diphtheria	30.00
86. Examination of Lupus Brythematosus Cell	15.00
<i>Enzymes Tests—</i>	
87. Blood Phosphatase Acid or alkaline each	24.00
88. Transsminases (sgot/SGPT)	48.00
89. Lactic Acid Dehydrogenaso	48.00
90. Urinary 17-Ketosteroids	75.00
91. Pregnancy test .quick method (Haem agglutination inhibition Test)	45.00
92. C-Reactive protein	22.50
93. Anti-Streptolysine 'O' titre	30.00
94. Serum Pilirubim	22.50
95. Mantoux Tuberculin Test	7.50
96. Casseni's Test for Hydatid disease	7.50
97. Smears for cancer cells	15.00

98. Serum Iron	22.50
99. Blood Barbiturates	30.00
100. Abnormal Haemoglobin electric phoresis	48.00
101. Combe Test	45.00
102. B.M.O.	48.00
103. B.C.G.	60.00
104. E.C.G.	30.00
105. Apportionment of fees derived from private patients,	1. 60.00 % government 2. 30.00 % lecturers 3. 10.00 % technician

ANNEXURE B

Scale of fees which the Chemical Examiner may receive from other Governments, Municipalities and private parties for analysis.

Name of work	Rate of fees Rs.
1. a) Qualitative test for some specified constituent for which such test exist b) For each additional constituent to be tested	 10 to 20 5
2. a) Quantitative determination of some specified constituent or property in a qualitative test b) Each additional quantitative determination on the same sample	 15 to 30 5 to 30
3. Examination of poisons — a) for the first article b) for each subsequent article	 20 10
4. Examination of stains for the presence of blood — a) for the first article b) for each subsequent article	 15 15
5. Examination for stains for the presence of semen — a) for the first article b) for each additional article	 20 10
6. For examination of drugs according to B.P. — a) Qualitative tests only b) Complete qualitative and quantitative tests	 20 30

7.	
<p>a) For the determination of saponification value, the acid value, the iodine value, and the refractive index of density of oil or fat</p> <p>b) For each additional determination</p>	5
8. For the determination of the flash point of an oil with Abel's close tests: —	X
<p>a) Up to 200 F.</p> <p>b) For higher temperatures</p>	15
	20
9. Examination of water for boiling or other technical purposes	20 to 40
10. Comparative test of ink per sample	10
11. Soils (Chemical analysis of)	40
12. Manures (ditto)	40
13. Organic analysis of grains, etc.	40
14. Medico-legal cases	32
15. Malt Liquors	20
16. P table water	20
17. Mineral oils Lubricating, complete	30 to 40
18.	30
<p>a) Vegetable oils, complete</p> <p>b) Vegetables oils with-calorific value</p>	100
19. Paints complete	30
20. Dry colours and pigments	30
21. Mineral ores, quantitative	50
22. Tallow and other sizing material	30

23. a) Coal proximate analysis b) Coal calorific value	 30 100
24. Oil cakes, complete with castor seeds	30
25. a) Oil cakes, oil, albuminoid and sand b) Oil cakes for nitrogen only c) (c) Oil cakes, oil and albuminoids	 30 30 30
26. a) Bone meals (manures) b) Bone Meals for nitrogen only	 30 30
27. a) Manganese ore, commercial analysis b) Manganese only	 50 30
28. Lime cements, chemical analysis	30
29. Soap complete	30
30. Alloys per constituent —	30
31. Textile complete	30
32. Sulphate of alumina and other chemicals	30
33. Spirits and wines	20
34. Raw Sugar	20
35. Soils (Practical analysis of)	20
36. Manures (practical analysis of)	20

37. Tan barks	20
38. Tea	20
APPORTIONMENT OF FEES	
Government	70 per cent
Chemical Examiner and his Assistants	30 per cent

APPENDIX 8

(Referred to in Note 6 to Rule 5.51)

Rules for payment of fees to expert witnesses summoned in criminal courts

- I. When any court has to form an opinion upon a point of foreign law or of science or art or upon the identity of handwriting or finger impressions, a person who is called to give an opinion in view of his special skill in such foreign law, science or art or in questions of identity of handwriting or finger impressions, in an expert witness and his evidence is expert evidence,

Explanation--The question whether evidence is expert or not must be judged by the purpose for which the witness is called and the nature of the facts to which witness testified in examination-in-chief. Evidence is not to be classed as expert merely on the strength of cross-examination. If the witness is called primarily to testify to facts observed by him in his ordinary or in his professional capacity his evidence is ordinary evidence. If, however, he is called primarily evidence. If, however, he is called primarily to give an opinion based on his special knowledge or skill but not on any previous acquaintance with the facts of the particular case which is before the court, his evidence is expert evidence.

Examples---

- i. A doctor who is called on account of his special knowledge to give an opinion on the question whether a particular person is physically capable of doing an act which is attributed to him gives expert evidence. If he is called to describe injuries which he has himself seen or to attest a certificate of injuries which he has supplied, his evidence is not expert evidence, and it does not become expert evidence even if in the course of his examination he uses technical terms in describing the injuries or if he is asked to give an opinion regarding the effect of the injuries on the constitution of the injured person.
 - ii. A goldsmith who was called on account of his technical knowledge to advise the court where a particular ornament as made would be giving expert evidence, if the opinion was one which could be given by a goldsmith; but it would not be expert knowledge if he was merely identifying an ornament made by himself.
 - iii. A small arms expert called from a Government arsenal to state whether the marks on a bullet could be caused by the rifling of a particular kind of rifle or revolver or whether a shot could travel a particular distance gives expert evidence.
- II. Subject to the provisions of rules III to V below expert witnesses who happen to be Government servants are bound by the ordinary rules relating to payment of travelling allowance and subsistence allowance to Government servants called as witnesses. These rules are contained in Travelling Allowance Rules.
 - III. In any-case in which it is absolutely necessary to summon either the Chemical Examiner or his Assistant to give evidence in Court, the following fees shall be

paid :-

For each appearance in Court		
	In Lahore	Outside Lahore
Chemical Examiner	Rs. 16.00	Rs. 100 Plus travelling allowance at tour rates.
Assistant Chemical Examiner	Rs. 10.00	Rs. 50 Plus travelling allowance at tour rates.

In case in which the above fees are payable to the Chemical Examiner or his Assistant by Government no payment shall be made. He will draw travelling allowance at the usual rates admissible under the Travelling Allowance Rules'. In other cases in which travelling allowance is admissible under the Travelling Allowance Rules and fee are payable by private persons, such fees should be credited to Government.

IV. The following scale of fees has been prescribed for medical men. of different classes summoned as expert witnesses :-

	<i>For giving evidence in a criminal cases in a station where he resides</i>	<i>Forgiving evidence in a station other than the one in which he ordinarily resides</i>
1. District Health Officer or other medical officer of equivalent standing.	Rs. 16 to Rs. 50	Rs. 16 to Rs. 50 plus travelling allowance at tour rates.
2. Medical Officer	Rs. 10 to Rs. 25	Rs. 10 to Rs. 25 per diem plus travelling allowance at tour rates.
3. Assistant Medical Officer.	Rs. 4 to Rs.10	Rs. 4 to Rs. 110 plus travelling allowance at tour rates
4. Private Medical Practitioners.	Rs. 16 to Rs. 32	Rs. 16 to Rs. 100 per idem provided that the sanction of the High Court is obtained to any fee over Rs. 32 per idem plus actual travelling expenses.

1. If a Government medical officer is summoned by the Court at the instance of the state, he should be treated as being on duty and he should be, allowed to draw his travelling and daily allowance under the Punjab Travelling Allowance Rules, if the Court is situated away, from his headquarters; if the Court is situated at his headquarters, he should not be paid anything.
2. If such an officer is summoned by the Court at the instance of a private person or party such attendance in the Court should be regarded as private practice of the nature of expert evidence and should be regulated as follows :--
 - i. The officer may accept the fee within the limit prescribed above with the sanction of the Court concerned, if, however, in any individual case it is considered necessary by the Court that fee in excess of the prescribed limit should be allowed, this should be done with the specific sanction of Government in each case, which should be obtained, through the Head of the Department in which the officer is serving,
 - ii. The apportionment of the fees realized from private persons or parties between Government and the medical officer would be in the ratio of 50: 50 but for accounting purposes, it would in the first instance, be necessary that the full amount realized should be credited to Government, the share of the officer being thereafters drawn from the Treasury on a refund bill.
 - iii. The officer's travelling and subsistence allowance should be paid by the private person or party at whose instance he may have been summoned.
- V. In the case of certain other particular experts special fees have been fixed as follows :

	<i>For giving evidence in a criminal cases in a station where he resides</i>	<i>Forgiving evidence in a station other than the one in which he ordinarily resides</i>
1. Government Examiner of Questioned Documents.	---	See Annexure.
2. Officials of the Finger Print Bureau.	No fees	No fees
3. Non-official Handwriting experts.	Rs. 16 to Rs. 32	Rs. 16 to Rs. 100 per diem provided that the sanction of the High Court is obtained to any payment at rates exceeding Rs. 32 per diem; <i>plus</i> actual travelling expenses.

4. Registered Accountants as defined in Rule 12 of the Auditors Certificate, Rule 1932	Rs. 50 to Rs. 150 according to the professional standing of the witness for each day spent in attendance.	Rs. 50 to Rs. 150 according to the professional standing of the witness, for each day spent in attendance or travelling <i>plus</i> actual travelling expenses
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- VI. In order that payments may be easily checked in audit a clear distinction should be drawn between amounts paid as subsistence allowance and amounts paid as travelling allowance.

APPENDIX 8**ANNEXURE****[Referred to in Rule V]*****Rules regulating applications for and payment of the services of the Government Examiner of Questioned Documents***

1. Applications should be sent direct to the Government Examiner of Questioned Documents, Intelligence Bureau, Home Department, (Karachi).
2. Applications received direct from private individuals will not be entertained.
3. Acceptable applications fall into two classes:

A. --- Official applications from Provincial Government or officers subordinate to them including the presiding officer of criminal courts, and from High Courts.

B. --- Other applications. These include:--

(i) Cases from private parties in civil suits in courts, Pakistan

These will be accepted only on applications from the court in which the case is being heard. The party concerned must move the court and it will rest with the court to take the further steps necessary to obtain the services of the Government Examiner of Questioned Documents.

Explanation---References made by court *suo moto* in civil cases to which the State is not a party will be deemed to be cases from private parties for the purposes of these rules.

(ii) Cases from municipal corporations, district councils, municipalities and other local bodies and from universities and railway administrations in Pakistan.

Applications from recognized universities will be received direct.

Applications from railway administration should be submitted through the Agent of the railway concerned. Applications from municipal corporations will be received direct but from other local bodies will be accepted only if received through the local district magistrate who should satisfy himself, before forwarding the application, that it is desirable that the Government Examiner of Questioned Documents should be consulted.

4.	<i>Deleted</i>
5.	<i>Deleted</i>
6.	<i>Deleted</i>

7. In cases where the cost of photographs is exceptionally heavy, the fee will, with the concurrence of the Director, Intelligence Bureau, Ministry of Home and Kashmir Affairs be Rs. 15 *plus* the actual cost of the photographs.

In class B cases the authority submitting the case will be informed of the extra cost involved before it is incurred, and will be required to certify that it has been deposited before the Government Examiner of Questioned Documents proceeds with the case.

8. In cases in which an opinion is given but no photographs are taken the fee will be Rs. 150 only.
9. In cases in which no opinion is given but photographs are taken only the actual cost of the photographs will be charged.
10. No reduction in the fee will be allowed if evidence is not required or is taken on commission.
11. In class B cases an additional fee of Rs. 150 will be charged for each day after first day on which evidence is given, whether in court or on commission or on which the officer is detained. The presiding Officer or the Commissioner will be requested to certify before the second and each subsequent day's work is begun that the fee for that day and also for an intervening day or days of detention has been deposited, and subsequently to furnish a certificate as in rule 6 above.
12. In cases falling under class B the Government Examiner or his Assistant will be prepared to attend courts, provided that he can do so without detriment to his other work. When evidence is taken on commission, the commission should be issued to the Senior Sub-Judge, Karachi, and normally should be so worded that either the Government Examiner or his Assistant can give evidence.
13. Presiding Officers of courts are requested to detain the Government Examiner of Questioned Documents or his Assistant for the least possible time compatible with the requirements of the case. They are also requested to accept, so far as possible, the time and dates for attendance offered by these officers, because *the* latter frequently have to attend several courts in the course of one tour.
14. The Government of Pakistan in the Ministry of Home and Kashmir Affairs reserve the right to impose an extra charge in any case in which they consider that the usual fee is incommensurate with the time and labour spent on the case.
15. When the Government examiner of Questioned Documents or his Assistant is required to travel in order to give evidence or for any other purpose, the authority or party employing his services will be required to pay travelling allowance at the rates laid down for first grade officers in the Supplementary Rules of the Government of Pakistan for journeys on tour. Travelling allowance will also be payable for the peon accompanying the officer at the rates fixed for Government of Pakistan peons. These payments will be adjusted as directed in the Home Department letter No. F-128/VII/27 - Police, dated the 12th January, 1928 (see

Appendix).

In class B cases the Presiding Officer of the court concerned will be required to certify that the cost of travelling allowance has been deposited before the Government Examiner of Questioned Documents or his Assistant undertakes the journey.

APPENDIX

Procedure for the payment and audit of travelling allowance drawn by the Government Examiner of Questioned Documents or his Assistant during tours (vide Home Department's letter No. F-128/VII/27 - Police, dated the 12th January, 1928.

- 1)
 1. The Examiner or his Assistant should submit his travelling allowance bills to the Accountant-General, Pakistan Revenues, for audit and payment;
 2. As soon as journey is completed, that is in respect of any complete journey from headquarters to headquarters the Examiner or his Assistant should send a statement to the Accountant-General, Pakistan Revenues, showing the total amount of travelling allowances claimed or drawn and the distribution of the entire amount among the various courts for recovery;
 3. In cases where several courts are attended, the cost should be distributed between them in proportion to the distance by rail from headquarters;
 4. As the travelling allowance is debitable to the various Provincial Governments or the parties concerned, the recoveries should be treated as follows:
 - i. recoveries from the various Provincial Governments should be taken in reduction of expenditure provided they are effected within the accounts of the same year, if not, they should be shown as receipts ; and
 - ii. recoveries from parties such as local boards, local bodies and private persons should be taken as receipts.
- 2) The principles laid down above apply to the payment and audit of the -travelling allowance of peon accompanying the Examiner or his Assistant
- 3) If after the Examiner or his Assistant has actually commenced a tour, intimation is received from a court included in the tour to the effect that his evidence would not be required on the date originally fixed, the court shall pay the difference between the total expenditure actually incurred on the tour and the expenditure that would have been incurred if attendance in that court had not been included in the tour. This shall be specifically made clear when the bill is sent to the court for acceptance.
- 4) The Examiner and his Assistant shall observe the provisions of Supplementary Rule 30 when they frame their programme for tour.

APPENDIX 9

(Referred to in Note I to Rule 5.56)

General Instructions for Regulating the Grant of permission for the taking out of patents by government servants whose duties involve the carrying out of scientific or technical Research.

- 1) Application or permission under Rule 5.56 should be made by the Government servant making an invention to the head of his department, or if he is himself the head of the Department to the department of the Government under which he is serving.
- 2) The head of the department should deal with the application confidentially and with expedition- so that the inventor may not be prejudiced by delay in making his application at the Patent Office, and should forward it with his recommendations to the department of the Government under which he is employed.
- 3) Permission may be granted by the department] of the Government to the applicant without any restriction if the invention has no connection with the Government servant's official duties and has not resulted from facilities provided at Government expense.
- 4) If the invention is made in the course of the Government servant's official duties or has resulted from facilities provided at Government expenses then :--
 - a) If the invention is of such general interest and utility that the public interest will be best served by allowing the public a free use of .the invention, the application for taking out a patent should be refused and the invention should be published. As *ex-gratia* payment should ordinarily be made to the inventor as a reward in all such cases.
 - b) If the invention is not of the kind mentioned in (a) but is of sufficient public utility as is likely to make its commercial exploitation profitable, the inventor should be directed to take out a patent and to assign his rights under the patent to the Governor of the Punjab. In all such cases, the inventor should be rewarded either by a suitable *lump sum* payment or by a liberal percentage of the profits made by Government inc connection with the invention;
 - c) in other cases, the inventor should be allowed to take out a patent for his own benefit subject to his undertaking to permit Government the use of the invention either without payment or on such terms as they may consider reasonable.
- 5) When the invention has been assigned to the governor of the Punjab under clause (b) of paragraph 4 above, the department of the Government concerned may exploit the patent itself of :--
 - a) advertise the patent and grant licences on payment to manufacturers ; or

- b)** sell the rights and the patent to a first or to a private person.
- 6)** In order to secure reasonable uniformity of practice and to secure for Government the full benefits of inventions, the Controller of Patents and Designs should ordinarily be consulted before any awards are made under clause (a), (b)-and (c) of paragraph 4 or steps are taken for the exploitation of the patents under paragraph 5 above.

APPENDIX 10

(Referred to in Note 3 below Rule 6.3)

Terms admissible to Provincial Government servants proceeding abroad under Foreign Technical Assistance Programme or to participate in seminar of short duration or on official duty

- 1) The following terms will be admissible to Government servants proceeding abroad under any of the Foreign Technical Assistance Programmes.

Note. ---The term trainee used below will cover all persons traveling abroad for the purpose of training, of servation or study but will exclude members of delegations or other Government servants deputed abroad on temporary duty in connection with specified official assignments:--

- a) ***During the period of training abroad as well as the transit time to and from the place of .training (both should be specified in the individual sanction letter) the trainee will be treated as on duly.***
- b) ***Pay as defined in Rule 2.44 of Civil Service Rules (Punjab) Volume I, Part I, i.e. including special pay (if attached to the post question in Pakistan) Personal pay, etc., and local compensatory and house rent allowances which would have been admissible but for the training abroad*, subject in t he case of local compensatory and house rent allowances, to the following conditions:--***
 2. ***that the family of the Government servant continues to reside for the period in question at a station in Pakistan where the allowances are admissible to him ;***
 - ii. ***that the Government servant continues to incur the expenditure for which the allowances were sanctioned ;***
 - iii. ***The local compensatory and house rent allowance will be admissible in rupees in Pakistan:***
 - iv. ***The Government servants drawing pay less than Rs. 850 shall drawn in foreign currency a pay of Rs. 425 p.m. or full pay, which ever is less for the actual period of stay.***
 - v. ***Others shall draw 5-0 per cent of their pay for the actual period of stay subject to a maximum of Rs. 1,400 p.m. and***
 - vi. ***Government servants who are authorised under the rules, or by special orders, to take their families with them, shall also draw***

their pay for the actual period of the stay of the family as stated in clause (iv) and (v) above.

- c) *Travelling/Daily Allowance in Pakistan will be admissible under the normal rules, from the place of duty to the seaport/airport of embarkation and vice versa on return.***
 - d) *Passage for both outward and return journeys will be limited to the scale (1st Class or Tourist) payable by the donor Government / Agency. No liability on account of passage will ordinarily be accepted by the Government of the Punjab.***
 - e) *Baggage will be limited to the free allowance admissible on the air ticket and no extra freight will be paid for by the Punjab Government.***
 - f) *Subsistence allowance (or daily allowance) will be limited to what is payable by the donor Government/Agency and no additional contribution will be made by the Punjab Government.***
 - g) *Other allowance which the donor Government/Agency provides as part of the terms of its offer e.g. outfit allowance, book allowance, etc. will be payable to the trainees. No contribution will be made by the Punjab Government.***
 - h) *Except where the donor Government/Agency prescribed the airline for travel, the trainees will travel by P.I.A. or make their arrangements through P.I.A.***
 - i) *Unless the period of training is more than one year, no trainee will be permitted to take his family with him. In case of training exceeding one year, permission to take his family may be given by the Finance Department but no payment for passage, etc., will be made by the Punjab Government.***
 - j) *Medical facilities will be admissible on the scale and in the manner provided by the donor Government/Agency.***
 - k) *In cases where the cost of passage or any other expenditure payable by the donor Government/Agency is initially paid by the trainee in rupees, and it is subsequently recovered by him in foreign currencies, the matter be surrendered to the Government through an authorised dealer (Bank).***
- 2) Where a training programme is sponsored by a Government Department, otherwise than under a Foreign Technical Assistance Programme, the terms to be granted will not be more favourable than the above.**
- 3) Where a Government servant is permitted to go for training abroad, under arrangements not sponsored by the Government but with the specific and prior**

consent of his employer/department, and in filed of training which is accepted in writing as relevant and useful for the department, he may be permitted the above terms after consultation with the Finance Department

- 4) The terms applicable to the employees of semi-Government institutions should not be more favourable than the above.

Participation in short terms seminar symposia study tours etc.

5)

- a) Government servants deputed abroad to participate in short seminars, symposia and study tours, who are not provided free board and lodging by the sponsoring Government/Agency and who actually stay in a hotel shall :--

- i. not be allowed any daily allowance by the Provincial Government; and
- ii. be paid in the manner detailed in rule 1 except clause (IV) & (V) thereof.

- b) Government servants, who are deputed abroad for participation in Seminar, Symposia Tour or Refresher Courses arranged by foreign Government/Agency as State Guests, the expenses of their board and lodging are borne by that Government/Agency but no payment in cash is made for pocket expenses, shall be entitled to 30 percent of the daily allowance. Where the host country provides cash subsistence allowance, the Government servants shall also be entitled to draw the difference between the prescribed daily allowance and the subsistence allowance. -Such daily allowance will be allowed irrespective of the period of deputation abroad.

- c) Government servants on duty outside Pakistan shall be paid the daily allowance at such rates as may be prescribed by the Government from time to time.

- d) Entertainment Allowance, where admissible, shall have to be referred to the Finance Department for clearance.

Besides the above, the instructions contained in Appendix 7 of Fundamental and Supplementary Rules Volume II shall be observed.

APPENDIX 11

Based on the Instructions Issued by the Auditor-General of Pakistan

(These instructions have been suitably modified in the context of the changed circumstances).

- 1) **Officers.**--Leave should be sanctioned to an Officer after its admissibility has been certified by the Accountant-General who has been auditing his pay.
- 2) **Officials.**--Before leave in Pakistan is sanctioned to officials, the authority sanctioning the leave should either consult the leave account, and satisfy himself that the leave is admissible, or obtain a certificate to that effect from the officer entrusted with the attestation of the entries in the leave account. When the application is for leave out of Pakistan, the authority sanctioning the leave should obtain a certificate of admissibility from the Accountant-General concerned before sanctioning the leave.
- 3) **Military Officers.**--When a Military Officer becomes subject to the -Civil Leave Rules, the Defence Account Officer in charge of his record of pensionable service will, on application and on being furnished with the date of commencement of active service in civil employ, furnish to the Accountant General to whose audit he becomes subject, a memorandum showing the furlough earned, the different kinds of leave taken (distinguishing those which should be deducted from the maximum furlough admissible) and the balance of furlough due under the Military Rules.
- 4)
 - a) Applications for leave from Military Officers in Civil employ, whether they are subject to the military leave Rules or the Civil Leave Rules should be sent through the Civil Accountant-General who audits the pay of the officer going on leave. The Civil Accountant-General will, if he considers it necessary, consult the Defence Account Officer from whose payment the officer is transferred to the civil Department before certifying the leave and specifying the leave salary. No leave should be sanctioned to such an Officer before a report is received from the Civil Accountant-General.
 - b) In the case of a Military Officer subject to the military Leave Rules, the Civil Accountant General should obtain from the Defence Account Officer from whose payment the officer is transferred to the Civil Department a certificate stating amount of leave to which the officer is entitled, and the rate of leave pay and allowances admissible during the said period of leave, before issuing a leave salary certificate, or a certificate of leave granted to an office proceedings on leave out of Pakistan.
- 5) **Government servants in foreign service.**--In the case of a Government servant on foreign service, leave cannot be sanctioned until the Accountant General of the Government (Federal or Provincial) under which he was permanently employed at

the time of his transfer was permanently employed at the time of his transfer to foreign service, has certified the amount of leave, and the leave salary admissible. In order to avoid hardships to the officers/officials, the Autonomous Bodies, etc., may grant leave salary on a provisional basis, subject to recovery later from Government. The amount so paid may be adjusted separately and not against the leave salary contributions payable by the Autonomous/Semi-Autonomous Body concerned.

Note--In the case of Military Officers in temporary civil employ, the Defence Account Officer who receives the foreign service contributions of the officer concerned is responsible for certifying to the amount of leave and leave salary admissible, the necessary information in the case of military officers subject to the civil leave rule being obtained from the Civil Accountant-General concerned. Similarly in the case of Government servants in commercial departments (e.g. Railway and Posts, Telegraph and Telephone Departments) the certificate will be given by the Accounts Officer concerned who is responsible for bringing the contributions to account.

Payment of leave salary in Pakistan

- 6) **Officials.--**'The leave salary of an official on leave in Pakistan or on leave out of Pakistan cannot be drawn in Pakistan except over the signature of the Drawing and Disbursing Officer and the latter is responsible for any overcharge.
- 7) **Officers.** No officer can begin to draw his leave salary at any office of payment in Pakistan without producing a leave salary certificate from the Accountant General who audited his pay before he proceeded on leave.
- 8) If during leave the officer desires to change the office at which he receives payment of his leave salary, he must obtain a new certificate from the Accountant General within whose jurisdiction his leave salary was last paid.
- 9) An officer desirous of discontinuing his subscription to the General Provident Fund during leave should intimate his wishes in the matter to his Accountant-General before proceeding on leave.
- 10) If an officer signs his bill himself he must either appear in person at the place of payment or furnish a life certificate signed by a responsible officer of Government or some other well-known and trustworthy person. If he draws his leave salary through an authorised Banker, whether he has or has not a power of attorney, must either furnish a life certificate as aforesaid, or execute a bond to refund overpayments. A life certificate may be given periodically, a bond being given to cover intermediate payments not supported by life certificates.
- 11) The provisions of paragraph (7) to (10) above apply to officers who spend their leave out of Pakistan but reside in Asia and who have to draw their leave salary in rupees in Pakistan.

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

LEAVE OUT OF PAKISTAN

- 13) The following instructions govern the payment of leave salary out of Pakistan.
- a) The Government servants appointed after 17th May, 1958 shall draw leave salary in Pakistan irrespective of the country where they spend leave.
 - b) The Government servants appointed upto 17th May, 1958 may draw leave salary in respect of leave on medical certificate or leave preparatory to retirement in foreign exchange for the period actually spent outside Pakistan and India for a period not exceeding four months. In respect of leave other than leave on medical certificate or leave preparatory to retirement spent outside Pakistan and India, leave salary shall not be drawn in foreign exchange for a period exceeding six weeks.
 - c) The rate of leave salary admissible to a Government servant shall be communicated by the office of the Accountant-General Punjab to the State Bank of Pakistan, Lahore under intimation to the Administrative Department or the Finance Department in case additional foreign exchange allocation is desired.
 - d) The foreign exchange allocation shall be authorised by the Administrative Department or the Finance Department.
 - e) The Government servant concerned shall collect the foreign exchange in exchange in exchange of the local currency.
 - f) The monthly leave salary bill will be presented at the pre-audit counter by the authorized banker.
 - g) The usual deduction will be made from the bill and the cheque or the passed bill will be returned to the banker.

LEAVE ACCOUNT

- 14) In the case of Government servants subject to the "Revised Leave Rules, 1933" leave accounts shall be maintained in Form C.S.R. (Punjab) No. 6.

If an officer subject to the Revised Leave Rules (Section III of Chapter VIII) is transferred permanently to another Government, the Accountant-General of the lending Government should draw up a leave account indicating therein the amount of "earned leave" at credit leave salary for which should be borne by the lending Government, and send it to the Accountant-General of the borrowing Government. The latter should pass on the debit in regard to leave salary for "earned leave" upto the extent indicated in the leave account as and when the Government servant takes that leave after permanent

transfer to the borrowing Government.

When an official subject to the Revised Leave Rules (Section 111 of Chapter VIII) is transferred permanently to another Government, the head of the office from which he is transferred should prepare a leave account showing the amount of earned leave at credit on the date of permanent transfer and send it the head of the office to which the Government servant is transferred. A copy of the leave account should also be sent at the same time to the Accountant-General of the office from which the Government servant is transferred so as to enable him to accept the debit on account of leave salary for earned leave, up to the extent indicated in the leave accounts as and when the Government servant takes leave.

The leave account of the Government servants under West Pakistan Government Servants, Leave Rules, 1955 should be kept in form C.S.R. (Punjab) No. 14.

PART II--RECORD OR SERVICE

(Based on the instructions contained in Audit Code)

- 15) Subject to such exceptions as may be authorised by the Auditor-General a record of service in Form A.T.C. 3 should be maintained for each officer or a specified official by the Accountant-General, who audits his pay. This record may be styled as History of Service. It is primarily intended for the record of all facts in the official career of the Government servant which shall have a bearing on pay, promotion, leave, pension, etc., officiating promotions involving no change of duties should generally be omitted; but in the case of members of services which consist mainly of grades, the duties of which are not separate and distinct, all officiating promotions should be shown.
- 16) A service book in Form A.T.C. 4 is to be maintained for every official for whom it is prescribed under the orders of the Government concerned. In this book every stop in the Government servant's official life should be recorded and each entry attested by such superior officer as may be prescribed by the Government.
- 17) If an official is transferred to foreign service, the Accountant-General of the Government (Federal or Provincial), under which he was permanently employed at the time of his transfer to foreign service will on receipt of the service book from the head of office or department concerned have noted in it over the signature of an officer, the order sanctioning the transfer, the effect of the transfer in regard to leave admissible during foreign service and any other particulars which he may consider to be necessary, and return the service book to the officer from whom it was received. On the Government servant's re-transfer to Government service, the Accountant-General, will again have noted in the service book, over the signature of an officer, all necessary particulars concerned with the foreign service. All entries relating to the time spent in foreign service should be attested by the Audit Officer.

FROMA.T.C.3**(See Article 187 of Audit Code reproduced in Part II of Appendix****II). History of Services**

A.B., B.A. (Oxen). Joined the service. 25 October, 1909; arrived 29th November 1909,
Born 11th October, 1884

Station	Substantive Post	Date	Officiating appointment	Dated
---------	------------------	------	-------------------------	-------

Lahore	A.C. 3rd grade	29th November, 1909	---	---
--------	----------------	---------------------	-----	-----

Mianwali	Ditto	16th February, 1912	---	---
----------	-------	---------------------	-----	-----

Privilege leave 2 months 30 days from 9th September, 1912 to 18th December, 1912.

Lahore	A.C., 3rd grade	2nd January, 1913	---	---
--------	-----------------	-------------------	-----	-----

Deputed to assist the officer on special duty in his enquiries in connection with the Clerical establishment of offices at headquarters from 16th January, 1914

Privilege leave 42 days from 5th October, 1917. On special duty in Punjab, Civil Secretariat at Lahore, from 26th November, 1917. Joining time overstayed for 13th February, 1918 and condoned by Government-vide No., dated.

Note--If the Government so directs, the vertical lines may be omitted and a single column for dates inserted, as below:-

Station	Date	Substantive Post	Officiating appointment
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FROMA.T.C. 4

[See Article 188 of Audit Code reproduced in Part II of Appendix III]

Service Book

Space should be provided on the reverse of the title-page of the service book to record thumb and finger-impressions of (non-gazetted) Government servants under the following heading:-

"Thumb and finger-impressions of (non-gazetted) Government servant"

The opening page of the service book should contain the following entries:-

1. Name.
2. Nationality and Religion.
3. Residence.
4. Father's name and residence.
5. Date of birth by the Christian era as nearly as can be ascertained.
6. Exact height by measurement.
7. Personal marks for identification.
8. Signature of Government servant.
9. Signature and designation of the head of the office or other attesting officer.

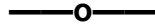
Note-The entries in this page should be renewed or re-attested at least every five years and the signature in line (8) and (9) should be dated.

The remaining folios of the service book should be divided into fifteen columns *viz:-*

1. Name of appointment.
2. Whether substantive or officiating, and whether permanent or temporary.
3. If officiating, here state substantive appointment.
4. Pay in substantive appointment.
5. Additional pay for officiating.
6. Other emoluments falling under the term "Pay".
7. Date of appointment.

8. Signature of Government servant.
9. Signature and designation of the head of the office or other attesting officer in attestation of columns 1-8. '
10. Date of termination of appointment.
11. Reason of termination (such as promotion, transfer, dismissal, etc.).
12. Signature of the head of office or other attesting officer.
13. Leave--
 - i. Nature and duration of leave taken.
 - ii. Allocation of periods of leave on average pay up to four months (or earned leave not exceeding 120 days) for which leave salary is debitable to another Government:-
 - a) Period;
 - b) Government to which debitable.
14. Signature of the head of the office or other attesting officer.
15. Reference to any recorded punishment or ensure, or reward or praise of the Government servant.

APPENDIX 12



(Referred to the rule 8.24)

Deleted

APPENDIX 13



Deleted

APPENDIX 14

(Referred to in note 3 to Rule 8.53)

PART I

Rules governing the leave of members of the Dera Ghazi Khan Border Military Police

1. These rules called "The Dera Ghazi Khan Border Military Police & leave Rules, 1938," came into force from the 3rd August, 1938.
2. These rules apply to all the members of the Border Military Police enrolled under the North-West Border Military Police Act, 1904.
3. In these rules :-

"Leave", includes earned leave, leave on private affairs, leave on medical certificate and extra-ordinary leave.

"Earned leave" means leave earned in respect of period spent on duty.

"Earned Leave due" means the amount of earned leave calculated as prescribed in rule 9, diminished by the amount of earned leave taken.

"Government servant in permanent employ" means Government servant who holds substantively a permanent post or holds a lien on a permanent post.

4. Leave cannot be claimed as of right. Discretion is reserved to the authority empowered to grant leave, to refuse or revoke leave at any time according to the exigencies of the public service.
5. Unless the Punjab Government shall otherwise determine, a Government servant shall cease to be in Government service if he is continuously absent from duty for five years whether with 01; without leave.
6. Any kind of leave under these rules may be granted in combination with or in continuation of any other kind of leave.
7. No leave shall be granted beyond the date on which a Government servant must compulsorily retire.

Provided that the authority empowered to grant leave may allow any Government servant who has been denied, in whole in pail, on account of the exigencies of the public service the earned leave which was due to him pending retirement, the whole or any portion of earned leave so denied, even though it extends to a date beyond the date on which such Government servant must compulsorily retire:

Provided further that a Government servant whose service has been extended in the interest of the public service beyond the date of his compulsory retirement may similarly be granted either within the period of extension or if the conditions of the proceeding proviso

are satisfied, after its expiry, any earned leave which could have been granted to him under the preceding proviso had he retired on that date and in addition any earned leave due in respect of such extension.

8. Subject to the provisions of rules 4 and 7 any Government servant may at any time be granted the whole or any part of the earned leave due to him.
9. The earned leave admissible to a Government servant in permanent employ is one-eleventh of the period spent on duty:

Provided that when the earned leave due amounts to 90 days the Government servant ceases to earn such leave.

Note-The period on duty prior to the introduction of these rules shall count for the purpose of calculating the earned leave.

10. No earned leave is admissible to a Government servant during the period of probation.
11. A Government servant not in permanent employ appointed without interruption of duty substantively to a permanent post will be credited with the earned leave which would have been admissible if his previous duty had been duty as a Government servant in permanent employ. Leave is not an interruption of duty for the purpose of this rule.
12. Leave on private affairs may be granted to a Government servant in permanent employ for 12 months in all, and on any one occasion not more than three months if spent wholly in Asia or for not more than six months if spent wholly outside Asia. If the leave is spent partly in and a partly outside Asia, the period shall be three months plus such time as is actually spent outside Asia subject to a maximum total period of six months.
13. Leave on medical certificate not exceeding 12 months in all during a Government servant's service may be granted to Government servant in permanent employ. Such leave shall be given only on production of a certificate from such medical authority as the Deputy Commissioner or the Commandant, Border Military Police, Dera Ghazi Khan, may think, fit and for a period not exceeding that recommended by such medical authority:

Provided that when the maximum period of 12 months is exhausted further leave on medical certificate not exceeding six months in all may be granted in exceptional cases on the recommendations of a medical board.

14.

1. Extraordinary leave may be granted to any Government servant in special circumstances :-
 - a) when no other leave is by rule admissible, or

- b) when other leave is admissible, but the Government servant concerned applies in writing for the grant of extraordinary leave.
 - 2. Except in the case of a Government servant in permanent employ the duration of extraordinary leave shall not exceed three months on any one occasion.
 - 3. The authority empowered to grant leave .may commute retrospectively periods of absence without leave into extraordinary leave.
- 15.**
- 1. A Government servant on earned leave is entitled to leave salary equal to his pay on the day preceding the day on which the leave commences.
 - 2. A Government servant on leave on private affairs or leave on medical .certificate is entitled to leave-salary equal to half his pay on the last day of the duty in respect of the permanent post which he then holds substantively or on which he holds a lien.
 - 3. A Government servant on extraordinary leave is not entitled to any leave-salary.
- 16.** The Deputy Commissioner is the officer competent to sanction all kinds of leave to the Commandant and Government servants holding posts in National Pay Scale No. 3 and above. Such officer as may be empowered shall sanction leave to Government servants holding posts in National Pay Scale No. 1 and 2.

PART II

Rules governing the leave of members of the Dera Ghazi Khan Baluch Levy

- 1. These rules called "The Dera Ghazi Khan Baluch Levy Leave Rules, 1938" came into force from the 3rd August, 1938.
- 2. These rules apply to all the members of the Baluch Levy enrolled under the North-West Border Military Police Act, 1904.
- 3. In these rules:--
 - "Leave" includes privilege leave, leave on private affairs, leave on medical certificate and extraordinary leave.
 - "Government servant in. permanent employ" means a Government servant who holds substantively a permanent post or holds a lien on a permanent post.
- 4. Leave cannot be claimed as of right. Discretion is reserved to the authority empowered to grant leave, to refuse or revoke leave at any time according to the exigencies of the public service.
- 5. Unless the Punjab Government shall otherwise determine, a Government servant shall cease to be in Government service if he is continuously absent from duty for

five years whether with or without leave.

6. Any kind of leave under these rules may be granted in combination with or in continuation of any other kind of leave.
7. No leave shall be granted beyond the date on which a Government servant must compulsorily retire:

Provided that the authority empowered to grant leave may allow any Government servant who has been denied, in whole or in part, on account of the exigencies of the public service the privilege leave which was due to him pending retirement, the whole or any portion of the privilege leave so denied, even though it extends to a date beyond the date on which such Government servant must compulsorily retire:

Provided further that a Government servant whose service has been extended in the interest of the public service beyond the date of his compulsory retirement may similarly be granted either within the period of extension, or, if the conditions of the preceding proviso are satisfied, after its expiry, any privilege leave which would have been granted to him under the preceding proviso had he been retired on that date and in addition any privilege leave due in respect of such extension.

8. Subject to the provisions of rules 4 and 7 a Government servant may at any time be granted the whole or any part of the privilege leave due to him.

Note--No Government servant will be entitled to any privilege leave during the first year of his service.

9. The privilege leave admissible to a Government servant in permanent employ will be 60 days in each calendar year. It will not be accumulative, and if a Government servant, does not avail of this leave between January 1st and December, 31st, of any year he will not be entitled to the benefit of that leave in the following or any subsequent year.
10. Leave on private affairs may be granted only to a Government servant in permanent employ and to the following extent:--

For 12 months in all during a Government servant's service, and on any one occasion not more than three months if spent wholly in Asia or for not more than six months if spent wholly outside Asia; if the leave is spent partly in Asia and partly outside Asia, the period shall be three months plus such time as is actually spent outside Asia subject to a maximum period of six months.

11. Leave on medical certificate not exceeding 12 months in all during a Government servant's service may be granted to a Government servant in permanent employ, such leave shall be given only on production of a certificate from such medical authority as the Deputy Commissioner or the Commandant, Baluch Levy, may think fit and for a period not exceeding that recommended by such medical authority:

Provided that when the maximum period of 12 months is exhausted further leave on medical certificate not exceeding six months in all may be granted in exceptional cases on

the recommendation of a medical board.

12.

1. Extraordinary leave may be granted to any Government servant in special circumstances:-
 - a) when no other leave is by rule admissible, or
 - b) when other leave is admissible, but the Government servant concerned applies in writing for the grant of extraordinary leave.
2. Except in the case of a Government servant in permanent employ the duration of extraordinary leave shall not exceed three months on any one occasion.
3. The authority empowered to grant leave may commute retrospectively periods of absence without leave into extraordinary leave.

13.

1. A Government servant on privilege leave will be entitled to leave-salary equal to his pay on the last day of duty prior to the commencement of leave in respect of permanent post which the Government servant then holds substantively.
 2. A Government servant on leave on private affairs or leave on medical certificate is entitled to leave-salary equal to half his pay on the last day of duty in respect of the permanent post which he then holds substantively.
 3. A Government servant on extraordinary leave is not entitled to any leave-salary.
- 14.** The Deputy Commissioner is the officer competent to sanction all kinds of leave to the Commandant and Government servants holding posts in National Pay Scale No. 3 and above. Such officer as may be empowered shall sanction leave to Government servants holding post in National Pay Scale No. 1 and 2.
- 15.** The leave account will be kept in the vernacular register maintained for the purpose.

APPENDIX 15

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(Referred to in rule 8:57)

**The advocate-general for West Pakistan (terms and conditions of service) rules,
1962.**

Services and General Administration Department Notification**The 11th October, 1962.**

No. SOXIX-1-15/Gaz--In exercise of the powers Conferred under clause (6) of article 119 of the Constitution of the Re-public of Pakistan, and with the concurrence of the President, the Government of the West Pakistan is pleased to frame the following rules, namely—

1. **Short title and commencement--**(1) These rules may be called the Advocate General for West Pakistan (Terms and Conditions of Service) Rules 1962.
1. They shall come into force with immediate effect.
2. **Definitions--**In these rules unless the context otherwise requires, the following terms and expressions shall have the meanings respectively assigned to them, that is to say~
 - a) "Advocate-General" means the Advocate-General for West Pakistan appointed under Article 85 of the Constitution;
 - b) "Constitution" means the Constitution of the Re-public of Pakistan;
 - c) "Government" means the Government of West Pakistan ;
 - d) "High Court" means the High Court of West Pakistan ;
 - e) "Supreme Court" means the Supreme Court of Pakistan.
3. The Advocate-General shall be a whole time Government servant and shall not be allowed private practice of any kind.
4. **Emoluments and fees—**
 1. The Advocate-General shall be paid the following remuneration and fees namely :--
 - a) a retainer of Rs. 1.500.00 per mensem ;
 - b) for all work before the Supreme Court, fees at the rate of Rs. 300.00 for first day and Rs. 120.00 for each subsequent day ;

- c) for all criminal work before the High Court, fee at the rate of Rs. 120.00 per day ;
- d) for all civil work other than miscellaneous work fee at the following rates—

<i>Value of Claim</i>	<i>Rate percent</i>
i. On the first Rs. 5,000.00 of Claims	7 ½
ii. On the next Rs. 15,000.00	3
iii. On the next Rs. 30,000.00	1
iv. On the remainder of the claim	½

- e) for miscellaneous civil work including writ petitions fee at the rate of Rs. 100.00 for each day of attendance provided that in any case of particulars difficulty taking up an excessive amount of time of the Advocate-General, he may be paid fees at the rate of Rs. 200.00 per day.
2. The fee to be paid under clause (d) of sub-rule (1) shall be subject to a maximum of Rs. 1,00.00 for any one case; provided that in any case of great importance making an usual demand on the time and energy of the Advocate-General, Government may increase the said fee upto a maximum Rs. 5,00.00.
3. The maximum fee payable to the Advocate-General in a civil case shall not be less than Rs. 32.00 for a case in the High Court, and Rs. 10.00 for any Court other than the Supreme court or the High Court, provided that for civil cases in any Court outside Lahore, the minimum fee payable shall be Rs. 100.00 for each day of attendance.
4. "No fee shall be allowed to the Advocate-General for opinion work of Government or for attending any proceeding of the West Pakistan Provincial Assembly.
5. **Leave--**The Advocate-General shall be eligible for leave as follows :-
- a) Leave on pay equivalent to full pay may be granted upto 1/11th of the period spent on duty as Advocate-General ; provided that leave of this kind shall not accumulate beyond four months;
- b) Leave may be granted on medical certificate on pay equivalent to half pay up to 2/11th of the period spent on duty as Advocate-General subject to a maximum of three months at any one time;
- c) extraordinary leave may be granted without allowances subject to a maximum of three months at any one time.
- d) leave of the various kinds may be granted in combination upto a maximum of six months only at any one time, and

- e) for the first two years of the appointment the Advocate General, will not be entitled to more than one month's leave except on medical certificate in any one year.
- 6. Travelling Allowances-For the purposes of the West Pakistan Travelling Allowance Rule, the Advocate General shall be deemed to be an Officer of Grade I, and will draw travelling, millage and daily allowances admissible to officers of that grade.
- 7. Other terms and conditions of-service of the Advocate-General shall be prescribed in the Law Department Manual as in force in West Pakistan.

APPENDIX 16

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(Referred to in note below Rule 8.58)**Model terms for the grant of leave to Government servant engaged on contract under the rule making control of Governor of the Punjab.**

The following terms regulate the grant of leave to officers engaged on contracts:-

1. Where the contract is for one year or less, leave on average pay admissible will be at 1/22nd of the period spent on duty. Though ranking as leave on average pay, this may be granted only on medical certificate, and if subsequently it becomes necessary to grant the officer further leave, after the leave on average pay has been exhausted, leave on medical certificate on half average pay may be granted to him subject to the condition that the total period of the two kinds of leave does not exceed-1/11th of the period spent on duty.

If the Government servant serves in a vacation department, leave on average pay will not be admissible but he may be granted, if absolutely necessary, leave on medical certificate to the extent of 1/22nd of the period spent on duty.

2. Where the control is for more than one year but not more than, five years.
 - a) Leave on average pay admissible will be at 1/22nd of the period spent on duty, provided that when the leave on average pay amounts to 30 days the officer will cease to earn such leave;
 - b) Leave on medical certificate on half average pay may be allowed in addition to leave on average pay, subject to maximum of three months in all during the period of contract; and
 - c) Extraordinary leave may be granted, in special circumstances, when no other leave is admissible subject to a total maximum limit of 3 months in respect of such leave.

If the officer serves in a vacation department, leave on average pay will not be admissible.

3. Where the contract is for a longer term than five years or on original contract for five years or less is extended so as to make the total period of contract longer than five years :-
 - a) Leave on average pay admissible will be at the rate of 1/11th of the period spent on duty, provided that when the leave on average pay amounts to 4 months the officer shall cease to earn such leave ;
 - b) Leave on medical certificate on half average pay will also be admissible subject to a maximum of six months in all; and

- c) In exceptional cases, when no other leave is admissible, extraordinary leave may be granted subject to a total maximum of 3 months in respect of such leave.

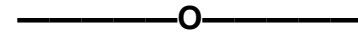
In the case of extension of contract to a period longer than five years the officer will be credited with the leave on average pay that would, have been admissible had the contract been initially of more than five years diminished by any leave on average pay already taken and leave on medical certificate, if any already taken, will count against the six months limit prescribed

4. Where the contract is for an indefinite period or an original contract for a definite period is extended for an indefinite period, the leave rules for permanent Government servants in West Pakistan Government Servants Leave Rules, 1955 will be made applicable. In the latter case, the officer will be credited with the leave on average pay and half-average pay that would have been admissible had the contract been initially one for an indefinite period. The leave on average pay to be so credited will, however, be diminished by any leave on average pay taken and leave on half-average pay will be diminished by the leave on medical certificate, if any, already taken.
5. In the case of Government servant falling under clauses (1) and (2) above, leave on average pay may be granted after the expiry of the contract only when it has been applied for during the period, of the contract and refused owing to the exigencies of the public service. An officer whose service are dispensed with on grounds Of ill-health may be permitted to take all leave on average pay due to him before his services are terminated.
6. The terms leave on average pay" and 'leave on half average pay' used in the above clauses have the same meanings as that assigned to them in the West Pakistan Government Servants Leave Rules, 1955. The leave salary during the leave taken under the above clauses will be regulated in accordance with the said rules.

Note--An officer on extraordinary leave is not entitled to any leave salary.

7. An officer initially engaged on contract becomes subject to West Pakistan Government Servants Leave Rules, 1955 in their entirety on his being taken into permanent employment at the expiry of his contract. In such a case, the officer will be credited with the leave on average pay and half-average pay that would have been admissible had previous duty been duty as an officer in permanent employ diminished by any leave already taken and leave on medical certificate, if any, already taken, will count against the limit prescribed in Rule 3(b) (ii) and (iii) of the West Pakistan Government Servants Leave Rules, 1955.

APPENDIX 17



(Referred to in rule 8.62)

Rules for the grant of Casual and Quarantine Leave

1-CASUAL LEAVE RULES

Casual leave may be granted to Government servants for short periods subject to the following conditions:—

- i. Casual leave should not ordinarily exceed 10 days at a time and 25 days during any one calendar year;
- ii. The sanctioning authority may, however, grant casual leave upto 15 days at a time in special circumstances.
- iii. It may be granted in conjunction with Fridays or public holidays, but not with any other kind of leave or joining time. In case casual leave is combined with holidays the total period should not exceed 15 days at a time. The public holidays which are sandwiched between the casual leave shall be debited to the Casual Leave Account.
- iv. No Government servant may leave his headquarters during causal leave or holidays except with the permission of the sanctioning authority.
- v. Subject to the delegation of powers which has been or may be made by Government from time to time in this behalf, casual leave may be sanctioned to a Government servant by his immediate officer.
- vi. In emergency the Commissioners of Divisions can sanction casual leave upto 10 days to the Regional and Divisional Officers. In such cases the Commissioners shall inform the Heads of .the Attached Department by. a teleprinter message. While applying for such emergency leave, the Regional/Divisional Officer is required to observe the following two conditions:--
 - a) he should certify that the leave applied for is due to him; and
 - b) he should suggest acting arrangements for the disposal of work during his absence.
- vii. The District Officers of other departments while proceeding on casual leave extending beyond 10 days shall inform the Deputy Commissioner of that fact;
- viii. Casual leave shall not be granted to Government servants in conjunction with training period spent abroad.
- ix. The record of the casual leave should be kept in the following manner:-
 - a) casual Leave Account of each Government servant should be maintained properly

on the prescribed form.

- b) it should always remain in the custody of the sanctioning authority.
- c) casual leave should not be granted unless the Casual Leave Account is seen by the sanctioning authority to ensure that (i) the leave applied for, is due and (ii) it is not excessive *viz-a-viz* the period of service during the year and
- d) Casual Leave Account should be closed on the transfer of a Government servant from the department/office or from one section/branch to another in the same department, signed by the sanctioning authority and transferred immediately to the department/office or section/branch to which the officer is transferred.

II--QUARANTINE LEAVE

Quarantine leave is leave of absence from duty necessitated by orders not to attend office in consequence of the presence of infectious diseases in the family or household of a Government servant. Such leave may be granted by the head of the office on the certificate of a medical or Health Officer for a period not exceeding 21 days, or, in exceptional circumstances, 30 days. Any leave necessary for quarantine purposes in excess of this period shall be treated as ordinary leave. Quarantine leave may also be granted, when necessary, in continuation of other leave, subject to the above maximum. No substitute should be appointed in place of a Government servant absent on quarantine leave.

APPENDIX 18**(Referred to in note to paragraph 2 of Annexure to Section I of Chapter VIII)****LIST OF GOVERNMENT SERVANTS SERVING IN VACATION DEPARTMENTS**

The following is a complete list of Government servants serving in Vacation Departments:

Department	Designation of Government servant
I--Judicial	'Civil Judges and their establishment including Civil Judges employed as Judges of Small Cause Courts excluding process-serving Establishment actually employed on work connected with process serving.
II--Education	<ol style="list-style-type: none"> 1. Principals, staff and establishment of all Government Colleges and Government Intermediate Colleges (both Boys and Girls) 2. Heads, staff and establishment of Government High, Middle, Middle, Normal and Primary Schools (both Boys and Girls). 3. Staff and establishment of Government Training Classes and Training Units. 4. Principals, staff and establishment of all Government Polytechnic Institutes, Government Colleges of Technology, Government Commercial Training Institutes, Government Vocational Institutes for Boys/Girls.
III--Industries	Government Institute of Dyeing and Printing, Shahdara including Dyeing Experts.
IV--Health	<p>Principals and whole-time Professors, Clinical Assistant Professors, Assistants to Professors, Demonstrators and establishment (excluding the clerical and other establishment of Principal's office) of the-</p> <ol style="list-style-type: none"> 1. Quaid-i-Azam Medical College, Bahawalpur. 2. Nishter Medical College, Multan. 3. King Edward Medical College, Lahore. 4. Lahore Medical College, Lahore. 5. Punjab Medical College, Faisalabad. 6. Medical College, Rawalpindi.

APPENDIX 19

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LEAVE CALCULATORS

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APPENDIX 20

[Referred to in notes under rule 8.129 and rule 13 or annexure. III to chapters viii]

Orders relating to the grant of leave to Government servants for the study of Scientific, technical or similar problems or for undertaking special courses of instructions

PART A.--Study Leave

Extent of Application

1. The following orders relate to study leave only. They are not intended to meet the cases of Government servants deputed to other countries at the instance of Government, either for the performance of special duties imposed on them or for the investigation of specific problems connected with their technical duties. Such cases will be dealt with on their merits under the provisions of Rules 6.1 of the Civil Service Rules (Punjab), Volume I. "

These orders apply to Government servants of technical Departments detailed below for studies within or outside Pakistan:--

1. Health.
2. Forestry and Wildlife.
3. Agriculture.
4. Education.
5. Communications and Works.
6. Industries and Mineral Development.
7. Irrigation and Power.
8. Livestock and Dairy Development
9. Local Government, Social Welfare and Rural Development Departments (Public Health Engineering Department)

All cases of grant of study leave will be processed through a Selection Committee comprising the following:--

1. Administrative Secretary of the Department	Chairman.
2. Deputy Secretary, Finance	Member
3. Officer of Planning and Development Department (not below the Status of Deputy	

Secretary).

The Selection Committee will examine the panel of names of candidates prepared in accordance with the following criteria in the form at Annexure 'A' and recommend the candidates eligible for the grant of study leave :--

- i. the areas/disciplines in which training is required ;
- ii. number of officer/officials already trained ;
- iii. Utility of the proposed training for the Department; and
- iv. Whether the officer/official can be conveniently spared by the Department without impairing efficiency;

The recommendations of the Committee will be sent .to the Finance Department for sanction of Study Leave.

These orders may be extended by the competent authority to any Government servant not belonging to any of the departments mentioned above in -whose case that authority is of opinion that leave should be granted in the public interest to pursue a special course of study or investigation of a scientific or technical nature.

Note--These orders in so far as they relate to the Public Works Departments do not affect the rules under which Government servants of that department are allowed to visit engineering works when on leave in United Kingdom.

Grant of Study Leave

2. A competent authority may grant extra leave on half-average pay to a Government servant of any of the departments mentioned in paragraph 1 above for the purpose of study. Such leave may be taken either in or outside Pakistan.

When a Government servant borne permanently on the cadre of one province or department is serving temporarily in another province or department, the grant of leave is subject to the conditions (a) that local arrangements to carry on his work in his absence can be made and (b) that the concurrence of the province or department to which he is permanently attached is obtained before leave is given. Study leave shall not ordinarily be granted to Government servants of less than five years' service or to Government servants within three years of the date at which they have the option of retiring.

Note--A competent authority may retrospectively commute into study leave, periods of leave, taken as ordinary leave but of which a Government servant subsequently desires to have a portion converted into study leave. Such cases will be dealt with on their merits in consultation with the Accountant-General, Punjab.

3. The grant of study leave should be made with due regard to the exigencies of the Public service, in no case should the grant of this leave, in combination with leave other than extraordinary, leave or leave «on medical certificate, involve an absence of over 28 months from a Government Servant's regular duties, or exceed two years in the whole period of a Government servant's service ; nor should it be granted with such frequency as to remove him from contact with his regular-work or to cause cadre difficulties owing to his absence on leave. A period of 12 months at one time should ordinarily be regarded as a suitable maximum, and should not be exceeded save for exceptional reasons.

Note 1--The period of two years may be extended to three years on the merit of each case for obtaining a Doctorate, subject to the condition that the extension should not be available for scholars who fail to complete the courses within the prescribed time limit.

Note 2--The limits of absence from regular duties prescribed above include the period of vacation, if any, with which study leave and other leave may be combined.

Note 3--Extraordinary leave may be taken in conjunction with study leave without regard to the maximum prescribed above.

4. A Government servant whose study leave is combined with any other kind of leave should be required to take his period of study leave at such a time as to retain, at its conclusion, a balance of other previously sanctioned leave sufficient to cover the period spent in returning to duty.
5. When a Government servant has been granted a definite period of study leave and finds subsequently that his course of study will fall short of the sanctioned period to any considerable extent, his absence from duty shall be reduced by the excess period of study leave unless he produces the assent of the competent authority in Pakistan to his taking it as ordinary leave.
6. Except as provided in paragraph 7 all applications for study leave should be submitted with the Accountant-General's certificate to the head of the department through the prescribed channel, and the course or courses of study contemplated and any examination which the candidate proposes to undergo should be clearly specified therein. if the course of study is outside Pakistan the Head of the Department should also forward to the Embassy of Pakistan a copy of the approved programme of study. If it is not possible for the Government servant to give full details as above, in his original application, or if, after leaving Pakistan he wishes, to make any changes in the programme which has been approved in Pakistan, he should submit particulars as soon as possible to the Embassy of Pakistan. In such cases, he should not, unless prepared to do so at his own risk, commence the course of study, nor incur any expenses in connection therewith, until he receives approval to the course through the Embassy of Pakistan.
7. Government servants on leave outside Pakistan who wish to convert part of their leave into study leave or to undertake a course of study during leave, should before

commencing study and before incurring any expenses in connection therewith, submit a programme of their proposed course of study to the Embassy of Pakistan, the programme should be accompanied by an official syllabus of the course, if one is available and by any documentary evidence-that the particular course or examination has the approval of the competent authority in Pakistan. In the absence of such evidence the programme may, if approved by the Embassy of Pakistan, be proceeded with, but no study leave allowance will be admissible until the concurrence of the competent authority in Pakistan is received.

8. No course of study will be recognised as qualifying for the grant of study allowance, or for study leave for any other purpose unless it has been approved in at least broad outline by the competent authority in Pakistan in accordance with paragraph 6 and 7 above, and unless, in cases where it has not been found possible to submit full particulars to the authorities in {Pakistan, it has been approved in detail by the Embassy of Pakistan before it is begun.

Study Allowance

9. A study allowance will be granted for the period spent in pursuing a definite course of study at a recognised 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. The rates are 25 Shillings per diem in the United Kingdom, and \$ 4.20 per diem in other countries. These rates are liable to revision. During Study Leave in Pakistan a Government Servant shall be allowed study allowance of Rs. 300/- P.M. in addition to half average pay or 75% of full pay, whichever is more beneficial. In no case will subsistence allowance be granted in addition to study allowance, and ordinarily traveling expenses will not be paid; but in exceptional cases claims may be considered on their merits by the competent authority.
10. Study allowance will be admissible up to 14 days for any period of vacation. A period during which a Government servant interrupts his course for his own convenience cannot be considered as vacation. Study allowance will be given at the discretion of the competent authority for any period up to fourteen days at one time, during which the Government servant is prevented by sickness duly certified by a medical practitioner from pursuing the sanctioned course of study. In the case of a Government servant retiring from the service without returning to duty after a period of study leave the study allowance will be forfeited and the study leave will be converted into ordinary leave-to the extent of the ordinary leave standing to his credit at the date of retirement. Any balance of the period of study leave mentioned which cannot be so converted, will be excluded in reckoning service for pension.

Note--A Government servant of vacation department can draw study allowance during vacation if he prosecutes his studies during the period. The period of such a vacation will be taken into account in calculating the maximum period of 2 years or 3 years as the case may before for which study allowance is admissible.

11. Government servants granted study leave are ordinarily required to meet the cost of fees paid for courses of study. In exceptional cases the competent authority may

waive this condition.

- 12.** On completion of a course of study, a certificate on the proper form (which may be obtained from the Embassy of Pakistan), together with certificates of examinations passed or of special study, shall, when the study leave has been taken outside Pakistan be forwarded to the Embassy of Pakistan. In the case of a definite course of study at a recognised institution, the study allowance will be paid in such manner as may be prescribed by the Government on claims submitted by the Government servant from time to time, supported by proper certificates of attendance.
- 13.** Study leave will count as service for promotion and pension, but not for leave. It will not affect any leave which may already be due to a Government servant; it will count as extra leave on half average pay but will not be taken into account in reckoning the leave on half-average pay taken by the Government servant towards the maximum period admissible under Civil Service Rules.
- 14.** On an application for study leave outside Pakistan being sanctioned by the competent authority, it shall inform the Embassy of Pakistan of the particulars of the case. It will be necessary for each Government servant concerned to place himself in communication with the Embassy, who will arrange any details and issue and letters of introduction that may be required.

ANNEXURE "A"**PRO FORMA FOR CANDIDATES RECOMMENDED FOR STUDY LEAVE IN A GIVEN DISCIPLINE/AREA OF STUDY****[Six copies to be prepared by the Administrative Department]**

1. Name of the study-course
2. Institution where the candidate is to study
3. Duration of the course with the date of commencement.

Serial No.	Name of candidate with designation, place of posting and present pay.	Date of birth and age on the date of commencement of the course.	Qualifications with special field of study	Position in the seniority list.	Requirement of the Department in the area/discipline	Number of candidates granted study leave during last academic year in each discipline.	Can the Department spare the candidate without affecting efficiency?
1	2	3	4	5	6	7	8

**Signature of Deputy Secretary or
an equivalent officer of
Sponsoring Department/Autonomous
Body with Designation**

APPENDIX 21



Rules governing the grant of free passages to Government Servants engaged on contract.

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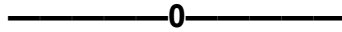
APPENDIX 22



**Instructions for the booking of passages for government Servant proceeding out of
Pakistan on duty.**

Deleted

APPENDIX 23



(Referred to in Chapter XII)

The Government Servants Conduct Rules

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APPENDIX 24

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APPENDIX 25

The Punjab Civil Services (Treatment of Government employees suffering from tuberculosis) Rules, 1947, Published with Punjab Government Notification No. 1437-M-47/6895, dated the 21st March 1947, as subsequently Amended

Rules

1. These rules may be called the Punjab Civil Service (Treatments of Government Employees suffering from Tuberculosis) Rules, 1947.
2. These rules shall apply to all Government servants employed in a civil capacity in connection with the affairs of the Punjab, except—
 - a) persons for whose appointment and conditions of employment special provision is made by or under any law for the time being in force;
 - b) persons in respect of whose conditions of service special provision has been made by agreement entered into before or after these rules were made; and
 - c) any class of persons in respect of whom the Provincial Government makes a declaration that the conditions of service shall not be governed by these rules.
3. In these rules, unless there is anything repugnant to the subject or context-
 - a) "Medical Superintendent or District Health Officer" means the Medical Superintendent of the Civil Hospital or the District Health Officer of the District in which the Government servant suspected to be suffering from Tuberculosis is serving;
 - b) "Controlling Authority" means the head of office or if the Government servant is himself the head of office, the next superior authority over him, or such other person or authority as Government may by general or special order specify in respect of a Government servant or a class of Government servants;
 - c) "Competent authority" means the authority empowered to grant leave in respect of the Government servant concerned ;
 - d) "Government hospital" includes a hospital maintained by a local authority and any other hospital with which arrangements have been made by the Provincial Government for the diagnosis and treatment of officers suffering or suspected to be suffering from tuberculosis; and arrangements have been made by the Provincial Government for the diagnosis and treatment of officers suffering or suspected to be suffering from tuberculosis ; and
 - e) "Treatment" means the use of all medical and surgical facilities available at the Government hospital in which a Government servant is treated and includes-
 - i. the employment of such pathological and bacteriological, radiological or other method as are considered necessary by the Medical Superintendent or District

Health Officer,' as the case may be;

- ii. the supply of such medicines, vaccines, sera or other ; the raputic substances as are ordinarily available in Government hospital in the Province;
 - iii. the supply of such medicines, vaccines, sera or other therapeutic substance not ordinarily so available as may be certified in writing to be essential for the recovery of, or for preventing serious deterioration into he condition of the Government servant, by the Medical Superintendent or District Health Officer, as the case may be, or the Medical Officer-in-Charge of the hospital or other institution where he is undergoing treatment, provided that if such hospital or other institution be privately owned, and the treatment therein has not been arranged by the Medical Superintendent or the District Health Officer, as the case may be, the Government has obtained the permission of the Director, Health Services, Punjab, to his undergoing treatment therein ;
 - iv. such accommodation as is ordinarily provided in the hospital to which the Government servant is admitted and is suited to his status as laid down in rules appearing in Appendix LIII to the Punjab Medical Manual;
 - v. the service of such nurses as are ordinarily employed in the hospital to which the Government servant is admitted;
 - vi. such special nursing as may be certified in writing to be essential for the recovery of, or for preventing serious deterioration in the condition of the Government servant, by the Medical Superintendent or the District Health Officer, as the case may be, or the Medical Officer-in-Charge of the hospital or other institution where he is undergoing treatment provided that if such hospital or, other institution be privately owned and the treatment therein has not been arranged by the Medical Superintendent or District Health Officer, as the case may be, the Government servants has obtained the permission of the Director, Health Services, Punjab, to his under-going treatment therein.
4. No Government servant, who is an active case of tuberculosis shall be permitted to discharge the duties of his office.
 5. The Controlling Authority shall require a Government servant, who is suspected to be suffering from tuberculosis, to have himself examined by the Medical Superintendent or District Health Officer, as the case may be. If the Government servant is too ill to undertake a journey to the district headquarters, the Medical Officer-in-Charge of the local or nearest hospital or dispensary shall examine him, if necessary at the patients residence, and forward he result of his examination to the Medical Superintendent or District Health Officer, as the case may be. No charge shall be made for such examination.
 6. If on examination the Medical Superintendent or District Health Officer, or the Medical Officer as the case may be, considers it necessary he may send the case to the nearest hospital, where proper facilities including those for X-Ray and laboratory examination are available, for a further examination. No charge shall be made for

such examination, if this further examination is made in "a non-government institution, where charges are leviable, such charges will be payable by Government.

7. If after examination the case is reported to be a "closed" and "quiescent" case and the Medical Superintendent or District Health officer, as the case may be, certifies that the Government servant is fit to carry on his duties he may be permitted to resume work subject to any or all of the following conditions :--
 - a) he remains under suitable medical supervision and treatment as, arranged by the Medical Superintendent or District Health Officer as the case may be;
 - b) he undergoes periodical examination by his appointed Government Medical Officers and, if so required by the Medical Superintendent or District Health Officer, as the case may be, by a competent authority on tuberculosis approved by Government. Such examination or re-examination will be done free of charge. The Medical Officer shall maintain a special register to record, the progress of such cases ;
 - c) in cases where the disease is considered to be quiescent or arrested, the Government servant may be permitted to carry on a part or whole time duty as and when permitted by the Standing Medical Board of which the Provincial Tuberculosis Officer, Punjab, would be a member.
 - d) in cases where the Government servants are not being examined by the Standing Medical Board, they shall be examined by the Medical Superintendent or District Health Officer and a nominee of the Director, Health Services, Punjab.

8.
 - A. If after examination the case is reported to be an "open" one, the Medical Superintendent or District Health Officer, as the case may be, shall make suitable arrangements for the treatment of the case in a hospital, a Tuberculosis Institute or Institution or Sanatorium. A report shall be sent to the Controlling Authority stating the amount of leave, which the Medical Superintendent or District Health Officer, as the case may be, considers to be necessary for treatment. The competent authority may then grant leave for the period recommended subject to the condition that such leave shall not exceed the total amount of leave admissible to the Government servant concerned under the rules regulating his conditions of service. The Government servant shall not be permitted to resume duty until his case has been reported to be "closed" and "quiescent" and the permission shall be subject to the conditions laid down in rule 7 above.

 - B. In order to avoid a break in the service of a temporary Government servant and to enable such Government servant to return to his post after treatment, he may be granted extraordinary leave without allowances upto a maximum period of 12 months on any one occasion in addition to other kinds of leave, which may be admissible to him subject to the conditions that :—
 - i. the post from which the Government servant proceeds on leave is likely to last till his return to duty;

- ii. the extraordinary leave is granted on the production of a certificate from the Medical Superintendent or District Health Officer, as the case may be or the Medical Officer-in-Charge of a hospital, a Tuberculosis Institution or a Sanatorium, specifying the period for which the leave is recommended provided-

that no Medical Superintendent or District Health officer, as the case may be, or Medical Officer, shall 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.

- C. During the period of treatment a permanent Government servant will be entitled to leave with 25 per cent pay, and allowance admissible under the rules, as subsistence allowance after exhaustion of leave due to him/her on full or half pay subject to a maximum period of two years during which the Medical Board should either declare the patient as fit for further service or incurable and no longer capable of giving further service. The medical examination shall be made after every three months.
9. Where the Medical Superintendent or District Health Officer, as the case may be recommends that the Government servant requires institutional treatment but the Government' servant does not enter a hospital, a Tuberculosis Institute or Institution or a Sanatorium as arranged by the Medical Superintendent or District Health Officer, as the case may be, competent authority may grant him leave for such period as the Medical Superintendent or District Health Officer, as the case may be, considers to be necessary to enable him to arrange his own treatment, provided that :--
 - a) the maximum amount of leave that may be granted shall not exceed the amount of leave admissible to him under the rules regulating his conditions of .service; and
 - b) he is not permitted to return to duty unless the Medical Board constituted by the Provincial Government or such other person or authority as the Provincial Government may by general or special order authorise in this behalf certifies that he is fit to return to duty.
 10. If the Medical Board or the Medical Superintendent or District Health Officer, or any other duly constituted authority, as the case may be, is of opinion that there is no likelihood of a Government servant being fit to return to duty the Government servant shall be invalided out of service. This however, does not debar a competent authority from granting leave admissible under the ordinary rules to a Government servant who has been declared unlikely to be fit to return to duty or had been declared permanently incapacitated by a Medical Superintendent or District Health Officer, as the case may be, Medical Committee or Board. In deserving cases a competent authority may also grant as a very special case, on compassionate grounds all leave that may be at the credit of such a Government servant before he quits the service.

11.

- A. When a Government servant enters a Government hospital, a Tuberculosis Institute or Institution or a Sanatorium for treatment, any amount paid by him on account of such medical attendance shall be reimbursed to him by Government under West Pakistan Government Servants (Medical Attendance) Rules, 1959.
- B. If a Government servant is treated in a Government hospital, the free treatment will constitute an ordinary function of the hospital and the Health Department will bear the charge, which will be debited to Major Head 38-A Health Services.
- C. If a Government servant enters a private hospital, a Tuberculosis Institute or Institution or a Sanatorium with the previous approval of the Director, Health Services, Punjab, on the recommendation of the Medical Superintendent or District Health Officer as the case may be, or the Provincial Tuberculosis Officer, for treatment, his charges shall be paid as under :--

The Government servant concerned shall make payment in the first instance of all charges, i.e., for X-Ray, Laboratory or other examination treatment, or accommodation, and recover the amount from Government subsequently by submitting a detailed bill which will be supported by an authorised copy of the schedule or tariff of the hospital charges and a receipt of the hospital authorities showing the amount actually paid. The head of the office shall draw the amount in consultation, if necessary, with the Medical Superintendent or District Health Officer, as the case may be or the Provincial Tuberculosis Officer on a contingent bill and disburse the amount to the Government servant concerned, the charges* being debited to the primary unit of appropriation "Other Allowances and Honoraria" of the account head appertaining to the department to which the Government servant belongs.

The Government servant under treatment in the General Wards shall pay the diet charges at such rates as may be prescribed by the Health Department from time to time.

- 12. When a Government servant is required by the Medical Superintendent or District Health Officer as the case may be, under rule 6. to proceed to another station for X-Ray, Laboratory or other examination, the Government servant shall be granted in respect of his journeys to and from the place of examination-
 - a) a single fare of the class in which he is entitled to travel while on duty; and
 - b) the actual cost of transit (not exceeding the travelling allowance admissible for such journeys under the ordinary rules) for journey by road or by river performed by him in connection with such examination.

Subject--EXTENT OF SCOPE OF THE MEDICAL CONCESSIONS EMBODIED IN THE PUNJAB CIVIL SERVICES (TREATMENT OF GOVERNMENT EMPLOYEES SUFFERING FROM TUBERCULOSIS) RULES, 1947, TO THE FAMILIES OF THE GOVERNMENT SERVANTS

The families of the Government servants who are governed by the Punjab Civil Services (Treatments of the Government employees suffering from Tuberculosis) Rules, 1947, introduced with Punjab Government notification No. 1437-M-47/6.895, dated 21st

March, 1947, shall be eligible, free of charge, to institutional attendance and treatment on the same scale as the Government servant concerned himself. The term family means a Government servant's wife, legitimate children and step-children residing with and wholly dependent on him. In the matter of admission to Government hospitals, however, they will not be given any preference over the members of the general public.

(Punjab Government Circular No. 2483/52/1067/Med., dated the 22nd March 1952)

FORMS

FORMS
TABLE OF FORMS

No. of form	Description.	Rule in which referred
C.S.R. (Punjab) No.	1. Note below Rule 1.4	Model forms of agreements for use engaged on contract
	2. Note below rule 8.4	Application for leave.
	3. -----	<i>Deleted.</i>
	4. -----	<i>Deleted.</i>
	5. -----	<i>Deleted.</i>
	6. Rule 8.51 and paragraph 14 of Appendix 11.	Form of leave account for Government servants in permanent employ subject to the leave rules in Section III of Chapter VIII.
	7. Rule 12.11	Service Roll.
	8. -----	<i>Deleted.</i>
	9. -----	<i>Deleted.</i>
	10. -----	<i>Deleted.</i>
	11. -----	<i>Deleted.</i>
	12. -----	<i>Deleted.</i>
	13. -----	<i>Deleted.</i>
	14. Para. 14 of Appendix 11	Form of leave account under West Pakistan Government Servants Leave Rules, 1955,

FORMS

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FORMS G.S.R. (Pb.) No. 1

[Referred to in note to Rule 1.4]

Model Forms of agreements for use in the case of Government Servants engaged on contract

Note-- The instruction issued with Finance Department unofficial No. 319-F, dated the 13th October 1927, and No. 1782-F. 6, dated to 8th August, 1934 should be followed to the use of these forms.

FORMS

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- i. **Model Agreement Form No. I for use in the case of Government Servants engaged on contract in a foreign country.**

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- ii. **Model Agreement Form No. II for use in the case of Government Servants engaged on contract in Pakistan.**

Article. Articles of Agreement made the _____ day of _____ between _____ of the first part and the Governor of the Punjab hereinafter referred to as "the Government" of the second part.

The party of the first part. Whereas the Government has engaged the party of the first part to serve the Government of Pakistan as _____ for the term and at the pay hereinafter mentioned and subject to the conditions and agreements hereinafter contained:--

Now These Presents Witness and the parties here-to respectively agree as follows:-

1. **Submission to orders of Government.** That he/she will submit himself/herself to the orders of the Government and of the officers and authorities under whom he/she may from time to time be placed by the Government and will remain in the service for the term of _____ years from the date of his/her reporting for duty at _____ and that he/she will at all times obey the rules prescribed for the time being for the regulation of the branch of the public service to which he/she may belong and will if and when required proceed to any part of the Punjab.
2. **Termination of agreement.** That the service of the party of the first part may be terminated as follows:-

- i. At the end of the training or probationary period if any prescribed by Government by either party without v notice; provided that in case the party of the first part wishes to terminate the agreement at the end of the training he should refund to Government the cost of training;
- ii. At any time on three calendar month's notice in writing given to him by the Government if in the opinion of Government the party of the first part proves unsuitable for the efficient performance of his duties during service under this Agreement;
- iii. By the Government without previous notice if the Government is satisfied on medical evidence that the party of the first part is unfit and .is likely for a considerable period to continue unfit by reason of health for the discharge of his duties and in such case no claim for damage or compensation shall be admitted; provided always that the decision of the Government that the party of the first part is likely to continue unfit shall be conclusively binding on the party of the first part,
- iv. By the Government or their officers having proper authority without previous notice if the party of the first part shall be guilty of insubordination, conduct incompatible with due and faithful performance of duty, or other misconduct or of any breach or non-performance of any of the provisions of these presents or of any rules pertaining to the breach of the public service to which he may belong;

Note — Taking part in politics or being associated with any seditious movement will be deemed conduct incompatible with due performance of duty under this agreement.

- v. By six calendar months notice in writing given at any time during service under this agreement (except during the said temporary or probationary period) either .by him to the Government, or by the Government or its authorized officer to him, without cause assigned.

Provided always that either party may, in lieu of any notice herein provided for, give the party of the other part (i) an amount equivalent to the salary of the party of the first part for the period of the notice, or (ii) a notice shorter than herein provided for and an amount equivalent to his salary for the period by which that notice falls short of the prescribed period.

Provided further that if any period of training or probation is prescribed, Government may at any time during the said period⁸of training terminate the contract, without notice, if satisfied that the party of the first part is not making satisfactory progress in training or has failed to render proper account of himself during the period of probation.

3. **Devotion of whole time to the duties of Government service.** That he/she will devote his/her whole time to the duties of the service and that he/she will not (except in case of accident or sickness certified by competent medical authority) absent himself/herself form his/ her said duties without having first obtained permission from the Government or other competent authority.
4. **Security.** That he/she shall, whenever so required to do by the Government furnish a security in such sum as Government may require and execute a bond for the due performance of all the duties required of him/her in accordance with the instructions

contained in chapter/ paragraph/article _____
_____ of

5. **Punjab Civil servants (Efficiency and Discipline) Rules, 1975.** That he/she will be subject to the Punjab Civil Servants (Efficiency and Discipline) Rules, 1975 in force for the time being as amended from time to time.
6. **Suspension from service.** That is he/she be suspended from duty during investigation into any charge of insubordination or for misconduct or of any breach or non-performance of any of the provisions of these presents, he/she shall not be entitled to any pay during such period of suspension but shall be entitled to receive a subsistence grant at such rate as the Government may decide to allow him/her.
7. **Passing of examination.** That he/she shall within such period as may be ordered by the Government from the date of his/her reporting for duty at _____ pass such examination or examinations as may be prescribed and if he/she shall fail to do so within, the period prescribed in this connection the Government may dispense with his/her service, and in such cases no claim for damage or compensation shall be admitted or allowed.
8. **Payment of pay.** That if the party of the 1st part shall observe and comply with all the provisions of these presents these shall be paid to him/her for such time as he/she shall be in the service and actually perform his/her duties pay in accordance with the scale set out in the schedule annexed.

That if the party of the first part is during the period of _____ years appointed to discharge the duties of any additional or higher post, he/she shall be paid such additional pay as may be determined by the Government under the rules for the time being in force.

That if he/she should be sent out of Pakistan on deputation by the Government he/she will be paid during the period of deputation his/her pay as laid down in Rule 63 of the Civil Service Rules (Punjab), Volume I as amended from time to time.

9. **House allowance and conveyance allowance.** That in addition to his/her pay he/she shall be eligible for the grant of rent free quarters or at the discretion of the Government allowance in lieu thereof, any conveyance allowances in accordance with the rules in force from time to time.
10. **Medical attendance and treatment.** That he/she shall be eligible for any concessions in relation to medical attendance and treatment that may be prescribed by the Government for the class of officers serving in the same station to which the Government may declare the party of the first part to correspond in status or condition of service.
11. **Leave.** That during the said term of years he/she shall be eligible for leave in accordance with the shall be eligible for leave in accordance with the model contained in Appendix 16 to the Civil Service Rules (Punjab), Volume I, or corresponding rules as amended from time to time.
12. **Emergency outs.** Notwithstanding any thing hereinbefore contained the pay and leave salary admissible under these presents whether payable in Pakistan or

elsewhere, shall be subject to any emergency cut that may be ordered by the Government, for the same period and on the same terms as for other officers under the administrative control of the Government

- 13. **Travelling Allowance.** That he/she shall, if required to travel in the interest of the public service during the period of his/here engagement, be entitled to travelling allowance at the rates admissible under the rules which may for the time being be applicable to an officer of his/her grade.
- 14. **The Punjab contributory provident Fund.** That he/she shall not be entitled to any pension or gratuity on retirement, but that during the probationary period of his/her service he/she will subscribe to the General Provident Fund, and in the event of his/her having been retained in service for an indefinite Provident Fund (hereinafter described as the ('Fund') under the rules of the Fund [See Chapter XTV of the Civil Service Rules (Punjab), Volume II] for the time being in force. The rate of his/her subscription to the Fund, and of the Government contribution to his/her account in the Fund as well as of interest allowable, will be governed by the rules of the Fund or by any general or special orders of the Government issued thereunder. Should his/her post be declared pensionable and he/she be confirmed therein or should he/she be permanently transferred to a pensionable post under the Government the provisions of rule 14.32 of the Civil Services Rules (Punjab), Volume II will be brought into operation. In regard to other matters the rules of the Fund will also generally apply.

It shall also be lawful for the Government to withhold payment of all or part of its bonus contribution to the Fund.

- 15. **Bank.** That he/she shall be of gazetted/non-gazetted rank.
- 16. That in respect of any matter regarding which no provision has been made in this agreement, the Punjab Civil Servants Act, 1974, or orders issued thereunder shall apply.
- 17. Stamp duty, if any, on this instrument shall be borne by Government.

Witness. In Witness whereof the party of the first party and _____
_____ the _____

_____ on behalf of the Governor of
the Punjab have hereunto set their hands the day and year first above written-

FORMS**THE SCHEDULE
MONTHLY RATES OF PAY**

Age last birthday	Year of service	Pay
42	1 st year	Rs. Per mensem
43	2 nd year	
44	3 rd year	
45	4 th year	
46	5 th year	

Signed by the party of the first part in the presence of _____

Signed by the Secretary to the Government in the _____

MEMORANDUM

The within named Mr. / Miss/ Mrs. _____ has been re-engaged and his/her service extended for a further period of _____ years subject mutatis mutandis to the conditions of the within agreement, and his /her scale of pay shall as from the _____ day of _____ henceforth comprise the following monthly rates of pay in successive stages of twelve months service:

Stages	Pay
	Rs.
1.	
2.	
3.	
4.	
etc.	

In witness whereof the party of the first part of and _____ on behalf of the Secretary to the Government of the Punjab have here unto set their hands

Dated this _____ Day of _____ 19_____

FORM**(iii) MODEL AGREEMENT FORM NO. III**

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FORMS
FROM CSR (ph) No 2
(Referred to in Note to Rule 8.4)
APPLICATION FOR LEAVE OF _____

Name of officer and the post he holds	Period and nature of leave applied for and the Rules under which claimed	Last leave enjoyed	Recommendation of superior officers with suggestions as to arrangements for absentee's work
1	2	3	4
<p><i>Note: - Government servants returning from leave out of Pakistan should intimate before their departure for Pakistan whether they are returning via Karachi and in the event of instructions as to their destination not being received before they sail for Pakistan should follow carefully the directions contained in the official letter sanctioning their leave.</i></p> <p><i>Address while on leave.</i></p>		<p style="text-align: center;">From</p> <p style="text-align: center;">To</p>	
<p>N. B. The Rule under which leave is claimed should always be noted in column (2)</p> <p>The 19</p> <p style="text-align: right;">Signature of Applicant</p>			No
<p>Certificate required from those government servants who, during the period of service by which the leave now applied for has been earned, have held one of the officers, in which a periodical vacation is sanctioned.</p> <p>I certified that I was present on duty during the vacations specified below.</p>			<p>The 19</p> <p>Forwarded to the Accountant General Punjab, for submission to the Government of the Punjab with the usual report.</p>
<p>Period of vacations during the year</p>	<p>Period of duty during the vacation</p>		<p>Head of department</p>

Year	From	To	From	To	Signature Designation District
------	------	----	------	----	--------------------------------------

Signature of applicant

FORMS

APPLICATIONS FOR LEAVE

REPORT OF THE ACCOUNTANT GENERAL

To

The _____

No. G.A.D.

dated Lahore the

Certified that earned leave / leave on average pay for -----months ----- days
in continuation, leave on private affairs/on half average pay for ----- years -----
-----months -----days under rules -----and -----
-----or-----

-----and -----or

Of the Civil Services Rules (Punjab) will be admissible to the above named Government
servant on ----- provided he continues on duty with out interruption till that date.

Assistant Accountant General Punjab.

Assistant Accounts Officer

FORM C. S. R. (Pb) NO 3

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FORM C. S. R. (Pb) NO 4

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FORM C. S. R. (Pb) NO 5

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FORMS**FORM c. s. r. (Pb) No 7
(Referred to in Rule 12.11)****Service Roll**

- 1) Name in full
- 2) Father's name (in full)
- 3) Race, sect and cast
- 4) Residence (Village with district, thana, mauza or pargana)
- 5) Date of birth (by Christian era)
- 6) Height (in feet and inches)
- 7) Marks of identification
- 8) Thumb and finger impressions (of balls of left hand)
- 9) Signature, if literate; otherwise mark or seal
- 10) Name and designation of Government servant by whom, and the date on which the above particulars were furnished.

Date -----

The -----19----

**Signature and designation of Government Servant
making the appointment (to be added only after personal
verification of items 6.7 and 8)**

FORM C.S.R. (Pb) NO. 7 Page 2

Date	REMARKS AS TO CONDUCT, WITH DETAILS OF ANY ABSENCE (EXCEPT LEAVE) SUSPENSION, DEGRADATION OR OTHER PUNISHMENT AFFECTING SERVICE	Signature head of office with date
	(each remark must be attested by the fresh signatures of the Government servant making it and dated (with the day, month and year))	

FORM C. S. R. (Pb) NO 8

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FORM C. S. R. (Pb) NO 9

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FORM C. S. R. (Pb) NO 10

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FORM C. S. R. (Pb) NO 14

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FORM C. S. R. (Pb) NO 15

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