



INSTITUTE OF SECRETARIAT TRAINING AND MANAGEMENT



READING MATERIAL FOR CSSS COURSES

VOL. II

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ORGANISATIONAL STRUCTURE OF GOVERNMENT OF INDIA¹

(SOURCE: Central Secretariat Manual of Office Procedure, 2003)

The President- You have already read in the previous chapter that the executive power of the Union formally vests in the President and may be exercised by him either directly or through officers subordinates to him, in accordance with the Constitution.

The Council of Ministers-

(1) In the exercise of his functions, the President is aided and advised by a Council of Ministers headed by the Prime Minister. In actual practice the executive power of the Union resides in the Council of Ministers.

(2) The Council of Ministers consists of three categories of Ministers, namely:
(a) Cabinet Ministers;
(b) Ministers of State; and
(c) Deputy Ministers.

(3) The Cabinet, which consists of Ministers of the first category only, is responsible for shaping the overall policies of the Government in discharging its responsibilities. It sometimes functions through its Committees.

Transaction of government business -

(1) Among the rules issued by the President for the convenient transaction of the business of the Government, under Article 77(3) of the Constitution, are:

- (a) The Government of India (Allocation of Business) Rules; and
- (b) The Government of India (Transaction of Business) Rules.

(2) The Allocation of Business Rules allocates the business of the Government among its different Ministries / Departments, which are assigned to the charge of the Ministers by the President on the advice of the Prime Minister. In relation to the business allotted to a Minister, these rules also permit the association of another Minister or Deputy Minister to perform such functions as may be specifically assigned to him.

(3) The Transaction of Business Rules seek to define the authority, responsibility and obligations of each department in the matter of disposal of business allotted to it.

While providing that the business allotted to a department will be disposed of by, or under the direction of the Minister-in-charge, these rules also specify:

- (a) Cases or classes of cases to be submitted to the President, the Prime Minister, the Cabinet or its committees for prior approval; and
- (b) The circumstances in which the department primarily concerned with the business under disposal will have to consult other departments concerned and secure their concurrence before taking final decisions.

¹ Last reviewed by Shri Chandan Mukherjee, Deputy Director



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Ministry / Department -

(1) A department is responsible for formulation of policies of the government in relation to business allocated to it and also for the execution and review of those policies.

(2) For the efficient disposal of business allotted to it, a department is divided into wings, divisions, branches and sections.

(3) A Ministry / Department is normally headed by a Secretary to the Government of India who acts as the administrative head of the department and principal adviser of the Minister on all matters of policy and administration within the department.

(4) The work in a Ministry / Department is normally divided into wings with a Special Secretary/ Additional Secretary/Joint Secretary in charge of each wing. Such a functionary is normally vested with the maximum measure of independent functioning and responsibility in respect of the business falling within his wing subject, to the overall responsibility of the Secretary for the administration of the department as a whole.

(5) A wing normally comprises a number of divisions each functioning under the charge of an officer of the level of Director/Joint Director/Deputy Secretary. A division may have several branches each under the charge of an Under Secretary or equivalent officer.

(6) A section is generally the lowest organizational unit in a Ministry / Department with a well-defined area of work. It normally consists of assistants and clerks supervised by a Section Officer. Initial handling of cases (including noting and drafting) is generally done by, assistants and clerks who are also known as the dealing hands.

(7) While the above represents the commonly adopted pattern of organisation of a department, there are certain variations, the most notable among them being the desk officer system. In this system the work of a department at the lowest level is organised into distinct functional desks each manned by two desk functionaries of appropriate ranks e.g. Under Secretary or Section Officer. Each desk functionary handles the cases himself and is provided adequate stenographic and clerical assistance.

(8) The other notable variation is the Integrated Headquarters of Ministry of Defence where, the Vice Chiefs of Staff, the Principal Staff Officers of the concerned branches and other appropriate authorities, exercise the powers delegated by the Raksha Mantri through the various Branches and the Directorates of the Integrated Headquarters of the Ministry of Defence.

(9) Functions of various levels of functionaries:

(a) *Secretary* - A Secretary to the Government of India is the administrative head of the Ministry or Department. She is the principal adviser of the Minister on all matters of policy and administration within her Ministry/Department, and his responsibility is complete and undivided.



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(b) *Special Secretary /Additional Secretary/Joint Secretary* - When the volume of work in a Ministry exceeds the manageable charge of a Secretary one or more wings may be established with Special Secretary/Additional Secretary/Joint Secretary, in-charge of each wing. Such a functionary is entrusted with the maximum measure of independent functioning and responsibility i.r.o. all business falling within his wing subject, to the general responsibility of the Secretary for the administration of the wing as a whole.

(c) *Director /Deputy Secretary* - Director /Deputy Secretary is an officer who is in charge of a Secretariat Division and is responsible for the disposal of Government business dealt within the Division under her charge. She should, ordinarily be able to dispose of the majority of cases coming upto him on his own. She should use her discretion in taking orders of the Joint Secretary/Secretary on more important cases, either orally or by submission of papers.

(d) *Under Secretary* - An Under Secretary is in charge of the Branch in a Ministry consisting of two or more Sections and in respect thereto exercises control both in regard to the despatch of business and maintenance of discipline. Work comes to her from the sections under her charge. As Branch Officer he disposes of as many cases as possible at her own level but she takes the orders of Deputy Secretary or higher officers on important cases.

(e) *Section Officer* -

General Duties -

- (i) Distribution of work among the staff as evenly as possible;
- (ii) Training, helping and advising the staff;
- (iii) Management and co-ordination of the work;
- (iv) Maintenance of order and discipline in the section;
- (v) Maintenance of a list of residential addresses of the Staff.

Responsibilities relating to Dak-

- (i) to go through the receipts;
- (ii) to submit receipts which should be seen by the Branch Officer or higher officers at the dak stage;
- (iii) to keep a watch on any hold-up in the movement of dak; and
- (iv) to scrutinize the section diary once a week to know that it is being properly maintained.

Responsibilities relating to issue of draft-

- (i) to see that all corrections have been made in the draft before it is marked for issue;
- (ii) to indicate whether a clean copy of the draft is necessary;
- (iii) to indicate the number of spare copies required;
- (v) to check whether all enclosures are attached;
- (vi) to indicate priority marking;
- (vii) to indicate mode of dispatch.



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Responsibility of efficient and expeditious disposal of work and checks on delays-

- (i) to keep a note of important receipts with a view to watching the progress of action;
- (ii) to ensure timely submission of arrear and other returns;
- (iii) to undertake inspection of Assistants' table to ensure that no paper of file has been overlooked;
- (iv) to ensure that cases are not held up at any stage;
- (v) to go through the list of periodical returns every week and take suitable action on items requiring attention during next week.

Independent disposal of cases-

He should take independently action of the following types-

- (i) issuing reminders;
- (ii) obtaining or supplying factual information of a non-classified nature;
- (iii) any other action which a Section Officer is authorized to take independently.

Duties in respect of recording and indexing-

- (i) to approve the recording of files and their classification;
- (ii) to review the recorded file before destruction;
- (iii) to order and supervise periodic weeding of unwanted spare copies;
- (iv) ensuring proper maintenance of registers required to be maintained in the section;
- (v) ensuring proper maintenance of reference books, Office Orders etc. and keep them up-to-date;
- (vi) ensuring neatness and tidiness in the Section;
- (vii) dealing with important and complicated cases himself;
- (viii) ensuring strict compliance with Departmental Security Instructions.

(f) Assistant/Upper Division Clerk - he works under the orders and supervision of the Section Officer and is responsible for the work entrusted to him. Where the line of action on a case is clear or the Branch Officer or higher officers have given clear instructions, he should put up a draft without much noting. In other cases he will put up a note keeping in view the following points:-

- (i) to see whether all facts open to check have been correctly stated;
- (ii) to point out any mistakes or incorrect statement of the facts;
- (iii) to draw attention, where necessary, to precedents or Rules and Regulations on the subject;
- (iv) to put up the Guard file, if necessary, and supply other relevant facts and figures;
- (v) to bring out clearly the question under consideration and suggest a course of action wherever possible.

(g) Private Secretary/Personal Assistant/Stenographer - He will keep the officer free from routine nature of work by mailing correspondence, filing papers, making appointments, arranging meeting and collecting information so as to give the officer more time to devote himself to the work in which he has specialized. The Personal



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Assistant will maintain the confidentiality and secrecy of confidential and secret papers entrusted to him. He will exercise his skill in human relations and be cordial with the persons who come in contact with his boss officially or who are helpful to his boss or who have dealings with the boss as professional persons. Some of the more specific functions are enumerated below:-

- (i) taking dictation in shorthand and its transcription in the best manner possible;
- (ii) fixing up of appointments and if necessary cancelling them;
- (iii) screening the telephone calls and the visitors in a tactful manner;
- (iv) keeping an accurate list of engagements, meetings etc. and reminding the officer sufficiently in advance for keeping them up;
- (v) maintaining, in proper order, the papers required to be retained by the Officer;
- (vi) keeping a note of the movement of files, seen by his officer and other officers, if necessary;
- (vii) destroying by burning the stenographic record of the confidential and secret letters after they have been typed and issued;
- (viii) carrying out the corrections to the officer's reference books and making fair copies of draft demi-official letters to be signed by the officer;
- (ix) generally assisting him in such a manner as he may direct and at the same time, he must avoid the temptation of arrogating to himself the authority of his boss.

(h) **Lower Division Clerk** - Lower Division Clerks are ordinarily entrusted with work of routine nature, for example - registration of Dak, maintenance of Section Diary, File Register, File Movement Register, Indexing and Recording, typing, comparing, despatch, preparation of arrears and other statements, supervision of correction of reference books and submission of routine and simple drafts etc.

Attached and Subordinate offices-

(1) Where the execution of the policies of the government requires decentralisation of executive action and/or direction, a department may have under it executive agencies called 'Attached' and 'Subordinate' offices.

(2) Attached offices are generally responsible for providing executive direction required in the implementation of the policies laid down by the department to which they are attached. They also serve as repository of technical information and advise the department on technical aspects of question dealt with by them.

(3) Subordinate offices generally function as field establishments or as agencies responsible for the detailed execution of the policies of government. They function under the direction of an attached office, or where the volume of executive direction involved is not considerable, directly under a department. In the latter case, they assist the departments concerned in handling technical matters in their respective fields of specialisation.

Constitutional Bodies: Such bodies, as are constituted under the provisions of the Constitution of India.

Statutory Bodies: Such bodies as are established under the statute or an Act of Parliament.



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Autonomous Bodies: Such bodies as are established by the Government to discharge the activities, which are related to governmental functions. Although such bodies are given autonomy to discharge their functions in accordance with the Memorandum of Associations etc., but the Government's control exists since the Government of India funds these bodies.

Public Sector Undertakings: Public Sector Undertaking is that part of the industry which is controlled fully or partly by the Government. These undertakings have been set-up in the form of companies or corporations in which the President or his nominees hold the shares and which are managed by Board of Directors, which includes officials and non-officials.

Integrated Headquarters of Ministry of Defence:-

Integrated Headquarters of Ministry of Defence comprising Army Headquarters, Naval Headquarters, Air Headquarters and Defence Staff Headquarters will be associated in the formulation of policies in relation to matters concerning the Defence of India and the Armed forces of the Union. They would be responsible for providing executive direction require in the implementation of policies laid down by the Ministry of Defence. They shall exercise delegated administrative and financial powers. The role and functions the Services Headquarters 'now' designated as Integrated Headquarters in all other respects remain unchanged.

Information and Facilitation Counters (IFCs)

The Information and Facilitation Counter will provide the following services to the clients/customers of the organization:

- (1) Information regarding services provided and programmes, schemes etc. supported by the organization and the relevant rules and procedures, through brochures, folders etc.
- (2) Facilitating the customer/client to obtain the services of the Organisation optimally, timely, efficiently and in a transparent manner and providing forms etc. of public usage;
- (3) Information regarding the standards of quality of service, time norms, etc. evolved by the organization with reference to the services/schemes/functioning of the organization;
- (4) Information regarding hierarchical set up of Public Grievance Redress Machinery of the organization; and
- (5) Receiving, acknowledging and forwarding the grievances / application / request / form etc. (related to the services provided by the Organisation) to the concerned authority in the organization and providing information on their status/disposal.



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OFFICE MANAGEMENT²

1. Hours of Attendance :

(i) The normal hours of attendance for the offices of the Government of India located in Delhi are as follows:

Category (Group) - A Ministries and Departments of the Govt. of India as specified in Schedule I of the Government of India (Allocation of Business) Rules, 1961

All working days 9.00 AM to 5.30 PM

Lunch Interval 1.00 PM to 1.30 PM

Category (Group -B) All other offices of the Government of India

All working days 9.30 AM to 6.00 PM

Lunch interval 1.30PM to 2.00 PM

(ii) Offices will remain closed on Saturdays and Sundays. Any member of the staff may, however, be required to work outside office hours if the state of work in the office so demands. Every member of the staff is expected to be in his/her seat and to start work by 9.00 or 9.30 A.M., as the case may be unless special permission for late attendance has been obtained. Half a day's casual leave is to be deducted from a Government servant's casual leave account for each day's late attendance. Late attendance up to an hour on not more than two occasions in a month may be permitted by the competent authority if he is satisfied that it is due to unavoidable reasons.

(iii) Half a day's casual leave in the forenoon or afternoon may be allowed to a Government servant on prior application. The practice to leave office early with permission should be discouraged.

2. Attendance Register :

(i) **Arrival-** The Attendance Register will be maintained in each Section. Every Member of the staff should, on arrival, enter in ink clearly his/her initials together with the time of arrival against his/her name in the relevant dated column against the letter 'A'. The register should be initialed by the Section Officer (or, in his absence, by the senior most Assistant present) at the bottom of the dated column on the last page for the current month, in token of scrutiny. At 9.10 or 9.40 AM, as the case may be, the register should be sent to the Branch Officer. Any person arriving thereafter should mark his/her attendance in the register in the Branch Officer's room.

(ii) **Departure-** While leaving office, every member of the staff should record his/her initials with the time of departure in the space against the letter 'D' opposite his name.

(iii) **Recording of non attendance-** the following abbreviations will be used by the Section officer to denote the reasons of non-attendance:

² Last reviewed by Shri Chandan Mukherjee, Deputy Director



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- CH** : Compensatory Holiday in lieu of attendance on a holiday.
CL : Casual Leave.
L : Leave of any other kind.
A : Absence without leave or permission (This entry should be made in pencil-when leave of any kind is sanctioned, the appropriate abbreviation as indicated above should be substituted in ink.)
RH : Restricted Holiday.

(iv) *Late Attendance or leaving early-* If a person is permitted to attend late or to leave early, an entry to the effect will be made by the supervisor in the remark column. Any such permission for any consecutive period will require the sanction of the Administrative Officer (or the corresponding officer) in charge of Administration of the office. Person reaching office within ten minutes of the opening hours is nevertheless late. Such late coming may be condoned unless it becomes a matter of frequent occurrence. At the end of each month the Section Officer will bring to the notice of the Officer-In-Charge the name of person, if any, who had been frequently or habitually late during the month without prior permission.

(v) *Maintenance of Attendance Register -*

(a) For staff in Sections (including class IV staff)-The register will be maintained under the personal supervision of the Section Officer who will see that the entries are made correctly.

(b) Personal Staff (including Class IV) attached to Officers- Except where there is a regular pool of stenographers or other personal staff working in a room under a supervisor, the attendance will be controlled by the officers to whom the staff is attached. In the event, however, of the absence of the officer on leave or on tour or for any other reason, his personal staff would report to the Under Secretary (or the corresponding officer) in charge of the administration, unless there exists any specific orders to the contrary.

3. Punctuality :

(i) Strict measures should be taken by the administrative authorities for the enforcement of punctuality. Section Officers / Supervisory Officers should be very particular in scrutinizing the attendance register;

(ii) Surprise daily checks may be carried out in one or two sections of the Ministry/Department/Office under the direct supervision of a senior officer, like the Joint Secretary in charge of administration or of the Head of the Department, as the case may be; and

(iii) The lunch break must be scrupulously observed not only by the subordinate staff but also by the supervisory officers and periodical surprise checks should be made by the supervisory officers to ensure that the members of staff working under them do not overstay the lunch break.



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4. Leave :

(i) The grant of leave to a Government servant is governed by the Central Civil Services (Leave) Rules, 1972. The following instructions should be observed by members of staff in submitting applications for leave:

(ii) In the case of leave of any kind for private purposes (i.e. leave other than that on medical certificate), an application should be submitted well in advance before the date of commencement of the leave.

(iii) In the case of leave on medical certificate, the application should be accompanied by a medical certificate, from Competent medical authority or prescribed under Rule 19 of Central Civil Services (Leave), Rules 1972 stating as clearly as possible the nature, probable duration of illness and the period of leave required for restoration of health.

(iv) The leave address should be indicated in all cases.

(v) All applications for leave from members of staff should be submitted through the Section Officer who will record his remarks thereon with due regards to the condition of work and the number of persons already on leave in the Section. If he recommends the leave, he will state his proposals for carrying on the work of the applicant during his/her absence and will pass on the application to the Administration Section concerned.

(vi) The Administration Section will verify the admissibility of the leave applied for and submit the application to the officer competent to sanction the leave. The orders passed on an application for leave will be issued in the form of an office order, one copy of which will be communicated to the applicant and one copy supplied to the Cash Section.

(vii) On return from leave, a member of the staff should report to duty to the authority which granted the leave or to the authority, if any, specified in the office order granting the leave. He/She should also submit, in writing, a joining report, which should be accompanied by a certificate of fitness to resume duty from the prescribed authority and in the form prescribed, if the leave availed of was on medical grounds.

5. Extension of Leave :

(i) Requests for extension of Leave should be avoided as far as possible.

(ii) Applications for extension of leave should be submitted well in advance of the date of expiry of the leave already granted so that they may be considered and orders communicated to the applicant in time. It should not be assumed that an extension would always be granted.

(iii) If a person is prevented from resuming duty on account of any unforeseen occurrence immediately before the due date, he/she must send an immediate intimation to the Head of office giving full reasons of his/her inability to attend office on the due date.



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(iv) A Government servant who remains absent after expiry of his leave is not entitled to any leave salary for the period of such absence and that period will be debited against his half pay leave account to the extent such leave is due, the period in excess thereof being treated as extraordinary leave.

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

6. Nature of Leave and Other Issues concerning Leave :

(i) Leave as a subject will be covered elaborately in later Modules. In this chapter, let us have some idea about casual leave and register for maintaining records of casual leave.

(ii) **Casual Leave:** Casual leave is a concession granted to a Government servant to enable him to stay away from office for a short period on account of illness or to enable him to attend to urgent private matters. It should be applied for in advance as far as possible except when a person is prevented from attending office by sickness or other unforeseen circumstances.

(iii) Casual Leave is not a recognized form of leave nor is it subject to any rules. Technically a Government servant on casual leave is not treated as absent from duty nor is his pay intermitted.

(iv) The maximum period of casual leave, which a Government servant is allowed to avail himself of, is 08 days in a calendar year. The C.L. is intended for short periods and shouldn't normally be granted for more than 05 days at a time. The limit of 05 days at a time may be relaxed in special circumstances at the discretion of the Head of Office. Such leave may be prefixed and/or suffixed to recognized holidays and Saturdays / Sundays with the permission of the officer sanctioning the leave. The Sundays and holidays falling during the period of casual leave will not be treated as part of the leave. Casual leave should not, however, be granted so as to cause evasion of the rules regarding:

(a) Date of reckoning of pay and allowances;
(b) Charge of office;
(c) Commencement and end of regular leave;
(d) Return to duty, or so as to extend the term of leave beyond the time admissible by rule.

(v) In the case of a person who joins service the middle of a year, the casual leave admissible need not be reduced proportionately. He may also be granted 08 days' leave but the authority sanctioning such leave will take into account all the circumstances before granting such leave. Contingency paid staff is entitled to casual leave provided employment of a substitute is not considered necessary. Representatives of recognized associations may be granted casual leave, if due, to attend duly constituted meetings of such associations subject to exigencies of service.

(vi) **Maintenance of Casual Leave account-** A register based on the following format will be maintained for casual leave account of all the employees in a section:



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Casual Leave and restricted holidays account for the year

Ministry/Department.....Section/Branch.....

S.No Name Casual Leave taken on

(dates)

RH Remarks

1 2 3 4 5 6 7 8 1 2

7. Leaving the station :

(i) No member of the staff should leave his headquarters without the permission of the Section Officer. He/She should, when so permitted, inform the Section Officer of his/her address at the station to which he/she is proceeding. In all applications for leave, including casual or compensatory leave, during which the application proposes to leave the station, the fact should be stated in the application together with his outstation address.

(ii) Any person who wishes to leave the station during the period of leave already granted to him should notify his intention together with his address to his Section Officer or the Administration Section. Any change in that address, which may occur thereafter, should also be communicated.

8. Address of officers and staff :

A list of the addresses of all officers and members of the staff employed in a Department should be maintained up-to date in the Admn. Section. A similar list i.r.o. the staff employed in a Section should be maintained by each Section Officer and one copy kept by him at this residence. The members of the staff should intimate any change in their residential address as soon as it takes place to the Section Officer as well as to the Admn. Section. In the Ministries the Resident Clerk should also maintain a copy of the list.

9. Office Rooms :

(i) In the interest of security, the Farash should not open any room in his charge until the arrival of a clerk working in the Section or of the peon attached thereto. During the lunch interval, a member of the staff should be on duty in the room by turn. In the evening the last man to leave office will be responsible to make over the room to the Farash and to get the room locked. The duty may be assigned to a member of the staff working in the room by turn, if necessary.

(ii) A register should be maintained to keep a record of the persons on duty during the lunch interval and in the evening and they should append their signatures therein in token of their having performed the duty.

(iii) In the case of room occupied by officers, the peons attached to them should supervise by turn the sweeping, dusting and opening of rooms. No outsider or a member of the office staff excepting the Personal Assistant or Stenographer attached to the officer should ordinarily be permitted to enter an officer's room during his/her absence. If any file, book or paper is required urgently during an officer's absence from the room it should be removed only by the Personal Assistant or the Stenographer concerned.



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(iv) It is the general responsibility of the Section Officer to see that the room or rooms occupied by the Section under his charge are maintained in a neat and tidy condition. The assistants and Clerks should keep their tables and surroundings neat and clean and the papers neatly arranged.

(v) When leaving office, every member of the staff should see that all papers, registers, etc. in his charge are kept in their proper places. Pending papers should be kept together in a separate folder appropriately marked.

(vi) It shall be the duty of the Section Officer to see that the electric lights, fans and heaters are used only when necessary and that they are switched off when not required during office hours.

10. Responsibility of the Staff :

Each member of the staff of an office is responsible for the work assigned to him/her and is also responsible for all official papers and articles belonging to the office, which are entrusted to him for his use.

11. Maintenance of order in the Section :

While the Head of Office is responsible for the general discipline of the office, every Section Officer is responsible for the maintenance of order in his/her Section and should prevent idle talking, loitering, reading of newspapers etc. by his staff.

12. Admission of outsiders to the office :

The admission of outsiders or private persons to any part of the office, for any purpose whatsoever, is prohibited. Any person calling on business or entitled by position to make enquiry should do so from the Branch Officer or the Section Officer. No member of the staff should, under any circumstances, give any information on any subject to any outsider. Any improper enquiries made by visitors should be brought to the notice of the Branch Officer.

13. Taking of papers outside the office :

Section Officers may, with the permission of their Branch Officers be allowed to take officials papers to their houses if absolutely necessary for dealing with any case of an urgent nature. This will not apply to secret papers the movement of which is governed by the instructions issued on the subject by the Ministry of Home Affairs. Members of staff should in no circumstances take official papers home.

14. Surprise visit :

Surprise visits by the Head of the organisation and other senior officers to the various sections of an office are very helpful in ensuring that the attendance is regular and that there are no arrears of work and that efficiency, neatness and tidiness are generally maintained.



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OFFICE PROCEDURE³

1. **A few important definitions are indicated below:-**
- (i) **'File'** - A collection of papers on a specific subject matter, assigned a file number and consisting of one or more of the following parts:
- Notes
 - Correspondence
 - Appendix to Notes
 - Appendix to correspondence
- (ii) **'Current file'** - Means a file action on which has not been completed.
- (iii) **'Note'** – The remarks recorded on a case to facilitate its disposal. It includes a summary of previous papers, a statement or an analysis of the questions requiring decision, indication of the rules/precedent/resource position, suggestions regarding the course of action and final orders passed thereon.
- (iv) **'Appendix to notes' in relation to a file** - A lengthy summary or statement containing detailed information concerning certain aspects of the question discussed on the file, incorporation of which in the main note is likely to obscure the main point or make the main note unnecessarily lengthy.
- (v) **'Appendix to correspondence' in relation to a file** - Lengthy enclosures to a communication (whether receipt or issue) on the file, inclusion of which in the correspondence portion is likely to obstruct smooth reading of the correspondence or make the correspondence portion unwieldy.
- (vi) **'Standing note' in relation to a subject** – A continuing note explaining, among other things, the history and development of the policy, procedure and the latest position designed to serve as:
- (a) A complete background material for review of the existing policy or procedure;
 - (b) A brief for preparing replies to Parliament questions or Notes for supplementaries thereto; and
 - (c) Induction or training material.
- (vii) **'Routine note'** – A note of a temporary value or ephemeral importance so captioned and recorded outside the file, e.g., a record of casual discussion or a note on a point of secondary importance intended to facilitate consideration of the case by higher officers.
- (viii) **'Notes portion' of a file** – The portion containing notes or minutes recorded on a case.

³ Updated by Ranjan Kumar, Deputy Director



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- (ix) **'Correspondence portion'** - The portion of file containing 'receipts' and office copies of the communications issued from the file including self-contained inter-departmental notes but excluding those recorded on the notes portion of the file itself.
- (x) **'Paper under consideration (PUC)'** – A receipt pertaining to a case, the consideration of which is the subject matter of the case.
- (xi) **'Fresh Receipt (FR)'** – Any subsequent receipt on a case which brings in additional information to aid the disposal of a paper under consideration.
- (xii) **'Section'** – The basic work unit within a department, responsible for attending to items of work allotted to it. It is generally headed by a Section Officer and includes 'Cell', 'Unit' and other like terms.
- (xiii) **'Diarist'** – A clerk within a section charged with the responsibility, inter-alia of maintaining the section diary.
- (xiv) **'Diary number'** – The serial number assigned to a receipt in the Section Diary/Personal Staff of Officers followed by code letters identifying the Section Diary ('H' for section diary for Hindi receipt and 'O' for Section Diary for other receipts)/Officer's designation, the year and the abbreviated symbol of the section e.g., 205-H/2010-O&M or 123-O/ DS(O&M)/2010.
- (xv) **'Dealing hand'** – Any functionary such as a Lower/Upper Division Clerk, an Assistant entrusted with initial examination and noting upon cases.
- (xvi) **'Case'** - A current file or a receipt together with other related papers, if any.
- (xvii) **'Come-back case'** - Case received back for further action such as re- examination or preparing a draft or a summary of the case.
- (xviii) **'Urgent dak'** – Dak marked 'Immediate' or 'Priority', and includes telegrams, wireless messages, telex messages, fax, e-mail, Court/CAT/ RTI cases, Parliament Matters etc.
- (xix) **'Indexing' of a file** – Indicating its title under appropriate catchwords arranged in their alphabetical order followed by the rest of the words and the File Number to facilitate its retrieval.
- (xx) **'Docketing'** – Making of entries in the notes portion of a file about the serial number assigned to each item of correspondence (whether receipt or issue) for its identification.
- (xxi) **'Department'** – Any of the ministries, departments, secretariats and offices mentioned in the First Schedule to the Government of India (Allocation of Business) Rules, 1961, as amended from time to time.



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- (xxii) **'Departmental index'** – A consolidated index of files opened by different sections of a department during a calendar year (except those of a classified nature or those proposed to be retained for less than 10 years) arranged in a single series in the alphabetical order of the catchwords under which they have been indexed. The catchwords are followed further by the rest of the subject and the file number.
- (xxiii) **'Final disposal' of a case under consideration** – Completion of all action thereon culminating, where necessary, in the issue of final orders or final reply to the party from which the original communication emanated.
- (xxiv) **'Security grading'** – Security marking of classified documents as 'Restricted', 'Confidential', 'Secret', or 'Top Secret'.

2. DAK-RECEIPT, REGISTRATION AND DISTRIBUTION

2.1 Receipt of Dak –

- (a) During office hours, the entire dak of the department including that addressed to Ministers/Officers by name is received in the Central Registry/Information Facilitation Counter. The Immediate/ important dak addressed to Ministers/Officers by name and sent through special messenger directly to the addressees themselves, it received by them or their personal staff.
- (b) In case an officer is on long leave, has retired or left the office after completion of his tenure, the incumbent or the personal staff concerned or the officer just below the concerned officer dealing with the subject will receive the immediate/important references, this does not apply to confidential letters. In case none of the above mentioned officers is in position, the central registry will receive such letters. Immediate/important letters should not be returned.
- (c) Outside the office hours, dak will be received by the addressee himself at his residence if marked 'immediate' and addressed by name. In such cases, the officer will normally be informed in advance over telephone about the dak being delivered at his residence. In all other cases, dak will be received, outside office hours by : –
 - (i) the night duty clerk of the Department concerned or
 - (ii) where no such arrangements exist, by the officer designated by the Department concerned to receive such dak.
- (d) Communication received through e-mails in the Department will be downloaded centrally in the Computer Centre of the Department by a designated person, who will forward the same to the Central Registry. Such communications addressed to Ministers/Officers will be downloaded by them or their personal staff.



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- (e) Communication received through FAX should be immediately photocopied as the text of the FAX message fades with the passage of time.

2.2 Acknowledgement of dak—The receipt of dak, except ordinary postal dak, will be acknowledged by the recipient signing his name in full and in ink with date and designation. As far as possible, e-mails received should be acknowledged and responded through e-mail.

2.3 Registration of dak –

- (a) Urgent dak will be separated from other dak and dealt with first.
- (b) All covers, except those addressed to Ministers/Officers by name or those bearing a security grading, will be opened by the Central Registry.
- (c) On opening dak, the Central Registry/IFC will check enclosures and make a note of any item found missing
- (d) All opened dak, as well as the covers of unopened classified dak, will be date-stamped

(vide specimen as under) :—

Ministry/Department of
Received on
C.R./I.F.C. Number... ..
Section Diary Number... ..

- (e) The entire dak will be sorted out section-wise (and officer-wise, if addressed by name). To facilitate this, the Central Registry will keep a list (refer para 92) showing the up to date allocation of the subjects to various sections.
- (f) The following categories of dak will be registered by the Central Registry/IFC in the dak register:

- telegrams, wireless messages, FAX messages, telex messages and email messages received from the Computer Centre;
- registered postal dak;
- inter-departmental files;
- court/CAT summons etc and receipts enclosing valuable documents, e.g. service books, agreements, etc;
- parliament questions, resolutions, cut motions and references seeking information relating to them;
- unopened inner covers containing classified dak;
- letters from Members of Parliament;
- any other category covered by departmental instructions; and



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- envelopes received without contents or with material not marked to any officer will be registered with necessary comments in the remarks column of Dak Register.
- The Central Registry, IFC will maintain one or more dak registers or computers as may be found convenient. In no case, however, will a single register/computer be operated upon by two or more clerks. Where more than one dak register is maintained, each register will be identified with an alphabetical code letter 'A', 'B', 'C' and so on.
- The CR/IFC Number assigned to dak, manually in the dak register or through the computer, will be indicated on the dak in the appropriate place in the stamp affixed on it.
- Dak received may, however, be registered in the computer wherever such a facility is available in Central Registry/IFC. In that case, dak register and invoice register need not be maintained manually.

2.4. Distribution of dak –

- (a) The Central Registry/IFC will prepare an invoice (**Appendix-2 of MoP**) separately for each section to which the dak is to be distributed. The dak, along with invoice, will be sent to the section concerned and acknowledged by the diarist. The invoice, duly signed, will then be returned to the Central Registry/IFC, where it will be filed section-wise and date-wise. In case the dak is registered through computer, section-wise and date-wise report will be generated by computer.
- (b) Alternatively, dak may be distributed and acknowledgement obtained in messenger books or dak register maintained section-wise.
- (c) The above procedure will also apply to the dak meant for Ministers/Officers, which will be acknowledged by their personal staff.
- (d) Urgent dak will be distributed as and when received. Other dak may be distributed at suitable intervals (i.e. 11.00 A.M., 2.00 P.M. and 4.00 P.M.). Such part of the ordinary dak as is received too late to be included in the last daily round, will be kept ready for distribution early next day. The official in charge of the Central Registry will ensure: –
 - (i) that, as far as possible, sorting, registration and invoicing of dak is completed on the day of its receipt;
 - (ii) that to the extent which the above work cannot be completed during the day, and without prejudice to the processing of urgent dak, the night duty staff attends to it; and
 - (iii) that the total number of receipts pending at the end of the day for sorting, registration and invoicing are noted in a register and the full signatures of the night duty staff are obtained on it in token of their having taken custody of these.



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- (e) Urgent dak received outside office hours will be sent to the sections concerned if there is staff on duty. In other cases, such dak will be dealt with in accordance with the instructions issued by the Department concerned.

3. Receipts-Submission and Diarisation-

3.1 Perusal and marking of receipts-

The diarist will submit all receipts to the Section Officer who will :

- go through the receipts;
- forward misdirected receipts to the sections concerned;
- separate those which, either under the departmental instructions or in his discretion, should be seen by higher officers before they are processed and mark them to such officers;
- mark to himself such of the remaining receipts as are of a difficult nature or present any special features requiring his personal attention;
- mark other receipts to the dealing hands concerned, and where necessary, indicate urgency grading and give directions regarding line of action;
- keep a note in his diary of important receipts requiring prompt action or disposal by a specified date; and
- submit the case to the officer who last noted on it, if it is one returned by another department.

3.2. Diarising of receipts in sections-

- (i) Each section will maintain a section diary of mop, Devanagri script will be used for diarising Hindi receipts.
- (ii) The diarist will diarise in the section diary (Appendix 3 of MoP) all receipts except the following before they are submitted to the officers concerned or distributed among the dealing hands:
- (a) Receipts which, as a class, are adequately taken care of by a register specially devised for the purpose (e.g. telephone bills which are entered in telephone bill register);
 - (b) receipts which have already been diarised in computer;
 - (c) Communications received from Members of Parliament for which a separate register is maintained for watching their disposal shown below:
 - (d) unsigned communications (except e-mail) on which no instructions have been recorded by officers and on which no action is to be taken;
 - (e) identical copies of representations, save the one received first;



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- (f) post copies of telegrams unless the endorsement contains a message in addition to that contained in the telegrams;
 - (g) petty contingent vouchers such as those relating to night duty or overtime claims of the staff, claims for coolie hire or conveyance hire, chits asking for articles of furniture, stationery etc.
 - (h) routine acknowledgements;
 - (i) casual leave applications;
 - (j) copies of miscellaneous circulars, office memoranda, extracts, etc; circulated by any section for general information, e.g., orders of general application, telephone lists, notices of holidays, tour programmes, etc.; and
 - (k) any other types of receipts which under departmental instructions are not required to be diarised.
- (iii) Inter-departmental notes, telegrams, or any other category of receipts sought to be distinguished from the rest, may be entered in the section diary in red ink.
- (iv) Receipts redirected to other sections will also be diarised.
- (v) Papers referred to another department will be diarised each time they are received back. For those referred under diary numbers, however, previous and later entries in the diary will be linked by giving the earlier and the later diary numbers against each entry.
- (vi) If a receipt is diarised after a lapse of more than 15 days from the date it bears, the entry regarding date in column 3 of the section diary will be circled in red ink.
- (vii) The diary number of a receipt will be indicated in the space provided for the purpose in the stamp affixed by the central registry vide para 14 (4).
- (viii) The section officers will scrutinise the section diaries once a week to see that these are being properly maintained and append his dated initials in token of scrutiny.
- (ix) Under the computerised environment the format of the diary register will be as in Appendix 3. A single diary number will be generated irrespective of where a receipt is diarised. All exclusions mentioned in sub-para (2) above would be applicable. Appropriate codes in Remarks column would indicate the different categories of receipts as well as redirected receipts or receipts diarised after a lapse of more than 15 days from the date it bears, as mentioned in earlier sub-paras. Papers received back from other departments will be diarised and will be



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linked with previous diary numbers as they can be easily traced electronically. The diary number will be indicated on the receipt as in the manual system. The Section Officer will generate a status report of the receipts from computer every week to ensure proper monitoring.

3.3 Diarising of receipts addressed to officers-

- (i) The personal staff of officers of the rank of Deputy Secretary and above will diarise receipts addressed to their officers in respective personal section diary. Envelopes received without contents or with material not marked to any officer should also be diarised (Appendix 4 of MoP) with necessary comments.
- (ii) No receipt will be diarised more than twice. A communication once diarised above the section level will not be diarised a second time till it reaches the section, where it will be diarised in the section diary. For example, a communication received by the Minister and diarised by his personal staff need not be diarised at the level of Secretary, Additional Secretary/Joint Secretary. Director/Deputy Secretary, etc.
- (iii) In the computerised diary system no receipt will be diarised more than once. For receipts addressed to officers, diarising will be done by their personal staff.

3.4. Movement of receipts-

- (i) Receipts submitted to officers will move in pads conspicuously labelled as 'Receipts Pad'. Their movement and perusal will receive prompt attention.
- (ii) The Section Officer will keep a careful watch on any hold-up in the movement of receipts. The diarist will bring to his notice any receipt which are not received back from officers within one working day.

3.5. Action by higher officers-

Officers to whom receipts are submitted will:

- (i) go through the receipts and initial them;
- (ii) remove receipts which they may like to dispose of without assistance from section or to submit to higher officers;
- (iii) enter the diary numbers of the receipts removed vide sub-para (2) above on the movement slip (shown below); (this will be prepared in the prescribed format in computerised system also)
- (iv) where necessary, give directions regarding line of action to be taken on other receipts; and



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- (v) return the receipts together with movement slip, if any, to the Section Officer for action in terms of paras 16(4) and 16(5) above.

3.6. Allocation of disputed receipts-

If a section feels that it is not concerned with a misdirected receipt forwarded to it vide para 6 (2) the same should be brought to the notice of the officer designated by the department for deciding allocation of disputed receipts.

4. Action on Receipts

4.1 General principles-

Action on receipts will be so organised that it results in speedy and correct decision-making process. All records creating agencies will use good quality paper and ink as prescribed by the Bureau of Indian Standards while transacting official business this is to ensure longevity of records and easy retrieval of information.

- (i) An officer will himself initiate action on as many receipts as possible, keeping in view the priority requirements.
- (ii) Number of levels at which a case is examined will be reduced to the minimum.
- (iii) Paper work will be kept at an essential minimum.
- (iv) Least possible time will be taken for examination and disposal of cases.
- (v) While disposing of cases, an officer will aim at optimising the quality as well as the quantity of work performed by him.

4.2 Action by dealing hand-

The dealing hand will:

- (i) go through the receipts and separate urgent receipts from the rest;
- (ii) enter the receipts in the Assistant's diary (shown below); It is not necessary to maintain separately in a computerised environment as the system can generate information through query.
- (iii) deal with the urgent receipts first; Code indicating the priority may be given in a computerised environment.
- (iv) check enclosures and if any found missing, initiate action to obtain it;
- (v) see whether any other section is concerned with any part or aspect of a receipt and if so, send copies or relevant extracts to that section for necessary action;
- (vi) bring the receipt on to a current file if one already exists or open a new file and indicate file No. in column 4 of the assistant's diary. If the current file is under submission, a part file will be opened, which will be subsequently merged with the main file by the dealing assistant when he accesses both. In a computerised



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environment the relevant file number, whether of existing file or a new file, will be indicated in the relevant column in the diary register itself.

- (vii) file papers in systematically.
- (viii) assign the receipt page number (s) and a serial number.
- (ix) docket the receipt and reproduce on the notes portion of the file remarks, if any made by an officer on the receipt;
- (x) with the help of file registers, indexes, precedent book, standing guard files, reference folders, etc. locate and collect other files or papers, if any, referred to in the receipt, or having a bearing on the issues raised therein;
- (xi) identify and examine the issues involved in the case and record a note
- (xii) arrange papers and reference them in the case properly
- (xiii) where necessary, attach a label indicating the urgency grading appropriate to the case
- (xiv) put up the case to the appropriate higher officer; and
- (xv) indicate the date of submission in column 5 of the assistant's diary. In the computerized diary system indicate the details of submission at the appropriate column.

4.3 Action by section officer-

- (i) The Section Officer will :
 - (a) scrutinise the note of the dealing hand;
 - (b) finally dispose of routine cases;
 - (c) take intermediate routine action;
 - (d) record, where necessary, a note setting out his own comments or suggestions; and
 - (e) submit the case to the appropriate higher officer.
 - (f) in computerised environment also make a suitable entry in the electronic diary register.
- (ii) What constitutes 'routine cases' or 'intermediate routine action' in terms of (b) and (c) above will be specified by each department in its departmental instructions.

4.4 Examination by section-

When the line of action on a receipt is obvious or is based on a clear precedent or practice, or has been indicated by a higher officer, and a communication has to issue, a



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draft will be put up without any elaborate note. In other cases, the section, while putting up a case, will:

- (1) see whether all the statements, so far as they are open to check, are correct;
- (2) point out mistakes, incorrect statements, missing data or information, if any
- (3) draw attention, if necessary, to the statutory or customary procedure and point out the relevant law and rules;
- (4) furnish other relevant data or information available in the department, if any;
- (5) state the questions for consideration and bring out clearly the points requiring decision;
- (6) draw attention to precedents;
- (7) evaluate relevant data and information; and
- (8) suggest, where possible, alternative courses of action for consideration.

4.5 Standard Process Sheet-

For dealing with cases of repetitive nature e.g. sanctioning of leave, GPF advances, forwarding of applications etc. standard process sheets will be devised by the respective Ministries / Departments and will be prescribed through departmental instructions. No notes will be recorded in such cases. Standard Process Sheets will also be maintained in electronic form in a computerised environment.

4.6 Level of disposal and channel of submission-

- (i) An officer above the level of Section Officer will take action on a case in accordance with the departmental instructions prescribing the level of final disposal and channel of submission for each category of cases. Departmental instructions will also be maintained in electronic form in a computerised environment.
- (ii) Each Department will review the instructions on level of disposal and channel of submission every three years keeping the number of levels at which a case is examined to the minimum by delegating powers to lower formations.
- (iii) As far as possible it will be ensured that a case is seen either by an Under Secretary or a Deputy Secretary/Director instead of both seeing it.
- (iv) A Desk Officer will submit cases direct to a Deputy Secretary or Director who in turn would submit it to the Joint Secretary/Additional Secretary.
- (v) A case will pass through only one of the following levels before it is submitted to the Minister;
 - Additional Secretary
 - Special Secretary
 - Secretary
- (vi) A Joint Secretary can submit cases directly to Secretary/Minister and not necessarily through the Additional Secretary.



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- (vii) Additional Secretaries in large ministries should be allowed to function independently in day-to-day administrative and functional matters. In matters requiring orders of the Minister, other than those relating to policy/important cases, Additional Secretary can submit files directly to the Minister.
- (viii) In Ministries / Departments with a Special Secretary and Secretary, there should be a clear delegation of authority to the Special Secretary so that in most matters he can function independently.
- (ix) Wherever level jumping is done in respect of any category of cases, each such case on its return, will pass through all the levels jumped over who in suitable cases could resubmit the cases for reconsideration.
- (x) In a computerised environment the system will provide scope for level jumping.

4.7 Direct submission of cases by senior assistants

- (1) An assistant in a conventional section who has more than five years service in the grade including at least six months in the concerned section may be required to submit all his cases direct to the branch officer. In appropriate cases, Assistants with less than five years service in the grade may also be permitted to submit cases direct to branch officer.
- (2) All the cases directly submitted by Assistants to the branch officer will as a rule, go back to the Assistants through the Section Officer. The section officer will be free to bring to the notice of the branch officer any omission or flaws in the submission of cases or the decisions taken and thus give an opportunity to the branch officer to reconsider the matter.

4.8 Examination by Officer-

- (i) An Officer will regularly discuss with his staff to decide the course of action to be taken on various cases. Normally a single note will be put up to the decision making level after the line of action is decided.
- (ii) For dealing with important problem solving issues, the technique of writing a self-contained note may be used. This involves entrusting an officer or a group of officers with preparing a comprehensive note which will be put up straight to the decision making level. The note will contain the background to the problem, issues arising out of its precedents, if any, analysis of all relevant facts, and recommendations.

- 4.9 Deviation from normal procedures or rules-** In every case where a major or minor infraction, other than trivial, of the existing procedures or rules, is sought to be made, it shall be the responsibility of the decision making authority to



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ensure that reasons are recorded in writing, justifying such a deviation from the rules or procedures.

4.10 Running summary of facts- To facilitate consideration and to obviate repeated recapitulation, a running summary of facts will be prepared and placed on the file in a separate folder labelled as such in every case in which it is evident that such a summary would contribute to its speedy disposal. This summary will also include the advice or views of other departments consulted in the matter but not opinions of individual officers within a department. It should be kept up to date, incorporating changes whenever further developments take place. Running summary of facts will also be maintained in electronic form in a computerised environment.

4.11 Oral discussions-

- (1) All points emerging from discussions (including telephonic discussions) between two or more officers of the same department or from discussions between officers of different departments, and the conclusions reached will be recorded on the relevant file by the officer authorising action.
- (2) All discussions /instructions /decisions which the officer recording them considers to be important enough for the purpose, should be got confirmed by all those who have participated in or are responsible for them. This is particularly desirable in cases where the policy of the government is not clear or where some important deviation from the prescribed policy is involved or where two or more level differs on significant issues or the decision itself, though agreed up to by all concerned, is an important one.

4.12 Oral instructions by higher officers-

- (i) Where an officer is giving direction (including telephonic direction) for taking action in any case in respect of matters on which he or his subordinate has powers to decide, he shall ordinarily do so in writing. If, however, the circumstances of the case are such that there is no time for giving the instructions in writing, he should follow it up by a written confirmation at his earliest.
- (ii) An officer shall act in his best judgment except when he is acting under instructions of an official superior. In the latter case, he shall obtain the directions in writing wherever practicable before carrying out the instructions. If it is not possible to do so, he shall obtain written confirmation of the directions as soon thereafter as possible. If the Officer giving the instructions is not his immediate superior but one higher to the latter in the hierarchy, he shall bring such instructions to the notice of his immediate superior at the earliest.

4.13 Oral orders on behalf of or from Minister: –



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- (1) Whenever a member of the personal staff of a Minister communicates to any officer an oral order on behalf of the Minister, it shall be confirmed by him in writing, immediately thereafter.
- (2) If any officer receives oral instructions from the Minister or from his personal staff and the orders are in accordance with the norms, rules, regulations or procedures they should be brought to the notice of the Secretary (or the head of the department where the officer concerned is working in or under a non-secretariat organization).
- (3) If any Officer receives oral instructions from the Minister or from his personal staff and the orders are not in accordance with the norms, rules, regulations or procedures, he should seek further clear orders from the Secretary (or the head of the Department in case he is working in or under a non-secretariat organization) about the line of action to be taken, stating clearly that the oral instructions are not in accordance with the rules, regulations, norms or procedures.
- (4) In rare and urgent cases when the Minister is on tour/ is sick and his approval has to be taken on telephone, the decision of the Minister shall be conveyed by his Private Secretary in writing. In such cases, confirmation will be obtained on file when the Minister returns to Headquarters/rejoins.

4.14 Confirmation of oral instructions –

- (1) If an officer seeks confirmation of oral instructions given by his senior, the latter should confirm it in writing whenever such confirmation is sought.
- (2) Receipt of communications from junior Officers seeking confirmation of oral instructions should be acknowledged by the senior officers or their personal staff, or the personal staff of the Minister, as the case may be.

4.15 Aids to processing-

- (i) To facilitate processing of a case, each section will develop and maintain the following records for important subjects dealt with by it:
 - (a) standing guard files;
 - (b) standing notes;
 - (c) precedent book
 - (d) standard process sheets (of repetitive items of work only); and
 - (e) reference folders containing copies of circulars, etc.

The above records will also be maintained in electronic form in a computerised environment.

- (ii) Apart from copies of acts, rules, orders and instructions concerning subjects dealt with by it, each section is expected to maintain, for ready reference, the Constitution of India and certain acts, rules and instructions of a general nature, references of most of which have been made in this manual. Each department is expected to procure an adequate number of copies of these acts, rules and



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instructions and make them available to all concerned. An illustrative list of such acts, rules and instructions is given below:

These acts, rules and instructions will be accessed electronically if available on website of issuing Ministries/Departments.

- (iii) The documentation-cum-reference system (manual as well as electronic form) will include reference material peculiar to the need of the functional sections and a consciously developed information system to act as an aid to policy formulation, review and operational decisions.

4.16. Filing of papers-

- (1) Papers required to be filed will be punched on the left hand top corner and tagged onto the appropriate part of the file viz. notes, correspondence, appendix to notes and appendix to correspondence, in chronological order, from left to right.
- (2) Both 'notes portion' and 'correspondence portion' will be placed in a single file cover. While the Notes portion is separately to be tagged and placed inside the file cover when not under submission, two ends of the correspondence portion is to be tagged through the two flaps of the file-cover.
- (3) Both 'Notes portion' and 'Correspondence portion' of a file are to be separately numbered. The first page of the correspondence (page number;1) shall be on the top while the last page (say page number 20) shall be at the bottom of the correspondence portion. Similarly, 'Notes portion' shall also have separate page numbers.
- (4) Earlier communications referred to in the receipt or issue, will be indicated by pencil by giving their position on the file.
- (5)
 - (a) If the file is not bulky, appendix to notes and appendix to correspondence may be kept along with the respective note portion or the correspondence portion of the main file if these are considered as integral and important part.
 - (b) If the file is bulky, separate file covers may be maintained for keeping appendix to notes and appendix to correspondence.
- (6) Routine receipts and issues (e.g., reminders, acknowledgments) and routine notes will not be allowed to clutter up the file. They will be placed below the file in a separate cover and destroyed when they have served their purpose.
- (7) When the 'notes' plus the 'correspondence' portion of a file become bulky (say exceed 150 pages), it will be stitched and marked 'Volume I'. Further papers on the subject will be added to the new volume of the same file, which will be marked 'Volume II', and so on.



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- (8) In Volume II and subsequent volumes of the same file, page numbering in notes portion and correspondence portion will be made in continuity of the last page number in note portion/correspondence portion of the earlier volume.
- (9) On top of the first page of the note portion in each volume of the file, file number, name of the Ministry/Department, name of branch/section and subject of the file will be mentioned.

4.17. Arrangement of papers in a case-

The papers in a case will be arranged in the following order from top downwards:

- (1) reference books;
- (2) notes portion of the current file ending with the note for consideration;
- (3) running summary of facts;
- (4) draft for approval, if any;
- (5) correspondence portion of the current file ending with the latest receipt or issue, as the case may be;
- (6) appendix to notes and correspondence;
- (7) Standing guard file, standing note or reference folder, if any;
- (8) other papers, if any, referred to, e.g., extracts of notes or correspondence from other files, copies of orders, resolutions, gazettes, arranged in chronological order, the latest being placed on the top;
- (9) recorded files, if any, arranged in chronological order, the latest being placed on the top; and
- (10) routine notes and papers arranged in chronological order and placed in a separate cover.

4.18. Linking of files-

- (1) If the issues raised in two or more current files are so inter-connected that they must be dealt with together simultaneously, the relevant files will be linked in the manner indicated in (2) below. Such linking may also be resorted to if a paper on one current file is required for reference in dealing with another current file unless a copy of the paper can be conveniently placed on the first file.
- (2) When files are to be linked, strings of the file board of the lower file (but not its flaps) will be tied around the upper file and those of the file board or flap of the upper file tied underneath it in a bow out of the way so that each file is intact with all its connected papers properly arranged on its file board or flap.
- (3) On receipt back after completion of action, the linked files will be immediately delinked after taking relevant extracts and placing them on the linked files, where necessary.



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- (4) In a computer environment the file tracking system has the facility for easy linkage of files and its subsequent movement.

4.19. Use of urgency grading:

- (1) The two urgency grading authorised for use on cases are 'Immediate' and 'Priority'.
- (2) The label 'Immediate' will be used only in cases requiring prompt attention. Amongst the rest, the 'Priority' label will be used for cases which merit disposal in precedence to others of ordinary nature.
- (3) Where Lok Sabha/Rajya Sabha labels for questions, motions, bills are used, it will not be necessary to use, in addition, 'Immediate' or 'Priority' label.
- (4) The grading of urgency assigned to a case will be reviewed by all concerned at different stages of its progress and where necessary, revised. This is particularly important for cases proposed to be referred to other departments.

5.1. Time limits – Time Limits will be fixed for disposal of as many types of cases as possible handled in the Department through departmental instructions. As a general rule, no official shall keep a case pending for more than 7 working days unless higher limits have been prescribed for specific types of cases through departmental instructions. In case of a case remaining with an official for more than the stipulated time limit, an explanation for keeping it pending shall be recorded on the note portion by him. The system of exception reporting will be introduced to monitor the disposal of receipts.

5.2 Weekly arrear statement –

- (a) On the first working day of every week, each Section officer will give particulars of receipts/cases pending with each dealing hand for more than 7 days in the form at **Appendix 35 of MoP**.
- (b) The Section Officer will also prepare similar statement in respect of dealt with by him and pass them on to the diarist.
- (c) The diarist will consolidate the above statements in the form at **Appendix 36 of MoP** and submit the consolidated statement to the Section Officer on the same day. In a computerized environment the Section Officer will generate a pendency statement from the computer on the first working day of every week.
- (d) The Section Officer will :
 - (i) check the consolidated arrear statement for accuracy;
 - (ii) scrutinize the statement of receipts/cases which are more than one week old
 - (iii) give his remarks or instructions, where necessary; and
 - (iv) submit the statements to the Branch Officer.⁶⁹
- (e) The Branch Officer will watch the progress of work in the section and, where necessary, give suitable directions for expeditious handling of delayed receipts/cases.
- (f) On receipt back in the section, action will be taken as per directions.



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5.3. Monthly statement of cases pending disposal over a month –

- (1) Every section will prepare on monthly basis a statement indicating briefly the position of each case pending disposal for over a month.
- (2) On the last working day of each month, the diarist will:
 - (a) go through the case sheets (Appendix 37 of mop) of pending cases for the preceding month and indicate the latest position of each case.
 - (b) prepare fresh case sheets for cases opened during the preceding month but not yet finally disposed of
 - (c) hand over the case sheets to the dealing hands concerned.
- (3) The dealing hand will :
 - (a) scrutinize entries in the first two columns of the case sheets;
 - (b) draw a red line across case sheets of cases that have been finally disposed of or transferred to call book
 - (c) complete column 3 of other case sheets; and
 - (d) return the case sheets to the diarist by the 2nd of the month following that to which the statement relates.
- (4) The diarist will :
 - (a) remove the case sheets of files that have been finally disposed of or transferred to call book vide para 125(1) for being kept in a separate folder;
 - (b) arrange the remaining case sheets in chronological order of the dates of the commencement of cases, the latest being on top;
 - (c) place the case sheets in a file cover marked 'Monthly statement of cases pending disposal for over a month';
 - (d) prepare, in duplicate, a numerical abstract in the form at Appendix 38; and
 - (e) submit the monthly statement and the two copies of the numerical abstract to the Section Officer by the 3rd of the month.
- (5) The Section Officer will :
 - (a) scrutinize the case sheets and, where necessary, add his remarks;
 - (b) check the numerical abstract for accuracy;
 - (c) submit the monthly statement and one copy of the numerical abstract, with a brief forwarding note, to the Branch Officer by the 5th of the month; and
 - (d) send the second copy of the numerical abstract to the designated section for Internal Work Study (DSIWS)
- (6) Unless otherwise provided in the departmental instructions, the monthly statement together with the numerical abstract will go up to the Joint Secretary.



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5.4 Call Book –

- (a) A current case can be transferred to call books if no action can or need be taken (e.g. cases held up in law courts) to expedite its disposal *for at least 6 months*. Approval of an officer not below the level of Branch Officer/ Divisional Head. May be taken for this purpose.
- (b) Closed cases in which a review is contemplated after a period of 6 months or more may also be included in the call book. Cases transferred to call book vide sub-para (1) above, will be excluded from the monthly statement of pending cases, till they are reopened.
- (c) When a case included in the call book becomes ripe for action or if action has to be restarted as a sequel to an unexpected development, e.g. receipt of a communication from the party concerned earlier than expected, it will be revived and its progress watched in the usual way through the monthly statement of pending cases. The date of commencement of such reopened cases, however, will be the date of occurrence of the development or that of the first note leading to the reopening of the case.
- (d) The section officer will scrutinize the call book in the last week of every month to see that the cases which become ripe for further action during the following month are brought forward and action initiated on due dates. The call book will be submitted to the Branch Officer/ Divisional Head once in a quarter, i.e. during the months of January, April, July and October. He will satisfy himself that no case on which action could have been taken suffers by its inclusion in the call book and, in suitable cases, give directions for the action to be taken. Call book is maintained in a format suggested in **Appendix 40 of MoP**.

5.5 Monthly progress reports of recording and review of files –

- (i) On the first working day of each month, the record clerk will prepare, in duplicate, progress reports on the recording and review of files for the preceding month, and submit them, together with the following records, to the section officer:
 - (a) register for watching the progress of recording.
 - (b) lists of files received for review.
- (ii) The section officer will check the two statements, submit one copy of the report to the branch officer and send the other to the designated unit looking after Internal Work Study.
- (iii) The designated section for Internal Work Study (DSIWS) will:
 - (a) post the figures in the forms at **Appendices 43 and 44 of MoP** and return the reports to the section concerned;



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- (b) prepare the consolidated statement for the department as a whole by vertically totalling the columns in the form at **Appendices 43 and 44 of MoP**;
- (c) watch the progress of recording and review work generally; and
- (d) bring to the notice of the designated O&M officer and the Secretary, any significant trends in the matter.

5.6 Watch on disposal of communications received from Members of Parliament—

- (1) The personal section of each Joint Secretary/Director (if the Director submits cases direct to Secretary/Additional Secretary) will maintain a separate register of communications received from Members of Parliament in the form given in Appendix 45. The serial number at which a letter is entered in this register will be prominently marked on that letter together with its date of registration e.g., '125/JS/(P)MP' 20.9.2012
- (2) To keep a special watch on speedy disposal of communications received from Members of Parliament, each section will;
 - (a) maintain a register as in form at **Appendix 46 of MoP**; and
 - (b) mark out prominently those communications finally disposed of by circling the serial numbers in the register in red ink.
- (3) If for any reason an .M.P.'s letter is received by a section without being registered in the personal section of the Joint Secretary/Director, it should be got registered their immediately.
- (4) On the first working day of each month, each section will submit the register, along with the report in the form at **Appendix 47 of MoP** to the Under Secretary/Deputy Secretary. The report, with the remarks of Under Secretary/Deputy Secretary, will be submitted to the Director/Joint Secretary and register will be returned to the section.
- (5) The personal section of the Joint Secretary/Director will check whether all the communications entered in its register figure in the reports sent by the sections. If any discrepancy is found, it should be reconciled. Thereafter, the report will be submitted to the Joint Secretary/Director for scrutiny and for such other action as he may consider appropriate.
- (6) Ministries/Departments may, through departmental instructions, include additional columns in the forms at **Appendices 45, 46 & 47 MoP** to suit local needs.



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5.7. Watch on disposal of communications received from VIPs –

A special watch on communications received from VIPs (illustrative list at **Appendix 48 of MoP**).

5.8 Monitoring of Court/CAT cases and implementation of Court/CAT Orders:

- (i) The Personal section of each Joint Secretary/Director (if the Director submits cases direct to Secretary/Additional Secretary) will maintain a separate register of Court/CAT Cases from the date of filing the petition/application in Court/CAT in the form given in **Appendix 49 of MoP**. The serial number at which a petition is entered in the register will be prominently marked on the petition/application together with its date of registration e.g. 12/JS/Court/CAT Case 18.9.2012
- (ii) To keep a watch on status of Implementation of Court/CAT judgments/orders, each section will:
 - (a) maintain a register as in form at **Appendix 50 of MoP**; and
 - (b) mark out prominently those Court/CAT cases finally implemented/disposed of by rounding off the serial numbers of the register in red ink and give date of implementation of Court/CAT orders.
- (iii) If for any reason Court/CAT case is received by a section without being registered in the personal section of the Joint Secretary/Director, immediate steps will be taken to get it registered there.
- (iv) On the 1st & 15th day of each month, each section will submit the register along with the reports in the form at **Appendices 49 to 51 of MoP** to the Under Secretary/Deputy Secretary. The report, with the remarks of Under Secretary/Deputy Secretary, will be submitted to the Director/Joint Secretary and register will be returned to the section.

5.9. Applications received under Right to Information Act, 2005 (RTI) –

The applications received under Right to Information Act, 2005 (RTI) will be dealt with and monitored by the Assistant Public Information Officer, Public Information Officer, Central Public Information Officer and Appellate Authority as per the relevant provisions contained in the RTI Act-2005.

5.10. Register of Parliamentary Assurances –

- (1) Each section in a department will keep a record in the form at **Appendix 52 in MoP** of Assurances given by a Minister to either House of Parliament, whether in replies to questions or in the course of discussions on Bills, Resolutions, Calling Attention Notices, Motions, etc. A separate register will be maintained for each House and entries therein will be made session-wise.



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- (2) The Section Officer will:
 - (a) scrutinize the registers once a week;
 - (b) ensure that necessary follow-up action is in fact being taken; and
 - (c) submit the registers to the branch officer every fortnight if the House concerned is in session and once a month otherwise. He should draw the branch officers special attention to the Assurances which are not likely to be implemented within a period of three months.

- (3) The branch officer will keep the higher officers and the Minister informed of the progress made in the implementation of assurances given by him in Parliament. Cases, in which there is likely to be any delay in the implementation of a promise or an undertaking should be particularly brought to their notice well in advance.

5.11. Check-list of periodical reports –

- (1) To ensure timely receipt, preparation and dispatch of periodical reports, each section will maintain two check-lists, one for incoming reports and the other for outgoing reports, in the forms at **Appendices 53 and 54**, respectively of MoP. All periodical reports will be listed in column 2 of the appropriate check-list in the order of their frequency, weekly reports being entered first, fortnightly reports next, and so on.

- (2) The check-lists will be prepared at the commencement of each year, approved by the section officer, shown to the branch officer and displayed prominently on the wall.

- (3) The section officer will go through the check-lists once a week to plan action on items requiring attention during the following week or so. After a periodical report has been received or despatched the relevant entry in the date column of the appropriate check-list will be circled in red ink.

5.12. Review of periodical reports/returns –

- (a) All periodical reports and returns relating to each section will be reviewed at the level of Joint Secretary or above every three years with the following objectives;
 - to eliminate those that are unnecessary;
 - to redesign those that do not provide information/data in usable form;
 - to rationalise/simplify the essential ones by combining two or more of them, if possible; and
 - to revise the frequency in relation to the need with due regard to constraint of time required for collection of information/data from field levels.

- (b) The results of the review during each year will be reported by the section to the Section designated for handling work of IWSU by 7th of April.



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- (c) The Section designated for handling work of IWSU will consolidate the reports received from various sections and send a report covering the Ministry/Department as a whole, to the Department of Administrative Reforms and Public Grievances, by the 30th of April as per item 6 of **Appendix 66 in MoP.**

5.13 Responsibility of expeditious disposal of work---

- (1) The primary responsibility for expeditious of work and timely submission of arrear-and-disposal statements rests with the section officer. To this end, he will inspect the sections diary and the assistant's diaries, and take such other action as may necessary to ensure.
- (a) that no paper or file has been overlooked; and
- (b) that no receipt or case though actually pending with the dealing hand, has been excluded from the relevant arrear statement.
- (2) The branch officer also will keep a close watch on the progress of work in the sections under his control. In particular, he will ensure that the prescribed arrear and disposal statements are submitted punctually and regularly.

6. Purpose and periodicity—Inspections are not investigations. They are to find facts/state of affairs and improve functioning, to help introspection rather than find faults/lapses for punitive action. With the abolition of the IWSU/O&M Units in various Ministries/Departments the work of inspection activity could be given to Sections like General Administration or Coordination or any other Unit/Section designated for the purpose, (DSIWS). The branch officer heading this Unit/Section will be designated as the O&M Officer of that particular Ministry/Department.

- (1) Each Section/Desk in the Department will be inspected once a year to ascertain the extent to which the provisions of this manual and the instructions issued there under are being followed. Each Department will also inspect once a year all attached and subordinate offices under their administrative control through their designated senior officers who will give them useful tips on the spot for improvement. Questionnaires will be used for this purpose.
- (2) The Record Room in the Department will be inspected in association with a representative of the National Archives of India once a year.
- (3) In addition to the information mentioned at sub-paras (1) and (2), the Administration/ Establishment section will generate information which will be updated monthly and it will be used as the Department's tool of Management Information System.



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- (4) The information generated in the format for the entire Department will be consolidated by the designated Section handling IWSU functions. The information culled from the above will then be submitted to the Secretary of the Department every quarter to facilitate monitoring of key issues.
- (5) Department of Administrative Reforms and Public Grievances will also undertake a study in two or three Departments each year for sharing ideas and experiences in the field of Establishment, Administration, Public Grievances redress, Audit and O&M for mutual benefit.

6.1. Inspecting authorities – As far as possible, the inspection will be conducted by an officer of or above the level of Desk Officer/Under Secretary officer who does not handle any part of the work of the Section/Desk to be inspected. The inspecting officer will present his report to the higher officer concerned endorsing a copy each to the Divisional Head, the O&M officer and the Section Officer/Desk functionary concerned. In the case of record room, a copy of the inspection report will also be endorsed to the National Archives of India. The Section Officer/Desk functionary will take necessary action to rectify the defects pointed out in the inspection report and submit a compliance report to his senior officer within fifteen days, endorsing a copy to the Divisional Head and the O&M officer. The Divisional Head will review the action taken on inspection reports.

7.1 Areas amenable to automation - The following areas of office work are suitable for automation:

- (a) collection, collation, storage and retrieval of information;
- (b) processing and delivery of information;
- (c) document creation and duplication; and
- (d) faster communication.

8. e-Office Project

8.1. Introduction

The Department of Administrative Reforms and Public Grievances (DAR&PG) has taken up the e-Office Mission Mode Project (MMP) that has been conceptualized to modernize the Central Government Offices through introduction of Information Technology. The mandate for the department has been to not only introduce the IT solutions and best practices, but also to bring in process reengineering to create an efficient office environment. The Mission Mode Project on e-Office aims to address the fundamental requirements of the offices of the Central Government, in the areas like efficiency, productivity, transparency and accountability.

8.2. Vision of e-Office

The e-Office MMP envisages an user-friendly and integrated file and records management software solution with implementation of associated process reforms and Central Secretariat Manual of e-Office Procedures. The e-Office MMP is aimed



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at introducing the concept of e-file (electronic files), rule based file routing, flexible workflows, quick search and retrieval of files and office orders, digital signatures, forms and reporting components in the government office leading to Less Paper and efficient Offices (LPO) in all the Government of India offices.

8.3. Objectives of e-Office

The broad objectives of e-Office are as below:

1. To improve efficiency, consistency and effectiveness of government responses
2. To reduce turnaround time and to meet the demands of the citizens charter
3. To provide for effective resource management to improve the quality of administration
4. To enhance transparency and accountability

8.4. Main Components and functionalities of e-Office

e-Office has been divided into various modules. Each module aims to streamline and automate a particular office work flow to provide it a greater level of efficiency and transparency. The modules envisaged under the e-Office umbrella are as follows:

8.4.1 Admin Module

The admin module in e-Office is the controlling module which allows the administration of user groups, applications, the various e-Office modules such as correspondence manager, e-file, e- Record, etc. among other things.

8.4.2 e-File & Correspondence Manager

The e-file Manager is one of the most critical modules of e-Office framework. This module will be used by Dealing Hand/Section Officer and all other higher officers who use e-files for taking all decisions. The module will let the users create e-files, work on e-files, send e-files, review, monitor and track status of e-files and close e-files. The e-file will create transparency in the system along with a better mechanism to track and dispose of e-files. The proposed framework will also help smooth and expeditious disposal of cases. This module will contain all functionalities from the present physical file system which is relevant to e-file manager module. According to the newly described framework, all the e-files in the department will have a unique e-file number. The e-file will contain digital signature of user and once affixed will not allow any changes on the e-file. The system will also have automatic pre-defined reports, alerts at defined frequency to relevant officers to make them aware of the status of e-file and help them take pro-active action in disposal of cases.

8.4.3 Records Manager

This module will be used by Dealing Hand/Section Officer and all other higher officers. The module will let the users create e-records after the e-file has been closed, create requisitions for referencing e-records created outside the section, review e-records on timely basis, monitor and track status of review of all e-records due for review, send alerts for timely review, issue of records and create a back up copy in Disaster Recovery Site.



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The proposed framework will eliminate the need of a physical record room as well as a record officer, as all activities currently being undertaken in a physical record room, such as receiving physical file, allocating location, storage, retrieval of physical file for issue or review and despatch will be moved to an electronic Digital Record Room. Also all e-records will be reviewed on the e-Office platform making the review process quick and efficient. Records will become easy to store, trace, move along with giving added security to the records being maintained.

8.4.4 Knowledge Management

This module will be used for maintaining the knowledge repository of the department. e-Office becomes fully operational across all offices of the Government of India, it is expected that it will replace CS MoP.

9. Concept of Citizen's/Client's Charter

9.1. The Citizen's/Client's Charter is a written declaration by a Government department that highlights the standards of service delivery that it subscribes to, availability of choice for consumers, avenues for grievance redress and other related information. In other words, it is a set of commitments made by a department regarding the standards of service which it delivers.

The Citizen's/Client's Charter is intended to empower citizens and clients so that they can demand committed standards of service and avail remedies in case of non-compliance by service provider organizations. The basic thrust of the Citizen's/Client's charter is to render public services citizen centric by making them demand driven rather than supply driven.

9.2 Citizens

Citizens are individuals, groups of individuals (companies, trusts, associations, unions etc.) and the common public at large. They are outside the government and are generally referred to as *external clients*. Being outside the government machinery, the general presumption is that they do not have sufficient knowledge of the government's internal processes. Therefore the onus is on the service provider to ensure that citizens are well aware of the service standards and the expectations from service recipients. It cannot be presumed that all citizens are literate or understand the official language, and it may be necessary to communicate with them in the local language also.

10. Departmental instructions –

(1) Manual of Office Procedure lays down the essential procedures for efficient paperwork management, i.e. processing, handling and control of official papers, in the Central Secretariat. To provide for sufficient flexibility it suggests the issue of



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departmental instructions which could supplement or vary, within broad limits, the prescribed procedures to suit special conditions and requirements.

- (2) The inspecting officer, at the time of Annual Inspection, shall check whether the Section is ensuring compliance with departmental instructions or not.

10.1 Compilation/consolidation of orders/instructions –

- (1) In April every year, each section will prepare a list of subjects in respect of which orders issued by it require compilation/consolidation.
- (2) The list will be submitted to the Joint Secretary who, after approval of list, will fix a time- bound programme for completion of compilation/consolidation work.
- (3) A copy of this programme will be sent to the designated Section handling work of Internal Work Study.
- (4) The designated Section will submit the report on the progress made to the DAR&PG by 30th April every year.

10.2. Review of rules, regulations and manuals –

- (i) Every section should maintain an up to date list of rules, regulations and manuals administered by it and take action for their review, every three years. 85
- (ii) The designated Section handling work of IWS will report the progress made in review of rules, regulations and manuals to the DAR&PG by 30th of April every year.

11. SEVOTTAM

Sevottam - It is a framework developed for bringing continuous improvement in the quality of service delivery by government organizations. It has three modules of Citizen's Charter, Public Grievance Redress and Service Delivery Capacity.

NOTE: Wherever there is a mention of a format, Manual of Office Procedure (MoP), may be referred as it prescribes formats to collect and prepare information. The service of all information curtailed in the above handout is Central Secretariat Manual of Office Procedure (CS-MoP).



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RIGHT TO INFORMATION⁴

'Information' as a term has been derived from the Latin words 'Formation' and 'Forma' which means giving shape to something and forming a pattern, respectively. Information adds something new to our awareness and removes the vagueness of our ideas. Information is Power, and as the Prime Minister stated, the Government wants to share power with the humblest; it wants to empower the weakest. It is precisely because of this reason that the Right to Information has to be ensured for all. The Right to Information Act 2005 published in the Gazette of India on 21st June, 2005 says that:

"Information" means any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force;

- (a) Record includes-
 - (i) any document, manuscript and file;
 - (ii) any microfilm, microfiche and facsimile copy of a document;
 - (iii) any reproduction of image or images embodied in such microfilm (whether enlarged or not); and
 - (iv) any other material produced by a computer or any other device;

- (b) The Act defines public authority as any authority or body established or constituted;
 - (i) by or under the Constitution;
 - (ii) by any other law made by Parliament;
 - (iii) by notification issued or order made by the Government, and includes any other body owned or controlled by the Government;

- (c) Right to information means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to-
 - (i) inspection of work, documents, records;
 - (ii) taking notes, extracts, or certified copies of documents or records;
 - (iii) taking certified samples of material;
 - (iv) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device;

⁴ Updated by R.K. Kundi, Deputy Director



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2. NEED FOR RIGHT TO INFORMATION

The Right to Information has already received judicial recognition as a part of the fundamental right to free speech and expression. An Act is needed to provide a statutory framework for this right. This law lays down the procedure for translating this right into reality. Information is indispensable for the functioning of a true democracy. People have to be kept informed about current affairs and broad issues - political, social and economic. Free exchange of ideas and free debate are essentially desirable for the Government of a free country. In this Age of Information, its value as a critical factor in socio-cultural, economic and political development is being increasingly felt. In a fast developing country like India, availability of information needs to be assured in the fastest and simplest form possible. This is important because every developmental process depends on the availability of information. Right to know is also closely linked with other basic rights such as freedom of speech and expression and right to education. Its independent existence as an attribute of liberty cannot be disputed. Viewed from this angle, information or knowledge becomes an important resource. An equitable access to this resource must be guaranteed. Soli Sorabjee stressing on the need of Right to Information aim at bringing transparency in administration and public life, says, "Lack of transparency was one of the main causes for all pervading corruption and Right to Information would lead to openness, accountability and integrity". According to Justice P.B. Sawant, "the barrier to information is the single most important cause responsible for corruption in society. It facilitates clandestine deals, arbitrary decisions, manipulations and embezzlements. Transparency in dealings, with their every detail exposed to the public view, should go a long way in curtailing corruption in public life."

3. CONSTITUTIONAL ASPECT OF THE RIGHT TO INFORMATION

Article 19(1) (a) of the Constitution guarantees the fundamental rights to free speech and expression. The prerequisite for enjoying this right is knowledge and information. The absence of authentic information on matters of public interest will only encourage wild rumors and speculations and avoidable allegations against individuals and institutions. Therefore, the Right to Information becomes a constitutional right, being an aspect of the right to free speech and expression, which includes the right to receive and collect information. This will also help the citizens perform their fundamental duties as set out in Article 51A of the Constitution. A fully informed citizen will certainly be better equipped for the performance of these duties. Thus, access to information would assist citizens in fulfilling these obligations.

4. LANDMARK JUDGEMENTS

The need for Right to Information has been widely felt in all sectors of the country and this has also received judicial recognition through some landmark judgments of Indian courts. A Supreme Court judgment delivered by Mr. Justice Mathew is considered a landmark. In his judgment in the state of UP vs. Raj Narain (1975) case, Justice Mathew ruled—"In a government of responsibility like ours, where all the agents of the public must be responsible for their conduct, there can be but a few secrets. The people of this country have a right to know every public act, everything that is done in a public way by their public functionaries. They are entitled to know the particulars of every public transaction in all its bearing. The right to know, which is derived from the concept of freedom of speech, though not absolute, is a factor, which should make one wary when secrecy is claimed



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for transactions, which can at any rate have no repercussion on public security. But the legislative wing of the State did not respond to it by enacting suitable legislation for protecting the right of the people”.

According to Soli Sorabjee - It was in 1982 that the right to know matured to the status of a constitutional right in the celebrated case of S P Gupta vs. Union of India (AIR) 1982 SC (149), popularly known as Judges case. Here again the claim for privilege was laid before the court by the Government of India in respect of the disclosure of certain documents. The Supreme Court by a generous interpretation of the guarantee of freedom of speech and expression elevated the right to know and the right to information to the status of a fundamental right, on the principle that certain unarticulated rights are imminent and implicit in the enumerated guarantees.

The court declared - The concept of an open government is the direct emanation from the right to know which seems to be implicit in the right of free speech and expression guaranteed under article 19 (1) (a).

The Supreme court of India has emphasised in the SP Gupta case (1982) that open Government is the new democratic culture of an open society towards which every liberal democracy is moving and our country should be no exception. In a country like India which is committed to socialistic pattern of society, right to know becomes a necessity for the poor, ignorant and illiterate masses.

In 1986, the Bombay High Court followed the SP Gupta judgment in the well-known case Bombay Environmental Group and others vs. Pune Cantonment Board.

The Bombay High Court distinguished between the ordinary citizen looking for information and groups of social activists. This was considered a landmark judgment concerning access to information.

5. MOVEMENT FOR THE RIGHT TO INFORMATION

Simultaneously very significant development has taken place. The demand for Right to Information has taken the form of mass movement at the grassroots level. A mass based organisation called the Mazdoor Kisan Shakti Sangathan (MKSS) took an initiative to lead the people in a very backward region of Rajasthan - Bhim Tehsil- to assert their right to information by asking for copies of bills and vouchers and names of persons who have been paid wages mentioned in muster rolls on the construction of schools, dispensaries, small dams and community centers. On paper such development projects were all completed, but it was common knowledge of the villagers that there was gross misappropriation of funds with roofless school buildings, dispensaries without walls, dams left incomplete and community centers having no doors and windows.

After years of knocking at officials’ doors and despite the usual apathy of the State government, MKSS succeeded in getting photocopies of certain relevant documents. Misappropriation of funds was clearly obvious. In some cases, the muster rolls contained names of persons who either did not exist at all or died years before. This incident is more than sufficient to show the importance of the ability of information for eradicating mal-practices. With so many scandals emerging from time



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to time, it becomes vital for the management of public fund and survival of democracy.

MKSS organised a Jan Sunwai (People's hearing), the first ever in the history of Rajasthan. Politicians, administrators, landless labourers, private contractors were all invited to listen, respond and, if willing, to defend themselves. Popular response was phenomenal, but village officials and politicians stayed away and remained silent, and thereby weakened their position and darkened their image.

Between December 1994 and April 1995, several other public hearings were organised. People's anger made one engineer of the State Electricity Board to return in public an amount of Rs.15,000 he had extracted from a poor farmer. This grassroots movement is fast spreading to other areas of Rajasthan and to other States establishing firmly that information is power and people should have the right to official information.

In early 1989, the then the Prime Minister Mr. VP Singh declared the attitude of the new Government on the Right to Information and transparent government. He said, "An open system of governance is an essential prerequisite for the fullest flowering of democracy. Free flow of information from the Government to the people will not only create an enlightened and informed public opinion but also render those in authority accountable. In the recent past, we have witnessed many distortions in our information system. The veil of secrecy was lowered many a time not in the interest of national security, but to shield the guilty, vested interests or gross errors of judgments. Therefore, the National Front Government has decided to make the Right to Information a Fundamental Right. A large area of information dissemination also relates to development programmes, their progress and their impact. This will need to be done at the Panchayat and Municipal levels, not only to encourage multi-level planning but also the common man in the villages."

In 1996, Justice PB Sawant, the Chairman of the Press Council of India, drafted the bill keeping in view the dire need of the day and the observations made by eminent persons that in a democracy, it is the people who are the masters and those utilising public resources and exercising public power are their agents. The draft Bill was submitted to the Government of India on 1996.

Subsequently the Govt. of India, Department of Personnel decided to set-up a Working Group on January 2, 1997 under the chairmanship of Mr. HD Shourie.

The Working Group on the 'Right to Information and Promotion of Open and Transparent Government' submitted its comprehensive and detailed report and the draft Bill on Freedom of Information on 24 May, 1997.

Not only the Central and the State Ministries, but also public sector undertakings, municipal bodies and panchayats and other bodies substantially funded by Government, would come within the purview of the Act.

6. FREEDOM OF INFORMATION BILL 2000

Another significant milestone in the history of legislation is the introduction of the Freedom of Information Bill 2000 in the Lok Sabha on July 25, 2000. This was subsequently known as the freedom of Information Act, 2002. The defined objective



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was: it will enable the citizens to have an access to information on a statutory basis. With a view to further this objective, clause (3) of the Bill specifies that subject to the provisions of this Act, every citizen shall have the right to freedom of information. Obligation was cast upon every public authority under clause (4) to provide information and to maintain all records consistent with its operational requirements duly catalogued, indexed by the appropriate Government or the competent authority.

7. THE RIGHT TO INFORMATION ACT, 2005

The Freedom of Information Act, 2002 has since been repealed by Section 31 of the Right to Information Act 2005. The Act proclaims that subject to the provisions of this Act, all citizens shall have the right to information.

The Act provides following obligations of public authorities

- (1) Every public authority shall-
 - (a) Maintain all its records duly catalogued and indexed in a manner and form which facilitates the right to information under this Act and ensure that all records that are appropriate to be computerised are, within a reasonable time and subject to availability of resources, computerised and connected through a network all over the country on different systems so that access to such records is facilitated;
 - (b) Publish within one hundred and twenty days from the enactment of this Act-
 - (i) the particulars of its organisation, functions and duties;
 - (ii) the powers and duties of its officers and employees;
 - (iv) the procedure followed in the decision making process, including channels of supervision and accountability;
 - (iv) the norms set by it for the discharge of its functions;
 - (v) the rules, regulations, instructions, manuals and records, held by it or under its control or used by its employees for discharging its functions;
 - (vi) a statement of the categories of documents that are held by it or under its control;
 - (vii) the particulars of any arrangement that exists for consultation with, or representation by, the members of the public in relation to the formulation of its policy or implementation thereof;
 - (viii) a statement of the boards, councils, committees and other bodies consisting of two or more persons constituted as its part or for the purpose of its advise, and as to whether meetings of those boards, councils, committees and other bodies are open to the public, or the minutes of such meetings are accessible for public;
 - (ix) a directory of its officers and employees;
 - (x) the monthly remuneration received by each of its officers and employees, including the system of compensation as provided in its regulations;
 - (xi) the budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made;
 - (xii) the manner of execution of subsidy programmes, including the amounts allocated and the details of beneficiaries of such programmes;
 - (xiii) particulars of concessions, permits or authorisations granted by it;



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- (xiv) details in respect of the information, available to or held by it, reduced in an electronic form;
 - (xv) the particulars of facilities available to citizens for obtaining information, including the working hours of a library or reading room, if maintained for public use;
 - (xvi) the names, designations and other particulars of the Public Information Officers;
 - (xvii) such other information as may be prescribed and thereafter update these publications every year.
- (c) Publish all relevant facts while formulating important policies or announcing the decisions, which affect public;
- (d) Provide reasons for its administrative or quasi judicial decisions to affected persons;
- (2) It shall be a constant endeavour of every public authority to take steps in accordance with the requirements of clause (b) of sub-section (1) to provide as much information suo motu to the public at regular intervals through various means of communications so that the public have minimum resort to the use of this Act to obtain information.
- (3) For the purpose of sub-section (1), every information shall be disseminated widely and in such form and manner which is easily accessible to the public.
- (4) All materials shall be disseminated taking into consideration the cost effectiveness, local language and the most effective method of communication in that local area and the information should be easily accessible, to the extent possible in electronic format with the Public Information Officer, available free or at such cost of the medium or the print cost price as may be prescribed.

Explanation- For the purposes of sub-sections (3) and (4), "disseminated" means making known or communicated the information to the public through notice boards, newspapers, public announcements, media broadcasts, the internet or any other means, including inspection of offices of any public authority.

Exemption from disclosure of information is limited to:

- (1) Notwithstanding anything contained in this Act, except as otherwise provided herein, the following information shall be exempted from disclosure, namely:-
- (a) Information, the disclosure of which would,-
 - (i) prejudicially affect the sovereignty and integrity of India, security, strategic, scientific or economic interest of the State, relation with foreign State; or
 - (ii) lead to an incitement to commit an offence;
 - (b) information, which has been expressly forbidden to be disclosed by any court of law or tribunal or the disclosure of which may constitute contempt of court;
 - (c) information, the disclosure of which may result in a breach of privileges of



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- Parliament or the Legislature of a State;
- (d) information, including commercial confidence, trade secrets or intellectual property, the disclosure of which would harm the competitive position of a third party: Provided that such information may be disclosed, if the competent authority is satisfied that a larger public interest warrants the disclosure of such information;
 - (e) information available to a person in his fiduciary relationship: Provided that such information may be disclosed, if the competent authority is satisfied that a larger public interest warrants the disclosure of such information;
 - (f) information received in confidence from a foreign government;
 - (g) information, the disclosure of which would endanger the life or physical safety of any person or cause to identify the source of information or assistance given in confidence of law enforcement or security purposes;
 - (h) information, the disclosure of which would impede the process of investigation or apprehension or prosecution of offenders;
 - (i) the Cabinet papers, including records of deliberations of the Council of Ministers, Secretaries and other officers:

Provided that the decisions of the Council of Ministers, the reasons thereof, and the material on the basis of which the decisions were taken, shall be made public after the decision has been taken, and the matter is complete, or over:

Provided further that those matters which come under the exemptions listed in this section shall not be disclosed;

- (j) information which relates to personal information, the disclosure of which has no relationship to any public activity or interest or which would cause unwarranted invasion of the privacy of the individual:

Provided that such information may be disclosed, if the Public Information Officer or the appellate authority, as the case may be, is satisfied that the larger public interest justifies the disclosure of such information.

(2) Information, which cannot be denied to Parliament or Legislature of a State, as the case may be, shall not be denied to any person.

(3) Notwithstanding anything in the Official Secrets Act, 1923 a public authority may, notwithstanding the exemptions specified in sub-section (1), allow access to information if public interest in disclosure of the information outweighs the harm to the public authority.

(4) Subject to the provisions of clauses (a) (c) and (i) of sub-section (1), any information relating to any occurrence, event or matter which has taken place or occurred twenty years before the date on which any request is made under section 6, shall be provided to the person making the request under that section: Provided that where



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any question arises to the date from which the said period of twenty years has to be computed, the decision of the Central Government shall be final.

8. NOTES ON SECTIONS OF THE RIGHT TO INFORMATION ACT 2005

Section 1 deals with the short title, extent and the commencement of the legislation. The legislation will come into force on the one hundred and twentieth day of its assent by the President.

Section 2 defines various words and expressions used in the Bill.

Section 3 seeks to confer on the citizens a right of access to information held by public authorities.

Section 4 seeks to entrust a duty on every public authority to maintain records and publish manuals rules, regulations, instructions, etc. in its possession.

Section 5 provides for designation of Public Information Officers and Assistant Public Information Officers.

Section 6 specifies the manner in which requests may be made by a citizen to the authority for obtaining the information. It also provides for transferring the request to the other concerned public authority who may hold the information.

Section 7 lays down specific time limit within which a public authority shall provide information and the fees to be paid for processing the request and for providing the information.

Section 8 deals with various categories of information which shall be exempted from disclosure.

Section 9 empowers the Public Information Officer to reject a request for information where an infringement of a copyright subsisting in a person would be involved.

Section 10 enables the public authority to sever and provide partial information which falls partly under the exempted categories and partly under the non-exempted categories.

Section 11 provides for consultation with the third party where the request relates to or has been supplied by a third party and has been treated as confidential by that party.

Sections 12 to 18 provides for constitution of Central Information Commission, the terms and conditions of service and the powers of the Information Commissioners and the Deputy Information Commissioners.

Section 19 seeks to provide for first and second appeals, the first appeal lies with the officer senior in rank to the Public Information Officer and the second appeal may be made to the Commission.

Section 20 provides for imposition of penalty on a Public Information Officer for



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failing to provide information without any reasonable cause within the specified period.

Section 21 bars the institution of legal proceedings against any person for things done in good faith under the Act.

Section 22 seeks to make the legislation overriding in character so that the scheme is not subverted through the operation of other enactment.

Section 23 seeks to bar the jurisdiction of the subordinate courts.

Section 24 seeks to exempt certain intelligence and security organisations from the purview of the legislation but information pertaining to allegation of corruption, and human rights violation, shall, without prejudice to the exemption, be provided.

Section 25 provides for preparation of an annual report by the Commission and laying of such report by the Central Government before each House of Parliament.

Section 26 seeks to cast an obligation on the Central Government to develop and promote schemes for advancement of the information regime.

Section 27 seeks to empower the Central Government to make rules so as to carry out the provisions of the legislation.

Section 28 seeks to empower the competent authority to make rules so as to carry out the provisions of the legislation.

Section 29 seeks to require the Central Government to lay the rules before each House of Parliament.

Section 30 empowers the Central Government to remove difficulties in giving effect to the provisions of the legislation within a period of two years from the commencement of the legislation.

Section 31 seeks to repeal the Freedom of Information Act, 2002.



PARLIAMENTARY PROCEDURE⁵

A few Parliamentary Terms

1. **PARLIAMENT** of India consists of the president and two Houses - the Rajya Sabha (council of states) and the Lok Sabha (House of the people). Though the president is a constituent part of parliament, he does not sit or participate in the discussions in either of the two Houses. Rajya Sabha consists of not more than 250 members. It includes 12 members nominated by the president and 238 members selected by the States and the Union Territories. The Rajya Sabha at present consists of 245 members. The maximum strength envisaged for the Lok Sabha is 550 apart from two nominated members (Anglo-Indians), if necessary.
2. **SUMMONING OF THE HOUSE-** From time to time the president summons each House of Parliament to meet to transact business. The gap between the last sitting of one session and the next sessions should not be exceed six months.
3. **SITTINGS OF THE HOUSE:** Assembling of the members of a House to transact the business allotted on a day during the session is termed as a "sitting". Unless the speaker directs otherwise, sittings of the House ordinarily commences as under :-

Sr. no.	Details	Rajya Sabha	Lok Sabha
(a)	Normal working hours	1100 hrs. to 1700 hrs.	1100 hrs.to1800 hrs.
(b)	Lunch hours	1300 hrs. to 1430 hrs.	1300 hrs. to 1400 hrs.

There have been many occasions when the house decides to dispense with the lunch break and even sits late hours.

4. **SESSSION:** is a series of sittings of the House over a period during which certain pre-determined business are to be transacted. There are normally 3 sessions namely, Budget Session, Monsoon Session and Winter Session, in a year.
5. **QUORUM:** It is the minimum number of MPs whose presence in the House is necessary to transact business. The Quorum to constitute a sitting of the Lok Sabha is 1/10th of the total membership. The existence of quorum is ascertained at the beginning of the sitting each day before the Speaker takes the Chair. If it is found that there is no quorum, the quorum bell is rung and the Speaker takes his seat only after there is a quorum. This procedure is followed whenever the House reassembles after the lunch break or after any adjournment. During the rest of the sitting of the day, the question of quorum is usually not raised by any member. But even if a single member raises it any time, proceedings have to be interrupted and quorum bell rung. Proceedings can then be resumed only after there is quorum.
6. **ADJOURNMENT:** It means postponement of a sitting of the House. The postponement may be to an hour or part of the same day or sine die. (i. e. without any definite date being fixed for the next meeting. The power to adjourn a sitting of the House vests in the Presiding Officer. He may also call a sitting of the House

⁵ Last Reviewed by Biswajit Banerjee, Assistant Director



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before the day/ hour to which it had been adjourned or at any time after the House has been adjourned sine-die. Adjournment has no effect on the business pending before the House.

PROROGATION: It is termination of a session of the House, an order of the President. A sitting of the House after prorogation can be held only when the President summons the House afresh. All the pending business before the House except the following lapses on prorogation:-

Bills pending before either House or before Select / Joint Committee of the House.

(b) Any business pending before a Committee of the House (Rule 284 of the LS Rules and Rule 226 of the RS Rules).

(c) Notice of intention to move for leave to introduce a Bill.

(d) A motion, resolution or an amendment which has been moved and is pending in the House.

7. **DISSOLUTION:** It means the end of the life of the Lok Sabha. Rajya Sabha being a permanent body is never dissolved. Dissolution takes place either:-

- 1) On expiry of the term of 5 years; or
- 2) On expiry of the extended term during a proclamation of emergency or;
- 3) By exercise of the President's power under Art. 85 (2) of the Constitution of India.

The power to dissolve the Lok Sabha is vested in the President. All business pending before the Lok Sabha and in the Parliamentary Committees lapses with the dissolution except the following:-

- a. Bills originating in the Rajya Sabha which have not been passed by the Lok Sabha but which are still pending before the Rajya Sabha;
- b. Assurances given by the Ministers on the floor of the House which are yet to be implemented.

8. **TABLE OF THE HOUSE:** The Table below the Presiding Officer's podium and in front of the table of the Secretary General of the House, but excluding the semi - circle table of the Reporters is called the Table of the House.

9. **LAYING OF PAPERS ON THE TABLE:** It means that the authenticated copy of the papers to be laid on the Table is kept the Table. If necessary, it may be made available to the member on request after the Minister formally states that he lays the paper on the Table. It does not imply that the Minister is required to hand over the paper physically at the Table.

10. **MINISTER: Means a member of the Council of Ministers.**

11. **LEADER OF THE HOUSE:** Prime Minister is the leader of the House in the Lok Sabha if he is a member of the House, otherwise a minister nominated by him who is a



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member of the Lok Sabha will be the leader of the House in Lok Sabha. In Rajya Sabha the leader is appointed by the P.M. from among member of his Cabinet. The leader of the House is responsible for arrangement of the Govt. business in the House.

12. **PRIVATE MEMBER :** Any member of Lok Sabha or Rajya Sabha who is not a member of the Council of Ministers.
13. **QUESTIONS: A** Parliament question is one of the devices available to a Member of Parliament to seek information on a subject. They are of three types, namely:
 - 14.1 **Starred Question:** It is to be answered orally by the Minister. Answers to such Questions may be followed by supplementary questions. These question are distinguished by an asterisk (*) mark.
 - 14.1 **Unstarred Question:** it does not carry the (*) mark and only a written answer is given. No supplementary Questions can be asked.
 - 14.2 **Short Notice Question:** A Question which relates to a matter of urgent public importance and which can be asked with a notice shorter than 10 days against the normal notice of minimum 10 days and maximum 21 days (for Starred and Unstarred question), is called Short Notice Question. Such Questions are answered orally and subject to concurrence of the concerned minister. If the Minister does not accept the Short Notice Question, it may be put as a regular Question.
15. **PARLIAMENTARY COMMITTEE:** A Committee appointed/nominated/elected by the Parliament. It reports to the House/Presiding Officer. It works under the directions of the Presiding Officer of the House concerned. It is serviced by the Lok Sabha/Rajya Sabha Sectt. As the case may be.
16. **WELL OF THE HOUSE:** It is the “U” shaped area between Table of the House and the first row of the Ministers/Member.
17. **ZERO HOUR:** The Time immediately following the Question Hour in both the Houses (12.00 hrs.) is popularly known as “Zero Hour” by the media. Several members are on their feet during the Zero Hour to raise matters which they feel cannot brook any delay even if there are no rules permitting them. Since matters are raised without permission or prior Notice, the Presiding Officers do not encourage such interruptions of the regular business of the House. For the same reason the Government is not obliged to reply.
18. **OFFICIAL REFERENCE BOOKS :** Some of the official reference books are:
 - (a) Rules of Procedure and Conduct of Business in Lok Sabha.
 - (b) Rules of Procedure and Conduct of Business in Rajya Sabha.
 - (c) Directions by the Speaker under the Rules of Procedure and Conduct of Business in Lok Sabha.
 - (d) A memorandum on the preparation and passing of Bills issued by the Ministry of Law.
 - (e) Manual for handling parliamentary work in the Ministries (Ministry of Parliamentary Affairs).

These are available at <http://loksabha.nic.in/> and at <http://loksabha.nic.in/>



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PARLIAMENTARY PROCEDURES: SYNOPTIC NOTE ON QUESTIONS

1 WHAT IS A “QUESTION”?

A “Question” is one of the devices available to a Member of Parliament to raise a matter on the floor of the House.

2 WHY IS A “QUESTION” ASKED BY AN M.P.?

For any of or all the following reason(s):

To elicit information on matters of public importance.

- (a) To focus on the omissions and commissions of the executive organ of the Government
- (b) To gauge the public opinion.

3 WHAT ARE THE TYPES OF QUESTIONS?

	Points Of Difference	Starred Question	Unstarred Question	Short Notice Questions
a)	Nature of reply	Written for original Question. Oral answers with supplementary	Written answers: No supplementary	Written for original Question. Oral answers with supplementary
b)	Notice period (in no. of days)	Min. 10 Max.21	Min. 10 Max.21	Less than 10 days
c)	Maximum number of questions asked in a day	20 + Questions Transferred / postponed	230 + Max. 25 regarding States under President’s Rule	One
d)	Time	During Question Hour	During Question Hour	Immediately after One Hour
e)	Days	As allotted to the Department (Fixed days)	As allotted to the Department (Fixed days)	Any day of the week.
f)	Colour of the paper used i) Lok Sabha ii) Rajya Sabha	Green Pink	White Yellow	Pink White
g)	Special features	-	-	Urgent matter of public importance Consent of the Minister is required.

Note: Yet another type of question is the Questions to the Private Members, provided it relates to the subject matter of a bill introduced by him. However, no short notice questions can be addressed to him. Nor is supplementary question allowed.



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4 ADMISSIBILITY OF QUESTIONS

Members of Parliament have a right to ask questions. However, the right is governed by certain conditions. Some of them are (i.e. the following types of questions are not admitted):

- (i) Questions referring to the character of conduct of any person except in official of public capacity.
- (ii) Questions seeking expressions of opinion to an abstract legal question or a hypothetical proposition.
- (iii) Questions to which information is available in accessible documents or in ordinary works of reference.
- (iv) Questions which are in substance repetitions of those answered previously.
- (v) Questions the subject-matter of which is pending before any court of law or before a parliamentary committee.
- (vi) Questions making discourteous reference to foreign countries with whom India has friendly relations.
- (vii) Questions seeking information, which are secret in nature, e.g. regarding Cabinet discussions or advice given to the President. Etc.
- (viii) Questions to pursue a matter already under correspondence between the member and the minister or the Ministry.

5 ACTION IN THE DEPARTMENT.

- (i). Check whether the Question pertains to your Department or not.

If “No” Desk Officer/Branch Officer to ring up the counterpart in the Department. to which the question belongs, for transfer of the question. If the request is accepted, then the accepting Department has to send an acceptance communication to Lok Sabha/Rajya Sabha same day. In the mean time, the Question should be sent immediately to the officer concerned, under intimation to the Lok Sabha/Rajya Sabha Secretariat. On the other hand, if the request is not agreed to, the matter will be resolved at the level of the Senior Officers without delay or noting, if ultimately, the Department concerned declines to accept the transfer, or the communications accepting the transfer is not received by the Lok/Rajya Sabha Secretariat, the Question may be answered under compulsion but thereafter, the issue be perused with the Deptt. concerned to accept future questions on the subject.

- (ii) Check whether the Question pertains to your Section/Desk. The transfer, if necessary, is to be settled at the level of the Section Officer/Desk Officer/Branch Officer failing which the assistance of the O&M officer will be sought to resolve the matter, without delay or noting.
- (iii)(a) Examine the admissibility of the Question with reference to Rule 41 of Rules of Procedure & Conduct of Business in Lok Sabha & Rules 47 of Rules of Procedure & Conduct of Business in Rajya Sabha
- (b) if required by the RS/LS Secretariat Relevant “FACTS OF THE CASE” may be communicated to the LS/RS Secretariat for deciding the admissibility of the



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question. While communicating the facts of a case to the LS/RS Sectt. Information of confidential nature will be marked as such and the RS/LS Sectt. Advised that the information should not be disclosed to the member giving notice thereof.

(iv) Collect information/materials to frame a draft reply and also “NOTE FOR SUPPLEMENTARIES” (where necessary).

- (a) Devise a proforma to collect the information.
- (b) Information to be sought will be limited to what is not available, or to make available the information up-to-date.
- (c) Only those concerned should be asked to furnish the relevant information.
- (d) Tabulation or compilation of information collected to frame answer or to prepare a note for supplementary will be started without waiting for the replies from all.

6 DRAFTING

- (a) prepare a tentative draft reply (and a draft note for supplementary in case of Starred and Short Notice Question) immediately on receipt of the provisionally admitted list of questions.
- (b) Review the drafts on receipt on the printed list of admitted questions and, if necessary, revise the reply so that it conforms to the admitted form (version) of the question.
- (c) In preparing the draft reply, re-produce the parts of the questions and set out their replies in parallel columns against each part.
- (d) If Starred Question, indicate the position of the question in the printed list on the top right hand corner.
- (e) Be as precise, unambiguous and complete as possible while drafting a reply. Avoid evasive expressions.
- (f) As far as possible answer each part of the question separately.
- (g) As far as possible avoid an interim reply that “information is being collected and will be placed on the table of House” which tantamount to an assurance.
- (h) Place a copy of the document whether published under the authority of the Govt., or otherwise in the Parliament Library when a reply to question refers to information available in a document.
- (i) If a question is on the printed list, it has to be answered even though the reply may be that it would not be in the public interest to give the information asked for.
- (j) When the question is in Hindi, the reply will be in Hindi and it will be treated as the authentic version. The English version will be treated as its translation.
- (k) Add “Note for Supplementary” for use of the Minister to all the draft replies to starred questions and short notice question. It should be comprehensive, but brief. It should cover the likely supplementary questions with reference to the nature of the question and the context in which the member raised it.
- (l) If inadvertently, an answer to a question contains any inaccuracy, it may be corrected after following the procedure prescribed.



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SYNOPTIC NOTE ON PARLIAMENTARY COMMITTEE

1. WHAT IS PARLIAMENTARY COMMITTEE?

1.1 A Parliamentary Committee:

- 1.1.1 is a group of Members of parliament;
- 1.1.2 is either appointed / elected by the House or nominated by the Presiding Officer;
- 1.1.3 works under the directions of the Presiding Officer;
- 1.1.4 Presents its report to the House or to the Presiding Officer;
- 1.1.5 The Lok Sabha/Rajya Sabha Secretariat provides the Secretarial assistance to it; and
- 1.1.6 As far as possible, different parties and groups are represented on a Committee in proportion of their respective strength in the house. Therefore, a Committee is a microcosm of the whole House.

2. WHY PARLIAMENTARY COMMITTEE?

- 2.1 The work done by the Parliament in modern times it varied in nature. It is also considerable in volume. The time at its disposal is limited. Therefore, it cannot give close consideration to all the legislative and other matters that come up before it. Hence, a good deal of its business is transacted in Committees of the House.

3. TYPES OF PARLIAMENTARY COMMITTEES

Parliamentary Committees are of two kinds:

Ad-hoc Committees and the **Standing Committees**

- 3.1 ***Ad-Hoc* Committees** are appointed for a specific purpose and they cease to exist when they finish the task assigned to them and submit a report. The Select Committees and Joint Select Committees on Bills, which sometimes are appointed to examine Bills clause by clause, are examples of Ad-hoc Committees. In the past some Ad-hoc Committees were appointed for specific purposes like: the Hindi Equivalents Committee, Committee to bring about reconciliation between the Sikhs and the Nirankaris.
- 3.2 Apart from the Ad-hoc committees, each House of Parliament has Standing committees like Business Advisory Committee, the Committee on Petitions, the Committee on Privileges, the Committee on papers laid on the Table, the Business Advisory Committee, the Committee on Private Members Bills and Resolutions.
- 3.3 A large number of **Standing Committees** of parliament have been constituted to control and to keep surveillance over the Executive. Some of Standing committees of this kind are: the Committee on Subordinate Legislature, the



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Committee on Government Assurances, the Public Accounts Committee, the Estimates Committee, the Committee on Public Undertakings.

4. GENERAL

4.1 CHAIRMAN: The Chairman of all the parliamentary Committees are appointed by the Presiding Officer from among the members of the Committee. In case, the Presiding Officer is member of a Committee, he is ex-officio Chairman of that committee. In case, the Presiding Officer is not member of the Committee, but the Deputy presiding Officer is, he is appointed as Chairman of that Committee.

4.2 QUORUM: to constitute a sitting of a Committee is one third of the total number of members of the committee.

4.3 "IN-CAMERA SITTINGS": This sitting of a Committee are held in private. A members of the Committee or anyone who have access to proceedings of the Committee is not permitted to communicate directly or indirectly, to the press any information regarding its proceedings etc. before the report has been presented to the House

4.4 All issues at any sitting of a Committee is determined by a majority of votes of the members present and noting. In the case of an equality of votes on any matter, the Chairman or the person acting as such, shall have a second or a casting vote.

4.5 The Committees may appoint sub-committees, take evidence or call for documents, send for persons, papers and records and make special reports to the House.

4.6 The Committees have powers to summon anyone as witness and to examine the files.

4.7 With the dissolution of Lok Sabha, the Parliamentary Committees of that House ceased to exist.

5. FUNCTIONS

5.1 The functions and other details of some of the Parliamentary Committees are given below:-



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DETAILS REGARDING A FEW PARLIAMENTARY COMMITTEES

Sl. No.	Name of the Committee	Composition	Term	Function
1	Public Account Committee (PAC)	LS - 15 RS - 7 <hr/> 22	One Year	<p>(a) Examine the appropriation of accounts of the govt. and the Reports of the Comptroller and Auditor general to satisfy itself:</p> <p>(i) that the money disbursed were equally available for and applicable to the service or purpose for which they have been applied.</p> <p>(ii) that the expenditure conforms the authority which governs it</p> <p>(iii) that every re-appropriation has been made properly.</p> <p>(b) examines various aspects of Govt. 's tax administration (under assessment, tax-evasion, non-levy of duties, misclassification etc.) and makes recommendations to check the leakage of revenue.</p>
2	Estimates Committee	30 Cell LS members	One Year	<p>(a) To report what economics, improvements in organization, efficiency or administrative reforms, may be effected consistent with the policy under lying the estimates.</p> <p>(b) To suggest alternative policies in order to bring about efficiency and economy in administration.</p> <p>(c) To suggest the form in which estimates shall be presented to Parliament.</p>
3	Committee on Public Undertakings (CPSU)	LS - 15 RS - 7 <hr/> 22	One year	<p>(a) To examine the Reports and Accounts of the Public Undertakings and the Reports of the comptroller and auditor General thereon.</p> <p>(b) to examine, in the context of the autonomy and efficiency of the Public undertakings whether the affairs of the PSUs are being managed in accordance with the sound business principles and prudent commercial practices.</p> <p>(Matters of major govt. Policy not examined)</p>



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DEPARTMENTALLY RELATED STANDING COMMITTEES OF PARLIAMENT

1.0 SALIENT FEATURES:

- ❑ There are 24 departmentally related Standing Committees of the Houses.
- ❑ The term of office of the members of the committees shall not exceed one year.
- ❑ The venue of sittings of the Standing Committees shall be the precincts of Parliament House. However, with the specific permission of the Chairman, Rajya Sabha, or the Speaker, Lok Sabha, the Committee may work in any other place.
- ❑ After deliberations, the Committees shall submit a report.
- ❑ The reports of the Committees shall be based on broad consensus. A member of the committee may give note of dissent on the report of the Committee. The note of dissent shall be presented to the Houses along with the report.
- ❑ The general rules applicable to other Parliamentary Committees in Rajya Sabha/Lok Sabha shall apply to Standing Committees.
- ❑ The Committee may avail of the expert opinion or the public opinion to make the report.
- ❑ The Standing committees shall not generally consider the matters, which are considered by the other Parliamentary Committees.
- ❑ The reports of the Standing Committees shall have persuasive value and shall be treated as considered advice given by the Committees.

2.0 CONSTITUTION:

2.1 Each of the Standing Committees shall consist of not more than 45 members. 30 members to be nominated by the Speaker from among members of Lok Sabha and 15 members to be nominated by the Chairman, Rajya Sabha, from among members of Rajya Sabha.

2.2 A Minister shall not be nominated as a member of the committee. If a member after his nomination to the committee is appointed a Minister, he shall cease to be the member of the Committee from the date of such appointment.

2.3 The Chairman of committees in Part I of the Annex shall be appointed by the Chairman, Rajya Sabha. The Chairman of the Committees specified in Part II of the Annex shall be appointed by the Speaker. The Chairman shall be from among the members of the Committees.

3.0 FUNCTIONS:

3.1 The functions of each of the Standing Committees shall be:

- 3.1.1 to consider the Demands for Grants of the concerned Ministries/Departments and make a report on the same to the House. The report shall not suggest anything of the nature of cut motions;
- 3.1.2 to examine such Bills pertaining to the concerned Ministries/Departments as are referred to the Committee by the



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- Chairman, Rajya Sabha or the Speaker, as the case may be, and make report thereon;
- 3.1.3 to consider annual reports of Ministries/Departments and make reports thereon; and
- 3.1.4 to consider national basic long term policy documents presented to the Houses, if referred to the Committee by the Chairman, Rajya Sabha or the Speaker, as the case may be and make report thereon.
- 3.2 The Standing Committees shall not consider the matters of day to day administration of the Ministries/Departments concerned.

4. PROCEDURE RELATING TO DEMANDS FOR GRANTS

- 4.1 The Standing Committees shall follow the following procedures in their consideration of the Demands for Grants and making a report on them to the House.
- 4.1.1 after the general discussion on the Budget in the Houses is over, the Houses shall be adjourned for a fixed period;
- 4.1.2 the Committees shall consider the Demands for Grants of the concerned Ministries during the aforesaid period;
- 4.1.3 the Committees shall make their report within the period and shall not ask for more time;
- 4.1.4 the Demands for Grants shall be considered by the House in the light of the reports of the Committees; and
- 4.1.5 there shall be a separate report on the Demands for Grants of each Ministry.

5. PROCEDURES RELATING TO BILLS

- 5.1 The Standing Committees shall follow the following procedures in examining the Bills and making report thereon:
- 5.1.1 the Committee shall consider the general principles and clauses of the Bills referred to them and make report thereon;
- 5.1.2 the Committee shall consider only such bills introduced in either of the Houses as are referred to them by the Chairman, Rajya Sabha or the Speaker, as the case may be; and
- 5.1.3 the committee shall make report on the Bills in the given time.

[REFERENCE: Amended Rule 33IC-33IN of the Rules of Procedure and conduct of Business in Lok Sabha.]



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ANNEX

Ministries / Departments under the jurisdiction of the Standing Committees.

[See paras 1.1 and 2.3 of the note]

PART - I

S.No	Name of the Committee	Ministries/Departments
1	Committees on Commerce	1) Commerce 2) Textiles
2	Committee on Home Affairs	1) Home Affairs 2) Law, Justice & Company Affairs 3) Personnel, Public Grievances & Pension
3	Committee on Human Resource Development	1) Human resource Development 2) Health and Family Welfare
4	Committee on Industry	1) Industry 2) Steel 3) Mines
5	Committee on Science & technology, Environment & Forests	1) Science & Technology 2) Electronics 3) Space 4) Ocean Development 5) Biotechnology 6) Environment & Forests
6	Committee on Transport & Tourism	1) Civil Aviation 2) Surface Transport 3) Tourism

PART - II

S.No	Name of the Committee	Ministries/Departments
7	Committees on Agriculture	1) Agriculture 2) Water Resources 3) Food Processing
8	Committee on Communications	1) Information & Broadcasting 2) Communications
9	Committee on Defence	Defence
10	Committee on Energy	1) Coal 2) Non-conventional Energy



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		source 3) Power 4) Atomic Energy
11	Committee on External Affairs	External Affairs
12	Committee on Finance	1) Finance 2) Planning 3) Programme Implementation
13	Committee on Food, Civil Supplies and Public Distribution	1) Food 2) Civil Supplies, Consumer Affairs & Public Distribution
14	Committee on Labour and Welfare	1) Labour 2) Welfare
15	Committee on Petroleum & Chemicals	1) Petroleum & Natural Gas 2) Chemicals and Petrochemicals 3) Fertilizers
16	Committee on Railways	Railways
17	Committee on Urban and Rural Development	1) Urban Development 2) Rural Development

ASSURANCES

1.0 WHAT IS AN ASSURANCE?

1.1 If a minister gives a promise or an undertaking during the course of reply given to a question or a discussion which involves further action on the part of Government in reporting back to the house, such a promise or an Undertaking is called an "Assurance". A Standard List of expressions, which normally constitute an assurance, is at Annex - I of this note.

1.2 All directions by the Presiding Officer involving action on the part of Ministers are also complied with as Assurances.

2.0 THE PROCEDURE

2.1 All assurances given by the Minister are extracted by the Ministry of Parliamentary Affairs (MPA) from the relevant proceedings and communicated to the Ministry/Department concerned normally within 10 days of the date on which they are given. If the administrative department has any objection to treating such an item as an assurance or finds that it would not be in the public interest to fulfill it, it will write to the to the Rajya Sabha Secretariat or the Lok Sabha Secretariat within a week of the receipt of such communication for getting it deleted from the list of assurances. Such action will require approval of the Minister concerned.



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2.2 At the same time, the Departments will also keep tract of the assurances given by their Ministers while replying to questions or otherwise on the floor of the House and initiate action for their implementation in anticipation of receipt of a formal communication from the MPA. An Assurance will, however, be treated as such only after receipt of a formal communication from MPA.

3.0 TIME LIMIT

3.1 An assurance is required to be fulfilled within a period of 3 months from the date of assurance. If there are any genuine and practical difficulties in fulfilling the assurance within this period, the Ministry may, with the approval of the minister, make a reference to the Rajya Sabha Secretariat or the Lok Sabha giving specific reasons for the delay and the probable time required so that the Committee on governmental assurances (CoGA) may be appraised of the position and required for the extension of time.

3.2 The extension can be granted by the CoGA. All requests for extension should reach the Secretariat concerned 7 days before the expiry of the stipulated period of 3 months or the expiry of any extension already sought.

4.0 REGISTER OF ASSURANCES

4.1 A register is to be maintained in the Parliament Unit/Section of the Ministry concerned, to monitor the implementation of the various assurances given. Similarly, another register is to be maintained in each Section/Desk in the Ministry to monitor fulfillment of assurances. It is maintained to ensure that extension(s) is (are) sought in time without any delay. It is maintained separately for Lok Sabha and Rajya Sabha, entries therein being made session-wise. The register of assurances maintained by the section/Desk will be as in Annex-II.

4.2 The Section Officer/Desk Officer should:

- (a) scrutinize the registers once a week;
- (b) ensure that necessary follow-up action is taken to fulfil the assurance without any delay; and
- (c) submit the register to the branch officer every fortnight if the House concerned is in session and once a month otherwise, drawing his special attention to assurances which are not likely to be implemented within a period of 3 months.

5.0 FULFILMENT OF AN ASSURANCE

5.1 Every effort should be made to fulfill the assurance within the prescribed time. In case, only part of the information is available and collection of the remaining information involves considerable time, the available information should be supplied to the MPA within the stipulated time. Efforts for expeditious collection of the remaining information for complete implementation of the assurance at the earliest should be continued.

5.2 Information to be supplied in partial or complete fulfillment of an assurance should be approved by the minister concerned. The Implementation Report should be in the format as at Annex-III. The Report should be sent to the MPA who would arrange to pay it on the table of the House.



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6.0 NUMBER OF COPIES

- 6.1 If the assurance was given to a member, 15 copies each in English and Hindi of the Implementation Report should be sent to the MPA. For each additional member, one extra copy has to be added. Once copy each in Hindi and English will be duly authenticated by the officer forwarding the implementation report.

7.0 COMMITTEE ON GOVERNMENT ASSURANCE

- 7.1 Each House of Parliament has a Committee on Government Assurances nominated by the Chairman / . While the committee of Rajya Sabha has 10 members, the functions of the Committee are (a) to scrutinize the assurances so given by the ministers on the floor of the House and (b) to report to the House, the extent to which such assurances have been implemented and, where implemented, whether such implementation has taken place within the minimum time necessary for the purpose.

8.0 EFFECT OF THE DISSOLUTION OF THE HOUSE

- 8.1 The assurances given by ministers on the floor of the House which are pending implementation by the Government and of which a report has been made by the Committee on Government Assurances are deemed not to lapse on dissolution of the House.

ANNEXURE - I

STANDARD LIST OF EXPRESSIONS WHICH CONSTITUTE AN ASSURANCE

(As approved by the Committee on Government Assurances of the Rajya Sabha at its listing held on the 24th July, 1972)

1. The matter is under consideration.
2. I shall look into it.
3. Enquiries are being made.
4. I shall inform the Hon'ble Member.
5. This is primarily the concern of State Government but i shall look into it.
6. I shall write lo the State Governments.
7. I assure the House all suggestions by Hon'ble Member will be carefully considered.
8. I shall study, the conditions on the spot during my tour.
9. I shall consider the matter.
10. I will consider it.
11. I will suggest to the State Government.
12. We will put the mailer in the shape of a resolution.
13. I shall see what can be. done about it.
14. I will look into the matter before I can say anything.
15. The suggestion will be taken into consideration.
16. The matter will be considered in the conference to be held on_____.
17. The matter is still under examination and if anything required to be done it will



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- certainly be done.
18. The mailer will be taken up with the Government of-
 19. I have no information; but I am prepared to look into the matter.
 20. Efforts are being made to collect the necessary data.
 21. The suggestions made will be borne in mind while framing the rules.
 22. If the Hon'ble Member so desires. I can issue further instructions.
 23. Copy of the report when finalised, will be placed in the Parliament Library.
 24. I shall supply it to the Hon'ble Member.
 25. I think it can be done.
 26. If the Hon. Member's allegation is true. I shall certainly have (the matter gone into).
 27. We shall have to find that out.
 28. I will draw the attention of theGovernment who I hope will take adequate steps in this direction.
 29. It is a suggestion for action which will be considered.
 30. (Discussion of Railway Budget). All the points raised by various Members will be considered and the result will be communicated to each Member.
 31. Information is being collected and will be laid on the Table of the Rajya Sabha.
 32. I am reviewing the position.
 33. Directions by the Chairman, Deputy Chairman or the Vice-Chairman involving action on the part of Ministers.
 34. All specific points on which information is asked for and promised.

STANDARD LIST OF EXPRESSIONS CONSTITUTING ASSURANCES IN LOK SABHA

1. The matter is under consideration.
2. I shall look into it,
3. Enquiries are being made.
4. I shall inform the Hon'ble Member.
5. This is primarily the concern of State Governments but I shall look into it.
6. I shall write to the State Government.
7. I assure the House all suggestions by Hon'ble Member will be carefully considered.
8. I shall study the conditions on the spot during my tour.
9. I shall consider the matter.
10. I will consider it.
11. I will suggest to State Governments.
12. We will put the matter in the shape of a resolution.
13. I shall see what can be done about it.
14. I will look into the matter before I can say anything.
15. The suggestion will be taken into consideration.
16. The matter will be considered at the _____ conference to be held on _____
17. The matter is still under examination and if anything is required to be done, it will certainly be done.



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- 18. The matter will be taken up with the Government of _____.
- 19. I have no information; but I am prepared to look into the matter.
- 20. Efforts are being made to collect the necessary data.
- 21. The suggestions made well be borne in mind while framing the rules.
- 22. If the Hon'ble Member so desires, I can issue further instructions.
- 23. Copy of the report, when finalised, will be placed in the Library of the House.
- 24. I shall supply it to Hon'ble Member.
- 25. I think it can be done.
- 26. If the Hon'ble Members' allegation is true, I shall certainly have the matter gone into.
- 27. We shall have to find that out.
- 28. I will draw the attention of the _____ Government who I hope will take adequate steps in the directions.
- 29. It is a suggestion for action, which will be considered.
- 30. All the points raised by various Members will be considered and the result will be communicated to each member.
- 31. Information is being collected and will be laid on the Table of the House.
- 32. I am reviewing the position.

NOTE : All directions by the Speaker, Deputy Speaker of the Chairman involving action on the part of Ministers, will be complied with as assurance.

ANNEXURE - III

-----Session, 20 of the Lok Sabha

-----Session, 20 of the Rajya Sabha.

Date of fulfillment-----

Ministry of----- Department of-----

Question No.	Subject	Promise made	When & how Fulfilled	Remarks
1	2	3	4	5



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ANNEXURE - II (PARA 4.1)

REGISTER OF ASSURANCES GIVEN IN PARLIAMENT

(To be maintained by section concerned)

Lok Sabha/Rajya Sabha Session-----

Section-----

S. N.	File No.	Question No. / discussion date and Name of MP raising the point	Reference	Subject	Promise made	Date of receipt from Parliament Unit	Due date for implementation of the assurance	Sources from which information is required to be collected	Extension Sought /granted	No. & date of the communication under which IR/part IR Was sent to MPA.	Date on which IR / Part IR laid on the table of the House	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13

Col.3- Show date on which the assurance was given.

Col.4- Show date of Bill, resolution, motion etc. in connection with which assurance was given, and also Ministry of Parliamentary Affairs reference with which it was received.

Col.5- Show specific point on which assurance was given.

Col.13- Show whether request for deletion has been made.

Abbreviations: IR: Implementation Report
MPA: Ministry of Parliamentary Affairs.



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GUIDELINES FOR PREPARING NOTES⁶

Introduction

Action on a receipt should be organized in such a way that it results in speedy and correct decision making. Various officers and dealing hands have to share respective responsibilities in such a way that the receipts are examined and analyzed methodically and timely. Noting in organizations is the primary tool for taking decisions. Structure and contents of notes both are important. While examining a matter the dealing hand is supposed to identify and examine the issues involved and to record a note. The Section Officer should dispose of routine cases and record, where necessary, a note setting out his own comments or suggestions. For dealing with cases of repetitive nature Standard Process Sheets are devised and prescribed through departmental instructions. In such cases notes are not recorded.

- **Note:** A note means remarks recorded in a case to facilitate its disposal. It includes a summary of previous papers, statement or an analysis of questions requiring decision, indication of rules precedents /resource position and suggestions regarding the course of action and final orders passed.
- **Minute:** A note recorded by President, Vice President, Prime Minister or a Minister.
- **Notes portion of file :** Portion containing notes or minutes recorded in a case.
- **Case:** A current file or a receipt together with other related papers if any.
- **Routine Note:** A note of temporary value, recorded outside the file. This may be a record of casual discussion or a note on a point of secondary importance for facilitating consideration by higher officers.
- **Sectional Note:** A note recorded on only one of the many issues raised in the PUC.
- **Standing Note:** In relation to a subject means a continuing note explaining history and development of the policy, procedure and the latest position for following purposes :-
 - Background material for review of policy or procedure.
 - Brief for preparing parliamentary replies and induction or training material.
- **Docketing:** It means making of entries about serial number given to each item of correspondence for its identification. After docketing a receipt a dealing hand needs to reproduce remarks by an officer on the receipt on the note portion a file.

3. Guidelines for noting in the Central Secretariat Manual of Officer Procedure (Para-32)

- (1) All notes will be concise and to the point. Lengthy notes are to be avoided. If there is lot of material to be used, add these in the form of statements and keep in the file below for reference.

⁶ Updated by Ranjan Kumar, Deputy Director



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- (2) The verbatim reproduction of extracts from or paraphrasing of the paper under consideration, fresh receipt, or any other part of correspondence or notes on the same file, should not be attempted.
- (3) After docketing a receipt a dealing hand needs to reproduce remarks recorded by an officer on the receipt as the notes portion of a file.
- (4) An officer may confine his note to the actual points he proposes to make no need to reiterate the ground already covered in the previous notes. If he agrees to the line of action suggested in the preceding note, he may merely append his signature.
- (5) Any officer, who has to note upon a file on which a running summary of facts is available will refer to the appropriate part of the summary without repeating it in his own note.
- (6) Relevant extracts of a rule or instruction will be placed on the file and attention to it will be drawn in the note No need to reproduce the relevant provisions in the note.
- (7) A self-contained note will be put up with every case submitted to the Minister. Such a note will bring out briefly and clearly relevant facts, including the views expressed on the subject by other departments and the point or points on which the orders of the Minister are sought.
- (8) If apparent errors or incorrect statements in a case have to be pointed out or if an opinion expressed therein has to be criticized, care should be taken to couch the observations in courteous and temperate language free from personal remarks.
- (9) When a paper under consideration raises several major points which require detailed examination and respective orders, each point (or group of related points) will be noted upon separately in sectional notes. Such notes will each begin with a list of the major point(s) dealt with therein.
- (10) Notes and orders will normally be recorded on note sheets in the notes portion of the file and will be serially numbered. Black or blue ink will be used by all categories of staff and officers. Only an officer of the level of Joint Secretary of Government of India and above may use green or red ink in rare cases.
- (11) The dealing hand will append his full signature with date on the left below his note. An officer will append his full signature on the right hand side of the note with name, designation and date.
- (12) A note will be divided into serially numbered paragraphs of easy size, say ten lines each. Paragraphs may preferably have brief titles. The first paragraph will give an indication of the evidence and the conclusions reached. The final paragraph should weigh the arguments and make recommendations for action.
- (13) A small margin of about one inch will be left on all sides (left, right, top and bottom) of each page of the note sheet to ensure better preservation of notes recorded on the files. However, notes should be typed / written on both sides of the note sheet.
- (14) While preparing / submitting Notes for the Cabinet / Cabinet Committees / Groups of Ministers, requisite instructions which may be followed.
- (15) While preparing/submitting of papers for consideration of the Committee of Secretaries, requisite instructions exist which may be followed.



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4. Functional Approach to Noting:

The cases dealt with in various Ministries/Departments can largely be divided into the following categories:-

- 1) Ephemeral cases
- 2) Routine/Repetitive cases
- 3) Action in Correspondence cases
- 4) Problem Solving cases
- 5) Planning and Policy cases

Ephemeral Cases

These cases are also known as “No-Noting” cases. The Section Officer or Desk functionary should record the reasons, in brief, why no action is necessary and file such cases at the daPk stage itself. Such cases should be kept in the File “O” bundle and destroyed on 31st December of every year. These may also be returned in original to the sender recording requisite factual information.

Routine or Repetitive Cases

In cases of repetitive nature, ‘a standard process sheet’ which means a standard skeleton note, should be developed. It indicates pre-determined points of check. In respect of other routine cases, a fair reply should be put up without any noting.

Action-in-Correspondence Cases

These cases also do not require detailed noting. It would be sufficient if a brief note (a paragraph or so) is recorded. It indicates the issue under consideration and the suggested action.

Problem Solving Cases

In these cases, a detailed note providing maximum information on each aspect will be necessary. The note should be concise and to the point, covering the following aspects:-

- (i) What is the problem?
- (ii) How has it arisen?
- (iii) What is the ‘Rule’, ‘Policy’ or ‘Precedent’?
- (iv) What are the possible solutions?
- (v) Which is the best solution? Why?
- (vi) What will be the consequences of the proposed solution?

Policy and Planning Cases

These types of cases would not be large in number and are normally dealt with at sufficiently higher levels of the organization. They require a thorough examination with maximum amount of noting developed systematically. A note in such cases should be structured in the following manner:-

- (i) **Problem-** State how the problem has arisen? What are the critical factors?



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- (ii) **Additional Information-** Give additional information to size up the problem. The information would be available on the files and other papers in the Section. If sufficient information were not available to enable thorough examination, it should be collected before attempting a note.
 - (iii) **Rule, policy etc-** Relevant rules, regulations, policy, standing orders, practices are required to be referred to, wherever available. Logical interpretation of such rules etc. bringing out their bearing on the problem has to be put across in a cohesive manner.
 - (iv) **Precedents-** Precedent cases having a bearing on the issue under consideration should be put up. If there are varying precedents or any precedent differs in certain respects from the case under examination, the difference should be brought out so as to arrive at a correct decision.
 - (v) **Critical analysis-** the case should then be examined on merits answering questions such as 'what are the possible alternative solutions and which is the best solution? It should be ensured that views of other Divisions/Ministries etc. are obtained where necessary. Attention should also be paid to other aspects like the financial and other implications, repercussions, and the modality of implementing the decision and the authority competent to take a decision.
 - (vi) **Concluding paragraph-** the concluding paragraph should suggest a course of action for consideration. In cases where a decision is to be taken by a higher authority like Committee, Board etc. the point or points on which the decision of such higher authority is sought should be specifically mentioned.
- 5. Modification of notes or orders-**
- (1) Senior officers should not modify or replace the notes recorded by their juniors once submitted to them. Instead, the higher officers should record their own notes giving their views on the subject, where necessary correcting or modifying the facts given in earlier notes. In any case, the replacement or modification of the notes, which have already been recorded on a file, when others have further noted upon the file, should not be permitted.
 - (2) Pasting over a note or a portion of it to conceal what has been recorded is not desirable. Where a note recorded in the first instance requires any modification on account of additional facts or any error having come to notice, a subsequent note may be recorded. The earlier note may be kept intact.
 - (3) Where a final decision already communicated to a party is found later on to have been given on a mistaken ground or wrong facts or wrong interpretation of rules due to misunderstanding, such withdrawal may have also legal implications. In all such cases, in addition to consulting the Ministry of Law, wherever necessary, such a withdrawal should be permitted only after the approval of an officer higher than the one, who took the original decision, has been obtained. Reasons for the reversal or modification of the earlier decision be duly recorded on the file.
- 6. Noting on files received from other departments**
- (1) If the reference seeks the opinion, ruling or concurrence of the receiving department and requires detailed examination, such examination will normally be



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done separately through routine notes. The officer responsible for commenting upon the reference will record the final result on the file. The officer to whom such a note is submitted will either accept that note or record a note of his own. In the former case, he may direct that the note in question or a specified portion thereof may be reproduced on the main file for communication to the department concerned. In the latter case, he will record a suitable note on the main file itself. In either case, a copy of the note recorded on the main file will be kept on the routine notes for retention in the receiving department before the file is returned to the originating department.

- (2) The department will open subject-wise files each year in which such routine notes will be kept. The inter-departmental note recorded on the file of the originating department will bear the subject file number to facilitate filing of papers and their retrieval for future reference.
- (3) Where the reference requires information of a factual nature or other action based on a clear precedent or practice, the dealing hand in the receiving department may note on the file straightway.
- (4) Where a note on a file is recorded by an officer after obtaining the orders of a higher officer, the fact that the views expressed therein have the approval of the latter should be specifically mentioned.



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FORMS OF COMMUNICATIONS⁷

The different forms of written communication and their methods of delivery generally used by a department are described in subsequent pages. Each form has a use and, in some cases, a phraseology of its own. Only black or blue ink will be used in communications. A small margin of about one inch will be left on all sides (left, right, top and bottom) of each page of communications to ensure better preservations of records as at times the paper gets torn from the edges, making reading of the documents difficult. Specimens of these forms are also given below with their description.

(1) Letter- This form is used for corresponding with Foreign Governments, State Govts., the Union Public Service Commission and other constitutional bodies, heads of attached and subordinate offices, public enterprises, statutory authorities, public bodies and members of the public generally. A letter begins with the salutation Sir/Madam as may be appropriate and ends with the subscription "Yours faithfully".

SPECIMEN

No.
Government of India
(.....Vibhag)
Department of.....
New Delhi, dated the 22nd February 2009

To
The Director General,
Central PWD,
Nirman Bhavan,
New Delhi

Subject: **Estimates to be given for construction of Under Ground Water Tank at ISTM.**

Sir,
I am directed to refer to your letter No dated..... on the subject cited above and to say that

Yours faithfully,
Sd/-
(A.B.C.)
Under Secretary to the Government of India
Tele.No.....
e-mail ID: abc@nic.in

Specimen of a letter with endorsement:

No.....
Copy forwarded for information / action to:
(1)
(2)

(A.B.C.)
Under Secretary to the Government of India
Tel. No.....

⁷ Updated by R.K. Kundi, Deputy Director



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(2) Demi-official letter-

(a) This form is generally used in correspondence between Government officers for an inter-change or communication of opinion or information without the formality of the prescribed procedures. It may also be used when it is desired that the matter should receive personal attention of the individual addressed. Since demi-official letter is written in the first person in a personal and friendly tone, it should be addressed by an officer in a Ministry/Department who is ordinarily not more than one or two levels below the officer to whom such communication is addressed.

Note: For the purpose of determination of level, Secretary/Additional Secretary and Director/Deputy Secretary will be considered as one level.

(b) Communications to non-officials can also take the form of a demi-official letter.

SPECIMEN

Name of the Officer (XYZ)
Government of India
Designation _____ Department of -----
--

Tele/Fax Number _____
Address of the sender _____
e-mail: _____

D.O. No..... Dated, New Delhi.....

My dear/Dear Shri.....

We propose to draw up a model scheme for..... A copy of the outline prepared in this connection is enclosed.

2. I shall be grateful if you could kindly send your comments at the earliest. I may add _____ that _____ we intend circulating the draft scheme formally to all departments in due course for their comments.

With regards,

Yours sincerely,
(X,Y,Z)

Shri A.B.C.
Deputy Secretary
Department of.....
Krishi Bhavan
New Delhi-110001



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(3) **Office Memorandum-** This form is generally used for corresponding with other departments or in calling for information from or conveying information to its employees. It may also be used in corresponding with attached and subordinate offices. It is written in the third person and bears no salutation or supersession except the name and designation of the officer signing it.

SPECIMEN

<p>No. Government of India (..... Vibhag) Department of.....</p> <p>New Delhi, dated the 22nd February 2009</p> <p>OFFICE MEMORANDUM</p> <p>Subject:_____</p> <p>The undersigned is directed to refer to the Ministry of Agriculture's Office Memorandum No_____ dated _____ on the subject mentioned above and to send the requisite information as in the enclosures.</p> <p>2. Information regarding _____ will be sent on receipt from the field offices.</p> <p>Enc.: 3 statements</p> <p style="text-align: right;">(A.B.C.) Under Secretary to the Government of India Tele.No.....</p> <p>To</p> <p>The Department of (Shri / Smt..... Under Secretary) Shastri Bhawan, Room No. 234-B, New Delhi</p>



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4. Inter-departmental note-

(a) This form is generally employed for obtaining the advice, views, concurrence or comments of other departments on a proposal or in seeking clarification of the existing rules, instructions etc. It may also be used by a department when consulting its attached and subordinate offices and vice versa.

(b) The inter-departmental note may either be recorded on a file referred to another department or may take the form of an independent self-contained note. The subject need not be mentioned when recorded on the file itself.

SPECIMEN

No.
Government of India
(..... Vibhag)
Department of.....

Subject:_____

The present rules regulating the issue of identity cards provide inter alia that

1. A question has now arisen whether
- 2.
- 3.
4. The Department of Legal Affairs is requested to clarify the points mentioned in the above note.

(X.Y.Z.)
Deputy Secretary
Tele.
No.

Department of Legal Affairs (Shri....., Additional Legal Adviser), Shastri Bhavan,
New
Delhi

Department ofD.No.....Dated.....



Reading Material for CSSS Training Programmes

(5) Telegram-

- (a) This form is used for communicating with out-station parties in matters demanding prompt attention. The text of the telegram should be as brief as possible.
- (b) Telegrams are of two kind viz. enclair telegrams and cypher code telegrams. The former are worded in plain language. The latter are expressed in secret language (code or cypher or both) but a combination in the same telegram of figures and letters having a secret meaning is not permitted. In editing, numbering and issuing of cypher/code telegrams, the instructions issued by the Ministry of External Affairs in respect of external telegrams and by the Ministry of Home Affairs in the case of internal telegrams, should be carefully observed.
- (c) There are four grading of urgency authorised for use in State telegrams, viz `SVH', `Most Immediate', `Operation Immediate' and `Immediate'. The use of these grading is regulated by the rules issued by the Department of Posts. Relevant extracts from these rules are contained in **Appendix 10**.
- (d) Telegrams, other than cypher and code telegrams should normally be followed by _____ post copies.

SPECIMEN

(ENCLAIR TELEGRAM)

DCOMAH
BOMBAY

STATE EXPRESS

No..... REOLET/RYLET JULY TENTH STOP EXPEDITE BUDGET PROPOSAL
STOP FINANCE PRESSING HARD STOP

HOMEX

NOT TO BE TELEGRAPHED

(A,B,C)
Under Secretary to the Govt.of India
Tele.No.
Department of
(.....Vibhag)

No.....
New Delhi, the 2002

Copy by post in confirmation

To
The Director of Census Operation,
Maharashtra Sachivalaya,
Mumbai

(A,B,C)
Under Secretary to the Govt. of India



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(6) Office order- This form is normally used for issuing instructions meant for internal administration, e.g., grant of regular leave, distribution of work among officers and sections, appointments and transfers, etc.

SPECIMEN

No.
Government of India
(..... Vibhag)
Department of.....

New Delhi, the 22nd February 2009

OFFICE ORDER

Shri XYZ, a permanent Lower Division Clerk in this Department is granted earned leave for days from to with permission to prefix a public holiday, to the leave.

2. It is certified that but for his proceeding on leave, Shri XYZ would have continued in the same post.

(A,B,C)
Section Officer
Tel. No.....

To:-

1. Official concerned
2. Officer concerned
3. Office Order Folder/Service Book/Personal File

(7) Order - This form is generally used for issuing certain types of financial sanctions and for communicating government orders in disciplinary cases, etc., to the officials concerned.

SPECIMEN

No.
Government of India
Department of.....

New Delhi, the 22nd February 2009

ORDER

Sanction of the President is accorded under rule 10 of the Delegation of Financial Powers Rules, to the write off irrecoverable loss of Rs.5,000/- (Rupees Five Thousands only) being the value of the following articles belonging to this department.

- (1) X X X X
- (2) X X X X

(A,B,C)
Under Secretary to the Government of India
Tele.No.....

Copy forwarded to:

1. Pay & Accounts Officer, Department of
2. Store in charge/Library
3. Order Folder/IFD-I



Reading Material for CSSS Training Programme

8. **Notification-** This form is mostly used in notifying the promulgation of statutory rules and orders, appointments and promotions of gazetted officers, etc. through publications in the Gazette of India. The composition of the gazette, the types of matters to be published in each part and section thereof, the instructions for sending the matter for publication therein and for sending copies thereof are indicated below following the specimen format:

SPECIMEN

[To be published in the Gazette of India, Part I, Section 2]*

Hkkjr ljdkj
Government of India
(..... Vibhag)
Department of.....

New Delhi, the 22nd February 2009

NOTIFICATION

No.....Shri X,Y,Z, Under Secretary in the Department ofis appointed as Deputy Secretary in that Department with effect from 01/02/2009(FN) for a period of four years or till further orders, whichever is the earliest.

(ABC)
Under Secretary to the Government of India
Tele No.....

To

The Manager
Government of India Press
(Bharat Sarkar press)
Faridabad

No.....New Delhi, the

Copy forwarded for information to:

- (1)
- (2)
- (3)

(D.E.F)
Under Secretary to the Government of India

#Endorsement should be typed on all copies except one intended for the Press.



Reading Material for CSSS Training Programme

9. **Resolution** - This form of communication is used for making public announcement of decisions of government in important matters of policy, e.g., the policy of industrial licensing, appointment of committees or commissions of enquiry. Resolutions are also published in the Gazette of India.

SPECIMEN

[To be published in the Gazette of India, Part I, Section I]

No.
Government of India
(..... Vibhag)
Department of.....

New Delhi, the 22nd February 2009

RESOLUTION

The Government of India have had under consideration the question of further improving efficiency of the departments and services concerned with the collection of revenue. As a first step in that direction the President has been pleased, under the powers vested in him by provision to Article 309 of the Constitution of India, to decide that a Class I Central Service to be known as 'India Revenue Service' should be constituted with effect from.....

(A,B,C)
Secretary to the Government of India
Tele No.....

ORDER

ORDERED that a copy of the resolution be communicated to.....

ORDERED also that the resolution be published in the Gazette of India for general information.

(A,B,C)
Secretary to the Government of India

To
The Manager,
Government of India Press,
(Bharat Sarkar)
Faridabad



Reading Material for CSSS Training Programme

10. **Press communiqué/note-** This form is used when it is proposed to give wide publicity to a decision of government. A press communiqué is more formal in character than a press note and is expected to be reproduced intact by the press. A press note, on the other hand, is intended to serve as a handout to the press, which may edit, compress or enlarge it, as deemed fit.

SPECIMEN

Not to be published or broadcast before.....a.m./p.m. on.....day, the.....2002.

PRESS COMMUNIQUE/NOTE

In response to public demand, the Government of India have appointed a Commission to go into the problem of.....and make suitable recommendations to the Government.

2. The Commission will consist of Shri.....as Chairman and the following as members:

- 1.
- 2.
- 3.

3. In making its recommendations, the Commission is expected to give consideration to the following matters:

- (a)
- (b)
- (c)

The Commission is expected to submit its report to the Government by.....

Department of...
(...Vibhag)

New Delhi, the

No.....

Forwarded to the Principal Information Officer, Press Information Bureau, Government of India, New Delhi for issuing the communiqué and giving it wide publicity.

(ABC)
Joint Secretary to the Govt. of India



Reading Material for CSSS Training Programme

11. **Endorsement** - This form is used when a paper has to be returned in original to the sender, or the paper in original or its copy is sent to another department or office, for information or action. It is also used when a copy of a communication is proposed to be forwarded to parties other than the one to which it is addressed. Normally this form will not be used in communicating copies to state governments. The appropriate form for such communication should be a letter.

SPECIMEN

No.
Government of India
(..... Vibhag)
Department of.....

New Delhi, the 22nd February 2009

A copy each of the under mentioned papers is forwarded to for information and necessary action.

(A,B,C)
Under Secretary to the Government of India
Tele.No.....

List of papers forwarded:

(1)
(2)
(3)

12. **Circular** - This form is used when important and urgent external communications received or important and urgent decisions taken internally have to be circulated within a department for information and compliance by a large number of employees.

13. **Advertisement**- This form is used for communicating with the general public to create awareness and may take the form of audio-visual or written communication or both.



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Procedure of Communication-

- (1) **Fax facility-** In urgent and important matters (including legal and financial messages), departments may use fax facilities to send messages, wherever available. Offices not connected through fax but having telex facilities, may send urgent and important messages through telex instead of a telegram in communicating with out-station offices.
- (2) **Registered Post/ Registered AD-** This method of delivery is used in communicating with offices to ensure receipt of the communication and in the case of Registered AD the issuing office also receives an acknowledgement of the delivery.
- (3) **Speed Post-** This method of delivery is used to ensure quick receipt of messages warranting urgent attention at the receiving end and the issuing office also receives an acknowledgement of the delivery.
- (4) **E-mail-** This is a paperless form of communication to be used by department having computer facilities supported by Internet or intranet connectivity and can be widely used for subjects where legal or financial implications are not involved.

Telephonic communications-

- (1) Appropriate use of the medium of telephone may be made by departments for intra and inter departmental consultation and for communication of information between parties situated locally.
- (2) In matters of urgency, departments may communicate with out-station offices also over the telephone.
- (3) The provisions of para 50(5) (c) also apply to official trunk calls.
- (4) Telephonic communications, wherever necessary, may be followed by written communications by way of confirmation.
- (5) Resort to ISD/ STD and trunk calls will be regulated by departmental instructions.

Correspondence with attached and subordinate offices -

- (1) (a) Senior Officers/ Head of a subordinate/ attached office under an administrative Ministry/ Department will correspond in respect of matters involving intervention/ approval of another Ministry/ Department in a note form to their concerned Ministry/ Department.

(b) Head of an autonomous body under an administrative Ministry will write in respect of matters involving intervention/ approval of another Ministry/ Department to the Secretary of the concerned Ministry/ Department in a letter form.

(c) In both the cases, concerned Ministry/ Department, if required, will take up the matter with another ministry.



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(d) Attached office/ subordinate office may, however, seek factual information from another Ministry/ Department directly.

(e) An officer of a subordinate office/ attached office/ autonomous body will not correspond directly with the Minister of another Ministry except the head of a statutory body/ regulatory authority set up by an Act of Parliament.

(2) In the case of their own attached offices and subordinate offices placed directly under them, i.e. without the intervention of an attached office, as are located in Delhi/New Delhi-referred to herein as 'Non-Secretariat Organisation' (NSO) for convenience-the departments will introduce the Single File System of correspondence, details of which are in para 14.

Note : The Single File System will not apply to correspondence between a department and any statutory, corporate or other autonomous body which might be owned or controlled by it.

Single File System (SFS)-

(1) This will apply to matters, which have to be referred by the NSO to the department for seeking a sanction/order, i.e. a decision not within its own delegated powers.

(2) The file cover of a SFS case should prominently show the name of the (originating) NSO and likewise indicate that it follows the SFS system.

(3) The SFS file need not bear a I.D. No. or other formal method of sending, but will be sent as though it is from one officer to another in the same organisation.

(4) The SFS file should be complete in all respects, so as to enable the department to take a decision expeditiously; hence the NSO will ensure that:

(a) every point for decision/order is clearly brought out;

(b) all relevant connected papers are placed on the file, properly arranged and referred to;

(c) draft orders/sanctions are put up, where they are required to be approved by the department for issue; and

(d) the availability of funds, etc., is certified where additional expenditure is involved in the proposal.

(5) The officer last dealing with the SFS case in the NSO will mark it to the appropriate officer in the department, by name; policy files will, however, be referred to the department at appropriate levels to be determined by the department and the NSO concerned, through a general order.



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(6) All SFS files will be invariably routed through the central registry of the department concerned. Their receipt will be entered in a separate register which will also record, against the relevant receipt entry, the despatch of the file on its return to the NSO.

(7) As a rule, all noting in the department will be on the NSO file. However, where sensitive or delicate matters in the sphere of personnel, policy issues and finance are involved, the recording of notes in 'duplicate' files may be permitted by issuing general or special orders by the department. This will be done at a particular stage of the SFS case or at or above a particular level, with the final decision thereafter being suitably recorded on the SFS file.

(8) As a convention, the secretariat noting on a SFS file will start on a new page and the noting done sequentially-save in matters of the nature referred to in (7) above.

(9) Action to implement the government decision in SFS case will be initiated in and by the NSO on the return of the file. Orders so issued should specifically state that they have received the concurrence of Government in the department concerned. Copies of every sanction/order so issued by the NSO will be endorsed without fail to all the officers



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GUIDELINES FOR PREPARATION OF DRAFTS⁸

1. Definition of Draft

A draft is a rough sketch of a communication to be issued after approval of the officer concerned. Drafting is the process of preparing this rough sketch.

2. Instances where Draft is not necessary

- i) In simple cases like sending an acknowledgement, etc., a fair communication can be put up for the signature of the officer concerned.
- ii) In cases of repetitive nature, where standard forms of reply are available.

3. Drafting-Some Searching Questions

Before initiating the process, it would be useful to ask a few searching questions, like -

- i. Is a draft necessary?
- ii. Who should be addressed and who will sign?
- iii. What is the relationship between the sender and the receiver?
- iv. What should be the form?
- v. Is something to be conveyed or to be called for?
- vi. Are details available?
- vii. What is the intention ?
- viii. What should be the recipient's response?
- ix. Does the language convey?
- x. Has referencing been done?
- xi. Is it logically sequenced?
- xii. Does it have proper urgency, security grading?

4. Contents of a Draft

i) Identifying the Sender

A draft should clearly indicate the name, designation, telephone number, fax number, email address and complete postal address of the organization to which the sender belongs. Apart from these, the identifying number of the communication (the file number on which the draft is being put up) also helps in identifying the sender. Clear identification of the sender facilitates the recipient in sending the response or seeking further clarifications, etc.

ii) Adopting the Right Form

Different forms of written communication are used in the office correspondence in the Central Secretariat. The use of each form and phraseology adopted in them are given in Chapter VIII of the Central Secretariat Manual of Office Procedure. Deciding the right form would depend on

⁸ Updated by R.K. Kundi, Deputy Director



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various factors, including, what is the purpose of the communication, to whom it is being sent (i.e. the target group) and what is the relationship between the sender and the receiver.

Besides the twelve forms of communication, discussed in detail in subsequent pages, the Central Secretariat Manual of Office Procedure also includes Circular, Advertisement and E-mail for which no specific formats have been prescribed.

Circular and Advertisement can be issued in the formats of Letter and Office Memorandum. E-Mail is a paperless form of communication to be used by department having computer facilities supported by Internet connectivity and can be widely used for subjects where legal or financial implications are not involved. In addition, Fax, Speed Post, and Registered Post/Registered with AD have been indicated as methods of delivery in important and urgent matters.

iii) Visualizing the Response

While drafting, the intention of the decision and what response is anticipated from the receiver, if kept in mind, would help in making the communication effective.

iv) Clarity, Consistency and Uniformity

The language used should be simple and clear. The content of communication should be developed in a manner that reflects consistency in the stand taken by the sender on a particular issue. It should also reflect uniform grammatical construction.

v) Redundancy, Verbosity, Circumlocution and Repetition

No draft should contain any information that is not relevant. While drafting communications, using simple words help in easy understanding of the content. In addition, adopting a direct style of writing without superfluous expressions and repetition of the matter makes the communication brief.

vi) Providing a Summary

Where the communication to be sent is long or where the subject matter is complex, providing a summary of the content at the end would enable a quick appreciation of the message conveyed and reinforce the action points for the receiver.

5. General Instructions regarding Drafting

(1) Sufficient space should be left for the margin and between successive lines in the draft for incorporating changes, additions, interpolation of words, etc.

(2) Depending on the form, subject of the communication (including reminders) should be mentioned appropriately.

(3) The enclosures, which are to accompany the fair copy, should be indicated at the bottom left of the page. A short oblique line in the margin will indicate that enclosures are to be sent along with the fair copy. Where copies of an enclosure referred in the draft are available and,



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therefore, need not be typed, an indication to that effect will be given in the margin of the draft, below the relevant oblique line.

(4) Urgency grading will be indicated on the top right corner, if required.

(5) Where the communication to be sent is of important or immediate nature, the mode of transmission, e.g. 'By Registered Post' or 'By Speed Post' or 'By Special Messenger', etc., will be indicated at the top right corner.

(6) Where copies of the communication are to be endorsed to other authorities for information or for further action, proper endorsements will be indicated at the bottom left of the draft.

(7) A slip bearing the words "Draft for Approval" should be attached to the draft. If two or more drafts are put up on a file, the draft as well as the D.F.A. slips will be numbered as "D.F.A. I", "D.F.A. II", "D.F.A. III" and so on.

6. Authentication of Government Orders

All orders and other instruments made and executed in the name of the President should be expressed to be made in his name and signed by an officer having regular or ex-officio secretariat status of and above the rank of Under Secretary, or officer specifically authorized to authenticate such orders under the Authentication (Orders and Other Instruments) Rules, 2002.

Where the power to make orders, notifications, etc., is conferred by a statute on the Government of India, such orders and notifications will be expressed to be made in the name of the Government of India.



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RECORDS MANAGEMENT⁹

Introduction:

1. In man's progress from Stone Age to Information Age, the pace of record generation in the governmental and non-governmental sectors, has become mind boggling. Because of the ever-increasing volume of documents that must be maintained, the efficient management of records is becoming more important. A well-designed, efficient records management programme can significantly reduce an organization's operating costs. Furthermore, an efficient records management programme helps to assure that an organization's records are properly cared for. Improperly maintained records are more likely to be misplaced or destroyed by mistake. An effective programme provides the protection an organization's records accumulation needs.

What constitute Records

2. Records refer to informational documents used to carry out various functions, include forms, letters, memoranda, reports and manuals on paper on non-paper media. Records are tools of management, memory of an organization and source of information. All those documents, which have future reference value, constitute records.

Why Records?

3. It becomes necessary to retain records:
- (i) For planning and scheduling Government's activities, as information required for the purpose cannot be retained by human memory.
 - (ii) Retention of records is legal requirement in certain cases, i.e., production of papers in a Court of Law.
 - (iii) For fixing responsibility for matters coming before Audit and Parliament and its Committees and other public bodies. Government is accountable to the people through legislature.
 - (iv) For historical value - it may contain facts and figures about political and socio-economic conditions amounting to wealth of information for the posterity.
 - (v) For ensuring element of rationality in Government, it is necessary for the decision-makers to be impartial in the treatment of demands and grievances of all citizens, records of past decisions, precedents and procedures assist in fulfilling this objective.
 - (vi) To make available needed facts, figures, correspondence, etc. for effective decision making and problem solving.

⁹ Updated by Rekha Sharma, Deputy Director



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- (vii) To ensure continuity in administration. Human memory is short, personnel are changed due to retirement, promotion and transfer.
- (viii) To ensure that tax-payer's interests are protected at all times and that there is no irregularity in financial transactions.
- (ix) For providing evidence in case of disputes.

What is Records Management

4. The Dictionary of Archival Terminology defines Records Management as that branch of general administrative management which is concerned with achieving economy and efficiency in the creation, maintenance and disposal of records during their life cycle.

Records Management refers to the activities involved in controlling the life cycle of a record, beginning with its creation and ending with its ultimate disposition. This leads to prevention of creation of unnecessary documentation, early identification of papers of lasting or enduring value and systematic planning of retirement procedures.

Why Records Management

5. Office management consists of essentially planning, organizing, and coordinating of certain functions relating to information gathering, information processing, communicating and record keeping.

As records creation is a natural outcome of these activities, Records Management has become a key to efficient administration.

6. **Record Management in context of RTI.**

The paradigm shift in the relationship between citizen & Government, gravitating towards e-governance has been manifested in the Right to Information Act, 2005. This has enjoined additional responsibility to have an efficient Records Management system to ensure the timely availability of information to the public.

Public Records are at the core of the RTI Act. Without an effective system for creating, managing, storing and archiving records, implementation of RTI law will be more difficult. It will also undermine the law if information has been stored so badly that the records are no longer in a fit state to be inspected or copied.

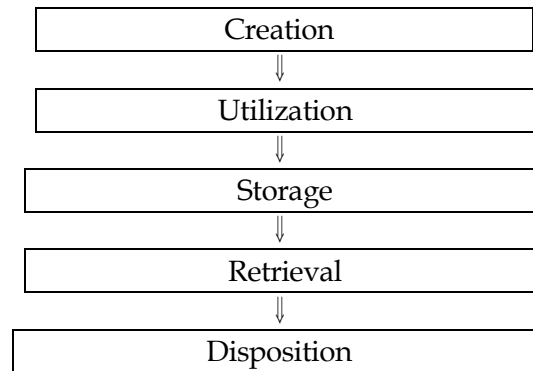
Therefore, public offices are under obligation to create and manage the records in accordance with clear and well understood filing, classification & retrieval methods established as part of an efficient Records Management system.



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The Records Cycle

7. The records proceed through the life cycle illustrated below:



PRINCIPLES OF EFFECTIVE RECORDS MANAGEMENT

8. For effective Records Management some principles are to be kept in view.

- (i) Appraisal: Review at appropriate stages, starting from the stage of last action on a current file.
- (ii) Weeding: There should be constant weeding and review of the records so that the cost of maintenance of records is kept to the minimum.
- (iii) Accessibility: It should provide an easily accessible storehouse of information relevant to the changing needs of the organization.
- (iv) Control: There should be control on the growth of record since its inception/creation till final disposal stage.
- (v) Speed in Retrieval: The records should be kept in such a way that they should be capable of being retrieved quickly.
- (vi) Economy: Economy should be observed by ensuring that
 - (a) records occupy minimum space;
 - (b) cost of equipments for storing records is low; (c) cost of retrieving information is low.
- (vii) Retention Schedule: It should provide for a uniform and systematic schedule for retention and disposal of records.

We can encode the above seven principles as “AWACSER”.

Activities involved in Records Management



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9. The main activities involved in Records Management can be grouped in the following six categories:

- (i) Creation
- (ii) Classification
- (iii) Custody/Transfer
- (iv) Maintenance
- (v) Preservation
- (vi) Review & Weeding

Each of these activities has been discussed in detail in succeeding paragraphs.

CREATION, CATEGORISATION OF RECORDS, CUSTODY AND TRANSFER

Records Creation:

Records are created as a result of intra/inter-organisational operations. This could be illustrated as under :-

Intra-organisational Activities

- (i) Activities connected with Data Collection, communications sent to other organizations and communications received from other organizations.
- (ii) Activities relating to the analyses of data as well as preparing summary, extracts etc., of date for preserving in a progressive manner the vital and essential portion of the information and for interlinking the activities from time to time for facility of a bird's overview or review of the activities/policy. Some of them are mini-records and aid to retrieval of records (e.g. Precedent Book; Standing Guard Files; Induction Note; Standing Note, etc.)

Inter-organisational Activities

Data generated outside the organization and sent to the 'Home organisation' or obtained by the latter from time to time (e.g. Periodical reports, returns from parallel organizations or own Ministries/Departments/Attached and Subordinate Offices/Public Undertakings/Constitutional or autonomous organizations concerned, as the case may be).

Controlling Creation:

The task of controlling creation could be attempted in a number of ways through correspondence management, forms management, directive management, internal reporting, etc. It must be ensured that files are opened only in respect of these cases where future correspondence is likely to be generated. Other papers could just be dealt with under diary number and filed and subsequently destroyed after a year. Growth of files could as well be controlled if an attempt is made to send the reply on the original communication itself. In such cases need for opening fresh files could be obviated.



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Moreover, papers are required to be filed in a manner that promotes efficiency, quality and reduces expenditure. In this connection it needs hardly to be emphasized that papers of ephemeral value are segregated and kept separately right at the initial stage itself. In order to achieve best results, it is desirable that correspondence is properly docketed and referenced so that papers could be easily located and consulted. Further, correspondence should be directed to the point and brief so that purport of the subject is very clear and helps avoiding unnecessary correspondence.

It is essential that standard forms should be designed wherever there is a likelihood of recurrence of correspondence on any specific subject. The layout of the forms should be so planned and designed that they are capable of furnishing date/information without much loss of time and effort. Certain guidelines were issued by government to avoid creation of unnecessary records vide Ministry of Home Affairs, Department of Personnel & Administrative Reforms, OM No. 24013/3/80 dated 7 October, 1980, which can be used by all offices to control growth of records at creation stage. These are:

- (i) Elimination of noting in routine and simple cases.
- (ii) Adopting the technique of paper-writing as against repetitive noting in important matters requiring decisions at higher levels.
- (iii) Avoiding intra-unit/ wing/ department and even inter-department reference by adopting the study team approach.
- (iv) Allowing senior assistants to put up cases direct to the Branch Officer, instead of through the Officer.
- (v) Reduction in number of levels of consideration at Under Secretary/ Deputy Secretary/ direct level that any specified item of work is the responsibility of not more than one of these levels.
- (vi) All periodical report/ returns be critically reviewed so that reports which have outlived their are eliminated; others are rationalised, simplified and redesigned so as to make them more purposeful and adequate as aids to policy making and evaluation.
- (vii) Introduction of Single File System between ministries/ departments and their sub-formations in Delhi/New Delhi.
- (viii) Various instructions on different subjects should be scrutinized and consolidated into self-contained orders. This helps in reducing the volume of noting considerably.
- (ix) All forms in use in the organisation should be reviewed and redesigned, if necessary, to make them more simplified and meaningful.
- (x) While recording a file, all routine papers such as reminders, acknowledgements, and routine notes should be removed from the file.
- (xi) Files of a purely ephemeral nature containing papers of little reference or research value should be destroyed after one year without being formally recorded.



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CATEGORISATION

In order that the record should be useful, it should be retained only according to its importance. For this purpose the Government records are categorised under the categories 'A', 'B' and 'C' according to their importance.

Category 'A' meaning 'keep and microfilm' -- This classification will be adopted for :

- a. Files which qualify for permanent preservation for administrative purposes and which have to be microfilmed because they contain :
 - (i) A document so precious that its original must be preserved intact and access to it in the original form must be restricted to the barest minimum; or
 - (ii) Material likely to be required for frequent reference by different parties.
- b. Files of historical importance.

An illustrative list of files as at a) and b) above as given in Appendix 25 of the Manual of Office Procedure.

Category 'B' meaning 'keep but do not microfilm' -- This class will cover files required for permanent preservation for administrative purposes, but not containing material of the kind mentioned in (i) or (ii) of the previous para.

Category 'C' meaning 'keep for specified period only' - This class will include files of secondary importance and having reference value for a limited period not exceeding 10 years.

CUSTODY/TRANSFER

Due to the normally and gradually diminishing urgency of utility important current records become semi-current, then non-current and finally archaic or historical. If the decision-maker of the case processor himself is to keep custody of all the records for all time for the simple reason that he is their creator, his primary job of decision-making or case - processing will become more difficult.

Thus, the records change hands for custody over a specified period of time at each of the following stages and positions: -

The Stage	The position of the Record and period of urgency	The Custodian
Current	Until action is complete on a paper/case dealt with either under a short-term Diary number or long-term File number. Indefinite period of custody at this stage till a decision is taken	The decision-maker; the case processor; (officers/supporting staff)
Semi-Current	When the action is complete(i.e. last communication sent or received as the	The Section (Daftary or Clerk in-charge) ; the



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	case may be) the file has been recorded but it may be required for dealing with other inter-related cases for some time.	Wing Registry serving it) or the Desk Officer.
Non-Current	When the file has crossed the semi-current stage of one year of its recorded life (i.e. there is no reasonable expectation of its being required for dealing with inter-related issues frequently)	The Departmental Record Room [normally in the charge of a trained Record Manager or Archivist (even Semi-current records of Sections/Units if wound up, are kept here)].
Archaic/Antique or Historical	when the file may have some historical, cultural or academic value (e.g. to research scholars)	The National Archives

PROCEDURE FOR RECORDING AND INDEXING OF FILES

Stages of Recording :

Files should be recorded after action on the issues considered thereon has been completed. However, files of a purely ephemeral nature containing papers of little reference or research value may be destroyed after one year without being formally recorded.

Procedure for recording:

After action on the issue(s) considered on the file has been completed, the dealing hand/initiating officer, in consultation with his supervisory officer, should close and record the file in the manner prescribed below:

- (a) indicate the appropriate classification of record and in the case of category 'C', also specify the retention period and the year of destruction on the file cover;
- (b) where necessary, revise the title of the file so that it describes adequately the contents at that stage;
- (c) get the file indexed, only for category 'A' and 'B' files take extract from the file, copies of important decisions, documents, etc., as are considered useful for future reference and add them to the standing guard file/precedent book;
- (d) remove from the file all superfluous papers such as reminders, acknowledgements, routine slips, working sheets, rough drafts, surplus copies, etc., and destroy them;
- (e) complete all references and, in particular, mark previous and later references on the subject on the file cover;
- (f) Pass on the file to the record clerk.

Action on Recorded files by the records clerks.

- a) complete columns 4 and 5 of the file register and correct the entry in column 2 where necessary;



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- b) enter the file number in column 2 of the register for watching progress of recording;
- c) write the word 'recorded' prominently in red ink, across the entries in the file movement register;
- d) indicate page numbers and other references made in pencil in ink;
- e) indicate the year of review on the file cover in respect of 'C' category files.
- f) prepare fresh covers, where necessary, with all the entries already made thereon;
- g) handover the file to the multi tasking staff
- h) who will repair the damage, if any, and stitch the file and show it to the record clerk for making entries in the register.

REVIEW AND WEEDING

In order to ascertain how much of the records that have been stored have lost their relevance or utility, it is essential that records are systematically and regularly reviewed. The review also ensures that the volumes of records are maintained at manageable levels. Unless records are reviewed, it will not be possible to weed out unwanted records.

Appraisal of records has generally been described as the process of determining the value of records based upon their current administrative, legal and fiscal use as well as their evidential and informational value. At times, the intrinsic value of records, depends upon some unique factors, such as age, circumstances regarding their creation, a signature or an attached seal.

While reviewing the records, ephemeral records will be weeded without any further review, while other records will be required to be reviewed before being weeded out.

A Category 'C' file will be reviewed on the expiry of the specified retention period and weeded out unless there are sufficient grounds warranting its further retention. Justification for retaining a file after review will be recorded on the file with the approval of branch officer/divisional head concerned. Retention after a review will be for a period not exceeding ten years, including the period already retained. If a file was originally retained for a period of 10 years, any further retention will require up-gradation of the category.

Class 'A' and 'B' records will be reviewed on attaining the 25th year, counted from the year of opening, in consultation with National Archives. In these reviews, the need for revising the original classification of Class 'B' files may also be considered.

Beginning in January of each year, the record clerk will submit files, which have become due for review, to the Section officer. Similarly, the Departmental Record Room will send to the Sections concerned, the files that have become due for review after drawing up a programme. After review, files, which are no longer required, will be destroyed and the files, which are marked for further retention, will be sent back to the Departmental Record Room. The Departmental Record Room will transfer Class 'A' and 'B' files surviving review undertaken in their 25th year of life to the National Archives.

Further, it may be ensured that in case an inquiry has been initiated departmentally or by a Commission of Inquiry or as a result of Court proceedings having a bearing on the subject matter



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contained in the files/documents concerned or the files/documents which are required in connection with the implementation of order/judgment of any court of law, such files/documents will not be destroyed, even if, such files/documents have completed their prescribed life as per the Record Retention Schedule.

Files/documents referred to above may be, destroyed only after submission of the Report by the Commission or completion of inquiry or implementation of the judgment/order the court(s), with the approval of the concerned Joint Secretary/Head of the Department concerned. In case the implementation of the court order has been challenged/appealed against either by the Government or by the applicant in a higher court, the relevant files/documents will not be weeded out until, such time the appeal/challenge is considered and finally decided. In such cases the limitation period prescribed for appeals should also be kept in mind.

Destruction:

When the records have outlived their utility, their suitability for destruction is to be evaluated. Several destruction methods are available. Shredding, incinerating, paper recycling are common ways of disposal of records. When records are destroyed, a certificate of destruction is prepared that identifies the date on which the document was destroyed

RECORDS RETENTION SCHEDULE

One of the pre-requisites for a sound records management system is that there should be a reasonable ratio between creation and destruction of records. Normally, records should not occupy more than 10% of the total area allotted to a Department. One of the steps towards achieving this objective is the preparation of Retention Schedules. Retention Schedules which cover not only records relating to common housekeeping functions performed by all Ministries, but also records pertaining to substantive functions of a Department. There are four schedules, which among them, cover almost all the records in a Government office.

There are three existing schedules for ready adoption pertaining to common House-keeping functions performed by all Ministries/Departments. They are:

- (a) Appendix 28 of Manual of Office Procedure.
- (b) Appendix 13 of General Financial Rules
- (c) Retention Schedule of records common to all Ministries/Departments prepared by Department of Administrative Reforms and Public Grievances.

The fourth schedule is the one that is required to be prepared by each Ministry/Department for the records pertaining to their substantive or core functions. This schedule is required to be got vetted by the National Archives of India.

ESSENTIALS OF A DEPARTMENTAL RECORD ROOM

All Ministries and Departments of the Government are expected to have their own Records Room. But at present only a few Ministries/Departments have proper Records Rooms. In



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some cases, even those Ministries/Departments who have their own buildings have set up their Records Rooms in ordinary office rooms. Occasional survey of conditions of maintenance and preservation of records in Government Departments have shown that adequate measures, which will ensure proper upkeep and longevity of records, are wanting.

Records Room

A separate Records Room/Stack Area is a vital necessity for all Government Ministries and Departments. A Records Room should, as far as possible, be located either on the ground floor of a building or in its basement. If its windows open into the space outside or in the courtyards in the interior, they should be fitted with metal grills and wire mesh nets. To avoid splashing of rainwater in the room, rain shades should be provided at all their openings. For reasons of safety of records and security, it is advisable to permit limited entry into such rooms.

The floor of a records room should be such as to permit easy movement of records carrying trolleys, etc. Where accommodation and design so permits, the stack area, the record reference and reception portion should be separate.

DRAINAGE

While selecting the location of the records room, it may be ensured that no water pipes or drains pass nearby, above or under the records room building. Further, in order to prevent any inflow of water in the stacks due to blockage of drains or accidental damage to water pipes in the building, its floor level should be raised a few centimeters above the general level of the other floors of the building.

AIR CONDITIONING

Storage of records in an air-conditioned atmosphere is conducive to its longevity. Air-conditioning is, therefore, essential for records room.

For effective air-conditioning ventilation should be so planned as to permit minimum leakage of the conditioned atmosphere. While calculating conditional load, bulk of shelving equipment, archive material, the number of persons sitting in the records room, the bulk of records moving in and out and the lighting wattage should be taken into account.

Humidity and temperature in conditioned record rooms should be measured regularly. The ambient conditions for storage of records are (i) temp. 22°C - 25°C and ii) relative humidity 45%. Use of step ladders or platform type ladders and trolleys fixed with swivel castors for movement and proper servicing of records, is recommended.

For safeguarding the records against damage due to insect infestation, the Records Room should be sprayed with insecticides solutions beneath the shelves, behind the cabinets and also in corners, etc. In order to maintain proper humidity control in the conditioned area,



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it is necessary that permeation of dampness through the walls or floors does not take place. The floor should be laid waterproof and the walls should be given waterproof oil paint coating. At the first sign of humidity in the records room, preventive action should be initiated. Also, help of institutions like the National Archives, New Delhi should invariably be sought when any insect infestation or fungus growth is noticed or detected.

While considering air conditioning of the Records Room, it may be taken into account that the air-conditioning plant has to be planned for clock-wise air-conditioning all the year round.

NON-CONDITIONED AREA:

Keeping in view economy in resources, in many cases it may not be possible to get records room air-conditioned. In such a case, steps should be taken to provide circulation of air in the storage room by providing air-circulators, fans and exhaust fans to counteract the effect of high humidity and prevent formation of pockets of stagnant air in the storage room. Use of chemicals like silica or anhydrous calcium chloride in enameled or glazed earthen pots help to reduce humidity in the room.

Temperatures in records room can be kept within reasonable range by choosing such rooms, which are in the interior or have a verandas around them. During summer, if the records room is fitted with air-circulators, electric fans and exhaust fans for proper circulation of air, high temperature can be brought down by installation of room coolers in windows. Care should be taken to see that direct sunlight does not fall on the records. This can be achieved by filling either ground glass panes or heat resistant glass panes on the windows and by providing curtains.

In non-conditioned area, use of preservatives like naphthalene in the form of balls tied in meshed cloth or bricks kept on the shelves helps to keep the records safe from insects. The regular use of insecticide formulations are also effective.

Other Safety Measures

Much damage to the record is usually done by rodents. Whereas it is desirable to prevent their entry into the Records Room by using proper wire mesh at the outlet drains, a few rat-traps should be kept handy for eliminating their menace, in case of their entry in the record room. Neither eatables nor smoking or naked flame should be allowed in the storage area.

In spite of dust proof buildings and air-conditioning, dust does find its way to the stored materials. Regular dusting operation in the storage area with the help of a vacuum cleaner is, therefore, desirable to remove dust from the stored material. The Records room itself should be kept absolutely clean.

SHELVING

Shelves in a record room should be functional, durable, and easy to clean besides being



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simple in design, offering maximum protection to records. It should provide maximum safety from fire, dust, etc. Shelves should be fixed away from walls on upright fixers and at equidistance throughout the records room. If steel shelves are provided in the records room, it should be painted rustproof. The paint should be stable and non-injurious to documents. Steel shelves may preferably be slotted for vertical free circulation of air. Where wooden shelves are provided, the wood should be protected against termite infestation. Sharp edges and corners in the shelves and supports, which can result in physical damage to documents, should be rounded off.

STORAGE

Collections in Records room differ in bulk, size and shape and commonly consist of bound volumes, loose sheets, files, manuscripts, maps, charts, etc. Shelf arrangements needed for specific materials need designing according to the nature, shape and bulk of the material. While designing the shelves, it may be ensured that neither these nor the materials kept on them touch either walls, ceilings or the floor. The distance from wall, ceiling and floor should be at least six inches (15 cm).

The records should be loosely packed in the shelves to enable free circulation of air and prevent formation of pockets of high humidity.

LIGHTING

Good lighting with either natural or artificial light is necessary for every records room. Modern lighting practice is to provide diffused lights of varying intensity for different rooms. Lighting can be improved by using paints that reflect light.

Fire Fighting Arrangement

To protect against any accidental fire, all electric wiring should be through conduit pipes and the main control switches of lights etc. installed in the storage area should be located outside the records room. As far as possible, the records room should be made fire resistant. In big records rooms, the storage space should be divided into separate fire resistant compartments and additional automatic dampers should be installed in the centrally air-conditioned ducts to ensure the immediate closure and thereby preventing the spread of fire to other compartments. It is advisable to provide emergency exits besides the main entry door to the records room to remove valuable archival material to safety, when necessary. Every Records room should be fitted with a fire detection alarm system to detect any fire in the storage area. Use of naked light, heaters and smoking in the records room should be prohibited. As a preventive measure against accidental fires, all light and power circuits should be switched off after office hours. Electrical appliances and fittings in the repository should also be periodically checked for loose connections and defects rectified.

For combating fires, adequate equipment of carbon dioxide (CO₂) type should be provided at suitable places in the building for easy accessibility. Besides, water pipes and hoses should be installed at convenient points to fight any major fire.



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All the equipment for either detecting of fire or combating of fire should be checked at regular intervals to ensure their being in active operative state at all times. Similarly, staff connected with the storage of records should be trained in fire fighting. A fire drill may be arranged at least once in two months to keep the trained staff alert.

Instructions regarding prevention of fire and fire fighting in case of fire for the common man should be prominently displayed in the Records Room. Likewise, telephone number of District Fire Service for contact in emergency should be prominently displayed at a central place in the records room.

CARE & VIGILANCE

To sum up, good housekeeping, creation of hygienic conditions, proper breathing environments combined with constant staff vigilance alone facilitates the maintenance of records in healthy state, prolonging their life.

Statutory Obligation (Public Records Act, 1993)

The management, administration and presentation of public records of Central Government, Union Territory Administration, Public Sector Undertakings, Statutory Bodies and Corporations, Commissions and Committees constituted by the Central Government or a Union Territory Administration. regulated in accordance with the provisions of Public Records Acts, 1993 and the rules framed under the Act.

According to the rules- "Public Records Rules, 1997"- framed under this Act every record creating agency shall nominate one of its officers not below the rank of grade of a Section Officer, as Records Officer under intimation to National Archives of India(NAI). NAI is the apex body for managing Government records. The records officer will be responsible for discharging all functions relating to records management as provided under the Act. There is linkage in the functions of the DRO & NAI through submission of periodical reports to the NAI.



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LEAVE RULES¹⁰

LEAVE AT A GLANCE

GENESIS

1. The Central Civil Services(Leave) Rules, 1972 came into force with effect from June 01, 1972. These are statutory rules governing grant of leave applicable to all Government servants, except those who are governed by a separate set of rules, e.g. Railway employees, members of All India Services etc. The details of the exceptions are available at Rule(2) of these rules.

KINDS OF LEAVE

2. There are different kinds of leave, which are described below, provided in the CCS (Leave) Rules, 1972. As per the policy of the Government, leave is credited in advance to the "Leave Account" of a Government servant in a half-year and debited as and when leave is taken by him/her. However, there are some "Special Kinds of Leave" which are not debited to the leave account. The table given below indicates different kinds of leave and whether it is debited or not debited to the individual leave account:

Sl. No	Kinds of Leave	Whether Debited to Leave Account or not
1.	Earned Leave (EL)	Debited
2.	Half-Pay Leave (HPL)	Debited
3.	Commuted Leave	Debited
4.	Leave Not Due (LND)	Debited
5.	Extra Ordinary Leave(EoL)	Debited
6.	Maternity Leave	NOT Debited
7.	Paternity Leave	NOT Debited
8.	Child Care Leave	NOT Debited
9.	Study Leave	NOT Debited
10.	Special Disability Leave	NOT Debited
11.	Seamen's Sick Leave	NOT Debited
12.	Hospital Leave	NOT Debited
13.	Departmental Leave	NOT Debited

Kinds of Leave at Sl. No(s) 6-13 are known as "Special Kinds of Leave".

3. CASUAL LEAVE(CL)/ RESTRICTED HOLIDAYS(RH)/ COMPENSATORY OFF/SPECIAL CASUAL LEAVE

3.1 These are not any regular kind of leave and as such is not covered in the CCS(Leave) Rules, 1972. The absence in these categories may be either anticipated or not anticipated. It is always advisable to obtain sanction of leave, unless it is sudden and completely not anticipated.

¹⁰ Last reviewed by Lalit Grover, Assistant Director



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3.2 Casual Leave/Restricted Holidays/Compensatory Off/Special Casual Leave is governed by executive instructions issued by the Government from time to time. Main features of these absences are discussed below:

- ❖ The entitlement in a particular year in respect of *Casual Leave* is eight (8) at present for a normal person and 12 in respect of a differently-abled person. It is the only form of absence that can be availed of for a half-day.
- ❖ A maximum of two *Restricted Holidays*(RH) can be availed of by any Government Servant in a particular calendar year from the list of RH circulated by the Government, with prior approval of the competent authority.
- ❖ *Compensatory Off* can be availed of by a Government servant in lieu of his/her working in a holiday, provided no other financial incentives are granted(OTA/Honorarium) for that day. Normally, it should be availed of within a month and in that case there is no limit to the number of Compensatory Off. In case it could not be taken within a month, a Government servant in the subsequent calendar month could avail of a maximum of two compensatory off, with special permission from the Joint Secretary in-charge of Administration/Head of Department.
- ❖ *Special Casual Leave* is granted for participation of a Government servant in some National sports/cultural events, Family Planning, Natural Calamities, Bandh etc.

4. GENERAL CONDITIONS

- (i) Leave cannot be claimed as a matter of right.
- (ii) Leave may be refused, curtailed or revoked, in the public interest.
- (iii) Kind of leave due and applied for cannot be altered by the organisation, except at the written request of the Government Servant.
- (iv) Any claim to leave at credit ceases from the date of dismissal or removal or resignation from Government service. However, technical resignation to take up appointment against any outside post under the Government of India with prior permission does not entail any such lapse.
- (v) The past service of a re-employed pensioner, retired on compensation pension or invalid pension/gratuity would also be counted towards leave, if such past service were counted for pension purposes.
- (vi) Leave may be commuted retrospectively into leave of a different kind, which was due and admissible at the time the leave was sanctioned. There are some prescribed conditions for availing of such conversions. However, such commutation cannot be claimed as a matter of right. The commutation would



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entail adjustment of leave salary on the basis of leave finally granted to Government Servant.

- (vii) Any leave may be combined with any other kind of leave. Special Casual Leave and RH may also be combined with regular leave or casual leave but not with both. Casual leave cannot be combined with regular leave under normal circumstances. However, in a special case, $\frac{1}{2}$ days C.L. applied for the second half may be allowed to be prefixed to regular leave, if he/she doesn't have any further CL at his credit and he/she is unable to resume duty on the next working day due to sickness or other compelling grounds and has to avail of regular leave.
- (viii) A Government servant cannot be granted leave of any kind for a continuous period exceeding five years except with the approval of the President in special cases.
- (ix) Leave shall not be granted to a Government Servant whom a competent punishing authority has decided to dismiss, remove or compulsorily retire from Government service. Also leave shall not be granted to a Government Servant who has been placed under suspension.

5. GRANT OF AND RETURN FROM LEAVE

(1) LEAVE ON MEDICAL CERTIFICATE

- a) To be granted only on production of medical certificate granted by the CGHS Doctor(if CGHS beneficiary) or from the AMA/Government Hospitals
- b) In case of doubt second medical opinion from a civil surgeon/staff surgeon may be obtained.
- c) Production of MC may be waived at the discretion of competent authority for leave not exceeding three days.
- d) On expiry of leave on MC Government servant should be allowed to resume duty only on production of fitness certificate.
- e) No leave shall be recommended by the medical authority when there is no reasonable prospect of Government Servant ever being fit to resume duty and the opinion that the Government Servant is permanently unfit for further Government service shall be recorded in the MC.



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- f) If the medical authority is of the opinion that there is no reasonable prospect that the Government Servant will ever be fit to return to duty but is unable to say with certainty that the Government servant will never again be fit for service, due and admissible leave not exceeding 12 months in all may be granted. For extension of leave beyond 12 months further reference to a medical authority will be necessary.
- g) If a Government servant is declared completely and permanently incapacitated for further service, leave or extension of leave may be granted to him after the report of the medical authority has been received. The amount of leave as debited to the leave account together with any period of duty beyond the date of report of the medical authority, does not exceed six months after which the Government servant shall be invalidated from services.

(2) COMBINATION OF HOLIDAYS WITH LEAVE

- a) Holidays, Restricted holidays and compensatory off may be prefixed/ suffixed to any kind of leave including commuted leave.
- b) Holiday prefixed/suffixed to leave are to be treated as duty for the purpose of drawl of pay and allowances.

(3) RECALL TO DUTY BEFORE EXPIRY OF LEAVE

(i) From leave in India

- a) Government servant shall be treated as on duty from the date on which he starts for the station to which he is ordered.
- b) Travelling allowance for journey from leave-address to the place of posting on recall.
- c) Leave salary at same rate until he joins his post.

(ii) From leave outside India

- a) Time spent on the voyage to India shall count as duty for purpose of calculating leave.
- b) Leave salary at same rate until he joins his post.
- c) A free passage to India
- d) Travelling allowance from the place of landing in India to the place of duty.
- e) Refund of his passage from India if he has not completed half of the period of leave or three months whichever is shorter.



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(4) OVERSTAYAL OF SANCTIONED LEAVE

- a) A Government servant who remains absent after the end of leave is entitled to no leave salary for the period of absence not regularized by grant of leave.
- b) Such a period of absence is debited against HPL due and excess if any treated as E.O.L.
- c) Wilful absence renders Government servant liable to disciplinary action.
- d) Such a period of absence does not count as qualifying service for pension and as duty for increment.
- e) Such a period of absence, however, does not entail loss of lien.
- f) Period of absence without any sanctioned leave may be treated as *Unauthorised Absence* and attracts disciplinary action. Competent authority may declare the unauthorised leave as dies non, which may cause break in service and therefore loss in pensions, etc.

6. RETROSPECTIVE CONVERSION OF ONE KIND OF LEAVE TO THE OTHER

Leave of any kind availed of by a Government Servant could be subsequently converted to any other kind of leave on the following conditions:

- a) The kind of leave for which conversion is applied for should be due and admissible to a Government servant at the time of original sanction of the leave.
- b) The Government Servant has to apply within 30 days of his/her joining to the office after availing of such leave, for which application of conversion is submitted.

7. EARNED LEAVE

Entitlement: 15 days advance credit on 1st January and 1st July, each year. Fraction should be rounded off.

Deduction: Credit of earned Leave is subject to deduction at the rate of 1/10th of the period of EOL/period of absence treated as "dies non" in the subsequent half-year, subject to the maximum of 15 days.



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- (c) Resignation 5/3 days PCCM upto the date of resignation
- (d) Dismissal/
Removal/ death 5/3 days PCCM upto the end of previous calendar month
- Leave Salary:** Half of pay drawn immediately before proceeding on HPL and appropriate DA thereon but HRA and CCA at full rates.
- Account:** Balance should be worked out at the end of each half year by debiting the following:
- ❖ HPL taken
 - ❖ Twice the amount of commuted leave taken
 - ❖ LND taken
 - ❖ Excess over 120 days of special Disability leave taken after exercising option.

9. COMMUTED LEAVE

Entitlement: Not exceeding half the amount of HPL due.

Leave Salary: Same as admissible during E.L.

Account: Twice the amount of commuted leave taken should be debited against the balance of HPL at credit.

Conditions:

- ❖ It is granted normally on production of M.C.
- ❖ Commuted leave may be granted without production of MC up to a maximum of 90(i.e. 180 HPL) days during the entire service for prosecuting an approved course of study certified to be in the public interest and 60 days to a female Government servant in continuation of maternity leave for child birth and after adoption of a child.
- ❖ There should be reasonable prospect of the Government servant returning to duty on its expiry.
- ❖ There is no bar to grant commuted leave at the request of the Government servant even when EL is due.



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Action on non-return to duty on expiry: If the Government servant resigns or is permitted to retire voluntarily without returning to duty, the commuted leave shall be treated as half pay leave and the excess of leave salary drawn shall be recovered. No recovery shall be effected in case of incapacitation or death.

10. LEAVE NOT DUE

Eligibility:

- (a) Permanent Government Servants
- (b) Temporary Government servants with minimum one year service and suffering from TB, Leprosy, Cancer or Mental illness

Condition: Can be granted strictly on production of a Medical Certificate. However, **no medical certificate** is required in continuation of Maternity Leave for child birth/adoption

Maximum Period: 360 days during entire service career

Action on resignation/retirement on expiry of LND:

Without returning to duty

- ❖ Resignation or permission to retire voluntarily shall be effective from the date of commencement of LND.
- ❖ LND shall be cancelled.
- ❖ Leave salary paid shall be recovered.

Returns to duty but resigns/retires subsequently

- ❖ In case he could not earn the required leave to cover the period of LND, balance of the leave salary to be refunded

No recovery of leave salary shall be made in case of LND, when:

- ❖ If retirement is on account of ill-health incapacitating further service
- ❖ In the event of death.
- ❖ If compulsorily retired prematurely by Government under Rule 48(1)(b) of CCS(Pension) Rules or retired under FR 56(j)



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11. EXTRA ORDINARY LEAVE

Eligibility: Special circumstances

- ❖ No other leave is admissible; or
- ❖ Other leave is admissible but the Government servant applies in writing for the grant of EOL.

Entitlement:

- ❖ Permanent Government servants - *No limit*;
(Maximum period of continuous absence is 5 years)
- ❖ Temporary Government servants – *3 months* on one occasion
- ❖ Temporary Government servants with one year's continuous service – *6 months*, on production of a Medical Certificate. Provided, all other leave is consumed, including three months of EOL.
- ❖ Temporary Government servants with one year's continuous service – *18 months*, on production of a Medical Certificate and undergoing treatment in a recognised sanatorium for pulmonary TB, pleurisy of tubercular origin, leprosy, cancer and mental illness.
- ❖ Government servant with three years continuous service can be granted *24 months* EOL for prosecuting studies certified to be in public interest and has already consumed three months EOL for such purpose

Other Conditions:

- ❖ Head of Department may relax the limits mentioned above for Government servants belonging to SC/ST for the purpose of attending pre-examination training course at the centres notified by the Government from time to time.
- ❖ However, two spells of EOL intervened by any other kind of leave shall be treated as one continuous spell of EOL for the purpose of these limits.

Retrospective Commutation:

- ❖ Period of absence without leave may be commuted retrospectively into EOL.
- ❖ EOL granted on MC or otherwise may be commuted retrospectively into LND subject to admissibility at the relevant time.



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Leave Salary: Nil

Notice for voluntary Retirement: Since EOL on MC or otherwise cannot be termed as leave standing to the credit of a Government servant, it cannot run concurrently with period of notice given by him for seeking voluntary retirement.

12. MATERNITY LEAVE

Entitlement: A female government servant

Period: 135 days for child birth/adoption (up to one year of age) having less than 2 surviving children. In addition, 45 days for abortion/miscarriage on production of MC, after the event has occurred, once in an entire service career.

Leave in continuation: Leave of the kind due and admissible may be granted in continuation of maternity leave for child birth for a maximum period of one year including 60 days commuted leave and Leave Not Due without production of MC. No such facility is admissible in case of maternity leave for abortion or miscarriage.

Leave Salary: Pay drawn immediately before proceeding on maternity leave.

NOTE ON ADOPTION OF A CHILD

Granted to a female employee, with less than two surviving children, on valid adoption of a child below the age of one year, for a period of 135 days immediately after the date of valid adoption. In continuation of Child Adoption Leave, leave of the kind due and admissible (including leave not due and commuted leave not exceeding 60 days without production of Medical Certificate) for a period up to one year reduced by the age of the adopted child on the date of legal adoption without taking into account the period of Child Adoption Leave, can be combined.

13. CHILD CARE LEAVE

13.1 On recommendations of the Sixth Central Pay Commission the Government of India has decided to grant Child Care Leave (CCL) to women employees having minor children below the age of 18 years, for a maximum period of 2 years (i.e. 730 days) during their entire service, for taking care of up to two children whether for rearing or to look after any of their needs like examination, sickness etc.

13.2 However, CCL cannot be demanded as a matter of right. Under no circumstances can any employee proceed on CCL without prior proper approval of the leave by the leave sanctioning authority.



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13.3 The leave is to be treated like the Earned Leave and sanctioned as such. Consequently, Saturdays, Sundays, Gazetted holidays etc. falling during the period of leave would also count for CCL, as in the case of Earned Leave.

13.4 CCL shall be admissible for two eldest surviving children only. The leave account for CCL shall be maintained in the prescribed proforma and it shall be kept along with the Service Book of the Government servant concerned. CCL can be taken in short spell, not less than 15 days at one stretch. In a calendar year only 6 such single spells are allowed.

14. PATERNITY LEAVE

Eligibility: Male Government servant

Conditions: During the confinement of wife, i.e., up to 15 days before or up to 6 months from the date of delivery of the child, with less than two surviving children and can be combined with any other kind of leave (as in the case of Maternity Leave). If not availed, it will be treated as lapsed. Normally, this leave is not to be refused.

Period of leave: 15 days

Leave Salary: Pay drawn immediately before proceeding on paternity leave

15. STUDY LEAVE

Who can sanction?

- Ministry/Department.
- Administrator
- C& AG

To whom? Permanent Government Servant who:

- (a) has been declared to have completed probation
- (b) Has put in regular and continuous service for 5 years
- (c) Has executed a bond in the Prescribed form to serve the Government for a period of three years on expiry of the study leave and



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- (d) Would not reach the age of superannuation within 3 years of the expiry of the study leave.

How to apply? On plain paper through proper channel giving full details of the Course of study/examination to be passed along with the Bond in the prescribed form.

Quantum: Ordinarily 12 months at a time. However, a maximum of 24 months during the entire service may be granted. The total period of study leaves including vacation if any and any leave except extra ordinary leave taken in combination should not exceed 28 months. For study leading to the award of Ph.D. Degree, the total period of leave including study leave should not exceed 36 months. In respect of Jawaharlal Nehru Fellowship awardees the entire period of fellowship may be granted as study leave.

What is study? Study for this purpose may be in India or outside India and should conform to one of the following-

- ❖ A special course of study consisting of higher studies or specialized training in a professional or a technical subject having a direct and close connection with the sphere of duty.
- ❖ A course of training or study tour in which attending a regular academic or semi-academic course may not be necessary, but is certified to be of definite advantage to Government from the point of views of public interest and is related to the sphere of duties.
- ❖ Studies connected with the framework or background of public administration if approved by the competent authority to grant leave and subject to the condition that the Government servant will submit a full report on the work done while on study leave on his return.
- ❖ Studies not closely or directly connected with the work of a Government servant but which are capable of widening his mind (in a manner likely) to improve his abilities as civil servant and to equip him better to collaborate with other employed in other branches of public service.

On what conditions?

- ❖ To be certified by the competent authority that the study shall be of definite advantage from the point of view of public interest.
- ❖ *For study leave outside India-*
- ❖ the facilities for study/research should not be available in India.



Reading Material for CSSS Training Programme

- ❖ Government Servant shall submit completion/pass certificate in respect of the course of study/examination.
- ❖ Study leave should not be granted with such frequency as to remove the Government servant from contact with his regular work or to cause cadre difficulties owing to his absence on leave.
- ❖ Study leave shall not be granted unless it is for prosecution of studies in subjects other than academic or literary subject; except in the following cases:
 - ❖ To an IES/ISS officer for doing Ph.D. if chief Economic Advisor/Director, central Statistical organization approves the subject of research and the institution at which the research is to be undertaken and certifies that the study will be valuable in the matter of increasing the efficiency of the officer.
 - ❖ To a Medical officer for prosecuting a course of postgraduate study in Medical Sciences if the DGHS certifies that the study will be valuable in the matter of increasing the efficiency of the officer.
 - ❖ To a specialist or a technical person for prosecuting postgraduate course of study directly related to sphere of duty in case the Head of the Department or the Secretary of the Ministry/Department certifies that the course of study shall:-
 - ❖ enable him to keep abreast with modern developments in the field of his duty
 - ❖ improve his technical standards and competence; and
 - ❖ thus substantially benefit the Department.

Who will bear TA and cost of fees?

Ordinarily Government servant himself. But in exceptional cases, the President may sanction payment of such allowance or fees.

What if bond obligation is violated or the condition enunciated in the bond is not met if the Government servant-

- ❖ fails to complete the course of study; or
- ❖ resigns/takes voluntary retirement without return to duty; or
- ❖ returns to duty but resigns/takes voluntary retirement before serving for 3 years on expiry of study leave.



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Consequences of such violation:

- ❖ Study leave is converted into leave due and admissible and extraordinary leave. Excess payment of leave salary is recovered.
- ❖ Before the resignation is accepted or the Government servant is permitted to retire voluntarily the actual amount together with interest comprising-
 - ❖ Leave salary, study allowance, cost of fees, travelling and other expenses, if any, incurred by the Government of India and
 - ❖ The cost incurred by other agencies such as foreign governments foundations and Trusts in connection with the course of study shall be recovered.

However, no such recovery will be made if the Government servant is permitted to retire on medical grounds or to resign for his permanent absorption in the public interest in an autonomous or statutory body or institution to which he was deputed to serve by Government on return from study leave.

Leave Salary

Study leave in India:

Pay drawn on duty immediately before proceeding on leave and DA and HRA thereon. This amount shall be reduced by the amount, if any received by the Government servant as stipend, scholarship or remuneration for any part-time employment. However, the net leave salary shall not be less than the leave salary admissible on HPL.

Study leave outside India:

Pay drawn on duty immediately before proceeding on leave, DA and HRA thereon and study allowance at prescribed rates. Any amount of stipend, scholarship or remuneration for part-time employment if received by Government servant after deducting the cost of fees, if any paid by him, shall be adjusted against the study allowance. If the net amount of stipend etc. is less, the balance shall be paid as study allowance and if it is more no study allowance shall be paid as study allowance.

Note: Allowances, like HRA/CCA etc. in the Leave Salary will be admissible at the prescribed rates, fixed by the Ministry of Finance from time to time.



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16. LEAVE ENCASHMENT

EARNED LEAVE

- 16.1 The authority competent to grant leave shall suo-motto issue an order granting cash equivalent of leave salary for Earned Leave, if any, at the credit of Government servant concerned, on the last day of his service subject to a maximum of 300 days in respect of the following categories:
- i. retirement on attaining the age of superannuation;
 - ii. cases where the service has been extended, in the interest of public service beyond the date of retirement on superannuation;
 - iii. voluntary/pre-mature retirement;
 - iv. where the services are terminated by notice or by payment of pay and allowances in lieu of notice, or otherwise in accordance with terms and conditions of appointment;
 - v. termination of re-employment after retirement
 - vi. to the family of the deceased Government servant died while in service;
 - vii. invalidation on Medical ground;
 - viii. compulsory retirement as a measure of punishment without reduction in pension;
 - ix. absorption in a Public Sector Undertaking/autonomous body wholly or substantially owned or controlled by the Central/State Government;
 - x. transfer to an industrial establishment;
- 16.2 Encashment of Earned Leave will be allowed to retired officers appointed on Contract basis after retirement even within the first two years, subject to the condition that the total number of days for which encashment is allowed on termination of contract together with the number of days of Earned Leave or Full Pay Leave for which encashment had already been allowed in previous appointments under the Government shall not exceed 300 days.
- 16.3 Half of the leave at credit on the date of cessation of service, subject to a maximum of 150 days is to be encashed in case when a Government servant resign or quits service, of his own accord.



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16.4 Encashment not exceeding 10 days of Earned Leave at a time is permissible for availing LTC subject to the condition that.

- (a) The total leaves so encashed during the entire career does not exceed 60 days in the aggregate.
- (b) EL of at least an equivalent duration is also availed simultaneously;
- (c) A balance of at least 30 days of EL is still available to the credit after taking into account the period of encashment as well as leave; and
- (d) The period of leave encashed shall be deducted from the quantum of leave that can be normally encashed at the time of superannuation [i.e. the total encashment along with LTC awhile in service should not exceed the maximum limit of 300 days or 150 days as the case may be].

16.5 Cash equivalent of leave salary consist of pay plus appropriate Dearness Allowance thereon

Formula for calculation:

$$\frac{(\text{Pay} + \text{D.A.}) \text{ admissible on the crucial date} \times \text{No. of days of EL encashable}}{30}$$

Limitations: No HRA or CCA shall be payable. Special Pay is counted for leave encashment, but DA on Special Pay is not counted. Personal pay for Family Planning and Hindi Teaching Scheme are not counted for this purpose.

HALF PAY LEAVE

16.6 A Government servant is also entitled to encashment of HPL subject to the conditions that in the following cases the period of Earned Leave plus HPL does not exceed the period between the date of actual retirement and the date on which he/she would have retired in the normal course on attaining the age of superannuation

- i. Premature or voluntary retirement.
- ii. Invalidation on Medical ground (only those permanent and quasi-permanent).

16.7 Both Earned Leave and Half Pay Leave shall be considered for encashment of leave subject to overall limit of 300 days. The cash equivalent payable for Earned Leave shall continue unchanged. However, cash equivalent payable for Half Pay Leave shall be equal to leave salary as admissible for Half Pay Leave plus Dearness Allowance admissible on the leave salary without any reduction being made on account of pension and pension equivalent of other retirement benefits payable. TO make up the shortfall in Earned Leave, no commutation



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of Half Pay Leave shall be permissible. The Cash equivalent for half pay leave component shall, henceforth, be calculated in the manner indicated below:-

[This restriction is not applicable if encashment of EL alone is due and granted subject to maximum of 300 days.]

16.7 Formula for calculation:-

$$\begin{array}{l} \text{Cash payment} \\ \text{in lieu of HPL} \\ \text{Component} \end{array} = \frac{\text{HPL admissible on the date} \\ \text{of retirement + DA} \\ \text{admissible on that date}}{30} \times \begin{array}{l} \text{Number of days of} \\ \text{HPL at credit subject} \\ \text{to the total of EL +} \\ \text{HPL not exceeding} \\ \text{300 days} \end{array}$$

No HRA/CCA is admissible for HPL encashment.



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CONDUCT RULES¹¹

General

The essence of Conduct Rules is that every Government servant is required to ensure absolute integrity and devotion to duty. He should not do anything which is unbecoming of a Government servant. A supervisory officer has to ensure integrity and devotion to duty of Government servants under his control and authority. A Government servant should act in his best judgement while performing his official duties. When a Government servant seeks instructions or approval from a superior officer when it was not necessary, he continues to be responsible. The official superiors should give directions to subordinates in writing. If giving oral directions becomes unavoidable, such directions should be confirmed in writing.

A Government servant would be deemed to be lacking in devotion to duty if he habitually fails to perform the tasks within the given time and expected quality. Following shall further be ensured by a Government servant:-

- Not to act in a discourteous manner.
- Not to adopt delaying tactics in the disposal of work.
- Follow Government policies regarding age of marriage , preservation of environment, protection of wildlife and cultural heritage and prevention of crime against women .
- Avoid indulgence in any act of sexual harassment of any woman at work place. An officer in-charge of a work place should take appropriate steps to prevent such harassment.

(Rule-3)

Government of India's Decisions

- It is the duty of Government servant who is convicted in a criminal court to inform his official superior of the fact of conviction and the circumstances at the earliest. Failure to do so will be treated as suppression of material information and he will be liable to disciplinary action.
- The intimation about arrest and connected circumstances should also be reported to superior officer even if released on bail.
- A Government servant can participate in activities or work of public utility provided these do not interfere with the performance of his official duties. This applies to activities organized by Govt. Department or Bharat Sewak Samaj and not by private organization.
- A Govt. servant can be permitted to join as volunteer in the Civil Defence Service.

¹¹ Last Reviewed by Sandeep Mukherjee, Deputy Director



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- A Govt. servant can enroll as member of St. John Ambulance Brigade and receive training but this should not interfere in discharge of his duties.
- A Govt. servant may be permitted to join Home Guards Organisation.
- A Govt. servant may be permitted to join the Territorial Army.
- In matters relating to grievance concerning employment or conditions of service, a Govt. servant may first exhaust the normal official channels before taking the matter to a Court. In any case permission is not necessary for suing the Government in a Court of Law.
- A Govt. servant must be impartial and must not show undue favor or ill will in his official dealings.
- A Govt. servant should show courtesy and consideration to Members of Parliament and of State Legislature. He should consider carefully and listen patiently to what the Members may have to say. He should always act according to his best judgement.
- Making of joint representation by Govt. servants amounts to subversive of discipline.

2. Employment of near relatives of Government servants in companies or firms.

A Government servant should not use his influence to get employment for members of his family in any company or firm. A Class-I officer shall seek previous sanction of the Govt. for permitting his son, daughter or other dependent to accept employment in any company or firm with which he has official dealings. The same condition will also apply in case of a company or firm having official dealings with the government. In case of urgency the matter should be reported to the government and employment accepted provisionally. A Government servant needs to inform the prescribed authority the fact of his family member accepting employment in a company or firm and also intimate if he had any official dealings with that company or firm. Every matter concerning giving of contract to any company or firm in which any member of his family is employed should be reported to the official superior and disposed as per the instructions received.

(Rule - 4)

Government of India's Decisions

- Employment includes apprenticeship with firms, whether paid or unpaid
- Government servants other than Group 'D' employees need to furnish information in report of their close relations when first appointed to the service.

3. Taking part in politics and elections

A Govt. servant should not be associated with any political party or organisation which takes part in politics. He should prevent members of his family from assisting any movement or activity which is subversive of the Government. If he is unable to do so he should report the matter to the Government. With regard to a question whether any organisation



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takes part in politics or movement/activity being subversive of Government, the final decision will be taken by the Government. Further, a Government servant should not canvass, influence or participate in any manner in an election to legislature or Local Authority. A Government servant has, however, a right to cast his vote without disclosing the manner in which he would vote. At the same time he would not be liable to have contravened the provision if he is assigned the responsibility of conducting an election under a prevalent law. The act of displaying electoral symbol on his vehicle etc. would amount to using his influence in the election.

(Rule-5)

Government of India's Decisions

- A Govt. servant intending to join or participate in activities of any organisation should ensure that its aims and activities are not objectionable.
- Attendance at meetings organized by a political party should not be contrary to the prescribed provisions. If it is a public meeting, it is not contrary to any prohibiting order and the Govt. servant himself does not speak or takes a prominent part.
- Normal arrangement during election tours of Ministers and arrangements by district offices for providing normal courtesies to Ministers is permitted.
- A Govt. servant who proposes or seconds the nomination of a candidate at an election or acts as a political agent commits a breach of the Conduct Rules.
- A Govt. servant should maintain political neutrality in all respects.
- Taking part by a Govt. servant in a meeting or demonstration by a political party should be avoided.
- Govt. servants should keep away from demonstrations organized by political parties held in the neighborhood.
- Participation in the activities of Dharma Pracharak Sanstha and Door Darshi Party is liable to disciplinary action.

4. Joining of Associations by Government servants

A Government servant should not be connected to an association whose objects or activities are prejudicial to the interests of:-

- sovereignty and integrity of India or
- public order or morality

(Rule-6).

Government of India's Decisions

- Individual Govt. servants or their associations/unions do not have any right to display posters or other notices on the walls, doors etc. of the office premises



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- Action for violation of Rule-6 relating to joining of association by Govt. servants action can be taken by a disciplinary authority when an authority not below the level of Head of Deptt. decides the activities of the Association attract provisions of Rule-6.

5. Demonstration and Strikes

A Govt. servant should not participate in any demonstration which is prejudicial to the interests of sovereignty and integrity of India, security of State, friendly relations with foreign States, public order, decency or morality, contempt of Court, defamation or incitement to an offence. He should also not engage in strike or coercion relating to any matter concerning his service or that of other Govt. servant.

(Rule-7)

Government of India's Decisions

- A Govt. servant who in an office bearer of an Executive Committee of a Service Association should not deal with representations or other matters related to the Association.
- Participation of Government servant in 'Gherao' which involves forcible confinement of public servants would amount to subversion of discipline and harmful to public interest and would attract the relevant disciplinary provisions.
- Holding meetings/demonstrations by Govt. servant without permission within the office premises is strictly prohibited.

6. Connection with Press or Other Media

A Government servant requires previous sanction of the Govt. to own or participate in the editing/management of any newspaper or periodical publication or electronic media. The sanction is not needed in the bona fide discharge of his official duties like publishing a book or participate in a public media.

(Rule-8)

Government of India's Decision

- The time limit prescribed for grant of permission may be adhered to.

7. Criticism of Government

A Government servant cannot make any statement of fact or opinion via any broadcast or document or press directly or indirectly, which is an adverse criticism of any recent or current policy of the Central/State Government. This will also apply in cases which are capable of embarrassing the relations between Central Govt. and State Govt. and Central Govt. and Foreign State. This will not apply when a Govt. servant makes statements or expresses views in his official capacity.

(Rule -9)



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Government of India's Decision

- The Govt. servant visiting abroad should avoid making any written or oral statement without prior approval.

8. Evidence before Committee or any other Authority

A Government servant requires previous sanction of the Government for giving evidence in connection with an enquiry conducted by any person, committee or authority. However, he shall not criticize the policy or any action of the Government. This does not apply in case of evidence given at enquiry before an authority of Government, evidence given in a judicial enquiry or evidence given at a departmental enquiry.

(Rule- 10)

Govt. of India's Decisions

The witnesses while appearing before a Parliamentary Committee should follow points of conduct and etiquette some of which are as follows:-

- give due respect to the Chairman and Committee/Sub- Committee
- to speak when asked
- make submissions in courteous and polite language etc.

Govt. servants are free to submit memoranda to the Commission and give frank expression to their personal views but there should not be given any publicity. Memoranda can also be submitted to the Pay Commission.

9.. Communication of Official Information

A Govt. servant should communicate information in good faith to a person as per Right to Information Act, 2005. He should not in other cases communicate any official document or classified information to any Government servant or any other person to which he is not authorized to communicate such information.

(Rule - 11)

10. Subscriptions

A Government servant requires previous sanctions of the Government for asking or accepting contributions or associating with raising of any fund or collections.

(Rule-12)



Reading Material for CSSS Training Programme

11. Gifts

A Govt. servant shall not accept or allow a member of his family to accept any gift. On occasions like Weddings, anniversaries or religious functions gifts may be accepted from near relatives or personal friends who have no official dealings with him in terms of religious and social practice. However, such relatives and personal friends should not have official dealings with the Government servant. He shall report the fact of accepting gift to the Government if the value of gift exceeds certain monetary limits. These are as follows:-

Holders of Group 'A' post - above Rs.7,000/-

Holders of Group 'B' post - above Rs.4,000/-

Holders of Group 'C' post - above Rs.2,000/-

Holders of Group 'D' post - above Rs.1,000/-

A Government servant, in other cases, cannot accept a gift without the sanction of Government if the value exceeds certain monetary limits. These are as follows:-

Holders of Group 'A' or Rs.1,500/-

Group 'B' post

Holders of Group 'C' or Rs. 500/-

'D' post

Gift costing not more than Rs.1000/-, can be accepted from foreign dignitaries, as part of foreign delegation. A Government servant shall not accept gift from foreign firms with which he had or is likely to have official dealings.

(Rule -13)

Govt. of India's Decisions

- I. A Govt. servant shall not be permitted to accept gifts of more than trifling value at the time of transfer. He can accept gifts at the time of retirement from members of staff with prior permission, if required.
- II. Acceptance of passage and hospitality by officers from foreign contracting firms is not permissible.
- III. For receipt of gifts on occasions like weddings from persons having official dealings with the Govt. servants, sanction of Govt. will be required, if the amount exceeds the prescribed limits.



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12. Dowry

A Government servant shall not give or take dowry. He should also not demand directly or indirectly and dowry from the parents or guardian of a bride or bridegroom.

(Rule 13-A)

13. Public Demonstration in Honour of Government servants

A Government servant cannot receive any complimentary address in his honour or of other Government servant without a previous sanction of the Government. He is however permitted to participate in a farewell entertainment of a private and informal character held in his honour or that of other Government servant on his retirement or transfer. A Govt. servant is also allowed to attend simple and inexpensive entertainments arranged by public bodies or institutions.

(Rule -14)

14. Private Trade or Employment

A Govt. servant requires previous sanction of the Government for following:-

- Engage in any trade or business
- Negotiate for any other employment
- Hold an elective office or canvass for a candidate for an elective office
- Canvass or support of any business of insurance/commission agency owned or managed by his family
- Take part in registration, promotion or management of any bank or company or cooperative society for commercial purposes.
- Associate in the making of a radio or television programmes, produced by a private agency and a privately produced media programme including a video magazine.

Previous sanction will not be required when a Government servant participate in his official capacity in a programme produced or commissioned by Government media. A Govt. servant does not require previous sanction of the Government for the following:-

- Undertake honorary work of social or charitable character
- Undertake occasional work of a literary, artistic or scientific character
- Participate in sports activities as an amateur
- Participate in registration, promotion or management of a literary, scientific or charitable society which work for promotion of sports, cultural or recreational activities. It is to be ensured that his official duties do not suffer and within one month of participating in such activities he should provide such details to the government.



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- Take part in the registration, promotion or management of a cooperative society for benefit of Government servants. He will discontinue participation if directed by Government. He will ensure his official duties do not suffer and within one month should provide details to the Government.

A Govt. servant should report to the Government the details of his family members engaged in a trade or business or own or manage an insurance agency. A Govt. servant may not accept any fee for work done for a private or public body without sanction of the prescribed authority. He can do so if it is permitted under general or special orders of Government.

(Rule-15).

Govt. of India's Decisions

- I. Acceptance of part-time examinership of examination papers set by recognized universities is permissible provided the official duties do not suffer.
- II. Sanction of the Govt. will be required for acceptance of a part-time lectureship in the nature of regular remunerative occupation.
- III. Prior permission is necessary for accepting remuneration for services rendered to Co-operative Societies.
- IV. Private practice (consultancy work or of other type of work) is not permissible
- V. A Govt. servant can be permitted to enroll himself as an Advocate but cannot engage in legal profession till he is in Govt. service.
- VI. Prior sanction is necessary for contesting/convassing in election to sports bodies.

15. Subletting and Vacation of Government Accommodation

A Government servant shall not sublet or lease accommodation allotted to him. He should vacate the accommodation when cancelled within the prescribed time limit.

(Rule15-A)

16. Investments, Lending and Borrowing

A Government servant should not speculate in any stock, share or other investment. He can however, make occasional investments through duly authorized stock brokers or persons registered under law. Speculation means frequent purchase or sale of shares, securities or other investments. A Government servant or his family member should not make investment which might embarrass him in discharge of his duties. He should not apply either himself or through his family member for allotment of shares in the initial Public Offerings of a Central Public Sector Enterprise.



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A Govt. servant should further not lend or borrow or deposit money from/to any person or firm or private limited company which may place him under a pecuniary obligation. He can also not lend money to any person at interest for which something is charged. This will not however apply in the ordinary course of business with a Bank or public limited company.

A Government Servant can raise a temporary loan from a relative or a personal friend free of interest.

[Rule-16]

17. Insolvency and Habitual Indebtedness

A Government servant is required to manage his private affairs in such way that he avoids habitual indebtedness of insolvency. If any legal proceedings are instituted against him for recovery of any debt he shall report the facts to the Government.

[Rule-17]

18. Movable, Immovable and Valuable Property:

A Government servant when first appointed should submit details of his assets and liabilities regarding immovable property in his name or members of his family or any other person. Details of shares, debentures and cash and other movable property will also be provided by him along with debts and liabilities incurred directly or indirectly.

A Government servant in Group 'A' and Group 'B' shall submit an annual return providing details of immovable property in his name, in the name of his family or in the name of any other person. He shall acquire or dispose immovable property in any manner with previous knowledge of the prescribed authority. If such transaction is with a person with whom he has official dealings, previous sanction of the prescribed authority shall be obtained.

In case of a transaction of movable property by a Govt. Servant, he is required to report the same to the prescribed authority within one month of the date of transaction. This is applicable when the value of such property exceeds two months basic pay. If the transaction is with a person with whom the Govt. servant has official dealings, previous sanction of the prescribed authority shall have to be obtained.

The Government or prescribed authority can seek details of movable or immovable property from a Government servant. This may include the means by which the property was acquired.

(Rule - 18)



Reading Material for CSSS Training Programme

Government of India's Decisions

- Bidding by Govt. officers is prohibited where auctions are arranged by their own officers
- A charge of corruption arises reasonably if a Govt. servant is not able to satisfy his assets in movable and immovable property

19. Restrictions in Relation to Acquisition and Disposal of Immovable Property outside India and Transactions with foreigners etc

A Government servant would require previous sanction of the Government for the following:-

- Acquire immovable property located outside India.
- Dispose of any immovable property situated outside India which was in his name or that of his family.
- Enter into any transaction with a foreigner or foreign Govt. for acquisition of any immovable property and for disposal of any immovable property.

(Rule 18-A)

20. Vindication of Acts And Character of Govt. Servant.

A Government should not have recourse to any Court or press for vindication of official act which has been a subject of criticism. For doing this, he would require previous sanction of the Government. If the sanction is not available within three months it will be assumed that the permission is available. Previous sanction will not be required when a Govt. servant acts for vindicating his private act in his private capacity. He would, however, be required to submit a report to the prescribed authority.

(Rule - 19)

21. Convassing of Non-Official or other Outside Influence

A Govt. servant shall not attempt to bring political or any other outside influence on any supervisor authority in support of his interests regarding service under the Government.

(Rule -20)

Government of India's Decision

- Government servants should not convass for out of turn allotment of Govt. accommodation through MPs, prominent persons, politicians etc.
- No notice should be taken of a representation on service matters submitted by a relative of a Govt. servant.



Reading Material for CSSS Training Programme

22. Restrictions Regarding Marriage

A Govt. servant shall not enter into a marriage with a person who has a spouse living. He shall not enter into a marriage if he himself has a spouse living. A marriage could however be permitted by the Govt if such a marriage is permissible under the personal law of the Govt. servant and the other party. Under other permissible grounds also such a marriage could be allowed. If a Govt. servant marries a person who is not a Indian national, he should intimate this to the Government.

(Rule-21).

23. Consumption of Intoxicating Drinks and Drugs

A Government servant shall abide by the law relating to drinks or drugs applicable to the area where he is being at present. His performance of duty should not be affected in any way by reason of being under influence of such intoxicating drink or drug. He should neither consume such drink or drug in public nor appear in a public place in a state of intoxication. Excessive use of drink or drug is also not permitted.

(Rule -22)

Govt. of India's Decisions

- I. Every Govt. servant to adhere to provisions of Conduct Rules regarding consumption of intoxicating drinks or drugs.
- II. Govt. servants should refrain from consuming intoxicating drinks at official parties arranged by foreign missions. This will also apply in case of parties arranged by Govt. or semi Govt. organisations where foreigners are entertained.

24. Employment of Children Below 14 years of age

A Government servant shall not employ any child below the age of 14 years.

(Rule- 22A)

Govt. of India' Decision

Employment of Children below the age of 14 years will be a violation of Conduct Rules as well as it will be an offence under Child Labour (Prohibition and Regulations) Act, 1986.

Note: Interpretation

The matters relating to the interpretation of the rules will be finally decided by the Government

(Rule-23)



Reading Material for CSSS Training Programme

GENERAL CONDITIONS OF SERVICE¹²

FR 10-18 lay down certain General Conditions of Service for a Government servant. The positions stated therein is amended/elaborated by various Government of India decisions and Supplementary Rules is given below:

1.0 MEDICAL EXAMINATION

No person may be appointed to the Government service without producing a medical certificate from the prescribed authority in a prescribed form.

[FR - 10]

1.1. Exception

A medical certificate of health is not required for a candidate appointed in Government service in temporary capacity for a period not exceeding 3 months. However, if the period of appointment is later on extended beyond 3 months, or he is appointed in another Government office in continuation of the earlier employment, and the total period will exceed 3 months, the concerned Government servant will have to produce a medical certificate within one week from the date his employment is so extended.

1.2.1 Prescribed Authorities

	Post	Medical Authority
i)	Gazetterd Post	Medical Board consisting of at least two doctors.
ii)	Non-Gazetted post (other than Gp. D posts)	Civil surgeon/District Medical Officer or a Medical Officer of equivalent status
iii)	Group 'D' post	Authorised Medical Attendant or Government Medical Officer of the nearest dispensary or hospital possessing prescribed qualification

However, where Regulations for a particular post provide otherwise, then the said regulation will be followed.

¹² Updated by Arun Gaur, Deputy Director



Reading Material for CSSS Training Programme

For Female Candidates

i)	For Gazetted Posts	One of the member of the Board shall be a woman doctor.
ii)	For Non-Gazetted post (other than Gp. D posts)	Assistant Surgeon Grade I (woman) under Central Health Service Scheme
	a) In Delhi	
	b) At any other place	By registered Female Medical Practitioner possessing the prescribed medical qualification.

[FR 4]

1.2.3 For Physically handicapped persons

The Special Employment Exchanges for physically handicapped persons and Vocational Rehabilitation Centres have powers to nominate physically handicapped persons for employment in Government, after getting them medically examined by the Medical Boards attached to the Exchanges/Centres. No further medical examination is required for appointment of such candidates.

1.3 Candidate's statement and Declaration:

A candidate for appointment to a non-Gazetted post is required to make a statement in a prescribed form relating to medical history of self and his family. The statement and the declaration as given in the form are required to be filled in by him in the presence of the Medical Officer.

By willfully suppressing any information, the candidate will incur a risk of losing the appointment and if already appointed, of forfeiting all claim to superannuation allowance or gratuity.

1.4 The Medical Certificate:

The medical authority may declare a candidate as:

- i) Fit;
- ii) Temporarily unfit; or
- iii) Unfit.



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In case a candidate is found Temporarily Unfit, he shall be advised to take necessary treatment and the medical examination shall be conducted again after the period specified by the concerned Medical Authority

In case the candidate is found 'unfit' brief reasons for unfitness shall be communicated to him, by the concerned medical authority. Candidate has a right to appeal for re-examination in case of possible error of judgment and has to place the evidence i.e. a medical certificate by a medical practitioner, who shall give a note to the effect that the certificate has been given in the full knowledge of the fact that the candidate has already been rejected as unfit for service. Such an appeal should be made within one month from the date of communication of the adverse report, along with a re-examination fee, which is Rs.100/- for a candidate for Gazetted post and Rs.25/- for non-gazetted post. The decision for re-examination has to be taken at the level of Joint Secretary of the Administrative Ministry concerned.

1.5. Pregnant Woman:

The following two types of posts have been recognised:

- a) Posts which carry hazardous nature of duties; e.g. in police organisation etc. and have elaborate training before appointment.
- b) Posts which do not prescribe any elaborate training.

In the category (a) above, the female candidates if pregnant over 12 weeks will not be appointed and shall be declared temporarily unfit. She will be appointed only after the confinement is over. Post shall, however, be kept reserved for the female candidate.

In the category (b) the candidate shall be appointed straightaway on the job, even though she is found to be pregnant during medical examination.

1.6 Medical Examination on appointment to a new post:

When Recruitment Rules of a new post prescribe 'fresh medical examination in respect of all candidates'; the candidates for appointment should undergo medical examination by the prescribed standard. However, such medical examination is not required.

- i) If the person has already been medically examined by the medical authority of the prescribed standard; and
- ii) If the person is already in the same line and is promoted against the promotion quota to the new post.

1.7 Appointment without medical certificate of health

In exceptional cases of urgency, the appointment can be made without medical examination, which shall be conducted immediately thereafter. The Administrative Ministries



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and the Comptroller and Auditor General are empowered to authorise payment of pay and allowances for 2 months.

In exceptional circumstances, the need for production of a medical certificate can be dispensed with after seeking approval of the Ministry of Finance and Department of Personnel.

2.0 WHOLE TIME CONCEPT

Whole time of the Government servant is at the disposal of the Government, and he may be employed in any manner required by the proper authority. The Government servant has no right to claim additional remuneration for the same.

[FR 11]

3.0 LIEN

The title of a Government servant to hold a regular post 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 is called lien.

[FR 11 9(13)]

3.1 A Government servant acquires lien in the entry grade on his confirmation in the same. On promotion to the higher grades the benefits of having a lien in the higher grade will be enjoyed from the date he is appointed to such post on regular basis. Where probation is prescribed in the higher post, the benefits on lien are admissible on being declared as having completed the probation.

3.2 The above title is, however, subject to the condition that the junior most person in the grade will be liable to be reverted to the lower grade if at any time the number of persons so entitled is more than the posts available in that grade.

3.3 Once the Government Servant has acquired lien on a post, the same shall not be terminated unless:-

- a) he acquires a lien on another post;
- b) he ceases to be a Government servant by way of superannuation, voluntary or compulsory retirement or on permanent absorption in an organisation outside Government.

[FR 14-A]



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4.0 PROTECTION AGAINST APPOINTMENT TO A LOWER POST

Government servant shall not be transferred to a post carrying less pay than the pay of the permanent post on which he holds a lien except –

- i) on account of inefficiency or misbehaviour; or
- ii) on his written request.

[FR 15]

5.0 SUBSCRIPTION TO A PROVIDENT FUND, ETC.

By Rules Government may make it compulsory for Government Servant to subscribe to a provident fund or fund created for family pension or other similar fund.

[FR 16]

6.0 PAY AND ALLOWANCES

A Government servant shall begin to draw the pay and allowances for a post on which he is appointed and shall cease to draw them as soon as he ceases to discharge those duties. In case, an officer remains absent without any authority, he shall not be entitled to any pay and allowances during such absence.

[FR 17]

7.0 UNAUTHORISED ABSENCE:

The period of unauthorised absence is treated as interruption or break in service of the employee only for the purposes of leave travel concession and eligibility for appearing in the departmental examination, for which a minimum period of continuous service is prescribed.

- 7.1
- (i) Participating in strike which had been declared illegal; or
 - (ii) getting involved in any such activities as are undertaken during strike, for the reasons not the satisfaction of the competent authority are also treated as unauthorised absence.

[FR 17-A]

8.0 LEAVE NOT TO EXCEED 5 YEARS:

A Government servant cannot be granted leave of any kind for a continuous period exceeding 5 years. The Government may, in exceptional circumstances, allow relaxation to this rule.

[FR 18]

JOINING TIME

Joining Time is time allowed to a Government servant to join the new post where he has been posted in public interest.



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2. When Joining Time becomes admissible
 - a) ***On Transfer:*** On Transfer to a new post may either be at the same station or a new station.
 - b) ***Surplus Staff:*** When transferred from one post to another under the Scheme Regulating Redeployment of Surplus Staff.
 - c) ***Discharged due to reduction in Establishment:*** When a Government servant, who is discharged due to reduction in Estt. From one Central Government Office and re-appointed to another Central Government Office, if the orders of appointment to the new post are received while working in the old post. If they are appointed to new post after being discharged from the old post, the period of break up to 30 days maybe converted into Joining Time without pay by HOD subject to condition that break does not exceed 30 days and Government servant has rendered not less than 3 years continuous service on the date of discharge.
 - d) ***Appointment on the basis of competitive examination and/or interview open to Government servants and others:*** Central/State Government servants who are either permanent or have completed 3 years regular continuous service when appointed on the basis of results of a competitive examination and/or interview open to Government servants and others. In case Government servants are temporary and have not completed 3 years regular continuous service, they will get Joining time without pay.
3. **When Joining Time is not Admissible**
 - a) Transfer in the case of own request.
 - b) Temporary transfer for a period not exceeding 180 days.
4. **Quantum of Joining Time**
 - a) Same station – one day.
 - b) Another Station (which does not involve change of residence) – One day. This is applicable when a Government servant has been posted to nearby Station from where he is commuting daily to his office e.g. posted from Delhi to Meerut and Government servant commutes daily to Meerut from Delhi.
 - c) Another Station (which involves change of residence) – The amount of Joining Time will be based on the distance involved:-



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<i>Distance between the old and new HQ road for more than</i>	<i>Joining admissible</i>	<i>Time</i>	<i>When journey involves continuous travel by 200 Kms.</i>
1000 kms. or less	10 days		12 days
More than 1000 kms.	12 days		15 days
More than 2000 kms.	15 days		15 days

- NOTE:**
1. In case of travel by air, the maximum Joining Time is 12 days.
 2. The distance shall be calculated on actual basis and not on weighted one.

5. **Commencement of Joining time**

- a) Joining Time commence from the date of relinquishment of charge of the old post if the charge is made over in the forenoon or the following date if the charge is made over in the afternoon.
- b) The Joining Time shall be calculated from old headquarters in all cases even where charge is handed over in place other than his old headquarters.

6. ***Combination of Joining Time with Leave:*** Joining Time can be combined with leave of regular nature except Casual Leave.

7. ***Benefit of More than One Spell of Joining Time:*** If a Government servant in transit on transfer is directed to proceed to a place different from that indicated in the initial transfer orders, he shall be entitled to Joining Time already availed of up to the date of receipt of revised orders plus fresh spell of full joining time from the date following the date of receipt of the revised orders. The fresh spell shall be calculated from the place where he received the revised orders of transfer.

8. ***Unavailed Portion of Joining Time to be Credited to E.L. Account:*** The unavailed portion of entitled Joining Time shall be credited to EL A/c subject to the condition that the E.L. at his credit together with un-availed Joining Time allowed to be so credited shall not exceed 300 days by reasons that:

- a) he is ordered to join the new post at a new place of posting without availing of full Joining Time to which he is entitled; or
- b) he proceeds alone to the new place of posting and joins the post without availing full Joining Time and takes his family later within the permissible period of time for claiming TA for the family.

In case of one day's joining time if not availed, no benefit.



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9. ***Extension of Joining Time:*** Extension of Joining Time can be granted up to the maximum of limit of 30 days by HOD and beyond 30 days by the Department of the Government of India. The guiding principle for extension being that the total period of Joining Time should be approximately equal to 8 days for preparation plus reasonable transit time plus holidays, if any, following the extended joining time. Allowance should also be made for the time unavoidably spent due to disruption of transport arrangements caused by strike or natural calamities, or the period spent awaiting the departure of the steamer.
10. ***'Joining Time' for visiting Home Town*** (once in a calendar year)
- a) While proceeding on leave from a place in a remote locality or to a place in another remote locality.
 - b) While returning from leave from a place in a remote locality or to a place in a remote locality. (Actual Transit Time from nearest point as mainland to remote locality is admissible).
 - c) Officials domiciled in the Union Territories of Andaman and Nicobar Islands, Lakshadweep, while proceeding on leave to their home-towns in another Island on the U.T. and returning from home-town.
11. ***Entitlements During Joining Time:*** A Government servant, who is entitled for joining time, is regarded as on duty during the period and shall be paid joining time pay equal to the pay which was drawn before relinquishment of charge in the old post. He will also be entitled for DA, HRA, CCA at the rates of old HQ.

Fee & Honorarium

The Government servants may get 'Fee' and 'Honorarium' in addition to Pay and allowances, if they perform some special work in special circumstances for the government.

Fee

Any remuneration for work or service rendered by a Government servant from a source other than the Consolidated Fund of India/State/UT is termed as 'Fee'.

Permission Necessary

Government servants should obtain prior permission of the competent authority for undertaking the work or service and also for acceptance of fee. In case of Government servants who are on leave, he shall certify that the work can be undertaken without detriment to his official duties and responsibilities.



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Share of Fee Payable to Government

(1) **Recurring Fee** (total received in a financial year) share to be credited to Government

Fee Received Up to Rs.500/-	NIL
Above Rs.500/-	One - third of the Fee received subject to the condition that the Fee retained by the employee does not fall short of Rs.500/-

(ii) **Non- Recurring Fee** (total received in a financial year)

Upto Rs.500/-	NIL
Above Rs.500/-	one- third of the Fee received subject to the condition that the Fee retained by the employee does not fall short of Rs.500/-

The competent authority may, however, grant permission exempting the employee from payment of share to Government.

Items of 'Fee' not subject to payment of share to Government

- I. Scholarship / stipend during study leave.
- II. Writing reports/papers of study reports on selected subjects for International Bodies.
- III. Fees received from recognized Universities and other statutory bodies, public sector undertakings etc.
- IV. Income derived from exploitation of patent for invention taken out.
- V. When the work is undertaken by the Government and payment is made to the Government servant assigned for the work.
- VI. Income from property, dividends, interest on securities, income from literary, cultural, artistic, scientific or technological efforts, participation in sports activities as amateur.

Conditions

The payments, which fall in the definition of fee, are subject to the following conditions:

- I. A Government servant cannot undertake such a service for a private person or body or for a Public Body including a body administering a local fund without the permission of the Competent Authority.
- II. The Government Agency may permit the Government servant, if this can be done without detriment to his official duties and responsibilities to perform the specified service(s) and to receive the recurring or non-recurring fee. [FR 46(a)]



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- III. The Competent Authority while permitting the Government servant shall pay due regard to the principles enunciated in FR11.

Honorarium

Remuneration or award to an employee from the Consolidated Fund for special work of an occasional or intermittent character.

1.0 Definition

Recurring or non-recurring payment to a Government servant from a source other than the Consolidated Fund of India, or the Consolidated Fund of a State or the Consolidated Fund of a Union Territory whether made directly to the Government servant or indirectly through the intermediary of Government, but does not include -

Unearned income such as income from property, dividends, and interests on securities; and Income from literary, cultural, artistic, scientific or technological efforts and income from participation in sports activities as amateur.

[FR 9(6-A)]

2.0 Retention of Amount by Government Servant

The Government servant can retain the whole amount of honorarium and no share is payable to Government.

Competent Authority for Permission and Amount of Honorarium

Upto Rs.2500/-	Head of Department
Beyond Rs. 2500/- and Upto Rs.5000/-	Administrative Ministries with the concurrence of FA
Beyond Rs.5000/- in a financial year	Ministry of Finance

- 3.0 Apart from normal pay and allowances, a government servant may receive payments for performing specified services/work. Such work may be performed for government or for a person/Body outside Government, and accordingly, the payment shall be made to the government servant by the Government or the outside agency.

4.0 Conditions

Payment of Honorarium is subject to the following conditions:

- I. The work must be undertaken, as far as possible, with the prior consent of the Competent Authority.
- II. The work is either so laborious or of such special merit as to justify grant of a special reward.



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- III. The sanctioning authority shall record the reasons justifying the grant of extra remuneration.

[FR 46(b) & (c)]

In cases where the government servant undertakes work in another Department, the permission is sought and is to be granted by the lending Department, who shall convey its consent to the lending authority together with the certificate required under FR 46(c). The borrowing Department shall then issue sanction granting honorarium.

5.0 Rates prescribed by the Government

The Government has issued general instructions prescribing rate of honorarium to be paid by Ministries/Depts. In the following types of cases:

- I. Honorarium to government servants appointed as Arbitrators.
- II. Part-time Inquiry Officer and Presenting Officers.
- III. Group 'D' staff performing driving duties.
- IV. Group 'D' staff engaged as Gestetner operator.
- V. Translation work from Regional language to Hindi or English and vice - versa.
- VI. Reporters/Stenographers taking verbatim report of proceedings of ad-hoc committees and conferences.

5.1 The nodal Ministry may revise the rates for the above items from time to time. Where the nodal Ministry has not prescribed any rates, the competent authorities as mentioned above can decide the rate of honorarium on merits of each individual case.

5.2 Instances have also come to the notice of the nodal Ministry, where honorarium has been paid by the competent authorities for performing duties, which fall within the sphere of the normal duties of the government servant concerned. The general instructions have thus been issued specifying the items for which honorarium should not be granted. Thus no honorarium is admissible for:

- I. Temporary increase in routine work.
- II. For setting up of companies/corporations, to the officers for whom it forms part of their normal duties.
- III. Performing duties of another sanctioned post in addition to the normal duties.
- IV. The work for which OTA has been paid to the staff.

5.3 Apart from above, certain items of payments to Government servant have been identified under FR48, which a Government servant can receive and retain without any special permission. There are-

- I. the premium awarded for any essay or plan in public competitions;



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- II. any reward offered for the arrest of a criminal, or for information or special service in connection with the administration of justice;
- III. any reward in accordance with the provision of any Act or Regulation or rules framed thereunder;
- IV. any reward sanctioned for services in connection with the administration of the customs and excise laws; and
- V. 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 to Government.

These payments are neither termed as 'fee' nor 'honorarium'



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MODIFIED - ASSURED CAREER PROGRESSION SCHEME¹³

INTRODUCTION: The Department of Personnel & Training, vide their Office Memorandum No. 35034/3/2008-Estt.(D), dated 19th May 2009, have issued a detailed “Scheme”, known as Modified Assured Career Progression(MACP) Scheme for the Central Government civilian employees. This scheme supersedes the Assured Career Progression (ACP) scheme, which was in force earlier, and clarifications issued under the said ACP Scheme. It will be applicable to all regularly appointed Group ‘A’ & ‘B’ & ‘C’ employees except the officers of organized Group “A” services. The status of Group ‘D’ employees would cease on their completion of prescribed training and would be treated as Group ‘C’ employees.

1.1 The scheme would be operational w.e.f. 01.09.2009. Financial upgradation as per the provision of the earlier ACP Scheme of August, 1999 would be granted till 31.08.2008.

THE SCHEME: There shall be three financial upgradations on completion of 10, 20 and 30 years of service respectively, counted from direct entry grade.

2.1 Benefit of Pay Fixation is as available in the case of regular promotion, i.e. increase the band pay by 3 % of total pay (Basic Pay + Band Pay) drawn before such upgradation. The grade pay would be the immediate next higher grade pay as recommended by the 6th Pay Commission and accepted by the Government. The grade pay while granting MACP may be different from that employee is entitled for at the time of regular promotions. In such cases higher grade will be given at the time of actual promotion and there will not be any enhancement in band pay.

ILLUSTRATION:

A Government servant is residing in PB-1 with Grade Pay of Rs.1,900. He gets no promotion till 10 years. On completion of 10 years of service, he shall get Grade Pay of Rs.2000 & Band Pay increased by 3 % of (Basic Pay + Band Pay). If he gets promotion in the next grade with grade pay of Rs.2,400, he will only be granted higher grade pay. No additional increment will be granted at this stage.

2.2 Promotions earned/upgradation under ACP which now carry the same grade pay due to merger of scales/upgradation shall be ignored for upgradation under MACPS

¹³ Updated by Ravindra Kumar, Deputy Director



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ILLUSTRATION:-

Pre revised scales in hierarchy in an organization is as under:-

5000	-	150	-	8000
5500	-	175	-	9000
6500	-	200	-	10500

A Government Servant recruited in the scale of pay of Rs. 5000-150-8000 who did not get any promotion for 25 years prior to 01.01.2006 would have got two upgradations under ACP to (i) 5500-9000 and (ii) 6500-10500. Another Government Servant recruited in the scale of pay of Rs. 5000-150-8000 got two promotions for the higher grades of 5500-150-9000, 6500-200-10,500.

Now in both cases because of merger of the above three scales the promotion/upgradation granted earlier will be ignored. Both will be granted Grade Pay of 4200 in PB-2. Subsequently two upgradations will be granted under MACPS to next two higher grades of Rs. 4600 and Rs 4800 in PB2.

2.3 If ACP has been granted till 01.01.2006, fix pay in revised pay structure accordingly. If ACP has been granted between 01.01.2006 and 31.08.2008, Govt. Servant can get his pay fixed in revised pay structure either w.e.f 01.01.2006 or from the date of grant of ACP. In case of opting from the date of ACP, no arrears of pay till the date of upgradation. If granted ACP under old scheme to a scale/grade, which has been upgraded under the 6th CPC, the pay of such employee will be fixed in revised pay structure in the higher grade pay granted to the post.

ILLUSTRATION

If a Government Servant given ACP to the scale of 6500-10500, the corresponding grade pay would be 4200/-. But the scale 6500-10500 has been upgraded to 7500-12000, hence the corresponding grade pay given will be Rs. 4800 in PB-2.

POINTS TO REMEMBER:-

- On getting upgradation under MACPS Government Servant has option under FR 22 (I) (a) (1) to get his pay fixed either from the date of upgradation or from DNI viz 1st July.
- Promotion earned in the post carrying same grade pay in the hierarchy as per Recruitment Rule shall be counted for the purpose of MACPS.
- Grade Pay 5400/- in PB-2 and 5400 in PB-3 shall be treated separate grade pays for the purpose of MACPS.



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- Regular service for MACPS shall commence from date of joining in direct entry grade on regular basis as DR or on absorption/re-employment basis. Service rendered on adhoc/contract basis before regular appointment on pre-appointment training shall not count. However, past continuous regular service in another Department without break shall count for MACP (not for regular promotion).
- Past service rendered in a State Government/Statutory body/Autonomous body/PSU before appointment in Government service, shall not count.
- Any other time bound promotion scheme including in-situ promotion scheme, Staff Car Driver Scheme shall not run concurrently with in MACPS.
- This MACPS shall not be automatically extended to Autonomous/Statutory Bodies under various Ministries/Departments; a decision in this regard shall be taken by respective Governing Body/Board of Directors with the concurrence of the concerned Ministry and prior concurrence of Ministry of Finance shall be obtained for implementation of MACPS.
- If financial upgradation is deferred due to employee being unfit or due to departmental proceedings etc, this would have consequential effect on subsequent upgradation, which would also be deferred.
- It will not change status, designation or classification. However, certain other benefits linked to pay drawn, such as, HBA, Govt accommodation, LTC etc. shall be permitted.
- In case of Disciplinary/Penalty proceedings, MACPS shall be subject to rules governing normal promotion under the provision of CCS (CCA) Rules 1965.
- No reservation orders/rosters shall apply to MACPS.
- Upgradation is purely personal, no relevance to his seniority. Their shall be no stepping up of pay. Exception, however, MACP pay will be taken into account for retirement benefits.
- If a surplus employee is appointed in same or lower scale in a new organization his earlier service shall count for the purpose of MACPS.
- If an employee goes to a lower scale by choice after getting first promotion/upgradation, he will get 2nd/3rd upgradation after 20/30 years of regular service in new organization.
- If promotion is refused, no financial upgradation will be given. If upgradation is given and subsequent promotion is refused, upgradation will not be withdrawn. However he shall be eligible for next upgradation unless agrees to be considered for promotion.
- Employees on deputation need not revert. They may exercise fresh option to draw pay of deputation post or the pay admissible under MACPS, whichever is beneficial.



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LEAVE TRAVEL CONCESSION¹⁴

LEAVE TRAVEL CONCESSION (LTC) is a facility (concession) provided by the Government for travel of Government servants during leave. This facility is also extended to the dependent family members of the Government servant.

2. The scheme of reimbursement of travel expenses by train in designated class for the Government servants was first introduced in October 11, 1956. Its main objective is to enable a Government servant to give a break from his place of work for change and recuperation. The LTC also aims at the objective that Government servant will be able to have an interface with the concept of unity in the vast diversity of our rich cultural heritage in various parts of the country.

3. `LEAVE` implies that this concession can be availed during regular/casual/special casual leave or vacation; **BUT IT CANNOT BE AVAILED DURING THE WEEK-END OR ANY OTHER PERIOD OF HOLIDAYS ALONE.** The concession can also be availed during –

- ❖ Maternity leave;
- ❖ Study leave; and
- ❖ Leave Preparatory to Retirement (LPR) provided the return journey is completed before the expiry of leave.

However, No LTC can be availed while on Child Care Leave

4. `TRAVEL` means that the Government servant and his entitled family members must physically visit the place declared. Place means `Hometown` i.e. town, village or any place declared as such by the government servant and accepted by the controlling Officer or, `Any place in India` , which means any place in the mainland or overseas, i.e. A&N Islands, Lakshadweep, including the hometown of the Government servant.

5. `CONCESSION` means Government's assistance will be limited to the fare by the shortest direct route calculated on a through ticket basis` irrespective of the fact whether the journey was performed by the shortest or any other route. For reimbursement, both in respect of journeys to `Hometown` and `Any place in India` the Government will reimburse 100% of the to and fro fare by air/rail/road/steamer, as per the entitlements of the Government servant.

6. The Central Civil Services (Leave Travel Concession) Rules, 1988 came into force with effect from May 3rd, 1988.

¹⁴ Updated by Lalit Grover, Assistant Director



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A. These rules apply to all persons-

- ❖ Who are appointed to civil services and posts including civilian Government servants in the Defence Services in connection with the affairs of the Union including members of the All India Services.
- ❖ Who are employed under a State Government and who are on deputation with the Central Government.
- ❖ Who are appointed on contract basis;
- ❖ Who are re-employed after their retirement.

B. These rules shall not apply to all persons-

- ❖ Government servants not in whole-time employment;
- ❖ Persons in casual and daily rated employment;
- ❖ Persons paid from contingencies;
- ❖ Railway servants;
- ❖ Members of the Armed Forces;
- ❖ Local recruits in Indian Mission abroad; and
- ❖ Persons eligible to any other form of travel concession available during leave or otherwise.

7. The 'Hometown' concession is once in a period of two calendar years, while, the 'Anywhere in India' concession is once in a period of four calendar years. If not utilized, the block gets automatically extended to the third/fifth year. For example, the current Block-Year is 2010-2013. These four Calendar Years are divided into 2 segments, 2010-2011 and 2012-2013. The LTC period in 2010-2011 starts from 01/01/2010 and is normally valid till 31/12/2011. However, it is extended till 31/12/2012. Hence, the LTC, either for Hometown or for Anywhere in India for the segment 2010-2011 can be availed of during 01/01/2010 to 31/12/2012. But it can not be availed after 31/12/2012 (i.e. on 01/01/2013) and it will lapse.

8. *Special provisions regarding certain categories of employees:*

- (1) In the case of persons appointed as direct recruit or in temporary capacity, the LTC shall be admissible on completion of one year's continuous service under the Central Government. However, it is to be certified by the appropriate administrative authority that the employee concerned is likely to continue to serve under the Central government for a period of at least two years in the case of LTC to hometown and at least four years in the case of LTC to any place in India to be reckoned from the date of his joining the post under the Central Government.
- (2) In the case of officers appointed on contract basis, where the initial contract is for one year but is extended, the total duration of the contract will be taken into account for the purpose of leave travel concession.



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(3) In the case of persons re-employed, immediately after retirement without any break, the period of re-employed service will be treated as continuous with the previous service for the purpose of leave travel concession and the concession allowed for the re-employed period, provided that the leave travel concession would have been admissible to the re-employed officer had he not retired but had continued as serving officer.

9. **Minimum Service:** The LTC facility is admissible to all Government Servants who have completed one year of continuous service on the date of journey. A period of unauthorized absence due to participation in strike, etc., shall be deemed to cause break in service, unless condoned by the appointing authority, while calculating the minimum period of continuous service.

10. **Hometown:** Normally, the place of usual residence, i.e., permanent ancestral home in respect of a Government servant. It can be a town, village or any place declared as such by the Government servant and accepted by the Controlling Officer. The declaration for hometown is to be made to the Controlling officer in respect of the Government servant for T.A. claims, *before expiry of six months from the date of entry into service*. No particular form of declaration has been prescribed. The initial declaration may be accepted without any elaborate check. The declaration shall be kept on the service book.

11. **Change of Hometown:** The declaration of hometown once made shall ordinarily be treated as final. In exceptional circumstances, the Head of the Department, or if the Government servant himself is the head of the Department, the Administrative Ministry, may authorize a change in such declaration provided that such a change shall not be made more than once during the service of a Government servant. The following detailed check may be applied when a Government servant seeks a change of hometown:-

- ❖ Whether the place declared by the Government servant is the one which requires his physical presence at intervals for discharging various domestic and social obligations, and if so, whether after his entry into service, the Government servant had been visiting that place frequently.
- ❖ Whether the Government servant owns residential property in that place or whether he is a member of a joint family having such property there.
- ❖ Whether his near relations are permanently residing in that place.
- ❖ Whether prior to this entry into Government service, the Government servant had been living there for some years.

12. The criterion as indicated at para (11) above shall be applied one after the other only in case where the immediately preceding criterion is not satisfied.



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- (a) Where the **property is owned in more than one place**, the Government servant may choose any one place, giving reasons for the choice, but the decision of the controlling officer whether or not to accept such a place as the hometown of the Government servant shall be final.
- (b) Where the **presence of near relations at a particular place** is to be the determining criterion for the acceptance of the declaration of 'hometown', the presence of near relations should be a more or less of permanent nature.
- (c) When **HOMETOWN IS OUTSIDE INDIA**- admissibility shall be up to and from Railway Station or Port nearest to Government servants' hometown.
- (d) When **BOTH HUSBAND AND WIFE ARE GOVERNMENT SERVANTS**, they can declare separate hometown independently.

13. **Family:** 'Family' has the same meaning as given in SR2 (8) for purposes of T.A. on transfer and may include as under:

- i. Wife or husband;
- ii. Legitimate children (including children taken as wards by the Government servant under the "Guardians and wards Act, 1890" provided such a ward is treated as a member of the family and the Government servant, through a special will, has given such a ward the same status as a natural-born child. Adopted child is legitimate if under personal law of the Government servant adoption is legally recognized as conferring it the status of a natural child.
- iii. Not more than TWO surviving children. However, those who already have more than two children prior to 20.10.97 and children born within one year of 20.10.1997 and where number of children exceeds two as a result of second child resulting in multiple births will be allowed.
- iv. Step children
- v. Parents/Step parents
- vi. Un-married minor brothers/sisters residing with and wholly dependent on Government servant, provided their parents are either not alive or are themselves wholly dependent on the Government servant.
- vii. **ONLY ONE WIFE.** However, if a Government servant has two legally wedded wives and the second marriage is with specific permission of the Government, the second wife shall also be included in the definition of the "Family".
- viii. Major sons and married daughters (including widowed daughters), so long as residing with and wholly dependent upon the Government servant.



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- ix. Children of divorces, abandoned, separated from their husbands or widowed sisters are not included in the term "Family"
- x. Widowed sisters so long as residing with and wholly dependent on the Government servant provided either father not alive or is himself wholly dependent on the Government servant concerned.
- xi. Married daughter only if she is dependant as divorced, abandoned or separated from the husband. In this case she should be residing with the Government servant. FINANCIAL STATUS OF THE HUSBAND OF THE MARRIED DAUGHTER, THEREFORE, IS NOT AND SHOULD NOT BE CRITERION TO DECIDE DEPENDENCY ON PARENTS.

Note: Wholly dependent means whose income from all sources including Basic Pension does not exceed Rs. 3500/- per month.

14. *When husband and wife both are Government servants*

- ❖ They can declare separate hometowns independently
- ❖ They can claim LTC for their respective families, viz., while the husband can claim for his parents/minor brothers/sisters, the wife can avail for her parents/minor brothers/sisters;
- ❖ The children can claim the concession as members of family of any one of the parents in a particular block;
- ❖ The husband or wife who avails LTC as a member of the family of the spouse, cannot claim independently for self.

15. *Government Servant and Family as independent units*

- ❖ Travel together or separately
- ❖ Travel in different calendar years
- ❖ Travel to different places
- ❖ Return journey may be completed within six months from the date of commencement of the journey. Can be relaxed by HOD.

16. *Concession for one way journey*

The concession is admissible to the members of a Government servant's family with reference to the facts existing at the time of forward and return journeys independently.



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A. *Entitlement to re-imburement in respect of the outward journey only*

- ❖ The dependent son/daughter getting employment or getting married after going to hometown or remaining there for prosecution of studies.
- ❖ The family having performed the journey to hometown have no intention of completing the return journey from hometown, provided the Government servant foregoes in writing the concession in respect of the return journey if performed by the family members at a subsequent date.

B. *Entitled to reimbursement in respect of the RETURN journey only*

- ❖ A newly married husband/wife coming from hometown to headquarters station or a husband/wife who has been living long at hometown and did not avail of the leave travel concession in respect of the outward journey.
- ❖ A dependent son/daughter returning with parents or coming alone from hometown where he/she has been prosecuting studies or living with grandparents, etc.,
- ❖ A child who was previously below five years of age but has completed five at the time of the return journey.
- ❖ A child legally adopted by a Government servant while staying in the hometown.

17. **Block-Years:** First Block to hometown -1956-57 (11-10-56). First Block to anywhere in India - 1974-1977

18. *Change of declared place of visit*

Declared place of visit can be changed-

- ❖ Before commencement of the journey with the approval of competent authority.
- ❖ Not after commencement of journey.
- ❖ If established that change can be made before commencement of journey, Ministry/Department or HOD can relax. Normally relaxed when circumstances go beyond the control of the Government servant.



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19. ENTITLEMENTS

GRADE PAY OF THE OFFICER	ENTITLEMENTS
Rs. 10,000/- and above and those in the pay-band of HAG+ and above	Business/Club Class by Air or First AC Class by Train at their option
Rs.7600/-, Rs. 8700/- and Rs. 8900/-	Economy Class by Air or First AC Class by Train at their option
Rs. 5400/- and Rs. 6600/-	Economy Class by Air or Second AC Class by Train at their option
Rs. 4200/- Rs. 4600/- and Rs. 4800/-	Second AC Class by Train
Below Rs. 4200/-	First Class/AC III Tier/AC Chair Car by Train

20. ENTITLEMENTS OF TRAVEL BY SEA OR BY RIVER STEAMER

GRADE PAY OF THE OFFICER	ENTITLEMENTS
Rs. 5400/- and above	Highest Class Deluxe Class for A&N Islands/Lakshadweep Islands
Rs. 4200/- Rs. 4600/- and Rs. 4800/-	If there are two classes only, the lowest class Ist Class/'A' Cabin A&N Islands/Lakshadweep Islands
Rs. 2400/- and Rs. 2800/-	If there are two classes only, the lowest class. If there are three classes, the middle or second class. If there are four classes, the third class. Bunk Class for A&N Islands/Lakshadweep Islands
Below Rs. 2400/-	The lowest class



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21. *Special provisions*

Government servants who are deputed to *N.E. Region, Lakshadweep and A. & N. Islands* and who leave their family behind at the old duty station or another selected place of residence and who have not availed transfer T.A for the family will have the following options:-

- ❖ Avail L.T.C to hometown once in two years as per normal rules;
- ❖ Avail LTC for himself once a year from his Headquarters to hometown or the place where his family resides and in addition the family (limited to spouse and two dependent children) may avail LTC to visit the Government servant at the station of his posting once a year from the place where they reside.
- ❖ Officers drawing pay of Rs. 5,100(pre-revised) and above for (i) below and Rs. 2,250(pre-revised) and above for (ii) below and their families, i.e., spouse and two dependent children (upto 18 years for boys and 24 years for girls) can perform the LTC journey by air as below:

<i>OFFICERS POSTED IN</i>	<i>BETWEEN STATIONS</i>
(i) N.E. Region	Imphal/Silchar/Agartala/Aizwal/Lilabari and Calcutta
(ii) A&N Islands, Lakshadweep	Port Blair and Calcutta; Madras, Karavatti and Cochin

22. ENTITLEMENTS FOR JOURNEY BY ROAD

GRADE PAY OF THE OFFICER	ENTITLEMENT
Rs, 4200/- and above	Actual fare by air-conditioned bus;
Below Rs 4,200/-	Actual fare by Deluxe/Ordinary bus.

23. *LTC facility for an escort accompanying single handicapped Government Servant will be admissible, subject to the following conditions:*

- ❖ Prior approval of the Head of the Department concerned is obtained on each occasion.



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- ❖ The nature of physical disability of the Government servant is such as to necessitate an escort for the journey. In case of doubt, the decision of the Head of the Department will be final.
- ❖ The physically handicapped Government servant does not have adult family members.
- ❖ The government servant and the escort avail of the concession if any, in the rail/bus fare as might be extended by Railways/State Roadways authorities in such cases.
- ❖ Any other person who is entitled to LTC does not accompany the handicapped Government servant on the journey.

24. *Every year LTC to hometown* admissible to un-married Government servants also, subject to the conditions that :

- ❖ Family wholly dependent living in hometown.
- ❖ This concession will be in lieu of all other LTC facilities admissible to the Government servant himself and the parents, sisters, minor brothers.

25. LTC facilities for FRESH RECRUITS w.e.f. 23.09.2008 (6th Central Pay Commission)

FOR FIRST 2 BLOCKS AFTER JOINING FOR THE FIRST TIME:

- (a) can travel to Hometown along with families on 3 occasions in a Block of 4 years
- (b) can travel to Anywhere in India on the 4th occasions
- (c) can avail LTC facilities even if he changed job within Government during the first eight years

26. *LTC by air in winter only - Government servants posted in Ladakh Region*

- ❖ This facility is allowed due to remoteness, snowfall and road blocks between 15th November to 15th March.
- ❖ Between Leh - Srinagar/Jammu/Chandigarh (remaining journey from and to Srinagar/Jammu/Chandigarh shall be performed by the entitled class.
- ❖ Restricted to spouse and boy- 18 years and girl - 24 years.

27. *LTC can be combined with tour or transfer as well as during training/study leave.*

- (a) If headquarter is changed during period of training
Self and family: Station of training and the hometown
- (b) If headquarter is not changed during period of training



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Self: Station of training to hometown and back either to the same Station or headquarters for the journeys actually performed.

Family: Headquarter and hometown only.

(c) For Training Abroad

Self: If the Government servant had undertaken journey from headquarter (from which he proceeded for training abroad) or headquarter declared under SR-59 to the Home town and back.

Family: Headquarter from which Government servant proceeded on training will be treated as the starting point for the onward journey

28. *Advance*

Up to 90 per cent of the probable amount of reimbursement can be granted :

- ❖ If family travels separately - advance may be drawn separately for them.
- ❖ Advance may be drawn for both onward and return journeys provided leave does not exceed 90 days as also anticipated stay of family.
- ❖ If this limit exceeds - advance for forward journey only.
- ❖ If the limit (90 days) exceeds AFTER THE ADVANCE HAD ALREADY BEEN DRAWN - one half of the advance should be refunded to Government forthwith.
- ❖ For advance to temporary Government servants - surety of a permanent Government servant may be obtained.
- ❖ Advance may be sanctioned by the Head of office.
- ❖ Advance may be refunded IN FULL AND NOT IN INSTALMENTS if journey is not commenced within 90 days.
- ❖ Advance can be drawn 90+5 days in advance but in all cases tickets must be shown within 10 days.
- ❖ If conditions of advance are not complied with - Head of Office may charge penal interest, at the rate of two per cent above the rate of interest for GPF.

29. *Income Tax Act - LTC:* In computing the total income of a previous year of any person, any income falling within LTC shall not be included.

30. *CLAIM:*

- ❖ When Government servant and family performed journeys separately- can present separate claims - claims should be for both outward and inward journeys.



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- ❖ For entitlement, family must do return journey within six months from the date of commencement of outward journey. This can be relaxed by HOD.
- ❖ Special supplementary charge levied by the Railways for super fast express trains in reserved accommodation is reimbursable.
- ❖ Extra cost on account of reservation charges through Internet shall be borne by the Government.

31. *FORFEITURE OF CLAIM*

- ❖ In case no advance is drawn, claim must be submitted within three months of the date of completion of return journey.
- ❖ In case advance is drawn, the bill must be submitted within one month of the date of completion of return journey.
- ❖ If that is not done - entire advance recorded in lump sum as if no advance was drawn.

32. *DISCIPLINARY ACTION FOR FRAUDULENT CLAIMS*

A. If disciplinary authority decides to initiate disciplinary proceedings, such officials cannot claim LTC till finalization of the disciplinary proceedings. If inflicted with penalty under CCS (CCA) rules 1965:

- (a) Such official shall not be allowed next two sets in addition to the sets withheld during pendency of proceedings.
- (b) Controlling authority can disallow even more than two sets - reasons to be recorded in writing.

B. *If exonerated*, Government Servant will be allowed the withheld sets. However, he must avail of all sets before superannuation.

C. *LTC Not admissible* to a Government servant under suspension; however, his family can avail the concession. LTC is also not admissible to a Government servant who proceeds on leave but resigns his post without returning to duty.

33. *ENCASHMENT OF LEAVE ON LTC: (w.e.f 1st October 2008)*

- ❖ Encashment of 10 days EL is permissible in each occasion while taking LTC
- ❖ No effect on encashment of EL on retirement
- ❖ Maximum number of EL could be encashed for LTC is restricted to 60 in the entire service
- ❖ At least 30 days EL is to remain with the Government Servant, after encashment.
- ❖ Leave Encashment of EL can be availed, even if LTC is proposed to be taken on any other kinds of Leave other than EL.
- ❖ Both husband and wife are entitled for encashment of EL from their respective employers



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TRAVELLING ALLOWANCE¹⁵

*(Modified w.r.t. Department of Expenditure O.M.
No.19030/2008- E.IV dated 23.9.2008)*

(Effective from 1-09-2008)

1. **Meaning:**

T.A. is a compensatory allowance granted to a Government servant to cover the expenditure in travelling in the interest of public service.

2. **Applicability:**

These rules apply to those government servants who are subject to FRs and whose pay is debitible to Central Revenues including work charged staff.

3. **Grading:**

The Government servants have been classified in five categories w.e.f. 1-09-2008 as indicated below based on their Grade Pay:-

Grade Pay

I.	Rs.10000 and above and those in HAG + pay scale and above.
II.	Rs.7600,8700 and 8900
III.	Rs.5400 and 6600
IV.	Rs.4200, 4600 and 4800
V.	Below Rs.4200/

4. **Pay:**

Pay for the purpose of TA means:
Grade Pay + Non-practicing Allowance(NPA).

After the promulgation of Central Civil Services (Revised Pay) Rules, 2008, the employees who opt to retain the pre-revised scales of pay, the corresponding Grade Pay of the scales of the post occupied on 1.1.2006 would determine the TA/DA entitlements under these

¹⁵ Updated by K.K. Pant, Assistant Director



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orders. However, for determining the Composite Transfer grant for such employees, the term pay shall also include, in addition to the basic pay in the pre-revised scales, stagnation increments, Dearness Pay and NPA as per orders in force on 1.1.2006.

5. Regulation of TA:

- i) TA is regulated with reference to grade pay drawn in the post actually held at the time of journey.
- ii) Supplementary TA claim is regulated in case of late authorisation / drawal of normal increment withheld.
- iii) TA claim already settled in respect of the period intervening between the date of promotion or reversion or grant of an increased pay and the date on which the orders are issued or notified should not be revised, unless there has been an actual change of duties. Retrospective promotion may, however, be recognised provided the bill has not already presented or audited.
- iv) In case of pensioners, TA is regulated on the basis of grade pay which is determined as follows:
 - a) Where pension is held in abeyance the grade depends on the pay actually received from time to time.
 - b) When pension is drawn in addition to pay, grade to be determined on pay + pension subject to the condition that total does not exceed maximum of the scale of post.
 - c) In the case of re-employed military pensioners and civil pensioners, whose pension is fully ignored in pay fixation, the grade is determined on the basis of pay alone.
- v) A competent authority may, for reasons to be recorded place a government servant in a grade higher or lower than that prescribed.
- vi) These orders shall take effect from 1st September 2008. However, if the Travelling Allowance entitlements in terms of the revised entitlements now prescribed result in a lowering of the existing entitlements in the case of any individual, groups or classes of employees, the entitlements, particularly in respect of mode of travel, class of accommodation, etc., shall not be lowered. They will continue to be governed by the earlier orders on the subject till such time as they become eligible, in the normal course, for the higher entitlement.



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6. Different kinds of T.A.:

- I. Permanent T.A.
- II. Conveyance or Horse allowance
- III. Mileage allowance
- IV. Daily allowance
- V. Actual cost of travelling

I Permanent T.A.

Permanent TA is granted to a government servant whose duties require him to travel extensively and is in lieu of all other forms of TA for journeys within his sphere of duty and is drawn all the year round whether he travels or not. However, PTA is not drawn during leave, temporary transfer or joining time.

II Conveyance or Horse Allowance

Conveyance or Horse Allowance is granted to a government servant whose duties require extensive travelling at or within a short distance from his Headquarter under conditions which do not render him eligible for D.A. It is drawn all the year round. But unlike permanent T.A., this may be drawn in addition to other kinds of T.A.

III. MILEAGE ALLOWANCE

It is an allowance to meet the cost of a particular journey and is calculated on the basis of distance traveled.

The various provisions regarding mileage allowance are as follows:

- a) It is to be calculated on the basis of shortest practicable route. However, Heads of Departments are competent to sanction the mileage allowance other than the shortest route for special reasons to be recorded under SR 31.
- b) A government servant if travels by a route which is not shortest but cheapest, the mileage allowance should be calculated on the route actually used.
- c) Non-availability of reserved accommodation is not acceptable ground for travel by longer route.
- d) Journey if done by lower than entitled class, the claim will be for the lower class.



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e) Admissible mileage allowance be on the basis of rates prescribed by the Directorate of Transport for auto rickshaw for journeys by auto/own scooter or motor cycle or moped etc. and taxi fare for journey by taxi/own car. Where no specific rates have been prescribed either by the Director of Transport of the concerned State or of the neighbouring State, Mileage Allowance for road journeys shall be regulated at the following rates:

- i) For journeys performed in own car/taxi ... Rs. 16 per km.
- ii) For journeys performed by auto rickshaw, ... Rs.8 per km
own scooter etc.
- f) Between places connected by rail, a government servant may travel by any type of bus, he will be entitled to actual bus fare or rail fare of the entitled class whichever is less.
- g) Between places not connected by rail, a government servant can travel by entitled class bus.
- h) When road mileage is claimed for a journey performed by a motor car between places connected by railway, the competent authority should decide whether full rate of Mileage allowance should be paid or whether it should be limited to rail fare, the criteria should be whether any public interest was served en-route.
- i) Road Mileage allowance for tour will be admissible from duty point/residence at HQs to railway station/airport/bus stand and vice versa depending upon the points between which the journey is claimed to have been performed.
- j) Rate of mileage allowance for journeys on foot and by-cycle on tour and transfer is revised to Rs.1.20 per km. for bicycle and Rs.5 per km for travel on foot w.e.f. 1st September 2008.

The entitlement of mileage allowance is given below:

Mileage Allowance for Journeys by Rail and Air and Road :

In supersession of S.R. 34 & orders issued thereunder, the grade pay ranges & the travel entitlements for journeys by rail, air & road on tour will be as follows w.e.f. 1.9.2008:-

Grade Pay	Air	Rail	Bus
(i) Rs.10000 and above and those	Business / Club Class	AC I Class	AC Taxi / Ordinary Taxi / Auorickshaw/Own



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in HAG + and above			Scooter/Motorcycle/Moped /Any Public Bus including AC Bus
(ii) Rs.7600, 8700 and 8900	Economy Class	AC I Class	Same as (i) above, except AC Taxi
(iii) Rs. 5400 and 6600	Economy Class	AC 2 Tier Class	Same as (i) above, except AC Taxi
(iv) Rs. 4200, 4600 and 4800	AC 2 Tier Class	Same as (i) above, except AC Taxi
(v) Rs.2400 and above but less than Rs.4200	First Class /AC - 3 Tier / AC Chair Car	Auto rickshaw/own scooter/motorcycle/moped/ any public bus except AC Bus
(vi) Below Rs.2400	First Class /AC - 3 Tier / AC Chair Car	Auto rickshaw/own scooter/motorcycle/moped/ any ordinary public bus.

*All government servants who are entitled to travel on tour/transfer by First Class/II AC III-tier Sleeper/AC Chair Car may, at their discretion, travel by II AC 2-tier sleeper where any of the trains connecting the originating and destination stations concerned by the direct shortest route do not provide these three classes of accommodation.

*Travel by AC III tier sleeper will be permissible in trains in which AC Chair Car accommodation is not provided.

Journey by SEA

Entitlement for journeys by sea or river/ streamer

Officers drawing Grade Py	A&N Islands & Lakhadweep Islands (SCI)	Others
Rs. 5400 and above and those in HAG + and above	Delux Class	Highest Class
Rs.4200, 4600 and 4800	First / "A" Cabin Class	If there be two classes only on the steamer, the lower class



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Rs.2400 and Rs.2800	Second / "B" Cabin Class	If there be two classes only on the steamer, the lower class. If there be three classes, the middle or second class. If there be four classes, the third class
Below Rs.2400	Bunk Class	The lowest Class

In the case of International travel, Officers of the level of Cabinet Secretary / Secretary to the Govt. of India or of equivalent level status shall be entitled to travel by first class and Officers drawing grade pay of rs.10,000 and above and those in the pay scale of HAG + are entitled to travel by Business /club class. Others can travel by Economy class.

Journeys by private Air lines:- The air travel, both domestic and overseas on official account is permissible on private airlines based on better and more competitive ticket fare. This would apply both to officials within India and to officials posted abroad.

The mileage points earned by Government servant on tickets purchased for official travel shall be utilized by the concerned department for other official travel by their officers. Any usage of these mileage points for purpose of private travel by an officer will attract departmental action.

The Central Government employees who are selected for participating in sporting events of international importance held outside India, may be entitled to travel by Economy Class by Air.

Personal staff accompanying Minister may be permitted to travel with Minister on official tour by air even if the officer belongs to non-entitled category.

Non-entitled officers accompanying the VIPs/Foreign delegations as a protocol requirement, the Financial Advisers may clear cases of air travel. If more than one person is accompanying or if a non-entitled officer is required to accompany in addition to an entitled officer, approval of Finance Ministry should be obtained.

Those entitled to travel by air by Business/Club class can travel only by Economy class for self and family.



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Mileage Allowance for journeys on foot and bicycle

Rate of mileage allowance for journeys on foot and by-cycle on tour and transfer is revised to Rs.1.20 per km. for bicycle and Rs.5 per km for travel on foot w.e.f. 1st September 2008.

IV Daily Allowance

Daily allowance is a uniform allowance for each day of absence from Hq. At a place beyond a radius to 8 k.m. which is intended to cover ordinary daily charges incurred by a Government servant in consequence of such absence.

Rates of Daily Allowance (w.e.f. 1.9.2008)

Grade Pay	Reimbursement for		
	Hotel Accommodation per day (Rs.)	Charges for travel within the city (Rs.)	Food-Bill/day not exceeding Rs.
Rs.10,000 & above & those in pay scales of HAG + and above	Rs.5000	AC Taxi charges upto 50 kms	Rs.500
Rs.7600 to Rs.8900	Rs.3000	Non-AC Taxi charges upto 50 kms.	Rs.300
Rs.5400 to Rs.6600	Rs.1500	Taxi Charges up to Rs.150/day	Rs.200
Rs.4200 to Rs.4800	Rs.500	Upto Rs. 100/day	Rs.150
Below Rs.4200	Rs.300	Upto Rs.50/day	Rs.100

The various provisions regarding Daily Allowance are as follows:

- D.A. is calculated for the entire absence from Hqrs. on calendar day basis from midnight to midnight as under:

For absence not exceeding 6 Hrs.	NIL
For absence exceeding 6 Hrs. & not exceeding 12 Hrs.	70%
For absence exceeding 12 Hrs.	Full



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ii) Absence is calculated by different modes which are as follows:

<u>Journey by</u>	<u>Departure Time</u>	<u>Arrival Time</u>
Rail	Scheduled	Scheduled but actual if the train is late by more than 15 minutes.
Air	Scheduled Reporting time	Scheduled but actual if the plane is late by more than 15 minutes.
Bus	Actual	Actual

The TA/DA rates (Mileage for road journey by taxi/own car/auto-rickshaw/own scooter/bicycle etc.) all components of daily allowance on tour including rate of DA for journey on foot and rates of transportation of personal effects shall automatically increase 25%, whenever, Dearness allowance payable on the revised pay structure goes up by 50%.

For Local journey, D.A is only at half of the rate.

For enforced halts en-route treated as duty, due to breakdown of communications caused by flood, rain, etc. D.A is admissible.

D.A is admissible for period of absence at tour station regularized as special casual leave due disturbances, imposition of curfew etc.

No DA is admissible for Sundays and Holidays unless the employee is actually and not merely constructively on camp. No D.A for leave and restricted holidays availed while on tour.

Full D.A is admissible for the first 180 days of continuous halt at a station on tour / temporary transfer / training. No D.A. beyond 180 days.

iv) Free Boarding/Lodging

<u>Facility availed</u>	<u>Admissible DA</u>
Free Boarding	1/2
Free Lodging	3/4
Free Boarding and Lodging	1/4



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T.A. ON TOUR

7. A government servant while on tour is entitled to
- Mileage allowance.
 - Daily allowance.

The provisions regarding mileage allowance and daily allowance have already been discussed above.

T.A. FOR LOCAL JOURNEY

8. Local journey means a journey beyond 8 km. within the Municipal limits of the town or city of the Duty Point or journey to the Suburban, Municipalities or Cantonments. Contiguous to the city of duty point or journey within the project area.

A Government servant performing local journeys on any day on duty beyond 8 km. from the duty point at headquarters shall be allowed mileage allowance for journey involved and in addition 50% of D.A. at ordinary locality rates admissible for absence from headquarters.

NOTE: Traveling allowance for a local journey shall be admissible if the temporary place of duty is beyond 8 km. From the normal place of duty, irrespective of whether the journey is performed by the Government servant from his residence or from the normal place of duty.

T.A. ON TRANSFER

9. Transfer means the movement of government servant from one Hq. Station to another Hq. Station either.
- a) To take up the duty of new post; or
 - b) In consequence of change of Hq.

A government servant along with his family is entitled to T.A. on transfer if the transfer involves:

- a) Public interest
- b) Change in residence
- c) Period more than 180 days



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A government servant along with his family members are entitled to composite transfer grant in lieu of transfer grant, packing allowance, transfer incidentals, road mileage between residence to Railway station and vice versa.

The entitlements are given below:-

(i) The Composite Transfer Grant shall be equal to one month's Band Pay plus Grade Pay plus NPA in case of transfers involving a change of station located at a distance of 20 more km from each other. In cases of transfer to stations which are at a distance of less than 20 km from the old station and of transfers within the same city, the composite Transfer Grant will be restricted to one-third of the basic pay, provided a change of residence is actually involved.

(ii) Actual fares for self and family for journey by rail / steamer / air;

(iii) Road mileage fore journey by road between places not connected by rail

(iv) cost of transportation of conveyance possessed by the employee.

While the grade of the Government servant is determined with reference to the facts on the date of his transfer, the number of fares admissible is to be determined with reference to the facts on the date of journey. No traveling allowance is admissible for any member added to the family after the date of transfer

In addition to the above, the employee will be entitled for and additional fare by the entitled class for self for both onward and return journeys, if he has to leave his family behind due to non availability of government accommodation at the new place of posting. Officials who could not take a family members / personal effects along with him/ her on their second trip due to genuine reasons are also to an additional to and fro fare by the entitled class.

An employee whose family does not accompany him to the new station while joining on transfer, has an option to claim for him

Either for the first journey undertaken to join the new post Or for the journey subsequently undertaken along with family members.

Transfer at the same station

- a. No T.A. if no change of residence involved;
- b. F there is compulsory change of the residence solely due to the transfer_



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- (a) actual cost of conveyance for self and family limited to the road mileage and actual cost of transportation of personal effects admissible subject to the prescribed limits and
- (b) Composite Transfer grant equal to one-third of Band pay + grade pay + NPA.

Transfer between two stations with in a short distance of not more than 20 kms.

- (i) No T.A. if no change of residence is involved
- (ii) If change of residence is involved -
 - (a) Full Transfer TA will be allowed and
 - (b) Composite transfer grant equal to one third of Band pay + grade pay + NPA

Transportation of Personal Effects by Rail

The entitlements for carriage of personal effects shall be as follows:-

The rates of transportation of personal effects as per the class of cities viz. X, Y and Z class city vide G.I.,M.F., O.M. No.19030/3/2008-E.IV, dated 8-6-2010. These revised rates as mentioned below are effective from 1-9-2008.

Grade Pay	By Train/ Steamer	Rate per k.m.(Rs)	
		X & Y class cities	Z class cities
Gr.Pay Rs. 7600 & above and those with HAG+ & above	6000 kg by goods train/ 4 wheeler wagon/ one double container	30.00 (Rs. 0.005 /kg/km)	18.00 (Rs. 0.0031 /kg/km)
Rs. 4200 to 6600	6000 kg by goods train/ 4 wheeler wagon/ one single container	30.00 (Rs. 0.005 /kg/km)	18.00 (Rs. 0.0031 /kg/km)
Rs 2800	3000 kg.	15.00 (Rs. 0.005 /kg/km)	9.00 (Rs. 0.0031 /kg/km)
Below Rs 2800	1500 kg	7.50 (Rs. 0.005 /kg/km)	4.60 (Rs. 0.0031 /kg/km)

*Such of those employees as are in receipt of revised pay of Rs.3350 p.m. and above may also be permitted to transport 1,500 kg of personal effects by goods train.

D. Transportation of Personal Effects by Road.

- 10. The rates of allowance for carriage of personal effects between places connected by road only will be as indicated below:



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<i>PAY RANGE</i>	<i>A-I/A/B-I Class cities Rs. Per k.m.</i>	<i>Other Cities</i>
Rs.8,000 and above	30.00	18.00
Rs.6,500 and above but less than Rs.8,000/-	15.00	4.60
Rs.4,100 and above but less than Rs.6,500/-	7.60	4.60
Below Rs.4,100/-	6.00	4.00

NOTE: The allowance at higher rates mentioned in col.(2) will be admissible, as at present, only for carriage of personal effects from one place to another within the limits of A-I/A/B-I class cities.

In cases of carriage of personal effects by road between places connected by rail, a government servant can draw the actual expenditure on transportation of personal effects by road or the amount admissible on transportation of the maximum admissible quantity by rail and an additional amount of not more than 25 per cent thereof, whichever is less.

E. *Transportation of Conveyance*

11. The scales for transportation of conveyance at government expense will be as follows:-

<i>PAY RANGE</i>	<i>SCALE</i>
Grade Pay Rs. 4200 and above	One motor car or one motor cycle/scooter or one horse
Grade Pay less than Rs.4200	One motor cycle/scooter/moped, or one bicycle.

G) *Additional Fare*

One additional fare of entitled class to and for the government servant if he has to leave his family behind due to non-availability of government accommodation at the new station.

Other points on transfer T.A.:

12. For transfer T.A., family means -
- Wife/Husband as the case may be
 - Sons and unmarried daughters dependent on government servant.*
 - Parents, unmarried sisters, minor brothers and Step Mother residing with government servant and dependent on government servant. (Stepfather is not included for TA purposes but included for LTC purposes)
 - Widowed sister residing with and wholly dependent on government servant (provided then father is either not alive or is himself wholly dependent on the government servant concerned).



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- e) Married daughters included if dependent and residing with government servant in special and exceptional circumstances.

*With a view to encouraging the adoption of small norms by Central Government employees, it has also been decided that travelling allowance on transfer will be restricted to only two dependent children of an employee. This restriction, which will come into effect from January 1, 1999, shall not, however, be applicable in respect of those employees who already have more than two children prior to the issue of the revised order dated 17-4-98. Further, children of employees born between the date of issue of these order and December 31,1998 will also be entitled too such benefits as are admissible under the Travelling Allowance Rules to employees and their families on transfer irrespective of the number of children that they may already have. This restriction shall not also be applicable in respect of those employees who are presently issue-less or have only one child and the subsequent pregnancy results in multiple births as a consequence of which the number of children exceeds two.

14. *Family travelling separately*

TA admissible when members of family follows government servant within 6 months from the date of his transfer or precedes him by not earlier than one month.

15. *When both husband and wife are government servants*

If both of them are transferred at the same time from one and the same station to one and the same new station or within six months of the transfer of the wife/husband, T.A. will be admissible only to one treating the other as member of family. The same procedure is adopted when one of them is employed in Central Government and the other in State Government.

T.A. entitlement of Retiring Employees

A) *Transportation of Conveyance*

16. In partial modification of S.R. 147, the expenditure on transportation of conveyance by government servants on their retirement shall be reimbursed without insisting on the requirement that the possession of the conveyance by them while in service at their last place places of duty should have been in public interest.

B. *Lumpsum Transfer Grant and Packing Allowance*

17. The lumpsum transfer grant and packing allowance may also be replaced by the composite transfer grant equal to a month's basic pay last drawn in the case of those employees who, on retirement, settle done at places other than the last station(s) of their



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duty located at a distance of more than 20 km. The transfer incidentals and road mileage for journeys between the residence and the railway station/bus stand, etc. at the old and new stations, presently admissible, will also be subsumed in the composite transfer grant and will not be separately admissible.

As in the case of serving employees, government servants who, on retirement, settle at the last station of duty itself or within a distance of less than 20 km may be paid the composite transfer grant equal to one-third of the basic pay last drawn by them, subject to the condition that a change of residence is actually involved.

Special Concessions

SR 18. A competent authority may, for reasons which should be recorded, order that any Government servant or class of Government servants shall be included in a grade higher than that prescribed in Rule 17.

SR 19. A Government servant in transit from one post to another rank in the grade to which the lower of the two posts would entitle him.

SR 31. A competent authority may, for special reasons which should be recorded, permit mileage allowance to be calculated on a route other than the shortest or cheapest, provided that the journey is actually performed by such route.

TRANSPORT ALLOWANCE

(G.I.M.F. No 21(2)/2008-E-II(B) dt 29th Aug, 2008 & Clarifications)

Post Sixth Pay Commission, Government servants are entitled for following rates of Transport Allowance:-

Sl No	Employees drawing grade pay of	Rate of Transport Allowance per month	
		In 13 cities #classified as A-1/A earlier (Rs)	Other places (Rs)
1	Grade pay of Rs 5400 & above	3200 + DA	1600+DA
2	Grade pay of Rs 4200, 4600, 4800 and those drawing grade pay below Rs 4200 but drawing pay in the pay band equal to Rs 7440 and above	1600 +DA	800 +DA
3	Grade pay below Rs 4200 and pay in the pay band below Rs 7440	600 +DA	400 +DA



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#Hyderabad (UA), Delhi (UA), Bangaluru (UA), Greater Mumbai (UA), Chennai (UA), Kolkata (UA), Ahemdabad (UA), Surat (UA), Nagpur (UA), Pune (UA), Jaipur (UA), Lucknow (UA), Kanpur (UA)

Other conditions

- Blind and Orthopaedically handicapped employee continue to draw allowance at double the normal rates as per OM No 21(1)/97-E-II(B) dt 3-10-97 where the minimum cannot be less than Rs 1000 +DA.
- Not applicable for those provided with government transport facility.
- Officers drawing grade pay of Rs 10000 and Rs 12000 and those in HAG+ scale shall be given option to avail themselves of existing facility or to draw Transport Allowance at the rate of Rs 7000 pm + DA.
- Absence from duty means absence from Headquarters or place of posting due to any of the reasons such as leave, training, tour, etc for a full calendar month. In such a condition, the Government servant will not be entitled for TA for that month. A single days presence will make TA entitlement for the month.
- Transport Allowance may be granted during training treated as duty if no transport facility/TA/DA is provided for attending the Training Institute.
- A suspended Government employee is not required to attend office and so not entitled for TA. The position hold good even if the suspension period is finally treated as duty



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CENTRAL GOVERNMENT HEALTH SCHEME¹⁶

Introduction. Central Govt. employees are entitled to medical facilities for which comprehensive provisions are contained in Central Services (Medical Attendance) **Rules 1944**. The CGHS was introduced in Delhi on **1st July 1954** as a social service-cum-welfare measure. In view of the successful implementation of the scheme in Delhi, it has grown over the years both in coverage & scope. Presently, it serves about **28** cities mostly state capitals.

Applicable to :-

- ▶ All Central Govt. employees paid from Civil Estimates and their families.
- ▶ Central Govt. pensioners and those retiring with CPF benefits and their families.
- ▶ Widows/Child getting family pension including minor brothers & sisters of such child.
- ▶ Delhi Police personnel and their families.
- ▶ Civilians paid from Defence Services Estimates and their families.

Not Applicable to:-

- ▶ Railways Services, Defence & Delhi Admin employees.
- ▶ Persons retired from Railways & Armed Forces.

The Govt. servant should reside in CGHS area for the facility and pensioners can get their names registered with any of the dispensaries whether residing in that area or not.

2. Family. Besides the Govt servant, members of his family are also entitled to the facilities. The word "family" means :-

- ▶ Husband/Wife including more than one wife and also judicially separated wife.
- ▶ Parents/Adoptive parents (not both), not step parents (only mother), in case of adoptive father, only one wife.
- ▶ Female employee has a choice to include either her parents or parents-in-law. Option once exercised can be changed once.
- ▶ Children including legally adopted ones.

Son - Till he starts earning, becomes 25 years of age or gets Married, whichever is earliest.

Daughter - Till she starts earning or gets married, irrespective of age.

Disabled Son - No age limit.

- ▶ Widowed divorced and separated daughters - Till they get re-Married or start earning, whichever is earlier. Sisters including widowed sisters - Till they get married or start Earning, whichever is earlier.
- ▶ Minor brothers & dependent brothers.

¹⁶ Last reviewed by Biswajit Banerjee, Assistant Director



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Dependency :- Members of the family (other than spouse) whose income does not exceed Rs.3,500/- plus the amount of Dearness Relief admissible on the date of consideration of the claim, are treated as dependents.

When both husband and wife are working

(a) The spouse employed in a state Govt/Railways or Corporation/Bodies financed partly/wholly by the Central/State Govt, local bodies and private organisations, which provide medical facilities, may choose either the facilities under the Central Govt Health Scheme or those provided by the organization concerned.

(b) Where husband and wife both are govt. servants, one of them can choose to avail the facilities for the spouse and members of family according to his/her status. The wife can also choose to avail the concession separately for herself and her dependents.

(c) In both the cases, option/joint declaration to be furnished and kept by the respective Deptts. The declaration can be changed as and when circumstances change e.g., promotion, transfer, resignation etc.

(d) If spouse is working in an organisation which provides medical facility, the Govt servant residing in CGHS area may opt out of CGHS. This option is available twice in entire service. However if opted out of CGHS and the spouse dies/ resigns/ dismissed/ removed, he still has the option to avail CGHS facility.

Female officials can include their parents or parents-in-law :- Female Govt servants can choose to include either her parents or her parents in law. The option can be changed once during the service.

3. Subscription. A compulsory monthly contribution is levied on all entitled classes as under :-

Grade Pay Rate of Contribution per month

Upto Rs.1650/- Rs. 50/-

Rs.1800/- to 2800/- Rs. 125/-

Rs. 4200/- Rs. 225

Rs.4600/- to 6600/- Rs. 325/-

Rs.7600/- and above Rs. 500/-

Contribution is effected through salary bills. It is recoverable during the period of duty, suspension and leave (other than EOL) not exceeding four months. Beyond four months, it is optional. When both husband and wife are working, either of the two with higher pay has to subscribe for CGHS and avail CGHS facility. Where husband and wife both are govt. servant and want to include their respective parents who are otherwise eligible, name of parents of each can be included provided both are contributing to the CGHS and the parents fulfill the income criteria. Female family pensioners can avail medical facilities only for the dependents of the deceased CGHS beneficiary.

Pensioners- The rate of contribution for pensioners will be with reference to the Grade Pay they were drawing on the post from which they retired. They have to deposit contribution for one year in advance for the period ending December of the year, with concerned PAO. Life-time



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CGHS card will be issued to a pensioner who pays in lump sum amount equal to 10 years' contribution in advance. Pensioners while on re-employment shall pay normal contribution like other serving employees

4. CGHS Plastic Card.

The Government has introduced a system of individual CGHS Plastic Cards to all CGHS beneficiaries in place of Family Cards . Data of the beneficiary is available on the Data base of servers located at NIC Headquarters. The individual Plastic Cards are only Identity cards bearing a unique number for each beneficiary. This is an identity card for assessing the Data from computer Data Base. The beneficiaries/Empanelled Hospitals / Diagnostic Centres can verify Data at cghs.nic.in/welcome.jsp. At the time of submission of medical claim, the Ben ID number of the serving employee or pensioner shall be entered on Modified Medical 2004 Form as he/she shall be the claimant. Copy of the Plastic card of the patient shall be enclosed along with the medical re-imburement claim

Loss of CGHS Plastic Card.

If the Plastic Card is lost, a report is to be lodged with the nearest police station. For issuing duplicate card, an application should given to AD, CGHS through admn. with the following :-

- (i) Copy of the FIR lodged with the police
- (ii) Copy of old card
- (ii) A postal order of Rs 50/- in favour of PAO CGHS

Change of Residential Address/Dispensary

In case of change in residential address and shifting from one dispensary to another, CMO I/C of Dispensary shall make modifications in Data base and transfer the card to new dispensary. CMO I/C of new dispensary shall accept transfer of card and Data shall be transferred to the new dispensary. It is compulsory to bring original Plastic Card every time for availing CGHS benefits.

G.I., M.H., O.M. No. F. No. 11-1/2004-C&P/Pt-XII dated 15-5-2009

5. Procedure for Referral to Recognised hospitals. The beneficiary will have the option of availing specialized treatment/diagnostic tests at CGHS recognised hospitals/Diagnostic centres his/her choice after the specialist of CGHS/Govt. Hospital/CMO-in-Charge of CGHS dispensary recommends the procedure/test. The following procedures will be followed for taking treatment in a recognised private hospital/diagnostic centre :-

- (i) A serving Govt servant covered under CGHS, taking treatment in a CGHS dispensary/ Govt hospital and desires to take treatment in a recognised hospital, Head of Department may grant him permission for indoor treatment/ diagnostic procedure on the basis of the prescription/line of treatment given by CGHS/ Govt hospital specialist.

[Ministry of H&FW OM No. Rec. 1-2004/JD(Gr)/CGHS/Delhi CGHS(P) dt 7-12-2006]



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(ii) In case of medical emergency, details of which shall be recorded in writing, CMO in charge of a CGHS dispensary may directly refer the beneficiary to a private recognised hospital for further treatment.

(iii) In case the beneficiary, in spite of facility being available in the city chooses to get treatment in CGHS recognised hospital in another city, permission may be granted, but in such cases TA/DA would be borne by beneficiary himself/herself.

[Ministry of H&FW OM No. S-11011/6/96 CGHS(P) dt. 11-7-97]

(iv) CMO in charge of dispensary in satellite towns of Delhi viz Gurgaon, Faridabad, Gaziabad, Noida etc. can refer the patient directly to a private recognised hospital. There is no need of permission from Head of Department.

[Ministry of H&FW OM No. S-11011/6/96 CGHS(P) dt 4-2-99]

(v) In case of pensioners, after the initial advice of a specialist of a Govt. hospital or CGHS dispensary has been obtained, permission letter would be given by CMO in charge of the dispensary concerned or the office of Additional Director, CGHS. The permission is for specific treatment and not for general management. OPD treatment is not permitted in private hospital. However, follow up treatment in the following cases is allowed :-

- o Neurosurgery
- o Cardiac surgery including CABG, Angioplasty
- o Kidney Transplant
- o Joint Replacement
- o Accidental cases.

6. Medical Advance.

The **Head of Office** may grant advance to Central Govt. servants irrespective of their pay to meet initial expenditure for self and members of the family in the following cases :-

- For indoor treatment at a hospital and for diagnostic tests.
- For OPD treatment in case of TB/Cancer.
- Purchase, repair and adjustment of admissible Artificial Appliances.

Application for advance should be accompanied by necessary certificate from the medical officer/ specialist of the hospital, indicating the duration of treatment and the anticipated cost admissible under the rules. Advance may be paid up to 90% of the package deal. It may be paid in one or more instalments for the same illness or injury subject to the limit prescribed. There is no limit for the number of advances payable to an official with reference to himself and to each member of his family and for each case of illness. For payment of advance in case of a temporary official, surety from a permanent employee is required. Advance is directly paid to the hospital and adjustment bill should be submitted within one month from the date of discharge.

In the case of artificial appliances once prescribed by the specialist payment will be made directly to the supplying agency. Advance may be paid for the following artificial appliances :-



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- Heart pace maker.
- Replacement of diseased Heart valves.
- Artificial electronic larynx.
- Artificial Hearing Aid.

[Ministry of H&FW OM Nos. (i) S/11016/1/92-CGHS(P) dt. 29-10-92, (ii) S/11016/1/92-CGHS(P) dt. 30-12-93 & (iii) S/12025/1/96-CGHS dt. 13-5-97]

7. Treatment in Emergency - In emergent cases involving accidents, serious nature of diseases, etc., the person/persons on the spot may use their discretion for taking the patient for treatment in a private hospital/clinic/nursing home, in case no Govt hospital is available nearer than the private hospital and subsequently claim for reimbursement may be submitted. In accordance with **Ministry of H&FW OM No. Rec-24/2001/JD(M)/ CGHS/Delhi/CGHS(P) dated 7-9-2001**, in cases of emergency the recognised private hospital shall not refuse admission or demand advance from the beneficiary and should provide credit facility to the patient on the production of valid CGHS Card.

8. Reimbursement of Medical Claims. The CGHS beneficiaries and their families are supplied medicines prescribed by CGHS Dispensaries. For beneficiaries taking treatment at hospitals (Govt/Private Recognised) as outdoor patient, medicines prescribed by doctor are supplied by their respective dispensaries. However, the expenditure incurred during hospitalisation as indoor patient and diagnostic tests are reimbursable.

9. In terms of Min of Health & Family Welfare O.M. dated 19.02.2009, if the beneficiary subscribes to a medical insurance policy, he can claim reimbursement from both the insurance company as well as CGHS subject to the condition that the total reimbursement should not exceed the total expenditure incurred in the treatment.

10. In terms of **Ministry of H&FW OM No. S/12020/4/97- CGHS(P) dt. 27-12-2006**, Heads of Departments may decide the cases of reimbursement of medical claims in respect of treatment taken at a private hospital subject to item-wise ceiling as per rates prescribed for CGHS beneficiaries without financial limit on the total amount to be reimbursed. This is subject to the condition the cases involving payment exceeding Rs. Two lakhs will be settled in consultation with the **Internal Finance Division**. Only in those cases where the settled scheme/rules are required to be relaxed, should the case be referred to the Ministry of Health & Family Welfare.

11. The concerned Govt. servant is to submit the claim within **three months** from the date of discharge on the prescribed format to the Administrative authorities. In case advance was taken, claims should be submitted in **one month**. However, Head of Department may condone delay in submission of claims within prescribed time limit in terms **Ministry of Health & Family Welfare OM No.S/4025/22/78-MS dt 13 Aug 1983**. The medical claims should be submitted with the following documents :-

- Xerox copy of **CGHS Card**.
- Prescription** by Doctor with line of treatment.



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- Permission letter** from HOD.
- Form Med-2004** .
- Discharge Summary**.
- Cash vouchers**
- Emergency Certificate** (in case of 'Emergency Treatment').

12. Reimbursement will be limited to the **package rates** defined as lump sum cost of indoor treatment or diagnostic procedure for which a patient has been referred by competent authority or CGHS to hospital or diagnostic centre. This includes all charges pertaining to a particular treatment/ procedure including admission charges, accommodation charges, ICU/ICCU charges, monitoring charges, operation charges, anaesthesia charges, O.T. charges, procedural charges/ Surgeon fee, cost of disposables, surgical charges, diet and cost of medicines used during hospitalisation, related routine investigations & physiotherapy charges. The package rate does not include, telephone charges, T.V. charges and cost of cosmetics toiletry, tonics and medicines advertised in mass media. The **package rates fixed** by CGHS are for **semi-private ward**. For private ward these will be increases of **15%** and for general ward these will be decreases of **10%**.

13. In the case of pensioners, the recognised hospitals/ diagnostic centres, on production of permission letter, shall provide credit facility. The hospital shall submit claim directly to Addl. Dir, CGHS.

14. Reimbursement is generally allowed at approved rates for the treatment/tests. However, reimbursement in full, in excess may be allowed by the Secretary, Ministry of Health & Family Welfare on recommendation of the Technical Standing Committee, if treatment is taken in a private nonempanelled hospital under emergency.

15. The entitlement for indoor treatment : -

Pay in Pay Band	Pvt Recognised Hospital	AIIMS
Upto Rs. 13,950/-	General Ward	General Ward
Rs. 13,960 to 19,530	Semi Private Ward	General Ward
Rs. 19,540 to 25,110	Private Ward	Private Ward
Rs. 25, 120 and above	Private Ward	Deluxe Ward

The maximum Room charges

Type	Rate
General	Rs. 1000 per day
Semi Private	Rs. 2000 per day
Private	Rs. 3000 per day

Min of H & F.W. O.M. No. S.11011/23/2009-CGHS D.II/Hospital Cell(Pt I) dtd 16th Nov. 2010



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MEDICAL ATTENDANCE RULES¹⁷

These Rules may be called the Central Services (medical attendance) Rules 1944.

Applicability : These Rules apply to -

- (i) All central Govt servants
- (ii) Re-employed Govt pensioners
- (iii) Civilians paid from Defence estimates
- (iv) A probationer
- (v) Police personnel
- (vi) All state Govt servants on deputation to Central Govt
- (vii) Defence Accounts Department employees

The concession granted under these rules to Govt servants are applicable to their family members as well subject to their dependency.

These rules do not apply to -

- (i) Railway personnel
- (ii) Defence services personnel
- (iii) Retired Govt officials
- (iv) Govt servants governed by CGHS
- (v) Officers of All India Services
- (vi) Central Govt servants on deputation abroad

Family. Besides the Govt servant, members of his family are also entitled to the facilities. The word "family" means :-

- ▶ Husband/Wife including more than one wife and also judicially separated wife.
- ▶ Parents/Adoptive parents (not both), not step parents (only mother), in case of adoptive father, only one wife.
- ▶ Female employee has a choice to include either her parents or parents-in-law. Option once exercised can be changed once.
- ▶ Children including legally adopted and step ones.
Son - Till he starts earning, becomes 25 years of age or gets Married, whichever is earliest.
Daughter - Till she starts earning or gets married, irrespective of age.
Disabled Son - No age limit. (Disability not less than 40% mental or physical)

¹⁷ Updated by Biswajit Banerjee, Assistant Director



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- ▶ Widowed divorced and separated daughters - Till they get re-Married or start earning, whichever is earlier. Sisters including widowed sisters- Till they get married or start earning, whichever is earlier.
- ▶ Minor brothers & dependent brothers.

Dependency :- Members of the family (other than spouse) whose income does not exceed Rs.3,500/- plus the amount of Dearness Relief admissible on the date of consideration of the claim, are treated as dependents.

When both husband and wife are working

- (a) The spouse employed in a state Govt/Railways or Corporation/Bodies financed partly/wholly by the Central/State Govt, local bodies and private organisations, which provide medical facilities, may choose either the facilities under the Central Govt Rules or those provided by the organisation concerned.
- (b) Where husband and wife both are govt. servants, one of them can choose to avail the facilities for the spouse and members of family according to his/her status. The wife can also choose to avail the concession separately for her and her dependents.
- (c) In both the cases, option/joint declaration to be furnished and kept by the respective Deptts. The declaration can be changed as and when circumstances change e.g., promotion, transfer, resignation etc.

Female officials can include their parents or parents- in- law :-Female Govt servants can choose to include either her parents or her parents in law. The option can be changed once during the service

Authorised Medical Attendant :-

Medical officers under the employment of the Central Government, State Governments and Union Territories, as also Medical Officer not in Govt. employee, i.e. private registered medical practitioners may be appointed as Authorised Medical Attendants. If no such officer is appointed the following are AMAs :-

- ▶ *For Gp. 'A' officers and other drawing pay not less than Rs. 8000 p.m. - Principal Medical Officer of the District.
- ▶ *For officers drawing pay less than Rs. 8000 but above Rs. 4000 p.m. - Assistant Surgeon Grade-I in the station
- ▶ For the rest Assistant Surgeon Grade-II. (* in pre-2006 scales)



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Private Medical Practitioners are appointed as AMAs where adequate number of Govt Doctors in various systems are not available or when their services are not available within a radius of **5 kms** or because of the remoteness of the area.

The AMA of a Govt servant is determined with reference to the place at which he falls ill, irrespective of whether it is the permanent/temporary residence or a place of casual stay.

In places where AMAs have been appointed, they should be consulted. If no AMA has been appointed in the sub-urban area, treatment may be had from AMA employed in a Govt hospital in the adjoining city but not from private medical practitioner appointed as AMA outside the area.

Referral to Specialist/other Medical Officer.

If the condition of the patient so requires, the AMA can

- (i) Send the patient to the nearest specialist or other medical officer; or
- (ii) Summon the specialist/Medical Officer to attend on his patient who is too ill to travel

The specialist should be from a Govt or recognised hospital not a private one. AMA can refer the case to any of the State govt/Central govt and CGHS recognised hospital.

Medical Attendance.

Medical attendance by AMA can be had in his **consulting room or in Government hospital or at the residence of the patient**. Attendance is limited to **4** consultations during a period of **10 days**. Even if no medicines are prescribed during a repeat consultation, it is taken as a consultation for applying the limit of **4** consultations. Cost of medicines prescribed during this period will be reimbursed. Consultation fees at the prescribed rates for the first consultation and subsequent consultations will be admissible. In the case of private medical practitioners appointed as AMAs reimbursement will be as per the schedule of rates approved by the state Government/UT administrations. There should be a reasonable gap between the closing of the first spell of illness from one disease and recurrence of the same disease. If the second spell is entirely for a fresh disease it will be allowed as a fresh treatment.

Treatment.

Medical treatment from AMA is limited to administration of injection only. A maximum of **10** injections are allowed in a period of **10 days**, and in exceptional cases up to **15** injections during a period of **10-15 days**. Cases involving more than **4** consultations or **15** injections are



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considered as 'prolonged treatment' and should be referred to OPD of the hospital. Cost of injections prescribed and the fees charged by the AMA for administering injections are reimbursable at the rates approved by the State Governments/UT Administrations concerned.

If at the time of consultation the Medical Officer consulted also administers injections, he will be entitled to charge fees both for the consultation and for the injection at the prescribed rates. However, if at a later stage the Medical Officer administers injections prescribed at the previous consultation, fees should be charged for injections only.

Consultation/Visiting/Injection fees

(i) Where the schedule of rates approved :-

- | | |
|---|--|
| (a) Medical Officers under the employ of the Government appointed as AMAs | As per the schedule of rates approved by the State Govern-ments/UT Administrations in force form time to time in the concerned States/UTs. |
| (b) Private medical practitio-ners appointed as AMAs | As per the schedule of rates approved by the concerned State Governments/UT Administrations in respect of Assistant Surgeon. Grade I/II or equivalent. |

(ii) Where the rates are not prescribed :- Fees for consultation/injection for private medical practitioners where no fees for their Medical Officers appointed as AMAs have been prescribed :

		MEDICAL POST GRADUATES/ SPECIALIST	MEDICAL LICENTIATES AND MEDICAL GRADUATES(MBBS)
CONSULTATION FEES	FIRST CONSULTATION	RS. 100	RS. 70
	SUBSEQUENT CONSULTATION	RS. 60	RS. 40
VISITING FEES	DAY	RS. 100	RS. 80
	NIGHT	RS. 120	RS. 100
INJECTION FEES	INTRA-MUSCULAR SUBCUTANEOUS	RS. 20	RS. 20
	INTRAVENOUS	RS. 40	RS. 40

Note :- Rates revised vide OM No.14025/10/2010-MS dated 17.03.2011



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Diagnostic Tests All Pathological, Bacteriological, Radiological or other tests prescribed by the AMA can be had only at the Government/recognised hospitals/laboratories.

TREATMENT IN THE HOSPITAL

Government Hospitals:

Besides Central/State Govt hospitals, all hospitals recognised by the State Govt for medical attendance/treatment of their employees and families are included in the term Govt Hospitals.

Recognised Hospitals

Cantonment Hospitals, Railway Hospitals, Maternity and Child Welfare Centres recognised by State Govts, Police Hospitals and Dispensaries, Hospitals maintained by local bodies/PSUs/Projects and Port Trust Hospitals and CGHS recognised hospitals have been recognised for the purpose of treatment of Central Govt employees.

OPD Treatment

Either AMA can send the patient to OPD of the nearby Govt /recognised hospital if prolonged treatment is required, or the patient can directly receive treatment without consulting AMA. Medical Officer in charge of OPD will be AMA for all categories. Medicines prescribed can be purchased from outside ,cost is reimbursable. The requirement of Essentiality certificate to be signed by MO and countersigning of cash vouchers has been done away with vide Min of H & FW O.M. dated 20.02.2009.

In-patient Treatment

Either AMA can send the patient for treatment at nearby Govt/recognized hospital as in-patient or the patient can go directly without consulting the AMA. For infectious diseases, treatment should be in a Govt Infectious Diseases Hospital. In no case AMA can send the patient to Private nursing home/clinic. Permission of HOD required if wants to go to recognised hospital without being referred to by the AMA (O.M. No. 14025/7/2000-MS dated 28.03.2000)

Package Rates

Treatment at a Govt hospital is free of cost. Charges by recognised hospitals for treatment/tests are made as per the package rates. Package Rate is defined as lumpsum cost of in-patient or Diagnostic procedure for which a patient has been referred to the hospital or Diagnostic centre. This includes all charges pertaining to a particular treatment/procedure including admission



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charges, accommodation charges, ICU/ICCU charges, monitoring charges, operation charges, anaesthesia charges, operation theatre charges procedural charges, surgeon's fee, cost of disposables, surgical charges and cost of medicine used during hospitalisation, related routine investigations, physiotherapy and diet charges etc.

Package rate does not include telephone charges, T.V. charges and cost of cosmetics, toiletry, tonics and medicines advertised in mass media. Cost of these, if offered on the request of patient will be realized from the individual patient and are not to be included in package charges. The recognised hospitals/diagnostic centres will not charge more than the package rate from the beneficiary.

The entitlement for indoor treatment :-

Pay in Pay Band	Pvt Recognised Hospital	AIIMS
Upto Rs. 13,950/-	General Ward	General Ward
Rs. 13,960 to 19,530	Semi Private Ward	General Ward
Rs. 19,540 to 25,110	Private Ward	Private Ward
Rs. 25, 120 and above	Private Ward	Deluxe Ward

The maximum Room charges

Type	Rate
General	Rs. 1000 per day
Semi Private	Rs. 2000 per day
Private	Rs. 3000 per day

Special Nursing :-

If during in-patient treatment special nursing or Ayah / Attendant is considered necessary and certified by the Medical Officer in charge, the charges incurred shall be reimbursable at the following rates :

- Special Nurse - Rs. 150/- per shift of 12 hours
- Ayah / Attendant - Rs. 75/- per shift of 12 hours

as per O.M. No. S. 14025/8/2010-MS dated 18.01.2010

Physiotherapeutic/Occupational therapeutic treatment :-

Expenses reimbursable for treatment at Government/recognized hospitals, if obtained to recoup certain physical weakness/defect due to some diseases, but not for the purpose of improving figure etc.

Treatment outside District/State :-

Where facilities for a particular treatment are not available, treatment outside the district is allowed. Treatment outside State is allowed if recommended by the AMA.



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Treatment at Residence :-

Permissible if AMA is of the opinion that hospital treatment can not be provided due to absence or remoteness of suitable hospital or due to the severity of the illness. Reimbursement is limited to the cost of such treatment at the hospital.

ADVANCE

All central Govt employees are entitled for medical advance irrespective of pay limit Head of Office can grant for--

- (i) In-patient treatment in hospital
- (ii) out patient for TB/Cancer
- (iii) For purchase, repair, replacement or adjustment of artificial appliances

AMOUNT :-

(i)	Indoor treatment/out patient treatment for diseases like cancer etc	Rs 10000
(ii)	For major illness like bypass surgery, kidney transplant etc	90% of the package deal or estimated cost whichever is less
(iii)	Treatment of TB where duration is more than 3 month	Rs 36000 or 80% of estimated cost whichever is less

Payment of Advance and Adjustment :-

Advance will be paid directly to the hospital concerned on receipt of the estimate from the treating Physician. Once the treatment is over , final claim must be submitted by the employee within a month of discharge from the hospital. If the entire amount of advance has not been utilised the head of office will obtain refund from hospital. The advance may be paid in one or more instalments for the same illness. There is no limit on the number of advances payable to an official.

In the case of serious illness or accidents where the Govt servant is not able to apply himself, the advance may be sanctioned on an application in writing made on his behalf by his family members.

TREATMENT TAKEN IN EMERGENCY

In emergent cases involving accidents, serious nature of diseases, etc., the person/persons on the spot may use their discretion for taking the patient for treatment in a



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private hospital/clinic/nursing home, **in case no Govt hospital is available nearer than the private hospital** and subsequently claim for reimbursement may be submitted.

Heads of Departments may decide the cases of reimbursement of medical claims in respect of treatment taken in emergency at a private hospital subject to item-wise ceiling as per rates prescribed for CGHS beneficiaries without financial limit on the total amount to be reimbursed. If the amount is above two lakhs, approval of Internal Finance is required

In cases of emergency the recognised private hospital shall not refuse admission or demand advance from the beneficiary and should provide credit facility to the patient.

CLAIM FOR REIMBURSEMENT .

The expenditure incurred on medicines, injections and the fees paid to the AMA, the expenditure incurred by beneficiaries for taking treatment at hospitals (Govt/Private Recognised) as outdoor patient, the expenditure incurred during hospitalisation as indoor patient and diagnostic tests are reimbursable. The concerned Govt. servant is to submit the claim within **three months** from the date of discharge on the prescribed format to the Administrative authorities. In case advance was taken, claims should be submitted within **one month**. However, Head of Department may condone delay in submission of claims not within prescribed time . The medical claims should be submitted with the following documents :-

- Prescriptions by AMA/Specialist/Treating Physician..
- Med-2004 Form. Duly filled and signed by beneficiary
- Discharge Summary (in case of indoor treatment).
- Cash vouchers
- Emergency Certificate (in case of 'Emergency Treatment').

Reimbursement will be limited to the package rates defined as lump sum cost of indoor treatment or diagnostic procedure for which a patient has been referred to hospital or diagnostic centre. **The package rates fixed are for semi-private ward.** For private ward there will be an increases of **15%** and for general ward there will be a decreases of **10%**. There are certain procedures for which there are no prescribed package rates under CGHS. The admissible amount in such cases is calculated item wise, room rent, procedures and investigation etc. **OM No. 110011/23/2009/CGHS D.II/Hospital Cell (Part I) dated 16.11.2010.**



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OTHER MEDICAL FACILITIES

The other facilities available to the beneficiaries are as under -

Dental Treatment :- Dental treatment allowed at Govt hospitals and recognized hospitals. Surgical operations needed for removal Odontomes and impacted wisdom-tooth, treatment of gum boils, extraction, scaling and gum treatment including Pyorrhoea and Gingivitis, filling of teeth, Root canal treatment and cost of denture are reimbursable (cost of single jaw-Rs1000 and both Rs. 2000).

Testing of Eyesight :- Admissible for Govt servant only, not for family, once in three years. Only fees paid is reimbursable and not the cost of spectacles.

Confinement :- Includes pre-natal and post-natal treatment.

Intra-Ocular Lens Implantation : Reimbursement admissible in full if treatment taken at a Govt hospital. Reimbursement limited to Rs. 6500 if undertaken at private recognized hospital. Cost of spectacles for correction of distant/near vision reimbursable upto Rs.200 in the case of conventional operation for cataract.

Treatment for certain diseases :-- Reimbursement allowed for the following -

- (I) Venereal diseases and Derilium Tremens.
- (II) Correction of squint.
- (III) Diseases causing general debility and secondary anaemia.
- (IV) Medical Termination of Pregnancy at Govt hospital/recognized hospital
- (V) Blood and blood transfusion charges
- (VI) Sterilization operation even if it is for adopting small family norms.
- (VII) Anti-rabic treatment.
- (VIII) Avitaminosis and Hypovitaminosis

Reimbursement allowed for :--

- (I) Cost of Heart Pace Maker.
- (II) Cost of replacement of diseased Heart Valves.
- (III) Cost of artificial appliances.
- (IV) Expenses on purchase/repair/replacement of hearing aids. Cost ceiling as fixed-
Rs. Rs 10000 for one sided hearing aid
Rs 20000 for bilateral hearing aid
Rs 60000 for digital hearing aid
- (V) Surgical/treatment charges and T.A. of the donor of kidney to a Govt Servant and family member.



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Treatment outside India :- In exceptional cases, reimbursement allowed for treatment outside India, for certain ailments for which facilities are not available in India , when authorised by the DGHS or other specified authorities.

TRAVELLING ALLOWANCE FOR MEDICAL ATTENDANCE/TREATMENT

Employees and members of their families are entitled for T.A. for their journey to obtain appropriate treatment if it is certified by

AMA/Specialist/Medical Officer that the journey was unavoidably necessary.

Journey by Rail/Road/Sea/Air:-

T.A for the journey admissible for obtaining treatment. Fare for the entitled class or the class actually travelled, whichever is lower, admissible.

Conveyance charges :-

For journeys within the city/Municipal area, etc., but exceeding 8 Kms. each way, actual conveyance charges will be limited to road mileage for Govt servants and actual charges limited to 50% of road mileage for family members reimbursable.

Ambulance charges:-

Admissible if certified by AMA/Specialist/Medical Officer the journey by other conveyance would endanger the life of the patient or aggravate the condition . Ambulance should belong to Govt/local fund/social service organisation and to be used within the city.

T.A. for kidney donor :-

If the donor is a private person, T.A. admissible at the rates applicable to the Govt servant and if the donor is a Govt servant it is admissible at the rates applicable to the donor Govt servant

GUIDELINES FOR DDOs/CONTROLLING OFFICERS

The controlling officers and DDOs should keep the following points in view while processing the claim for reimbursement :-

Scrutiny of the claims ;--

Applications/Essentiality certificates, Cash bills, etc. to be scrutinised to ensure that conditions/limits etc. prescribed are fulfilled in each case. Cost of medicines prescribed but not consumed within the period of treatment to be disallowed.



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Medicines :-

Cost of preparations which are not medicines but are primarily foods, tonics, toilet preparations or disinfectants not reimbursable. List of inadmissible medicines to be referred to.

Time limit :-

Claims to be preferred by the Govt servants within three months from the date of completion of treatment as per Essentiality certificate and one month in case advance was taken. Ministries/Depts are empowered to condone delay in individual cases.

Rejection of claims :-

Controlling officers are empowered to reject claims if they are not satisfied with genuineness of the same after giving an opportunity to the claimant of being heard in the matter.

Maintenance of control register :-

Control register in the form prescribed to be maintained and reviewed. Careful scrutiny of claims to be made thoroughly.

Benefit of doubt :-

Controlling officers have discretionary powers to give benefit of doubt in cases of minor discrepancies in the bona fide claims.

MEDICAL CLAIMS - SOME USEFUL TIPS

- (1) Your pay and place of illness will determine who your AMA is.
- (2) Consult your AMA first and proceed according to his advice.
- (3) Ensure that you purchase only the reimbursable medicines from the approved pharmacy in case of treatment under Ayurvedic, Siddha and Unani systems. List of medicines-admissible and inadmissible is issued by Govt. from time to time.
- (4) Support your claims with all the prescribed certificates.
- (5) Ensure that you get cash vouchers correctly and properly
- (6) Ensure that the AMA's designation, qualification and Registration No. are correctly given.
- (7) If you go to a hospital for treatment as in-patient either for yourself or a family member, inform the Medical Officer-in-charge of your pay so that he may allot accommodation according to your status.
- (8) Once you are admitted as in-patient, follow the rules and procedure of the hospital. Rules vary from hospital to hospital.



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- (9) Before, leaving the hospital after treatment, get the hospital bills, receipts, vouchers as the case may be, for claiming refund.
- (10) You need not consult your AMA for getting in-patient treatment for yourself or family members from a hospital where you are normally entitled to the treatment. Female members may, however, be admitted in any recognised women's hospital.
- (11) Ensure that the claim is preferred within 3 months of completion of treatment if no advance was taken and within one month if advance was taken.



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ADVANCES TO GOVT. SERVANTS¹⁸

Advances are loans disbursed by the Government to its employees for certain specified purposes. The competent authority may grant the Advances out of the public fund in accordance with the Rules framed by the Govt... The Advances disbursed can broadly be classified into two categories -

- Advance for House Building Purpose
- Advance for purposes other than House Building

2. The Advance for House Building purpose is governed by the House Building Rules and for Advances for purposes other than House Building is governed by the provisions of General Financial Rules, 1961.

3. **ADVANCES UNDER THE COMPENDIUM OF RULES ON ADVANCES
IN GFR - 2005**

The provision of Advances under the General Financial Rules is given in Compendium of Rules on Advances and can be divided into two types :-

- Interest Free Advances; and
- Interest Bearing Advances

4. Following are the different interest free and interest bearing Advances

INTEREST FREE ADVANCES	INTEREST BEARING ADVANCES
1. Festival Advance	Motor Cycle Advance
2. Advance in connection with Natural Calamities	Motor Car Advance
3. Leave Salary Advance	Personal Computer Advance
4. LTC Advance	
5. TA Advance - on Tour	
6. Pay /TA Advance - on Transfer	
7. Immediate Relief to the family of the deceased Govt. servant	
8. Warm Clothing Advance	
9. Bicycle Advance	

- No Interest on advances at S. No 8 & 9 from 7-10-2008.

¹⁸ Updated by K.K. Pant, Assistant Director



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5. The above Advances can again be classified into two types depending on their repayment period, that is -

- Short Term Advances (where the repayment is over a short span) ; and
- Long Term Advances (where the repayment is over a longer span)

6. The Head of Office can sanction the Short Term Advances whereas the Head of the Department is competent to sanction the Long Term Advances. The repayment period in respect of interest free advances ranges from 3 months to 25 months and hence these advances fall under the category of short-term advances.

7. The prescribed rates of interest chargeable in respect of the advance drawn during different years are -

Advance drawn during	% Rate of interest chargeable	
	Motor Car / Computer	Motor Cycle / Scooter, etc.
2001 - 02	13.0	9.5
2002 - 03	12.5	9.0
2003 - 04 to 2009 - 10	11.5	8.0

8. **General Conditions for Drawal of Advances** while processing any case for grant of any Advance under the compendium on Advances to Government servants, the following general conditions must be kept in view.

- Grant of advance is subject to availability of funds;
- Subject to fulfillment of specific conditions governing the grant of that advance;
- Whether the employee has drawn the same type of advance earlier. If so, whether the previous advance/advance with interest, as the case may be, has been repaid in full;
- Employees under suspension are not eligible for any advance under GFR;
- The competent authority cannot sanction advance to self. Approval of next higher authority will have to be sought
- The amount of Advance would be restricted to the least of: -
 - Certain times of pay
 - Maximum amount specified in the Rules
 - Amount applied for by the employee.
- “Pay” for the purpose of advance means Grade Pay admissible under CCS[Revised Pay] Rules, 2008
- The Amount of Advance in all cases should be rounded off to nearest fifty rupees;
- Date of Drawal of Advance is crucial for effecting the recovery of advance and calculation of interest thereon;
- Date of Drawal in case of payment -
 - By cash = date of disbursement
 - By cheque = date of the cheque



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- Surety :-
 - To be insisted in Form VII for Temporary Govt. servants from Permanent Govt. Servants of same or higher status.
 - No surety is required for grant of immediate relief to the family of deceased govt. servant.
 - Where sanctioning authority is satisfied about the recovery during the temporary service of an employee - the condition regarding production of surety can be waived in case of short term advances.

9. RECOVERY

- In case of Interest Free Advance, recovery in general would commence from the pay of the month following the drawal of advance;
- In case of interest Bearing Advance, recovery would commence with the first issue of pay, after the advance is drawn.
- The principal amount would be recovered first, followed by interest.

10. CONDITIONS REGARDING INSTALMENTS

- Where the employee is due for retirement/termination of service, the number of instalments would have to be so adjusted that recovery (with interest, if any) is completed before the retirement/termination.
- The amount of each instalment should be in whole rupees except the last one, which could be in a fraction of a rupee.
- Variation in the amount of instalments is permitted, provided that the number of instalments initially fixed is not exceeded.

11. CONDITIONS REGARDING INTEREST

- The rate of interest is subject to periodical revision
- The rate of interest in force on the date of sanction of the advance applies to the entire advance (even in case where the advance is paid in instalments)
- **Provision for Penal Interest for Interest-Free Advances -**
 - 2 % over and above the G.P. Fund Interest rate.
 - Order sanctioning the advance should specify this condition
 - HOD can waive recovery of interest in special cases
- **Provision for Penal Interest for Interest Bearing Advances -**
 - @ 2 ½% above the prescribed rate
 - Order sanctioning the advance should specify this condition
 - In case, the conditions attached to the advance are fulfilled then a rebate @ 2 ½% allowed.



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- In case of death of an employee pending repayment during service, if the outstanding amount (whether Principal/Interest/both) is adjusted against the death gratuity or leave salary, then no interest would be charged on that amount beyond the date of death of government employee.

12. CALCULATION OF INTEREST

- Interest is calculated on the outstanding balance on the last day of the month
- Where disbursement of salary is made before the end of the month, recovery would be deemed on the first of the following month
- Where Drawal of pay/leave salary was delayed due to administrative reasons - it would be deemed that recovery was made in the following month to which it was due.

13. RECOVERY OF INTEREST

- In minimum number of instalments
- Amount of each instalment should not be greater than instalment for principal
- Should commence after recovery of principal amount.

14. INTEREST FREE ADVANCES

While making payment of interest free advance it should be ensured that the time lag between the date of drawal of money and its disbursement is reduced to the minimum.

a) **FESTIVAL ADVANCE [Rule 53]**

Eligibility conditions:

- Non-Gazetted Employees whose Grade pay does not exceed Rs.4,800/- per month.
- Employees can draw while on Earned Leave/Maternity Leave
- Contingent Staff are not eligible
- Employees under suspension not eligible

Amount of Advance: Maximum Rs.3000/- / (3750/- when the DA increased to More than 50%)

Recovery of Advance (Principal Amount): Max. 10 EMIs Commences with the issue of pay for the month following the month of drawal.

Other Conditions: -

- Advance to be drawn before the festival
- "Festival" fixed by HOD depending upon local importance. 26th January and 15th August are also "Festivals"



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- Being interest free advance, recovery to commence with the issue of pay for the month following that in which advance is drawn.
- Admissible only *once* in a financial year.
- Second/subsequent advance *after full recovery* of previous advance.
Head of Account - SALARY

(b) **NATURAL CALAMITIES ADVANCE: [Rule 66]**

Eligibility Conditions:

- Non-Gaz. Employees whose moveable/immovable property has been substantially damaged by natural calamity
- State Govt. declare the area as affected by a natural calamity
- State Govt. to sanction financial assistance to its employees
- Application for grant of advance has to be given within three month from the order of the State Govt. declaring the natural calamity
- The Govt. employee has to submit a declaration of damage
- Contingent Staff are not eligible

Amount of Advance : Maximum Rs. 5000/- / (Rs. 6250/- (when the DA increased to More than 50%))

Recovery of Advance (Pr. Amount): Max. 25 EMIs

The recovery of the amount of an advance shall commence from the second issue of pay after the advance is drawal

Head of Account : Salary

(c) **LEAVE SALARY ADVANCE**

Eligibility Conditions:

- Minimum period of sanctioned leave = 30 days/1 month
- Advance should be in whole rupees
- Adjustment of advance in full against leave salary bill for leave availed.

Amount of Advance: Restricted to the Net Leave salary for the month proceeding the leave period.

Recovery: - To be adjusted in full in the leave salary bill

(d) **PAY ADVANCE (on transfer of an employee)**

Eligibility Conditions:

- Admissible only for Transfer in public interest



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- Not admissible for temporary transfer

Amount of Advance : One month's pay in the old post or new post, whichever is less

Recovery : In maximum 03 instalments

(e) **PAY ADVANCE (on transfer of Hqrs.)**

Amount of Advance : 2 months' pay

Recovery : In Max. 24 EMIs

(f) **IMMEDIATE RELIEF TO THE FAMILY OF AN EMPLOYEE WHO DIES WHILE IN SERVICE**

- Sanctioning Authority (H.O.O.) can sanction *suo motu*.
- Surety not required
- Advance will be paid to the nominees for DCRG/legal heirs
- Payment of Advance is subject to an undertaking being given by the nominee/legal heirs for adjustment of advance against DCRG payable
- When the actual DCRG do not cover the advance, difference may be written off as irrecoverable losses.

Amount of Advance: Restricted to 2 months' basic pay & dearness pay of deceased official subject to a maximum of Rs. 8000/-

(g) **WARM CLOTHING ADVANCE (Interest free W.E.F. 7-10-2008)**

Eligibility conditions:

- Group "C" and "D" employees posted in Hill station for one year or more
- "Hill Station" means a place at an altitude of 1000 metres above sea level.

Other conditions :

- H.O.O. to certify employee's stay is for minimum 12 months
- Second advance only after 3 years from the date of drawal of first advance
- For Temporary officials - Surety Bond

Amount of Advance: Rs.3000/- / 3750/- (when the DA increased to More than 50%)

Recovery : In Max. 10 EMIs commencing from the first issue of pay after the drawal of advance.



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(h) **BICYCLE ADVANCE** (Interest free W.E.F. 7-10-2008)

Eligibility:

- Officials whose Grade Pay does not exceed Rs.2, 800/- p.m.

Other conditions:

- Second subsequent advance only after 3 years from the date of drawal of first advance
- For second advance, proof of loss or substantial damage to cycle has to be shown.
- Priority to be accorded to those who have not taken in the last 5 years.
- Temporary officials – production of surety bond

Amount of Advance: Rs.3000/- / 3750/- (when the DA increased to More than 50%) **OR** anticipated price, incl. ST, whichever is less.

Recovery: Max 30 EMIs. Recovery commencing from the first issue of pay after the drawal of advance.

15. INTERST BEARING ADVANCES

a) **MOTOR CYCLE/SCOOTER ADVANCE**

Eligibility:

Officials with Minimum pay in the pay band of **Rs.8560/-p.m.** (The Sanctioning authority can relax the minimum pay condition for reasons to be recorded in writing). Officials having pay in pay band below Rs. 8560/- are eligible for an advance of Rs. 20,000/- for purchase of moped.

Other conditions:

- Intimation to be given under CCS (Conduct) Rules
- Purchase of vehicle within one month from the date of drawal of advance
- Cash Receipt and Registration Certificate to be submitted within one month of purchase of the vehicle or two months' from the date of drawal of advance, whichever is earlier.
- For Temporary Officials – production of Surety Bond
- No hypothecation of vehicle



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Amount of Advance

On the First Occasion: Rs. 30,000/- or 4 months' pay in the pay band or anticipated price, whichever is less.

On the Second or Subsequent Occasions: Rs.24, 000/- or 3 months' pay in the pay band or anticipated price, whichever is less.

Recovery: Max. 70 EMI.

b) MOTOR CAR ADVANCE

Eligibility:

Officials with a Minimum Pay in the pay band of **Rs.19530/-** (Secretary of the Ministry/ Deptt. can relax in deserving cases.

Other Conditions:

- Second subsequent advance after 4 years from the date of the drawal of previous advance.
- Second advance can be taken for purchase of different make without selling the previous car provided the previous advance + interest thereon has been paid in full.
- *Exceptions for second advance before 4 years -*
 - Official disposes off his car in India and proceeds on training/deputation abroad for more than a year and returns to India without a car;
 - Employee appointed to a regular post abroad does not take the car with him
 - Earlier advance was for purchase of motorcycle
- Hypothecation of car is required.
- Prior sanction for sale required in case of principal amount + Interest is outstanding.
- Prior intimation required under CCS (Conduct) Rules

Amount of Advance:

On the First Occasion: Rs. 1,80,000/- or 8 months' pay in the pay band or price of car, whichever is less.

On the Second or Subsequent Occasions: Rs. 1,60,000/- or 8 months' pay in the pay band or price of car, whichever is less

Recovery : Max. 200 EMI.



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(c) PERSONAL COMPUTER ADVANCE

Eligibility: Same as for Motor Car Advance (Sanctioning authority can relax the minimum pay condition for reasons to be recorded in writing)

Other conditions:

- Temporary officials - Surety Bond
- Second **or Subsequent** advance only after 3 years from the drawal of the first advance
- Computer is required to be hypothecated in the name of president in form IV.

Amount of Advance:

On the First Occasion: Rs.80, 000/- or Price (excluding customs duty), whichever is less.

On the Second or Subsequent Occasions: Rs. 75,000/- or Price (excluding customs duty), whichever is less.

Recovery: Max. 150 monthly Instalments.

16. FORMULA FOR CALCULATION OF INTEREST

(i) REPAYMENT BEING MADE IN REGULAR EQUAL MONTHLY INSTALMENTS-

$$\text{Interest} = n \frac{(n+1)}{2} \times X / 12 \times r/100$$

(II) PAYMENT - PART IN EMI AND PART IN LUMPSUM

$$\text{Interest} = n \frac{(P + L)}{2} \times 1/12 \times r/100$$

(iii) IRREGULAR REPAYMENT - Interest will be calculated for every month on reducing interest bearing balance.

$$\text{Interest} = \text{Total Interest Bearing Balance} \times 1/12 \times r/100$$

- n= number of instalments including last installment of lump sum payment, if any.
- X= amount of each instalment
- r= rate of interest
- P= principal amount of advance
- L= Last balance on which interest is due (i.e. Lump sum payment)

Note: - Recovery made from the pay for a month is deemed to be made on the first of the succeeding month.



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ADVANCES TO GOVERNMENT SERVANTS

TYPE	ELIGIBILITY	AMOUNT After increase of D.A. by more than 50%	RECOVER	2nd & Subsequent OCCASION	REMARKS
FESTIVAL	Non Gazetted, Grade Pay does not exceed Rs 4800/-	Rs 3750	10 EMIs	Next FY only After full recovery	
NATURAL CALAMITY ADVANCE	N-G affected By natural calamity	Rs 6250	25 EMIs	Conditional	
LEAVE SALARY ADVANCE	Minimum 30 Days Leave	Adjusted In Next month			
PAY ADVANCE ON TRANSFER	On transfer of Employee	One month Pay	3 EMIs		Meeting the Condition for Transfer as in TA/DA
	On transfer of HQ	Two month Pay	24 EMIs		
FAMILY of DECEASED OFFICIAL	On death of a Govt servant	2 Month BP + DP max of Rs 8000	Adjusted from Death benefits (Gratuity)		
BICYCLE	Grade Pay does not exceed Rs 2800/-	Rs 3750	30 EMIs	After 3 years	Priority those not taken in 5 years
WARM CLOTHING	Gp "C" & "D" Employees Posted at hill stn* for 1 year	Rs 3750	10 EMIs	After 3 years	* Station at a height of 1000 mtrs or more From sea level
MOTOR CYCLE	Min band pay Rs. 8560/-	Rs 30000/ 4 months Pay in Pay Band	70 EMIs	Rs 24000/ 3 months Pay in Pay Band	After 4 years
MOTOR CAR	Min band pay of Rs.19530/-	Rs 180000/ 8 months Pay in Pay Band	200 EMIs	Rs 160000/ 8 months Pay in Pay Band	After 4 years
PC	---Do---	Rs 80000	150 EMIs	Rs 75 000	After 3 Years



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HOUSE BUILDING ADVANCE

1. ELIGIBILITY

- Permanent government employees.
- Temporary government employees who have rendered at least 10 years' service.
- To be granted only once during the entire service.
- If both husband and wife are central government employees and eligible for HBA, it shall be admissible to only one of them

2. **PURPOSE** HBA is granted for:

- Acquiring a plot and constructing a house thereon
- Constructing a new house on a plot already owned
- Getting a plot under co-operative schemes and building a house.
- Enlarging living accommodation in an existing house owned by the applicant or jointly with the spouse.
- Conversion of hire-purchase into outright purchase from state housing boards etc.
- Purchase of house/flat under self-financing scheme/outright purchase from Cooperative Group housing societies and private parties excluding private individuals including near relatives and friends.
- Repayment of a loan taken from government / private source for construction, even if the construction has already commencement, if HBA applied for could not be sanctioned because of paucity of funds.
- Constructing the residential portion alone of the building on a plot which is earmarked as a shop-cum-resident plot in a residential colony.

3. **CONDITIONS**

- The applicant or spouse or minor child should not already own a house in the town/urban area where the house is proposed to be constructed or acquired.
- The title to the land should be clear. The land may be owned either by the government employee, or jointly by the government employee and spouse.

4. **COST CEILING**

- 134 times of basic pay in the pay band subject to minimum of Rs.7.5 lakhs and maximum of Rs.30 lakh.



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- Administrative ministry may relax the cost of ceiling upto 25% of cost ceiling mentioned above in individual cases on merits with the revised maximum cost ceiling of Rs.30 lakh. (Effective from 27th November, 2008)

5. MISCELLANEOUS

- Permission under conduct rules should be obtained separately:-
- The approval for sanction of loan under the HBA Rules should not be construed as permission of the government. The government servant should separately obtain the permission of the appropriate authority under the relevant provision of the CCS(Conduct) Rules or the Service Rules applicable to them.

6. AMOUNT OF ADVANCE

Will be the least of the following:

- 34 times the pay in the pay band
- the cost of construction*
- Rs.7,50,000/-**
- Repaying capacity.

* 80% of cost in rural areas

** Rs.1,80,000 in case of enlargement of existing house.

7. **ENHANCEMENT OF HOUSE BUILDING ADVANCE:** In past cases, not more than 100% of the house building advance already sanctioned can be granted subject to following conditions:

- i) The government servant should not have drawn the entire amount of house building advance sanctioned under earlier orders and/or where construction is not completed/full cost towards acquisition of house/flat is yet to be paid.
- ii) There will be no deviation from the approved plan of construction on the basis of which the original sanction of house building advance was accorded.
- iii) The original cost taken into account at the time of sanctioning the original house building advance would only from the base.
- iv) Supplementary mortgage deed, personal bond and sureties should be drawn and executed at the expense of the government servant.
- v) The actual entitlement will be restricted to the repaying capacity computed on the basis of the formula laid down. It should be ensured that the entire amount of advance with interest is recovered before retirement of the government servant.
- vi) The old rate of interest should be levied for the old sanction and the revised rate of interest should be levied on the enhanced house building advance amount. However, the revised rate of interest as applicable on the enhanced house building advance will be



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as per the slab applicable to the total sanctioned house building advance amount (i.e, amount already sanctioned plus enhanced sanction)

8. **REPAYING CAPACITY:** It is assumed that a government servant can generally commence repayment of the advance one year after the date of approval of the advance. This is computed on the following basis:

Sl.No.	Length of remaining service of the applicant	Repaying capacity
1.	Retiring after 20 years	40% of pay @ (w.e.f. October, 2000)
2.	Retiring after 10 years but not later than 20 years	40% of pay @ plus 65% of *Retirement Gratuity
3.	Retiring within 10 years	50% of pay @ plus 75% of Retirement Gratuity

To be calculated on the basis of pay in the existing scale on the date of superannuation.

9. DISBURSEMENT OF ADVANCE

Sl.No.	Purpose of HBA	Disbursement
1.	For construction/enlargement (single or double storeyed)	50% - on execution of mortgage deed 50% - on construction reaching plinth level (ground floor) - on construction reaching roof level (upper floor)
2.	For purchase of land and construction (single storeyed)	40% or actual cost - for purchase of plot on execution of agreement and production of Surety Bond 30% - on execution of mortgage deed. 30% - on construction reaching plinth level
3.	For purchase of land and construction (double storeyed)	30% or actual cost - for purchase of plot on execution of agreement. 35% - on execution of the mortgage deed 35% - on construction reach the plinth level
4.	For purchase/construction of a house	100% - in one lumpsum
5.	For purchase/flat/house from cooperative group housing society	20% - towards purchase of land by the society 80% - in suitable instalments on receipt of demand (pro-rata basis)



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6.	For purchase of flat from DDA under SFS	- No payment for initial registration deposit 40% - towards payment of 1 st instalment 40% - towards payment of 2 nd instalment 20% - for making final payment to authority
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10. TIME SCHEDULE FOR UTILISATION OF HBA

Sl.No.	Purpose	Time limit
1.	Purchase of land	Sale deed to be produced within 2 months
2.	Purchase of house	Acquisition and mortgage to government to be completed within 3 months. Extension of time limit may be granted.
3.	Purchase/construction of a new flat/house	Should be completed within one month, unless extension of time is granted.

11. REPAYMENT OF ADVANCE:

- The recovery of advance (principal amount) shall be made in not more than 180 monthly instalments and interest shall be recovered thereafter in not more than 60 monthly instalments. In case govt. servant is retiring before 20 years, repayment may be made in convenient instalments and balance may be paid out of retirement gratuity.
- If a government servant ceases to be in service for any reason other than normal retirement or if he dies before the full repayment of the advance, then entire outstanding amount will become payable forthwith.

12. INTEREST

- HBA carries simple interest from the date of payment of the first instalment and is calculated on the balance outstanding on the last day of each month. The rate of interest on HBA is notified by the Ministry of Urban Development for each financial year. Interest shall be charged on whole outstanding HBA amount on the rate which is applicable at the time of sanctioning of HBA.
- It may be noted that **sanction should specify interest of 2 ½ % over and above the scheduled rates** with the stipulation that if **conditions** attached to the sanction are fulfilled completely, a rebate of interest of 2 ½% will be allowed.
- **Rebate of interest for "small family norms"** - Rebate of ½% in the rate of interest would be given to employees who themselves or their spouses undergo voluntary sterilization. This rebate is subject to certain conditions.



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13. COMMENCEMENT OF RECOVERY

- * a) From pay for the month following the completion
or
the pay for the 18th month after date of payment
of the 1st instalment, whichever is earlier
- Construction of
a new house or
enlargement of
living accommodation
- b) from pay for the month following the completion
of the house
or
the pay for the 24th month after date of drawal of
instalment for purchase of land, whichever is
earlier.
- Purchase of land
and construction
- for the month following the month in which
- Ready built flat
- from the pay for the 18th month after date of
payment of 1st instalment
- Purchase of flat
under SFS from
development authority/
housing society



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ELIGIBILITY	PURPOSE	COST-CEILING	AMOUNT	REPAYING CAPACITY	GENERAL CONDITIONS
<ul style="list-style-type: none"> - Pt GS - Temp - 10 years service - Once in service - H/W - only to one - Under suspension also eligible: with collateral security by two Pt. GS. - GS/Spouse should not already own a house where the house is now proposed to be constructed. 	<ul style="list-style-type: none"> - Plot & Construction - Construction on plot owned by GS or jointly with spouse. - Coop. Gp. Hsg. Society - SFS of DDA/States - Ready built flat from housing boards,regd. builders (not from pvt. individuals) - conversion of hire purchase into outright purchase. - Enlargement of living accommodation - Repayment of loan - Construction of residential portion on plot earmarked as shopping -cum-residential complex 	<ul style="list-style-type: none"> - 134 times of pay in pay band + NPA subject to maximum of Rs.30 lakh. -Relaxation with 25% - HBA + GPF part withdrawal should not exceed cost ceiling 	<ul style="list-style-type: none"> - 34 times of pay, Max. 7.50 lakhs - Rural area 80% of cost - Enlargement 1.80 lakhs - HUF - 60% 	<ul style="list-style-type: none"> - Retirement after 20 years - 40% of pay w.e.f. Oct.2000 - 10 years < 20 years - 40 of pay + 65% of RG. - Within 10 years - 50% of pay + 75% of RG - R.G. calculated on notional pay and number of years of Q.S. on the date of superannuation 	<ul style="list-style-type: none"> - Sureties - Sale deed - Mortgage deed - Registration - Insurance - Stamp duty - Enhancement of advance - Pay commission revision - Cost escalation: Plan has to be Original - Disbursement - Recovery of principal in not more than 180 monthly installments - Interest in not more than 60 monthly installments - Provision of Recovery through R.G.



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GENERAL PROVIDENT FUND¹⁹

The General Provident Fund (Central Services) Rules 1960 came into force on 1st April 1960. These Rules are applicable to the Government officials who joined service on or before 31.12.2003.

II. Definitions: (Rule 2)

“**Emoluments**” means pay, leave salary or substance grants and includes dearness pay, if any. “**Family**” means – the subscriber’s spouse, parents, children, minor brothers, unmarried sisters, deceased son’s widow and children and where no parents of the subscriber is alive, a paternal grandparents; But the female subscriber by notice in writing to the Accounts Officer can exclude her husband from the definition of family. “**Years**” means financial year.

III. Conditions of Eligibility: (Rule 4)

- All Temporary Government Servants after completing one year service.
- All re-employed pensioners (other than those eligible for C.P.F.)
- All Permanent Government Servants.

Temporary Government Servants may subscribe to GPF any time before the completion of one-year service. Apprentices and Probationers are treated as temporary Government Servants under these rules.

IV. Nominations: (Rule 5)

1. Subscriber should send the nomination

A subscriber shall, at the time of joining the Fund, send to the Accounts Officer, through the Head of Office, a nomination conferring on one or more persons the right to receive the amount that may stand to his credit in the fund, in the event of his death.

2. Must be in favour of family if he has family:

If a subscriber who has family at the time of making the nomination shall make such nomination only in favour of a member or members of his family.

3. Share should be specific:

If a subscriber nominates more than one person, he shall specify the amount or share payable to each of the nominees in such a manner as to cover the whole of the amount.

4. Nomination in prescribed form

¹⁹ Updated by K.K. Pant, Assistant Director



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Every nomination shall be made in the form set forth in First Schedule.

5. Nomination can be changed at any time:

A subscriber may at any time cancel a nomination by sending a notice in writing. The subscriber shall, along with such notice or separately, send a fresh nomination.

6. Nomination cancellation of nomination take effect from the date it is received by Accounts Officer:

Every nomination made and cancellation given by subscriber shall take effect on the date on which the Accounts Officer receives it. But nomination/cancellation of nomination of a subscriber held valid even if he dies before it reaches the Accounts Officer.

7. Nomination can be changed after retirement:

Nomination made while in Service can be changed after retirement before the payment of the amount.

8. Nominee facing trial may be denied payment:

Nominee facing trial for the murder of the Government Servant may be denied payment till the Court's decision.

9. Provident Fund assets not to be paid to nominee when the matter is subjudice.

V. Subscriber's Account: (Rule 6)

An account shall be opened in the name of each subscriber in which shall be shown.

- his subscriptions;
- interest, as provided by Rule 11, on subscriptions;
- advances and withdrawals from the fund.

NOTE: Provident Fund Account Numbers to be entered the right hand top of page 1 of the Service Book.

VI. Conditions & Rates of Subscriptions: (Rule 7 & 8)

- A subscriber shall subscribe monthly to be Fund except during the period when he is under suspension. (But on his reinstatement he has to pay in one lump sum or in instalments the amount of arrears subscription payable for suspension period).
- A subscriber may, at his option, not subscribe during E.O.L. or H.P.L.



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- A subscriber need not subscribe during dies non.
 - Subscription to be compulsorily discontinued during the last 3 months of service on superannuation.
 - The subscription shall be expressed in whole rupees;
 - *Not less than 6% and not more than total emoluments.* Subscription may be any sum, so expressed not less 6% of his emoluments and not more than his total emoluments.
1. For the purpose of 6% the emoluments of 31st March
 - a) In the case of subscriber who was in Government Service on the 31st March of the preceding year, the emoluments to which he was entitled on that date:
 - b) In the case of subscriber who was not in Government service on the 31st March of the preceding year, the emoluments to which he was entitled on the day he joins the Fund.
 2. *No change of Subscription due to retrospective change of pay:* Rate of subscription once fixed not to be varied during the year on account of retrospective increase or decrease in rate of pay ordered subsequently.
 3. **Reduced once enhanced twice:** The amount of subscription so fixed may be
 - reduced once at any time during the course of the year;
 - enhanced twice during the course of the year; or
 - reduced and enhanced as aforesaid.
 4. **Short/Excess recovery:** Short or excess recovery of subscription may be regularised by adjustment in subsequent months or by actual cash payment.

Subscription may become less than 6% due to rounding off.

VII. Interest (Rule 11)

1. Interest, at the prescribed rates, shall be credited with effect from the last day in each year in the following manner:-
 - On the amount to the credit of a subscriber on the last day of the preceding year, less any sums withdrawn during the current year – Interest for twelve months.
 - On the sums withdrawn during the current year – Interest from the beginning of the current year up to the last day of the month proceeding the month of withdrawal.



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- On all the sums credited to the subscriber's account after the last day of the preceding year – interest from the date of deposit upto the end of the current year.
- The total amount of interest shall be rounded to the nearest whole rupee (fifty paise counting as the next higher rupee).

2. **If delay in the drawl of pay or leave salary:** The interest on such delayed recoveries shall be payable from the month in which the pay or leave salary was due, irrespective of the month in which it was actually drawn.

3. **Interest payable after the date of Retirement, death etc.** Interest to the end of the month preceding that in which the payment is made, or up to the end of the sixth month after the month in which such amount, became payable whichever of these periods be less, shall be payable to the person to whom such amount is to be paid.

NOTE: Payment of interest on the fund balance beyond a period of 6 months may be authorised by –

- the Head of Accounts Office up to a period one year; and
- the immediate superior to the Head of Accounts Officer up to any period after he has personally satisfied himself that the delay in payment was not part of subscriber or the nominee and in every such case the administrative delay involved shall be fully investigated add action, if any required, taken.

4. **Excess drawn from the Fund:** In case a subscriber is found to have drawn from the fund an amount in excess of the amount standing to his credit on the date of the drawl, the overdrawn amount shall be repaid with interest @2.5% over and above the normal rate of interest on the Provident Fund in one lumpsum, if possible, or otherwise in instalments.

VIII Advances From G.P.F. (Rule 12) PURPOSES

1. **Illness:** Expenditure in connection with illness, confinement or disability including the travelling expenses of the official and members of his family or any person actually dependent on him.

2. **Education:** Cost of higher education including travelling expenses of the subscriber and members of his family or any person actually dependent on him –

- a) for education outside India for academic, technical, professional or vocational course beyond the High School stage, and
- b) for any medical, engineering or other technical or specialised course in India beyond the High School stage if the course of study is for not less than three years.



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3. **Obligatory expenses:** Obligatory expenses in connection with betrothals, marriages, funerals or other ceremonies, including first shradh ceremony.
4. **Cost of legal proceedings:** Instituted by or against the subscriber, any member of his family or any person actually dependent upon him (in addition to any advance admissible for the same purpose from any other Government source.)
5. **Cost of defence:** When he engages a legal practitioner to defend himself in an inquiry in respect of any alleged official misconduct on his part. - [Rule 12(1)]

AMOUNT OF ADVANCE PERMISSIBLE

1. **Normal:** 3 months' pay or half the amount at credit, whichever is less, and recoverable in not more than 24 equal monthly instalments. - Rule 12(1) & 13(1).
2. **Special:** No limit. Advance recoverable in not more than 36 instalments if it exceeds 3 months' pay. - Rules 12(2) & 13(1).
3. **Consolidation of advances:** When an advance is granted before complete repayment of any earlier advance, the outstanding balance will be added to the new advance and instalments for recovery re-fixed with reference to the consolidated amount. - Rule 12(3).

SANCTIONING AUTHORITY

1. **Normal advances:** Authority competent to sanction advance of pay on transfer. If the applicant himself is the authority, then the next higher administrative authority. - Fifth Schedule.
2. **Special advances:** As in Fifth Schedule to GPF(CS) Rules.

RECOVERY

Recovery should commence with issue of pay for the month following the one in which the advance was drawn, e.g., for advance drawn in April, recovery should commence from pay for May payable on 31st May. - Rule 12(2).

When balance of the previous advance is consolidated with the amount of new advance, the recovery of previous advance will continue till the recovery of the consolidated amount commences. - GID(10), Rule 12.

IX Withdrawals from G.P.F. (Rule 15)

PURPOSES

1. **Education:** Cost of higher education including, where necessary, the travelling expenses of the subscriber or any child of the subscriber for -
 - a) Education outside India for academic, technical, professional or vocational course beyond the High School stage; and



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- b) For any medical, engineering or the technical or specialised course in India beyond the High School stages.
2. **Obligatory expenses:** Obligatory expenses in connection with betrothal and/or marriage of the subscriber or his sons or daughters or other family relations actually dependent on him.
3. **Illness:** Expenditure in connection with the illness including the travelling expenses of the subscriber and members of his family or any person actually dependent on him. - Rule 15(1)(A).
4. **Housing:** Building or acquiring a suitable house or ready-built flat including the cost of site.
5. **Repayment of outstanding housing loan:** Expressly taken for building or acquiring a house or ready-built flat.
6. **Purchasing a house site:** For building a house or repaying any outstanding loan expressly taken for this purpose.
7. **Constructing:** A house on a site purchase under item 6 above.
8. **Reconstructing:** Or making additions/alternations to a house/flat already owned.
9. **Renovating ancestral house:** Renovating, additions or alternations or upkeep of an ancestral house at a place other than place of duty or to a house built with the Government loan at place other than place of duty. - Rule 15(1)(B).

If the ancestral house has not been transferred in the name of the Government servant, he/she should produce proof that he/she is one of the inheritors/nominees to receive the share of the property. - GID(5), Rule 16.

10. **Extensive repairs/overhauling of his motor car** - GID(2), Rule 15.
11. **Purchase of motor car/motor cycle/scooter, etc.** GID(1), Rule 15.
12. **Making deposit to book a motor car/motor cycle/scooter/moped, etc.** - GID(3), Rule 15.
13. **Once in a financial year towards subscription paid for the Group Insurance Scheme.** Rule 15 (1)(D).

LIMITS

1. In respect of items 1 to 3 -
- a) Normally, one half of the amount at credit or six months, pay, whichever is less:



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- b) Up to three-fourths of the amount at credit at the discretion of the sanctioning authority. – Rule 16(1).
2. In respect of items 4 to 9 –
 - a) Up to 90% of balance at credit:
 - b) The amount of withdrawal plus the Government loan already taken should not exceed the limits prescribed under the HBA Rules. – Rule 16(1) and Proviso.
3. For item 10, one-third of the amount at credit or the actual amount of repairing/over housing, or Rs. 10,000 whichever is the least. – GID (2), Rule 15.
4. For item 11, Rs. 1,10,000 for motor car and Rs. 20,000 for motor cycle/scooter/moped, etc., but the amount of withdrawal (plus withdrawal if any, availed for booking) should not exceed 50% of the amount at credit on the date of application for withdrawal for purchase, or the actual price of the vehicle, whichever is less. – GID (1), Rule 15.
5. For item 12, fifty per cent of the amount at credit or Rs.22, 000 in the case of car and Rs.4000 in the case of motor cycle, scooter, etc., whichever is less. This amount will be taken into account for determining the overall ceiling of Rs.1,10,000 for car and Rs.20,000 for motor cycle/scooter, etc. – GID(3), Rule 15.
6. For item 13, an amount equivalent to one year's subscription paid towards the Group Insurance Scheme. Rule 15(1)(D).

ELIGIBILITY

1. **For items 1 to 3:** After completion of 20 years of service (including broken periods) or within ten years before the date of superannuation, whichever is earlier. – Rule 15(1)(A).
2. **For items 4 to 9:** Any time during the service. – Rule 15(1)(B).
3. **For item 10:** After completion of 28 years of service or less than 3 years before retirement. – GIO 2, Rule 15.
4. **For items 11 and 12:** After completion of 15 years of service or within five years before superannuation. Ministry/Department may sanction refundable advance to officials who fall short of the minimum service of 15 years by not more than 6 months. After completion of 15 years of service, the outstanding advance may be converted into final withdrawal. The Pay in Pay band of the official should be Rs.19,530 or more in the case of car and Rs.8,560 or above in the case of scooter/motor cycle, etc. – GID (3), Rule 15.
5. **For item 13.** All officials admitted to the Group Insurance Scheme. However, withdrawal is permitted if only at any stage the position of a subscriber does not permit him to subscribe to the Group Insurance and GPF/CPF at the same time. – Rule 15(1)(D) read with para. 10.1 of CGEGIS, 1980.



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NOTE 1: Only one withdrawal can be allowed for the same purpose. Marriage or education of different children or illness on different occasions or a further addition/alternation to a house/flat covered by a fresh plan – these are treated as for different purposes. – Note 5, Rule 15(1).

2. Betrothal and Marriage are treated as separate purposes. – GID(2), Rule 16(1).

3. Both advance and withdrawal should not be sanctioned for one and the same purpose. – Note 6, Rule 15(1).

Withdrawal without assigning any reason: Within twelve months before retirement on superannuation, an employee can withdraw, without assigning any reason, up to 90% of the amount at his credit. This facility can be availed only once. – Rule 15(1)(C).

Sanctioning Authority: Authority competent to sanction advance for special reasons as in Fifth Schedule.

Deposit-linked Insurance Scheme

- When a GPF / CPF subscriber died after having put in five year's service the person receiving the fund balance will be paid an additional amount if the balance at credit had not fallen below the under mentioned limits at any time during the 3 years preceding the month of death:

GPF VI Pay Commission Scale)		GPF (V Pay Commission Scale)	
If the subscriber was drawing	Minimum month balance during the period. Rs.	If the subscriber has held for the greater part of the aforesaid three years a post, the maximum of the pay scale of which is	Minimum monthly balance during the period. Rs.
Grade Pay of Rs. 4,800 p.m. or more	Rs. 25,000	Rs. 12,000 or more	Rs.25,000
Grade Pay of Rs. 4,200 p.m. or more but less than Rs. 4,800 p.m.	Rs. 15,000	Rs. 9,000 to Rs.11,999	Rs. 15,000
Grade Pay of Rs.1,400 p.m. or more but less than Rs. 4,200 p.m.	Rs. 10,000	Rs. 3,500 to Rs. 8,899	Rs. 10,000
Grade Pay Less than Rs. 1,400 p.m.	Rs. 6,000	Below Rs. 3,500	Rs. 6,000



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Revised rates based on Sixth Pay Commission Pay scales awaited for CPF.

--Rule 33-B, GPF Rules

2. The additional amount will be equal to the average balance in the account during the period of 36 months preceding the month of death, subject to a maximum of Rs. 60,000 in the case of GPF subscribers and Rs, 30,000 for CPF. The maximum limit is to be applied after arriving at the average of 36 months and not at every stage.
3. The balance for March every year and for the last month of the three years period will be inclusive of interest.
4. In the case of CPF, 'balance' and 'average balance' would mean only employee's subscription and interest thereon.
5. Payments will be made by Accounts Officer (head of Office in the case of Group 'D') without formal sanction and in whole rupees, fraction being rounded to the nearest rupee.
6. In the case of persons appointed on tenure basis / re-employed pensioners, service rendered from the date of appointment / re-employment, as the case may be only will count.
7. This scheme does not apply to persons appointed on contract basis.
8. In the case of missing employees, payment can be made to the nominee / legal heirs after expiry of a period of seven year following the month of disappearance of the subscriber on production of a proper proof of death or a Decree of the Court that the employee shall be presumed to be dead as laid down in section 108 of the Indian Evidence Act.--- Rules 33-B (CPF), GID (1) and notes there under.



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PENSION BENEFITS²⁰

INTRODUCTION

1. As a model employer, the Government of India looks after the welfare of its functionaries not only during service but also after retirement. The interests of the families of Govt. servants who die during service or after retirement are also looked after. All this is achieved by invoking the provisions of the Central Civil Services (Pension) Rules, 1972, as amended from time to time.

2. Pension interests not only those who are nearing retirement; it is of vital importance to Establishment Officers who have to administer cases relating to retirement benefits with utmost care, sympathy, imagination and expedition. It hardly needs to be emphasized that even early events in one's service, if not properly taken care of, may lead to difficulties in the settlement of pension problems. The problems mainly pertain to improper maintenance of service documents resulting in loss of qualifying service. In order that there are no delays in settling pension cases, it is imperative that all concerned are properly educated, trained and motivated about their roles so that the shortcomings can be minimized and all the retirement benefits can be paid as and when they become due.

3. **The normal Retirement Benefits:-**

- **Pension:-** A recurring monthly payment for life determined on the basis of pay drawn at the time of retirement and subject to a minimum qualifying service of 10 years.
- **Retirement Gratuity :** A lumpsum amount, not exceeding Rs.10 lakhs, determined on the basis of length of service and last pay drawn.
- **Service Gratuity:** Amount payable in lieu of pension in case total qualifying service is less than 10 years. Service Gratuity is in addition to Retirement Gratuity.
- **Commutation of Pension:** A lumpsum payment in lieu of portion of pension, not exceeding 40% of the basic pension, surrendered by the pensioner.
- **Encashment of Earned Leave:** Cash equivalent of leave salary admissible for the EL/HPL available in the leave account of the pensioner subject to a maximum of 300 days.

²⁰ Updated by Praveen Prakash Ambashta, Assistant Director



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- **Group Insurance Scheme (CGEGIS):** Accumulations in the Savings Fund under Central Government Employees' Group Insurance Scheme.
- **General Provident Fund:** Accumulations in the fund inclusive of interest thereon.
- **Travelling Allowance:** At par admissible on transfer, to the intended place of residence.

4. Benefits admissible on Death:

- **Death Gratuity** (Maximum upto Rs.10 lakhs)
- **Family Pension/Enhanced Family Pension**
- Amount of Insurance plus accumulations in Savings Fund under **CGEIS** alongwith interest thereon.
- **TA** to family to intended place of residence.
- Benefits under **Deposit Linked Insurance** Scheme (Maximum upto Rs.60,000).

Applicability of CCS (Pension) Rules, 1972

5. These rules apply to all Govt. servants joining service **on or before 31.12.2003**, including civilians paid from Defence Services Estimates, **appointed substantively** to civil services and posts which are borne on pensionable establishments. These rules, however, do not apply to the staff paid from contingencies or on daily wages, persons employed on contracts, etc.

Eligibility for Pension

6. A Govt. servant is entitled to get pension benefits if he is confirmed before retirement. As per rule, a temporary employee who has completed 10 years of qualifying service before retirement on superannuation/invalidation is entitled to pension admissible to him if he retires voluntarily under Rule 48-A of CCS (Pension) Rules, 1972. However, since the confirmation has been delinked from the availability of the permanent vacancy in the grade, an officer who has successfully completed the probation is considered for confirmation. It may thus be seen that since all the persons who complete probation in the first appointment will be declared as permanent, the present distinction between permanent and temporary employees for grant of pension and other pensionary benefits will cease to exist.



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7. Families of temporary employees who die in harness are also allowed the same death benefits as admissible to families of permanent employees under these rules. In case of death there is no distinction.

In a nutshell as on date for a Govt. Servant to be eligible for pensionary benefits as a matter of right, three conditions must be fulfilled :-

- (i) **The Govt. Servant must be confirmed in any post,**
- (ii) **The Govt. Servant must have retired or deemed to have been retired ,**
- (iii) **The Govt. Servant must have entered service on or before 31-12-2003**

CLASSES OF PENSION

Superannuation Pension

8. This is granted to a Govt. servant who is retired on his attaining the age of superannuation i.e. 60 years in the case of all categories of employees. A Govt. servant retires on the afternoon of the last day of the month in which he attains the age of 60. In case his date of birth falls on the 1st of the month, then he will retire on the last date of the previous month in which he attains the prescribed age (Rule 35).

9. **Pension is calculated at 50% of the average emoluments or last emolument whichever is beneficial irrespective of the length of service provided the service becomes pensionable (minimum 10 years of qualifying service).** The amount of pension finally calculated is expressed in whole rupees by rounding the fraction to the next higher rupee. Basic pension is subject to a **minimum of Rs.3500/-** and maximum of **Rs.45,000/- per month**. For instance, if a Govt. servant retires with Rs.22,000/- as the higher of the last emolument and average emolument, pension payable will be calculated as under:-

$$\text{Pension} = \frac{22000 \times 50}{100} = \text{Rs. 11000/- per month}$$

Retiring Pension

10. It is available to a Govt. servant who retires or is retired in advance of the age of superannuation. Date of retirement is usually on the expiry of notice period which need not necessarily synchronise with the last date of the month. Rule 48 and FR 56 contemplate situations for voluntary retirement as well as for pre-mature retirement, where Govt. can retire its personnel on completion of the age of 50/55 years or 30 years of service.



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Voluntary Retirement after 20 yrs. of Qualifying Service

11. A Govt. servant may seek voluntary retirement after completion of 20 years of qualifying service with a notice of minimum three months (Rule 48A).

Invalid Pension

12. This is granted on the request of the government servant who is permanently incapacitated either physically or mentally. The Govt. servant has to get a medical certificate on the prescribed form (Form 23) from the competent medical authority with full knowledge of the Head of Office (Rule 38).

Compensation Pension

13. This is granted when the permanent post of a Govt. servant is abolished and it is not possible to appoint him in any other post the conditions of which are deemed to be equal to the one held by the govt. servant and he does not opt for another appointment of such pay as may be offered to him (Rule 39).

Pension on absorption in Public Sector Undertakings

14. This is granted to Govt. servant who is permanently absorbed by the PSUs or Autonomous Bodies. Such a Govt. servant can opt to receive pro-rata retirement benefits rendered under Central Govt. or those benefits of combined service under the Govt. in the Autonomous Body (Rule 37).

Compulsory Retirement Pension

15. This is admissible to a govt. servant who is retired as a measure of penalty by the competent authority. The amount of this pension or gratuity or both shall not be less than two-thirds and more than full compensation pension that could be sanctioned to a Govt. servant on the date of such retirement. Date of retirement is the date on which penalty becomes effective (Rule 40).

Compassionate Allowance

16. This is available to a govt. servant who is dismissed or removed from service and forfeits his pension and gratuity. The authority competent to dismiss or remove him from service may in consideration of deserving cases, sanction a compassionate allowance not exceeding two-thirds of pension or gratuity or both which he would have got had he retired on compensation pension and should not be less than Rs.3500/- (Rule 41).



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BASIC FACTORS GOVERNING PENSION/GRAUITY

17. The payment of Pensionary Benefits depends on the following:-

➔ **Qualifying Service**

➔ **Emoluments or Average Emoluments.**

QUALIFYING SERVICE

- QS is service rendered while on duty or otherwise which shall be taken into account for the purpose of determining the amount of pension and gratuity.
- Service qualifies only when the duties and pay are regulated by GOI and paid from the Consolidated Fund of India administered by GOI.
- QS commences from the date GS takes charge of the post (i.e. Date of joining) and ends on the date of death or date of retirement.
- Various types of service and whether it qualifies for pension/gratuity.

<i>Period rendered on/in</i>	<i>Is it reckoned as QS</i>	<i>Conditions(if any)</i>
Probation(R-15)	YES	If followed by confirmation in the same or another post.
Training (R-22) *Immediately before appointment	YES	There should be no interruption except joining time
*In service	YES	--
State Govt. Service (R-14)	YES	There should be no interruption except joining time.
Autonomous body (R-14)	Option with GS	Subject to certain conditions
Service on contract (R-17)	Option with GS	Subject to certain conditions.
Military Service before re-employment (R-19).	Option with GS	Subject to certain conditions



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• Periods spent on leave (R-21)

All leave with leave salary	Counts as QS
Extra-ordinary leave	
a) With medical certificate	Counts as QS
b) Without medical certificate	
i) Due to civil commotion	Counts as QS
ii) For higher scientific or technical studies	Counts as QS
iii) Other grounds (i.e. other than (i) and (ii) above	Does not count as QS

NOTE:

In case (iii) above, a definite entry is to be made in the service book to the effect that the EOL without MC is on grounds other than (i) and (ii) above or that the period of EOL will not count as QS. **All spells of EOL without MC not covered by such definite entry will be deemed as QS.**

- Unauthorised absence (overstayal) in continuance of authorised leave of absence is to be disregarded while computing QS.

• Periods of suspension

If GS under suspension

a)	If fully exonerated	--	Counts as QS
b)	If suspension is held wholly unjustified	--	Counts as QS
a)	If proceedings end With minor penalty	--	Counts as QS
d)	Other cases	--	Does not count as QS

NOTE:

Competent uthority must declare whether and to what extent period of suspension will count as QS. In the absence of specific entry, all period of suspension shall count towards QS.

[Rule 23]

- Resignation, removal or dismissal entails forfeiture of post service. [Rules 24].



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- **How to calculate QS:**

To work out the net QS to be reckoned for the purpose of calculating pension and gratuity -

	<i>Years</i>	<i>Months</i>	<i>Days</i>
Gross Service	--	--	--
LESS period of Non-QS	--	--	--
QS	--	--	--
ADD weightage & past service	--	--	--
NET QS	--	--	--

Note: "Month" means "Calendar month".

- **ROUNDING OF QS**

QS is expressed in completed six monthly periods (SMPs). It is subject to a maximum of 66 SMPS. Broken periods of years are to be reckoned as follows:

<u><i>Fraction of a year</i></u>	<u><i>Number of SMP</i></u>
Less than 3 months	Nil
3 months and above but less than 9 months	One
9 months and above	Two

18. *AVERAGE EMOLUMENTS/EMOLUMENT(R 33 & 34)*

Emoluments and Average Emoluments

- **Emoluments.** Emoluments are used for purposes of calculating gratuities and Family Pension and other retirement benefits. The term emoluments is last pay drawn and last pay means **Band Pay plus Grade Pay** as defined in FR 9(21)(a)(I), which a Govt. servant was receiving immediately before his retirement or on the date of his death. **Non-practising Allowance** also count towards Emoluments. If a



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Govt. servant had been on leave with leave salary or been suspended but later reinstated without forfeiture of past service, the emoluments which he would have drawn had he not been absent from duty or suspended, will be reckoned as emoluments. An increment falling due during EL not exceeding 120 days, even though not actually drawn, counts as emoluments. When a govt. servant proceeds on Foreign Service, the pay which he would have drawn under Govt. but for Foreign Service will be treated as emoluments.

- With effect from 1st January 1996, for the purpose of calculation of all kinds of gratuities (retirement, death, service), Last Pay drawn plus Dearness Allowance as admissible on the date of retirement will be taken as 'Emoluments'. For calculating Encashment of Leave also dearness allowance on the last pay drawn is taken into account.
- If a Govt. servant dies while under suspension before the disciplinary proceedings are concluded, the period between the date of suspension and his date of death shall be treated as duty for all purposes. Pay in such a case would mean emoluments to which he would have been entitled but for the suspension.
- **Average Emoluments (A.E).** Average Emoluments (A.E) is used for the purpose of calculation of Pension. A.E means Emoluments drawn by a Govt. servant during the last 10 months of his service. In the event of being on EOL or under suspension during these 10 months, that period will be ignored and equal period before 10 months will be included for calculation of average emoluments. Pension will be calculated on **Everage Emoluments** or **Emoluments** whichever is beneficial.
- Any reduction in pay drawn during the last ten months of service otherwise than as a penalty, average emoluments shall be treated as 'Emoluments' for the purpose of determining Retirement Gratuity/Death Gratuity.

<i>Emolument for Pension</i>	<i>Emolument for Gratuity</i>	<i>Emolument for Family Pension</i>
Emolument means Last pay drawn or AE (Total Emolument of Last ten months/10), whichever is beneficial	Emolument means Last pay drawn	Emolument means Last pay drawn



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Pay Means Band Pay + Grade Pay + - Non-practising allowance +	Pay Means Band Pay + Grade Pay + - Non-practising allowance + - Dearness Allowance at the time of retirement/death	Pay Means Band Pay + Grade Pay + - Non-practising allowance +
---	---	---

NOTE:

1. Dearness Allowance is reckoned in calculation of 'Emolument' only for the purpose of Retirement Gratuity of Death Gratuity and for no other purpose. [Rule 33 read with FR 9(21) (a) (i) and DPPW's OM dated 19-10-93]
2. Do not round off the AE.

19. **PENSION**

How to calculate Pension:

$$\text{Formula: Pension} = \frac{50}{100} \times \text{AE or Last pay drawn whichever is more}$$

[Rule 49(2)]

subject to minimum of Rs.3500/- per month [Rule 48(4)]

20. **SERVICE GRATUITY (In Lieu of Pension)**

- Payable to GS
- A lump-sum payment payable in lieu of pension.
- Admissible to GS who retires from service before completion of 10 years QS.
- How calculated: $\frac{1}{2} \times E \times \text{SMPs (Max. 66)}$
- A GS who has completed 5 years QS and has become eligible for SG or Pension, on retirement, is eligible for Retirement gratuity also.

[Rule 49(1) & 50(1)]

21. **RETIREMENT GRATUITY**

- Payable to GS
- Admissible in addition to SG or Pension



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- How Calculated: $\frac{1}{4} \times E \times \text{SMPs}$ (Max. 66)
- Subject to a maximum of 16 $\frac{1}{2}$ times emoluments provided RG does not exceed Rs. Ten Lakhs only.

[Rule 50(1)(a) & first proviso thereto]

22. DEATH GRATUITY

- Payable to the family of the deceased GS
- How calculated:

	<u>Length of QS</u>	<u>Rate of DG</u>
i)	Less than 1 year	2 times E
ii)	One year or more but less than 5 years	6 times E
iii)	5 years or more but less than 20 years	12 times E
iv)	20 years or more	$\frac{1}{2} \times E \times \text{SMPs}$ (Max. 66) Provided does not exceed Rupees Ten lakhs only.

23. RESIDUARY GRATUITY

- Payable to the family of the deceased GS
- Conditions:
 - a) GS should be eligible for SG or pension; and
 - b) GS should have dies within 5 years from date of retirement.
- How calculated: Difference between 12 times emoluments at the time of retirement and the amount(s) actually received by the GS at the time of death (SG or pension plus RG plus commuted value of a portion of pension plus Dearness Relief on pension).

[Rule 50(2)]

SG, DG or Residuary is paid in whole of a rupee. A fraction of a rupee is rounded off to the next higher rupee.

24. 'Family for gratuity:

For the purpose of Gratuity, family means -

- I. Wife or wives including judicially separated wife or wives in case of male GS,



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- II. Husband including judicially separated husband in case of female GS,
- III. Sons including stepsons and adopted sons,
- IV. UNMARRIED daughters including steps-daughters and adopted daughters,
- V. Widowed daughters including step-daughters and adopted daughters,
- VI. Father | including adoptive parents in case,
- VII. Mother | GS's personal law permits adoption,
- VIII. Brothers including step-brothers BELOW 18 YEARS AGE,
- IX. UNMARRIED sisters and WIDOWED sister including step-sisters,
- X. Married daughters, and
- XI. Children of a pre-deceased son.

In case of no nomination or if nomination made does not subsist.

- a) Payable to the surviving members of the family as at I to IV in EQUAL shares.
[Rule 51(b)(1)]
- b) In case of no surviving member as at I to IV above payable to the surviving members of the family as at V to XI in EQUAL shares. [Rule 51(b)(ii)]
- c) In case there is no family or surviving member of the family, payable to the person in whose favour a Succession certificate is granted by a Court of Law.
[Proviso to Rule 52]

25. Debarring

A person charged with the offence of murdering or abetting the offence shall be debarred from receiving the gratuity, unless acquitted of the charge.

[Rule 51(a)]

26. Lapse of RG/DG

In the absence of the possibilities given above RG/DG will lapse.



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27. FAMILY PENSION

Admissible to the family of a deceased GS if he dies:

- After completion of not less than one year's continuous service; or
- Before completion of one year's continuous service, provided the deceased GS, immediately prior to his appointment was medically examined and declared fit for Govt. service; or
- After retirement, was in receipt of pension on the date.

28. Family for the purpose of family pension:

For the purpose of Family Pension, the 'Family' shall be categorized as under :-

Category-I

- a. Widow or widower, upto the date of death or re-marriage, whichever is earlier;
- b. Son/Daughter (including widowed daughter), upto the date of his/her marriage/remarriage or till the date he/she starts earning or till the age of 25 year whichever is the earliest.

[Rule 54(14)(b)]

Category-II

- (c) Unmarried/Widowed/Divorced daughter, not covered by Category I above, upto the date of marriage/re-marriage or till the date she starts earning or upto the date of death, whichever is earliest
- (d) Parents who were wholly dependent on the Government servant when he/she was alive provided the deceased employee had left behind neither a widow nor a child.
Family pension to dependent parents unmarried/divorced/widowed daughter will continue till the date of death.

Family pension to Unmarried/ widowed/ divorced daughters in Category II and dependent parents shall be payable only after the other eligible family members in Category I have ceased to be eligible to receive family pension and there is no disabled child to receive the family pension. Grant of family pension to children in respective categories shall be payable in order of their date of birth and younger of them will not be eligible for family pension unless the next above him/her has become ineligible for grant of family pension in that category.

The dependency criteria for the purpose of family pension shall be the minimum family pension along with dearness relief thereon.



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29. To whom payable

- Family pension is ordinarily payable to only one person at a time in the following order:

i)	Widow/widower	Upto the date of death or re-marriage, whichever is earlier. In the case of childless widow, remarriage is not a bar. She is eligible for FP until her independent income from all sources becomes equal to Rs. 3500/- or more.
ii)	Sons	Upto the age of 25 years or marriage or till he starts earning Rs. 3500/- or more, whichever is earlier.
iii)	Unmarried/Widow daughters	For life or marriage/ re- marriage or till she starts earning Rs. 3500/- or more, whichever is earlier..
iv)	Mother/Father	Only if the deceased Govt servant/pensioner had neither left behind widow nor children. Available upto death, first to mother.

- Family pension to children shall be payable in the order of their birth and the younger of them will not be eligible unless the elder next above him/her has become ineligible for grant of family pension.
- Mentally or physically disabled children, who are unable to earn their own livelihood, will get family pension for life.
- Life time family pension to disabled children or unmarried/divorced/widowed daughters only after other members have become ineligible.

30. Normal rate of family pension

Determined as given below:

30% of emolument subject to minimum Rs.3500 /- and maximum Rs. 27000/-

31. Enhanced rate of family pension

The enhance family pension under Rule 54(3)(a)(i) shall be payable to the family of a Government servant who dies in service for a period of **ten years**. If a pensioner dies, the enhance family pension under Rule 54(3)(a)(i) shall be payable to the family for a period of **seven years** or upto the time the pensioner **would have attained the age of 67 years** had he been alive, **whichever is earlier**. The enhanced rate of family pension is 50% of the emoluments



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or the amount of pension authorized at the time of retirement. After the expiry of the period given above the family pension will be payable at normal rate.

COMMUTATION OF PENSION

32. Commutation of pension means conversion of a portion of pension into lumpsum amount. Govt. servant who surrenders a portion of his monthly pension receives a lumpsum payment in lieu of such surrender. Lumpsum payment is calculated in accordance with the table of pension values prescribed by the Govt. Not more than 40% of Basic pension is allowed for commutation. Commutation is not allowed when judicial/departmental proceedings are instituted against a Govt. servant. The formula for calculation of the commuted value is:-

Amount offered for commutation X 12 X Commutation factor.

The commutation table is shown at **Annexure 'A'**.

An example of commutation in the case of an employee who retires at the age of 60 years:-

Average Emoluments	Rs.30,000
Qualifying Service	33 years
Superannuation pension	30000×50 ----- = 15000 100
Amount commuted 40%	6000
Residual pension	15000 - 6000 = Rs.9000 p.m. (Plus dearness relief on full basic pension of Rs.15,000, presently 41%)
Amount of commutation	$6000 \times 12 \times 8.194 = \text{Rs. } 5,89,968$

Commuted portion of pension is restored to pensioners on completion of 15 years from the date of commutation.

Note: - Additional Pension/Family Pension is allowed to the pensioners/family pensioners on their attaining the age of 80, 85, 90, 95 and 100 years at the rate of 20%, 30%, 40%, 50% and 100% respectively. Dearness Relief is also available on the additional pension.



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CHECK LIST FOR SETTLEMENT OF PENSION CASES

1. Application Form for Assessing Pension & Gratuity, in triplicate.
2. Head of Office to obtain from the Govt. servant - particulars of self, family, joint photographs, in triplicate.
3. Covering letter in the prescribed form.
4. Service Book duly completed including Leave Account portion (Date of retirement to be indicated in Service Book). Certificate of service verification to be recorded.
5. Statement of Govt. dues, for recovery, if any.
6. No demand certificate
7. Nomination for Gratuity
8. Three copies of specimen signature duly attested.
9. Three copies of passport size photographs duly attested
10. Certificate to the effect that no disciplinary/vigilance case is pending/contemplated against the official.
11. Bank option in triplicate
12. Certificates regarding receipt of leave salary/pension contribution in cases where the employee remained on foreign service (This may be recorded in the Service Book).
13. Medical Certificate of incapacity from competent authority (if the claim is for Invalid Pension).
14. Two slips showing the particulars of height and identification mark, duly attested.
15. Application for Commutation of Pension.



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CHECK LIST FOR SETTLEMENT OF FAMILY PENSION

1. Application form for Family Pension, duly completed.
2. Service Book (date of death to be indicated in Service Book).
3. Three specimen signatures of the applicant duly attested.
4. Three copies of passport size photographs duly attested.
5. Two slips bearing left hand thumb and finger impression of the applicant duly attested in case the applicant is not literate enough to sign his/her name, identification, etc.
6. Descriptive Roll of the applicant duly attested indicating height, personal marks of identification, etc.
7. Death Certificate.
8. Nomination for payment of gratuity.
9. Bank option in triplicate.
10. Details of Family in the prescribed Form.



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Pension Process Map and Time Frame

S.No	Process	Authority Concerned	Timeframe	Applicable Rule CCS Pension Rules
1	Preparation of list of employees who are due to retire within 24 to 30 months	Head of the Department	1 st January and 1 st July each year.	<u>56(1)</u>
2	Communication of the list to the Accounts Officer Concerned	Head of the Department Head of the Office	31 st January and 31 st July each year. In case of Government servants retiring for reasons other than immediately as soon as the fact comes to notice.	<u>56(2)</u>
3	Communication of the list to the Directorate of Estates in respect of employees having General Pool Accommodation with a view to obtain 'No Demand Certificate.	Head of the Office.	24 months before retirement.	<u>56(4)</u>
4	Verification and determination of qualifying service, and if necessary, in consultation with the employee; and determination of average emoluments.	Head of the Office.	24 months before the retirement. The process to complete before ten months from the retirement.	<u>59</u> <u>(a) & (b)</u>
5	Communication of facts to the retiring employees for action by the employees.	Head of the Office.	10 months before the retirement.	<u>59(c)</u>
6	Submission of papers by the employee	Employee	8 months before retirement.	<u>59(c)(iii)</u>
7	Presentation of papers to pay and accounts office.	Head of the Office	6 months before the retirement.	<u>61(4)</u>



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8	Checking the pension and gratuity admissible and forwarding the PPO to the pension paying authority.	Pay and accounts office	1 month before the retirement.	<u>65</u>
9	Dispatch of PPO to CPAO	PAO	On the last working day of the month preceding the month of retirement.	
10	Dispatch of PPO to Link Branch of Authorized Bank	CPAO	By 20th of the month of retirement.	
11	Dispatch of PPO to Paying Branch	Link Branch	By 23rd of the month of retirement	
12	Completion of all formalities and crediting the pension to the pensioner's account.	Paying Branch	Last date of the month.	



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NEW PENSION SCHEME²¹

INTRODUCTION

1. The Government of India (GoI), being a model employer has all along provided various welfare schemes to its employees. These schemes have provided a reasonably comfortable and financially independent life to the Govt employees while in service and after retirement and also to their dependent family members even after the death of the Govt. employer.
2. Two main pillars of the welfare schemes are pension scheme and medical facilities (in the form of Central Govt Health Scheme, which covers both serving and retired employees). The Pension Scheme is the single most important welfare scheme for looking after the employees and their families after the retirement / death of the employee.
3. The Pension Scheme as existed prior to 01 Jan 2004 has been a system of '**Defined Benefit Pension Scheme**', which provides a monthly amount as pension and a lumpsum amount as Gratuity to the employee. A portion of the pension could be commuted and drawn as a lumpsum amount at the time of retirement. In the case of death of the employee, family pension would be available to the spouse for life and after the death of the spouse to the children, subject to certain conditions.

BURDEN OF PENSION SCHEME

4. In the Defined Pension Benefit Scheme, the employee does not make any regular contribution from his salary during the service to earn the pensionary benefits after retirement. Such a scheme is bound to become a great financial burden to the exchequer which could not be financially sustained for long.
5. It is a fact that people are currently living much longer than previous generations. The average 60 year old is living ten years longer now than their counterparts did in the 1970s. The impact of this increased longevity on pensions is that they are constantly costing more and more.
6. Therefore, introduction of a self sustaining pension scheme was the need of the hour. Such a scheme would require the employee to contribute a regular amount during his service and the Govt also to contribute regularly, forming a corpus to provide regular monthly pension income to the employee after retirement depending the contribution accumulated by the employee during his service period.

²¹ Updated by Praveen Prakash Ambashta, Assistant Director



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NEW PENSION SCHEME (NPS)

7. Therefore, GoI has introduced a new '**Defined Contribution Pension Scheme**' (replacing the earlier existing system of '**Defined Benefit Pension System**') vide Govt. Notification dated 22 Dec 2003. The scheme is called '**New Pension Scheme**' (NPS). The NPS is applicable for all government employees except the three defence forces. The existing provisions of Defined Benefit Pension and GPF would not be available to new Government servants joining Government service on or after 01 Jan 2004.

8. The new pension scheme will work on defined contribution basis and will have two tiers, Tier - I and Tier-II (Pension Account) and Tier II (Savings Account) will be pure retirement savings products, the only distinction being Tier- I is a non-withdrawable account while Tier - II is a withdrawable account to meet financial contingencies. Contribution to Tier-I is mandatory for all Government servants joining Government service on or after 01 Jan 2004, whereas Tier-II will be optional and at the discretion of Government servants.

9. No deductions will be made towards GPF contribution from the Government servants joining the service on or after 01 Jan 2004 as the GPF scheme is not applicable to them.

10. Applicability of the scheme will serve to provide additional relief to who are discharged on invalidation / disablement and by the families of such employees who have died during service since 01 Jan 2004. The pension and Gratuity will be applicable in accordance with CCS (Pension) Rules, 1972 for those personnel who joined service on or after 01 Jan 2004 on provisional basis.

11. The above provisional payments will be adjusted against the payments to be made in accordance with the Rules framed on the recommendations of the High Level Task Force (HLTF) and recoveries, if any, will be made from the future payments to be made on the basis of those rules.

12. The recommendation of the HLTF envisage payment of various benefits on death / discharge of a Government employee after adjustment of the monthly annuitized pension from the accumulated funds in the NPS Account of the employee. Therefore, no payment of monthly annuitized pension will be made to the employee / family of the employee during the period he/ she is in receipt of the provisional benefits mentioned above.

13. In cases where on discharge/death of the employee, the amount of accumulated funds in the NPS Account have been paid to the employee/family of the employee, the amount of monthly annuitized pension from the date of discharge/death will be worked out in accordance



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with the rules/regulations to be notified by Department of Financial Services/(PFRDA) and the same will be adjusted against payment of benefits/relief after the notified rules in this respect.

INVESTMENTS

14. The Pension contributions of Central Govt. employees covered by the New Pension System (NPS) are being invested by professional Pension Fund Managers in line with investment guidelines of Government applicable to non-Government Provident Funds.

15. The NPS has been designed to enable the subscriber to make optimum decisions regarding his/her future and provide for his/her old-age through systemic savings from the day he/she starts his/her employment. It seeks to inculcate the habit of savings for retirement amongst the citizens.

PENSION FUND REGULATORY AND DEVELOPMENT AUTHORITY (PFRDA)

16. PFRDA was established by Govt of India on 23rd Aug 2003. The Govt has through an executive order dated 10th Oct 2003, mandated PFRDA to act as a regulator for the pension sector. The mandate of PFRDA is development and regulation of pension sector in India.

EXPANSION OF NPS

17. NPS, which was made mandatory to Govt employees wef 01 Apr 2004, has been made available to every citizen from 1st April 2009 on a voluntary basis. The NPS architecture is transparent and will be web-enabled. It would allow a subscriber to monitor his/her investments and returns under NPS, the choice of Pension Fund Manager and the investment option would also rest with the subscriber. The design allows the subscriber to switch his/her investment options as well as pension funds. The facility for seamless portability and switch between PFMs is designed to enable subscribers to maintain a single pension account throughout their saving period.

18. Twenty eight (28) state/ UT Governments have also notified the NPS for their new employees. Of these, 24 states have already signed agreements with the intermediaries of the NPS architecture appointed by PFRDA for carrying forward the implementation of the NPS. The other States are in the process of finalization of documentation.

TAX IMPLICATIONS OF NPS

19. The revised Direct Tax Code proposes to make the NPS tax exempt at the time of withdrawal. Initially NPS was going to be taxed at the time of withdrawal, and that had put it at



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a disadvantage to other products like ULIPs and Mutual Funds. But the revised code proposes it to be exempt from tax, and that really adds to its lure.

GLOBAL TRENDS

20. New pension reforms, privatizing pension schemes has become a Global Policy and most of the middle income developing countries across the continents have adopted the same. Various countries have also been contemplating to introduce new pension schemes not only for the employees but also for Armed Forces Personnel. The U.K. Govt is also intending to introduce new pension schemes for the Armed Forces which may however take more time to implement because of scale of change involved in shifting to the contribution Pension Scheme.

PENSION SCHEMES FOR DEFENCE FORCES

21. The NPS is not applicable to the Defence Forces pension and they will continue to be governed by the existing Defence Benefit Pension Scheme.

CONCLUSION

22. The NPS provides a good option for people who wish to invest for their retirement, and the government has done good to come up with such an option. It is still early days for the scheme so there are going to be some teething troubles which can be overcome with suitable remedial steps.

Frequently Asked Questions on NPS

- 1. Whether a retiring Government servant is entitled for leave encashment after retirement under the NPS?**

The benefit of encashment of leave salary is not a part of the retirement benefits admissible under Central Civil Services (Pension) Rules, 1972. It is payable in terms of CCS (Leave) Rules which will continue to be applicable to the government servants who join the government service on after 1-1-2004. Therefore, the benefit of encashment of leave salary payable to the governments/to their families on account of retirement/death will be admissible.

- 2. Why is it mandatory to use 40% of pension wealth to purchase the annuity at the time of the exit (i.e. after the age of 60 years) from NPS?**

This provision has been made in the New Pension Scheme with an intention that the retired government servants should get regular monthly income during their retired life.

- 3. Whether any minimum age or minimum service is required to quit from Tier-I?**



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Exit from Tier-I can only take place when an individual leaves Government service.

4. Whether Dearness Pay is counted as basic pay for recovery of 10% for Tier-I?

As per the New Pension Scheme, the total Dearness Allowance is to be taken into account for working out the contributions to Tier-I. Subsequently, a part of the "Dearness Allowance" has been treated as Dearness Pay. Therefore, this should also be reckoned for the purpose of contributions.

5. Whether contribution towards Tier-I from arrears of DA is to be deducted?

Yes. Since the contribution is to be worked out at 10% of (Pay+ DP+DA), it needs to be revised whenever there is any change in these elements

6. Who will calculate the interest PAO or CPAO?

The PAO should calculate the interest.

7. What happens if an employee gets transferred during the month? Which office will make deduction of Contribution?

As in the case of other recoveries, the recovery of contributions towards New Pension Scheme for the full month (both individual and government) will be made by the office who will draw salary for the maximum period.

8. Whether NPA payable to medical officers will count towards 'Pay' for the purpose of working out contributions to NPS?

Yes. Ministry of Health & Family Welfare has clarified vide their O.M. no. A45012/11/97-CHS.V dated 7-4-98 that the Non-Practising Allowance shall count as 'pay' for all service benefits. Therefore, this will be taken into account for working out the contribution towards the New Pension Scheme.

9. Whether a government servant who was already in service prior to 1.1.2004, if appointed in a different post under the Government of India, will be governed by the CCS (Pension) Rules or NPS?

In cases where Government servants apply for posts in the same or other departments and on selection they are asked to render technical resignation, the past services are counted towards pension under CCS (Pension) Rules, 1972. Since the Government servant had originally joined government service prior to 1-1-2004, he should be covered under the CCS (Pension) Rules, 1972.



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Annexure I

Age	Factor	Age	Factor	Age	Factor
20	9.188	41	9.075	62	8.093
21	9.187	42	9.059	63	7.982
22	9.186	43	9.040	64	7.862
23	9.185	44	9.019	65	7.731
24	9.184	45	8.996	66	7.591
25	9.183	46	8.971	66	7.431
26	9.182	47	8.943	68	7.262
27	9.180	48	8.913	69	7.083
28	9.178	49	8.881	70	6.897
29	9.176	50	8.846	71	6.703
30	9.173	51	8.808	72	6.502
31	9.169	52	8.768	73	6.296
32	9.164	53	8.724	74	6.085
33	9.159	54	8.678	75	5.872
34	9.152	55	8.627	76	5.657
35	9.145	56	8.572	77	5.443
36	9.136	57	8.512	78	5.229
37	9.126	58	8.446	79	5.018
38	9.116	59	8.371	80	4.812
39	9.103	60	8.287	81	4.611
40	9.090	61	8.194	-	-



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INCOME TAX²²

INCOME LIABLE TO TAX

The total taxable income of a person includes all incomes received, accrued or earned by him during the previous year.

Income is chargeable to tax either on accrual basis or on receipt basis, whichever is earlier. However, if an income tax has been taxed on accrual basis, it shall not be taxed again on receipt basis.

INCOME FROM SALARY INCLUDES: (u/s 192 of the I.T.Act)

Pay as defined in FR 9(21), leave salary and advance of Pay;
Dearness Pay
Bonus;
Dearness Allowance;
Compensatory Allowance (excluding Special Compensatory Allowance);
House Rent Allowance (with provision for exemption);
Transport Allowance (with provision of Exemption)
Fees (Recurring or non-recurring) retainable by the employee; Honorarium;
Tuition Fee reimbursement received,
Encashment of leaves for availing LTC
Pension,
Subsistence Allowance;
Interim Relief, if any;
Overtime Allowance; and
Special Duty Allowance;
Training Allowance/Deputation Allowance
Value of rent free accommodation

Income From House Property: It is for the employee to include income from let-out property as per the following procedure of computation:

1. Gross Annual Value
Amount for which the property might reasonably Let out or municipal valuation or actual rent received, whichever is the highest.
2. Less: Corporation / Municipal Tax actually paid
By the owner in the year.
3. Net Amount Value (A-B) (1-2)
4. Deduction under Section 24: 30% of 3
5. Net Chargeable income (3-4)

(If 5 is a Negative Amount, the loss can be set off against other income of the particular Assessment Year)

²² Updated by K.K. Pant, Assistant Director



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BUT DOES NOT INCLUDE:

- Gratuity;
- Uniform Allowance;
- Cost of medical treatment;
- Value of Leave Travel Concession;
- Leave Encashment;
- Travelling Allowance/Conveyance Allowance;
- Composite Hill Compensatory Allowance subject on prescribed limit.
- Special Compensatory Allowance/Remote Locality Allowance. Difficult Area Allowance or Disturbed Area Allowance;
- Children Educational Assistance (C.E.A) subject to a maximum of Rs.100/- p.m. per child upto a maximum of two children;
- Hotel Subsidy subject to a maximum of Rs.300/- p.m. per child upto a maximum of two children;
- Any allowance granted for encouraging the academic research and other professional pursuit;
- Kit Maintenance Allowance etc.

COMPUTATION OF NET TAXABLE INCOME

- I. First compute the Total Gross Salary(A)
- LESS
- a) Transport Allowance (subject to exemption limit) }
 - b) HRA exemption (subject to exemption limit) } (B)
 - c) Interest on Home Loan (subject to exemption limit) }
- Gross Salary (A- B).....(C)
- II. (a) Less Deduction under Section 16
(Professional Tax and Entertainment Allowance)
- AND
- (b) Deductions under Chapter VI-A of the Act. (a+b).....(D)
- Net Taxable Income (C-D).....(E)

Total (E) to be rounded off to the nearest Rs. 10/ and then apply the rates of Income Tax as admissible.



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EXEMPTIONS: (IN DETAILS)

I (a) above: Transport Allowance: Exemption @ Rs.800/- per month for all employees and @ Rs.1,600/- per month for an employee who is blind, orthopaedically handicapped with disability.

I (b) above: HRA Exemption: Calculation of:

1. If the employee is living in a rented house, exemption is allowed to the extent of the least of the following:

- i) Actual HRA received or
- ii) Rent paid in excess of 10% of salary; or
- iii) 50% of salary if the residence is at Metro Cities; 40% of salary if the residence is situated at any other place.

2. H.R.A. received by an employee is not exempt from Income Tax if he is:

- i) Living in his own house; or
- ii) Living in a house for which he does not pay any rent
- iii) Paying rent not exceeding 10% of salary

I (c) above: Interest on Home Loan: i.e. loss under the head 'Income from House Property.'

For the purpose of computing loss under the head 'Income from House Property' in respect of a self-occupied residential house, a normal deduction of Rs.30,000/- is allowable in respect of interest on borrowed capital. However, a deduction on account of interest upto a maximum limit of Rs.1,50,000/- is available if such loan has been taken on or after 1.4.1999 for constructing or acquiring the residential house and the construction or acquisition of the residential unit out of such loan has been completed within three years from the end of the Financial Year in which capital was borrowed.

The interest on borrowed capital is allowed on accrual basis and is admissible from the financial year in which the property was constructed/acquired. The benefit of interest for pre-possession period is also admissible in five annual instalments starting from the financial year in which the construction/property is completed/acquired. However, in any case the total amount of deduction of interest on borrowed capital will not exceed Rs.1,50,000/- a year.

II (a) above: DEDUCTIONS

i) Specific deduction (allowed from 'salary' head), Professional Tax, if any and Entertainment allowance subject to maximum of Rs.5,000/- p.a.

[Section 16]



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II (b) above: DEDUCTION contd.

- (i) **SECTION 80C Savings:** Deduction is allowed in respect of payment/contribution to the following: subject to maximum Rs.1,00,000.
- a) Insurance premia assured
 - b) Subscription/Contribution to Provident Fund/Public Provident Fund
 - c) Contribution towards CGEIS/CGEGIS
 - d) Investment in National Savings Certificates VIII issue
 - e) Unit-Linked Insurance Plan.
 - f) Investments in Government approved securities.
 - g) In respect of purchase/construction of residential house property.
 - Any instalment or part payment of amount due under self financing or other schemes of any development authorities/housing board or any company or co-operative society of which the government servant is a member.
 - Repayment of loans (Principal only) taken from government/bank/LIC/public companies as HDFC/Co-operative societies, engaged in providing long-term finance for purchase/construction.
 - h) Subscription to units of any Mutual Fund or to any pension fund set up by any Mutual Fund notified under clause 23-D of Section 10 of Unit Trust of India Act, 1963, as the Central Government may specify by notifications.
 - i) Tuition fees, whether at the time of admission or thereafter paid to any university, college, school or other educational institutions situated in India, for the purpose of full time education of any two children of the employee.
 - j) Governments' share of Tier I contribution under New Pension Scheme
 - k) Maximum fixed deposits upto Rs.50,000/- in scheduled bank for minimum period of five years.
- (ii) **SECTION 80 CCC:** Deduction in respect of contribution to Pension Fund of LIC (Jeevan Suraksha) or of any other Insurance Companies.
- (iii) **SECTION 80 CCD:** Deduction in respect of Government Servants' contribution in respect of employees under New Pension Scheme. This is subject to maximum of 10% of Band Pay + Grade Pay + D.A.
- (iv) **SECTION 80 CCE:** Over all limit of aggregate amount of Deduction under 80C and 80CCC and 80CCD is Rs. 1,00,000/-.
- (v) **SECTION 80 CCD(2) :** Governments' share of Tier I Contribution. This is in addition to the Deduction under Section 80 CCE, viz. Rs.1,00,000/-.
- (vi) **SECTION 80 CCF:** Deduction in respect of subscription towards Notified long-term Infrastructure Bonds subject to max. of Rs. 20,000/-



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(vii) **SECTION 80 D:**

(A) **Medical Insurance Premia:** Any amount paid by Cheque for any Insurance under the scheme of G.I.C. (Popularly known as MEDICLAIM) subject to a maximum of Rs.15,000/-.(for sr. citizen Rs. 20000)

(B) Rs.15,000/- to upkeep in force an insurance on the health of his parent/parents without any dependency criteria. This deduction shall be in addition to the existing deduction available to the individual assessee on medical insurance for himself, his spouse and dependent children. In case of parent being senior citizens it is Rs.20,000/-.

(C) The amount of CGHS contribution shall also be shown under this head subject to maximum as in A above.

(viii) **SECTION 80 DD:** For dependent handicapped relative(s): A sum of Rs.50,000/- for assessee who have to incur expenditure on treatment/maintenance/rehabilitation of physically handicapped/mentally retarded/blind dependent relative.

(ix) **SECTION 80 DDB:** If an individual or his/her dependent member of family is suffering from some specified diseases like : neurological diseases, Cancer, Aids, chronic renal failure, thalassaemia etc. then the amount actually paid for the treatment subject to Maximum of Rs. 40,000/- and if it is for senior citizen then Rs. 60,000/-

Condition: a) The deduction allowable shall be reduced by the amount of insurance cover for medical treatment, if any received.

b) The assessee shall furnish a certificate in the prescribed form from concerned specialist of a Government hospital.

(x) **SECTION 80 G:** Donations for charitable purposes:

NAME OF THE FUND	AMOUNT OF DEDUCTION ADMISSIBLE
PM's National Relief Fund, African Fund, National Defence Fund, Chief Minister's Relief Fund, etc.	100% of the amount donated
Jawaharlal Nehru Memorial Fund	50% of the amount donated
Prime Minister's Drought Relief Fund	



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Indira Gandhi Memorial Trust	
Rajiv Gandhi Foundation Trust	
Any other charitable and religious institute approved by the Income Tax Department*	

* This deduction has to be claimed by the tax payer in the return of income (not allowed by DDO) and rest are allowed by D.D.O after due verification.

(xi) **SECTION 80 U:** Deduction for assessee who has disability:

If an assessee himself is Disabled or Severely Disabled a sum of Rs.50,000/- or Rs.1,00,000/- respectively may be deducted from the income of an assessee. However, the disability has to be certified by the medical authority.

RATES OF INCOME TAX

Income Tax is calculated at the rates indicated below for the Financial Year 2012-13, Assessment Year 2013-14

a) For Male & Female assesseees

Taxable income	upto Rs.2,20,000/-	Nil
	Rs.2,20,001/ to Rs.5,00,000/-	10%
	Rs.5,00,001/-to Rs.10,00,000/-	20%
	Above Rs 10 Lacs	30%

b) For senior citizen (60 Years & Above)

Taxable income	upto Rs.2,50,000/-	Nil
	Rs.2,50,001/- to Rs 5,00,000/-	10%
	Rs.5,00,001/-to Rs.10,00,000/-	20%
	Rs.10,00,001/- and above	30%

d) For Very Senior citizen (being 80 years or above)

Taxable income	upto Rs.5,00,000/-	Nil
	5,00,001 to 10,00,000/-	20%
	More than 10,00,000/-	30%

NOTE:

i) Senior citizen for (c) above means a person who has attained the age of 60 years but otherwise it remains as 65 years.



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- ii) An education cess @ 3% on the Income Tax i.e. 2% for Primary and 1% for Secondary and Higher Education.
- iii) All above provisions are applicable for the financial year 2012-13.

DUTIES/INSTRUCTION of/for DDOs//Employees

1. COMPUTATION OF AVERAGE INCOME TAX

The Income Tax chargeable from an employee is determined at the average of Income Tax computed on the basis of rates in force for the financial year on the 'Income' chargeable under salaries.

2. SALARY FROM MORE THAN ONE EMPLOYER

In such cases the employee is required to furnish to the present/or the previous (as chosen by the employee) the detail of income under the head 'Salaries' due or received from the former/ other employer and also the tax deducted at source therefrom, in writing duly verified by the former/ other employer. The present/ chosen employer will be required to deduct the tax at source on the aggregate amount of salary (including salary received from the former or other employer).

3. DDOs TO SATISFY THEMSELVES OF THE GENUINENESS OF ANY PARTICULARS/INFORMATION ABOUT DEPOSITS/SUBSCRIPTION/PAYMENT (MADE BY THE EMPLOYEES) FOR ALLOWING DEDUCTION/REBATE:

If any employee gives any detail/information about the deposits/subscriptions/payments for claiming rebate in Income Tax to his DDO and the DDO is not satisfied about the genuineness of the employee's claim, he should not allow any rebate and the employee would be free to claim the deduction/ rebate on such amount by filing his return of income with the Income Tax department.

4.(i) DEPOSIT OF TAX DEDUCTED TO THE GOVERNMENT:

In the offices of the Government the tax deducted by the DDOs from the employees is booked to the credit of the Central Government under the final head of account i.e. 0021 - Income Tax as a book adjustment. This amount is deposited without production of any challan. But he will have to file a Quarterly Return.



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4.(ii) FILING OF THE RETURNS (By the DDOs)

For TDS on salary in Form 24Q	First Quarter By 15 th July Second Qtr. By 15 th October Third Qtr. By 15 th January Fourth Qtr. By 15 th May
For TDS on payment other than Salaries in Form 26Q	-do-

The person furnishing the returns (DDO) shall quote his TAN (Tax Deduction Number) and PAN (Permanent Account Number) of the employees in respect of whom the tax is deducted.

4.(iii) FAILURE TO FURNISH THE RETURNS:

Failure to furnish the Quarterly Returns by the DDO to the Income Tax Department shall entail a penalty of Rs. 100/- per day of the default.

4.(iv) PAYEE TO FURNISH PAN:

Any person receiving any specified payment (subject to TDS) shall be required to furnish his PAN to the person responsible for deducting tax at source.

If the deductee fails to furnish his PAN to the deductor, the TDS shall be deducted @ 20% or the applicable rate, whichever is higher. (Section 206AA)

4.(v) FAILURE TO DEDUCT/DEPOSIT TAX DEDUCTED:

If a person (DDO) fails to deduct the whole or any part of the tax at source or after deducting, fails to pay the whole or part of the tax to the credit of the Central Government within prescribed time he shall be liable to pay –

- i) simple interest at one percent for every month or part of the month on the amount of such tax from the date on which such tax is deductible to the date on which such tax is deducted. AND
- ii) simple interest at one and one-half percent for every month or part of the month on the amount of such tax from the date such tax was deducted to the date on which such tax is actually paid.
- iii) such interest, if chargeable, has to be paid before furnishing of Quarterly Return of TDS of each quarter.



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- iv) if any person fails to deduct whole or part of the tax at source or fails to pay the whole or part of the tax deducted, he shall be liable to pay, by way of penalty, a sum equal to the amount of tax not deducted or paid by him.
- v) if a person fails to pay to the credit of the Central Government within the prescribed time, the tax deducted at source by him, he shall be punishable with rigorous imprisonment for a term which shall be between 3 months to 7 years along with the fine.

5. FURNISHING OF FORM 16 (certificate of tax deducted):

The DDOs are required to furnish a certificate in Form 16 to the payees to the effect that tax has been deducted and to specify therein the amount deducted and certain other particulars. Form 16 is to be furnished to the employees by the DDOs by 31st day of May of the financial year immediately following the financial year in which the income was paid and the tax was deducted.

6. WHO SHOULD FILE THE RETURN:

Every person whose total income exceeds the maximum amount not chargeable to tax, should file annual income tax return irrespective of their tax liability.

After the Assessment Year 2011-2012, an individual whose total income for the year does not exceed Rs. 5 lacs and consists of only income under salaries and income from other sources by way of interest from savings bank account not exceeding Rs.10,000/- is exempted from furnishing a return of income, subject to conditions.



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DEPARTMENTAL SECURITY INSTRUCTIONS²³

THE CLASSIFICATIONS AND THEIR DEFINITIONS

1.1 There shall be following four types of security classification:

“Top Secret” shall be applied of information and material the unauthorized disclosure of which could be expected to cause exceptionally grave damage to the national security or national interest.”

Note: This category is reserved for the Nation’s closest secrets and is to be used with great reserve.

1.2 “Secret” shall be applied to information and material, the unauthorised disclosure of which could be expected to cause serious damage to the national security or national interests or cause serious embarrassment in its functioning.

Note: This classification should be used for highly important matters and is the highest classification normally used.

1.3 “Confidential” shall be applied to information and material, the unauthorised disclosure of which could be expected to cause damage to the national security or would be prejudicial to the national interests or would embarrass the Government in its functioning.

Note: Most matters will on proper analysis be classified no higher than “Confidential”.

1.4 “Restricted” shall be applied to information and material, which is essentially meant for official use only and which should not be published or communicated to anyone except for official purpose.

OFFICERS AUTHORISED TO CLASSIFIED

2. To ensure proper classification of documents, only an officer of and above the rank of a Director/Deputy Secretary in the Government of India would have the authority to classify information originally as “Top Secret”, and only an officer of and above the rank of Under Secretary will have the authority to classify information as “Secret”.

“Confidential” classification could be given by an officer of and above the rank of a Section Officer.

²³ Last Reviewed by Arun Gaur, Deputy Director



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UPGRADING AND DOWNGRADING

3. Documents once classified as 'Top Secret', 'Secret', 'Confidential' and 'Restricted' should remain so classified as long as required. A recipient office of an appropriate rank in a Department or Ministry may upgrade the security classification of a document received from outside, but this raised classification will be limited only to the Ministry or Department. He will, however, have no authority to downgrade the security classification of a document received, with the concurrence of the originator.

Within the same Department, an officer superior to the originator would have the authority to downgrade or upgrade the classification.

INFORMATION DESERVING CLASSIFICATION

4.1 It would be for each Ministry/Department to identify the information, which deserves to be given a security classification. Illustratively, information concerning the following would deserve to be classified:-

- (i) Military plans, weapons and operation;
- (ii) The vulnerabilities or capabilities of systems, installations or plans relating to national security.
- (iii) Intelligence activities (including special activities and identities of personnel working in intelligence/security organizations who are or can be employed to undercover duties or intelligence source of methods;
- (iv) Foreign relations or foreign activities or the country;
- (v) Scientific, technological or economic information having a bearing on national security;
- (vi) Nuclear energy programmers or measures for safeguarding nuclear materials or facilities;
- (vii) Cryptology;
- (viii) Confidential Source;
- (ix) Information received in confidence; and
- (x) Important negotiations or contracts.

4.2 A document as a whole will bear the highest security grading that any particular part of it may deserve. The grading of a file or a group of physically connected documents must be that of the highest document therein.



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UNAUTHORISED COMMUNICATION OF INFORMATION

5.1 Unless authorized by general or specific orders, no official will communicate to another official or a non-official any information or document which has come into his possession in the course of his official duties.

5.2 It is a criminal offence under the Indian Official Secrets Act, 1923.

- ❖ to possess or communicate, without proper authority, classified information or document.
- ❖ to receive any such information or document with the knowledge or with reasonable ground or the belief that it is communicated in contravention or the orders.
- ❖ attempt to commit or abet the commission of an offence as aforesaid.

5.3 Rule 11 of the Central Civil Service(Conduct Rules), 1964 provides that non Government servant shall, except in accordance with any general or special order of the Government or in the performance in good faith of the duties assigned to him, communicate directly or indirectly any official document or any part thereof or information to any government servant or any other person to whom he is not authorised to communicate such document or information.

Quotation by a Government servant (in his representation to the Head of Office or Head of Department or President) of or from any letter, circular or O.M. or from the notes of any file, which he is not authorised to keep in his personal custody or for personal purpose shall amount to unauthorised communication of information within the meaning of the rule.

DEALING WITH THE PRESS

6.1 Only Ministers, Secretaries and other Officers who are specially authorised by the Minister are permitted to meet representatives of the Press and give information.

RESPONSIBILITY

7.1 It is the responsibility and direct concern of every government servant, in whatever capacity he is employed, to safeguard the security of all classified information to which he has access in the course of his official duties or which come into his possession in any other way. It is his duty to bring immediately to the notice of his superior or the officer responsible for security in his office, any breach of Security regulations in general and in particular, any disclosure of classified information either deliberately or inadvertently of which (breach or disclosure) he may have knowledge.

It is also collective responsibility of all the official, working in the Government to protect its records and documents from being stolen, interpolated or damaged.



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PERSONNEL SECURITY

8.1 Chances of an unreliable employee finding a position in an office handling classified documents should be eliminated. The following precautions should be observed.

- pre-verification of character and antecedent of the employee.
- as far as possible, only permanent or quasi-permanent employees should be posted.
- the supervisor/in-charge should keep a close watch on the behaviour of every employee and any suspicious behaviour should be thoroughly looked into.

REASONS FOR SECURITY VIOLATIONS

9.1 Egotism (own importance to impress the hearer), faith or affiliation (in any person with any political party), monetary gain, ignorance (talking without understanding) and carelessness (loose talks) are the main reasons for security violations. Every employee should keep these personal traits, which are responsible for security violations under constant check.

10.1 TREATMENT

(i) **Confidential Papers:** For perusal of a limited number of persons who have direct concern with the subject, should be addressed to an officer by name and opened by him or some other officer performing his duties. May be sent for issue to ordinary despatch section provided it is first placed in a sealed cover by the section. To be sent for typing to secret Issues Section (where it exists) otherwise taken personally to typing section by Assistant who will bring back draft, fair copies and used carbon paper.

(ii) **Secret Papers:** For perusal of officers to whom addressed and a limited number of other persons whose duty it is to deal with, should be addressed to an officer by name to deal with; should be addressed to an officer by name and should be opened by him or the one doing his work in his absence. Must not be opened by an officer below Under Secretary's level.

A strict account of number of copies of a secret paper should be kept and each copy serially numbered must be accounted for at all times. All drafts, rough notes, routine papers, carbons, and stencils, no longer required must be satisfied.

10.2 Spare copies of cyclostyled material, cipher telegram etc. must be kept separate from the file in the personal custody of Section Officer, Under Secretary (Desk functionary) who will maintain an account of them in a separate register. He will weed out his stock of spare copies at frequent intervals and keep a note to that effect in the register of spare copies. (Used stencils to be treated as spare copies of classified documents.)

TRANSMISSION BY POST

12.1 All classified information should be sent in double cover. Inner cover should be sealed and should bear the security classification along with communication number. It should be addressed by name and not by designation only. Outer cover should be like ordinary envelop and should bear the name and designation of the addressee. It should also bear the designation



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and name of the despatching officer. No security classification or communication number should appear on outer cover. Nor should this cover be sealed. Top Secret information must be sent by insured mail only. Information relating to other classifications may be sent by Registered AD. Classified information outside India should be sent by diplomatic bag or through special messenger.

DO'S AND DON'TS OF SECURITY

DO's

- 13.1 Do read and ensure that staff too has read all security standing orders and instructions.
- 13.2 Do ensure at all times by the physical SECURITY of;
 - (a) Your room,
 - (b) Your documents,
 - (c) our safe and almirahs
 - (d) Your seals,
 - (e) Your opening and duplicate keys.
- 13.3 Do ensure that on closing down for the day, nothing to prejudice security is left lying about in your office.
- 13.4 Do make sure of the identity of a visitor first and then give him just what he need know discharge his duty.
- 13.5 Do ensure that TOP SECRET matter is adequately safeguarded at all times and that all accountable classified documents are entered in a register which is regularly checked.
- 13.6 Do ensure that knowledge of classified matter is confined only to individuals who are duty bound to know it.
- 13.7 Do ensure that the character and antecedents of employees have been properly verified before employment.
- 13.8 Do ensure that all security waste paper is burnt daily under adequate security.
- 13.9 Do report at once to Security Officer if you observe any breach of security in your office or elsewhere.

DON'Ts

- 14.1 DON'T go about blind. If everyone is on the lookout for breaches of security, security is assured.
- 14.2 DON'T hesitate to have the identity of an unknown visitor established before you pass on any classified information to him.



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- 14.3 DON'T leave your room with SECRET papers lying on your desk. Lock them up even if you leave your room even for a short while.
- 14.4 DON'T have classified maps, graphs, charts, photographs, etc. displayed openly on the walls in your office; keep them covered or locked.
- 14.5 DON'T encourage rumours and garrulity by anyone. On the contrary suppress these firmly.
- 14.6 DON'T put your neck to a noose by signing receipts for SECRET papers without careful security.
- 14.7 DON'T throw classified papers into the waste paper basket. Tear such papers into small bits and ensure that all the waste paper from your room is collected and burnt before shutting up.
- 14.8 DON'T keep spare SECRET papers unless you must.
- 14.9 DON'T forget to destroy drafts, rough notes, spare copies, steno's notes, carbons etc. when you get your fair copy ready.
- 14.10 DON'T leave your room unlocked or unwatched at any time.
- 14.11 DON'T send SECRET papers through peons unless they are locked in boxes or sealed in double covers.
- 14.12 DON'T make notes on SECRET subjects in your diary. If you must, destroy the notes as soon as possible.
- 14.13 DON'T discuss SECRET subject on the phone which is a PUBLIC service, not a SECRET service.
- 14.14 DON'T fully close the doors of safes, cabinets or cupboards unless they are locked. A closed safe may give the impression while actually it is not.
- 14.15 DON'T forget your key. Security depends on the safe custody of the keys.
- 14.16 DON'T write official secrets in your private letters. Remember the Official Secrets Acts.
- 14.17 DON'T display your knowledge of SECRET information. It will not impress anyone who counts, but it might land you in trouble.



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OFFICIAL LANGUAGE POLICY²⁴

THE POLICY

The Official Language Policy of the Union is one of bilinguals, that is, it provides for the use of Hindi and the English languages for the official purposes of the Union. The effort is to encourage the increasing use of Hindi through persuasive methods, ensuring, at the same time, quick and efficient disposal of government business, and also not putting at a disadvantage the employees who are not proficient both in Hindi and English.

The official Language Policy is based on –

- the provisions of the Constitution (mainly Article 120 & Article 343-351);
- the Official Language Act, 1963; as amended in 1967;
- the Government of India Resolution dated 18-1-1968 on Official Language; and
- the Official Language (Use for Official Purposes of the Union) Rules, 1976.

THE OFFICIAL LANGUAGE AND THE NUMERALS

Under Article 343 of the Constitution, Hindi in Devnagri script shall be the Official Language of the Union, and that the international form of Indian numerals shall be used for the official purposes of the Union.

THE USE OF ENGLISH AND HINDI DURING TRANSITIONAL PERIOD

Under the Constitutional settlement, even though Hindi had been adopted as the official language, English was to be used for all the official purposes of the Union till 26 January 1965. During this period, i.e. from 26 January 1950 to 26 January 1965, which is called the transitional period, Hindi was to be used only for those official purposes for which such use was authorised by the President. Accordingly, the President authorised the use of Hindi, in addition to English, for certain purposes, such as warrants of appointments of Ambassadors, Judges of the Supreme Court/High Courts, gazette notifications, headings of registers, name plates/boards, notings, etc.

COMMISSION AND COMMITTEE OF PARLIAMENT ON OFFICIAL LANGUAGE

The transitional period of fifteen years was to be utilised for the development of Hindi and its progressive introduction for the official purposes of the Union. To facilitate the achieving of this objective, Article 344 envisaged setting up of two Commissions and two Committees of Parliament on Official Language. However, actually only one Commission and one Committee could be constituted. After considering the recommendations of the Commission and the report of the Committee thereon, the President issued a comprehensive Order in April, 1960. The Order did not propose any restrictions on the use of the English language for the official purposes of the Union and ordered concrete steps for the development of Hindi, such as

²⁴ Updated by Biswajit Banerjee, Assistant Director



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evolution of scientific, technical and legal terminology, drawing up of programme for the progressive use of Hindi, etc.

THE USE OF ENGLISH AFTER 26 JANUARY, 1965

The Official Language Act, 1963, was enacted so as to provide for the continued use of the English language for the official purposes of the Union after 26 January 1965. The Act was amended in 1967 to give legal shape to the assurances of the late Prime Minister Jawaharlal Nehru to the non-Hindi speaking people that the use of English would be continued for the official purposes of the Union as long as they wanted.

Along with the aforesaid Amendment, the Parliament also adopted a Government Resolution which requires the preparation of an annual assessment report on such use and placing of the same before Parliament. It also provides for the development of Hindi and all other languages enumerated in the VIIIth Schedule to the Constitution, the optional use of these languages as medium of All India and higher Central Service Examinations (now called Civil Services Examination) and the implementation of the Three Language Formula by all the State Governments. A copy of this resolution is attached as ANNEX - II.

THE LANGUAGE(S) FOR USE IN PARLIAMENT

Under Article 120 of the Constitution and Section 3 of the Official Language Act, 1963, Hindi and English languages can be used for transaction of business in Parliament. A Member of Parliament, who is unable to express himself in either of these languages, can be permitted to speak in his mother tongue.

LANGUAGE FOR USE IN SUPREME COURT/HIGH COURTS

Under Article 348 of the Constitution, the language of the Supreme court is English till Parliament, by law, provides for the use of any other language. This has not been done so far. The language of the High Courts is also English. However, this Article read with Section 7 of the Official Languages Act Empowers the Governor of a State, with the previous consent of the President, to authorise the optional use of Hindi or the official language of the concerned State in proceedings, judgments, etc. of the High Courts. The High Courts of States of Bihar, Madhya Pradesh, Rajasthan and Uttar Pradesh have been authorised the optional use of Hindi. Now Hindi text of any order, rule, regulation or byelaws issued under any central act is also authoritative.

THE OFFICIAL LANGUAGES ACT 1963

The following are the main provisions of the Act:

- i) It allows the continued use of English for –
 - a) The official purpose of the Union.
 - b) The transaction of business in Parliament.



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- ii) It regulates the use of Hindi and English for correspondence between the Union and the States and amongst the States.
- iii) It makes obligatory use of Hindi and English for specified documents.
- iv) It vests power in Legislatures of the non-Hindi speaking States for the discontinuance of the use of English for the official purposes of the Union.
- v) It provides for the setting up of the Committee of Parliament on Official Languages comprising 30 Members of Parliament (20 from Lok Sabha and 10 from Rajya Sabha) to assess the progress made in the use of Hindi for the official purposes of the Union and to submit its report to President, making recommendations thereon.

THE OFFICIAL LANGUAGES (USE FOR OFFICIAL PURPOSES OF THE UNION) RULES, 1976. [NOTIFIED ON 28-6-1976]

- (1) These Rules have been framed under the provisions of Sec.8 of the Official Languages Act, 1963. The special feature of the Rule is that it defines 'Central Government Office', 'Working Knowledge of Hindi', "Proficiency in Hindi", etc. and groups the States and Union Territories into three regions, viz, Region 'A' Region 'B' and Region 'C'. Details of these Regions are given in ANNEX-III.
- (2) The Rules provide that communications from Central Government offices to -
 - (i) a State or UT or a person in Region 'A' shall be in Hindi and if in exceptional cases sent in English, these should be accompanied by translation in Hindi;
 - (ii) (a) a State or a UT in Region 'B' shall originally be in Hindi, and if issued in English should be accompanied by translation in Hindi. However, the State Government can ask that communications of any particular category or class be sent in either English or Hindi accompanied by translation in the other language, for a specified period and in that case these should be sent.
(b) a person in the aforesaid State be either in Hindi or in English.
 - (iii) a State or a UT or a person in Region 'C' shall be in English.
 - (iv) the Central Government offices in Region 'C' can send their communications to a State or UT in Region 'B' or Region 'A' in Hindi or in English. (Rule 3)
- (3) ***Language of Communications Between Central Government Offices***
 - i) between Ministries/Departments in Hindi or in English.
 - ii) between Ministries/Departments and their Attached or Subordinate Offices in Region 'A' in Hindi in proportion as determined by Central Government.
 - iii) Between Offices in Region 'A' - in Hindi only.
 - iv) Between inter-regional offices - in Hindi or English.
 - v) Amongst offices in Region 'B' or Region 'C' - in Hindi or in English.
- (4) ***Communications received in Hindi should be replied to in Hindi.***

(Rule 5)
- (5) ***Both Hindi and English should be used for -***



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- a) Notifications, Resolutions, General Orders, Rules, Administrative Reports or Press Communiqués;
- b) Administrative and other reports and official papers laid before a House or House of Parliament; and
- c) Contracts and Agreements, and Licenses and Permits, notices and forms of tender.

(Rule 6)

APPLICATIONS, ETC. CAN BE IN HINDI OR ENGLISH

Applications, appeals, representations can be submitted by the employees in Hindi or English and when these are in Hindi or signed in Hindi, these should be replied to in Hindi. An employee can also ask for a copy of order or notice relating to service matter (including disciplinary proceedings) in Hindi or English, as the case may be. [Rule (7)]

NOTINGS IN HINDI OR ENGLISH

An employee is free to use Hindi or English for recording his note and he himself will not be providing a translation in the other language.

[Rule 8(1)]

WORKING KNOWLEDGE OF HINDI

Those employees who have passed Matriculation or equivalent or higher examination with Hindi as a subject or the prescribed examination (such as Pragya, Praveen or Prabodh under the Hindi Teaching Scheme) or declare in the prescribed form that they possess working knowledge, would be deemed to possess working knowledge of Hindi.

[Rule 10(1)]

The employees possessing working knowledge of Hindi should not ask for a translation of a document in English unless it is of legal or technical nature.

If any question arises as to whether a particular document is of a legal or technical nature, the Head of Department or office shall decide it.

[Rule 8(2) & 8(3)]

NOTIFIED OFFICE

When 80% staff of an office have acquired working knowledge of Hindi, the staff of that office will be deemed to have possessed a working knowledge of Hindi and such an office shall be notified in the Gazette of India. [Rule 10(4)]

Communications to Central Government offices, except notified offices, in Region 'C' are to be accompanied by their translation, if necessary, in the other language. With regard to Central Government offices in Region 'A' or Region 'B', translation, if necessary, is to be provided at the receiving end. (Rule 4)

PROFICIENCY IN HINDI



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Those employees who have passed matriculation or equivalent or higher examination with Hindi as medium of examination, or have taken Hindi as elective subject in degree or equivalent or higher examination or if they declare in the prescribed form that they possess proficiency in Hindi, then they would be deemed to possess proficiency in Hindi.(Rule 9)

The form shall be as under:

FORM

I hereby declare that I possess proficiency in Hindi/have acquired a working knowledge of Hindi in view of the following:-

Date:

Signature

OBLIGATORY USE OF HINDI ALONE BY EMPLOYEES ON SATISFYING CERTAIN CONDITIONS

The Central Government can issue an order requiring employees of a notified office having proficiency in Hindi to use Hindi alone for noting, drafting or other specified purposes. [Rule 8(4)]

MANUALS, FORMS, NAME-PLATES, ETC., BOTH IN HINDI AND ENGLISH

- a) Manuals, codes, other procedural literature should be published both in Hindi and English in diglot form.
- b) The forms, headings of registers, name plates, name board, rubber stamps, items of stationery is to be printed or inscribed both in Hindi and English. However, the Central Government may exempt any office from compliance of these provisions.

(Rule 11)

- c) **Responsibility for compliance-** (1) It shall be the responsibility of the administrative head of each Central Government Office -
 - (i) to ensure the provisions of the Act and these rules and the directions issued under sub-rule (2) are properly complied with; and
 - (ii) to devise suitable and effective check points for this purpose.

(2) The Central Government may from time to time issue such directions to its employees and officers as may be necessary for the due compliance of the provisions of the Act and these rules.

(Rule 12)

MACHINERY FOR FORMULATION AND IMPLEMENTATION OF OFFICIAL LANGUAGE POLICY

- i) The CENTRAL HINDI COMMITTEE, headed by the Prime Minister, with Cabinet Ministers of some important Ministries, some Chief Ministers and prominent scholars as Members, is the highest policy making body for the use of Hindi for the official purposes of the Union.



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- ii) THE HINDI ADVISORY COMMITTEE (HINDI SALAHAKAR SAMITI) in each Ministry/Department headed by the concerned Minister and with officials and non-officials (including some Members of Parliament) as Members, advise the Ministries/Departments on the use of Hindi for official purposes.
- iii) A CENTRAL OFFICIAL LANGUAGE IMPLEMENTATION COMMITTEE headed by Secretary, Department of Official Language, coordinates and implements the policy regarding the use of Hindi for official purpose
- iv) OFFICIAL LANGUAGES IMPLEMENTATION COMMITTEE, in each Ministry/Department/Attached or Subordinate office is normally headed by Joint Secretary (Admn.) or the Administrative Head of the Office.



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ANNEX - I

THE OFFICIAL LANGUAGE RESOLUTION, 1968

Ministry of Home Affairs
New Delhi, the 18th January, 1968

The following Government Resolution, as adopted by both Houses of Parliament, is hereby published for general information:-

RESOLUTION

'WHEREAS under article 343 of the Constitution Hindi shall be the official language of the Union, and under article 351 thereof it is the duty of the Union to promote the spread of the Hindi Language and to develop it so that it may serve as a medium of expression for all the elements of the composite culture of India;

This House resolves that a more intensive and comprehensive programme shall be prepared and implemented by the Government of India for accelerating the spread and development of Hindi and its progressive use for the various official purposes of the Union and an annual assessment report giving details of the measures taken and the progress achieved shall be laid on the Table of both Houses of Parliament and sent to all State Governments;

2. WHEREAS the English schedule to the Constitution specifies 14 major languages of India besides Hindi, and it is necessary in the interest of the educational and cultural advancement of the country that concerted measures should be taken for the full development of these languages;

The House resolves that a programme shall be prepared and implemented by the Government of India, in collaboration with the State Governments for the coordinated development of all these languages, alongside Hindi so that they grow rapidly in richness and become effective means of communicating modern knowledge;

3. WHEREAS it is necessary for promoting the sense of unity and facilitating communication between people in different parts of the country that effective steps should be taken for implementing fully in all States the three language formula evolved by the Government of India in consultation with the State Government;

This House resolves that arrangement should be made in accordance with that formula for the study of a modern Indian Language, preferably one of the Southern languages, apart from Hindi and English in the Hindi speaking areas and of Hindi along with the regional languages and English in the non-Hindi speaking areas.

4. AND WHEREAS it is necessary to ensure that the just claims and interest of people belonging to different parts of the country in regard to the public services of the Union are fully safeguarded;



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This house resolves -

- a) that compulsory knowledge of either Hindi or English shall be required at the stage of selection of candidates for recruitment to the Union service or posts except in respect of any special services or posts for which a high standard of knowledge of English alone or Hindi alone, or both as the case may be is considered essential for the satisfactory performance of the duties of any such service or post; and
- b) that all the languages included in the Eighth Schedule to the Constitution and English shall be permitted as alternative media for the All India and higher Central Services examinations after ascertaining the views of the Union Public Service Commission on the future scheme of the examinations, the procedural aspects and the timing.

Sd/-
R.D. Thaper
Joint Secretary to the Government of India.
