

Fundamental Rules II

Comprise 130 Rules (F.R.S)

Sri N.Kesava Murthy
Sr.Faculty (Rtd)

- They Deal With General Service Conditions, Pay, Increments, Pay Fixations, Additions to Pay, Additional Pay, Suspension, Removal, Dismissal, Retirement, Leave, Joining Time, Foreign Service, Maintenance of Service Registers Etc.

- State Govt. may permit Deviations of Provisions a Purely Procedural Nature
- Apply to all Govt. Servants paid from Consolidated fund of State
- Govt. Shall not Modify Rules to the Disadvantage of any person already in Service Except in Matters of Superannuation
- In any Provision is Repugnant to any Provision in Service Rules Service Rules will prevail (F.R. 2 and F.R.3)
- If state Govt. Merely Record Orders of President Regarding FRs, they are held as Applicable to State Employees

- F.R. 5 Govt. May Relax any Provisions of these Rules in case of any Persons or Class of Persons
- F.R 6 Govt. may Delegate Powers to any of its Officers
- F.R. 8 Power of Interpretation is With Govt.
- F.R. 9 Allotment of Quarters
- Cadre- Strength of a Service or a part of Service (posts)
- Compensatory Allowance
- Allowance Granted to Meet Personal Expenditure Necessitated by Special Circumstances; includes T.A.

- Duty Includes
- Service As Probationer or Apprentice
- Govt. may Declare Training as Duty
- List of Authorised Courses are in Annexure one
- If Training is for Less than one Month Treated as Spl Casual Leave, if more Period Duty
- Trainings for Different Depts. Given in FR9

- Compulsory wait for Posting to be Regularized As Duty under Govt. Orders. Govt. Memo No: 43877 / 682 /A2/ FR1/96 Dt. 1-1-97 Govt. Memo No: 2/111/A2/FR1/2000-1 Dt. 15-11-02 stipulate that all Compulsory wait Proposals Which Exceed the Period of 30 days the Head of Dept. to Calculate the no of Days the File is Kept Pending for More than 3 days at Eaach Leavel & Recover from Concerned; Secretariat also to Follow this Does not Apply to Ministers

- Proposals for Grant of Compulsory Wait to Contain- cases of
- Leave – Whether when was given Employee Applied for Posting,
- Reinstatement from suspension
- Date on Which Order Passed on appeal; Date of Reinstatement, date of posting ; date of Joining;
- Un authorised absence-
- Date on which Employee Applied for Posting ; date of posting ; date of Joining

Court Intervention

- Date on which Transfer Order Issue
- Date of the Stay by court/ Tribunal
- Employee Who Sought Court Intervention- Whether Person Transferred; or the one Posted in the Place
- Date of Alternate Posting
- Date of Joining

Not admitted to duty

- Date of Posting
- Date of Joining Report
- Reasons for Not Admitting
- Date of Further Posting
- Date of Final Joining
- Whether Refusal Justified if not what action Taken on Concerned

- S.R. 6 Fee a Recurring or Non Recurring Payment to Govt. Sercant from a Source Other than Consolidated Fund- Does Not Include Property Dividends Interest on Securities, Income from Artistic, Literary, Cultural, pay from other than Technological Efforts if not aided by Knowledge in Govt.
- Foreigns Service; Service - Where a Govt. works and gets than Consolidated Fund

- Honorarium – A recurring or non Recurring Payment Made to from Consolidated Fund.
But
- Calendar Month When Expressed in
- 3 Months & 20 Days from 20th January – 25th Jan 31st Jan – 7 days
- Feb to April ---- 3 Months
- 1st May to 13th May – 13 Days

- Personal Pay means Pay Granted to Govt. Servant Additionally to Save From Loss of Pay
- Presumptive Pay : Means Pay Which the Govt. Servant Would have been Drawing Substantively
- Special Pay : Granted for Ardous (Difficult) Duties and for Extra Work; Counts for Pay Fixation on Promotion to Higher Posts not Carrying Special Pay in respect of Typists & Stenogra Phers. But this is Resticted to those who were in Service as on 24-08-1998 (Go. 1907 D.D 24-08-98)

- Tenure Post : A permanent Post Which an Individual Govt. Servant Holds for Limited Period
- Time Scale: Where there is a Minimum and increases in Pay are Conditioned by Time

- No Person may be Substantially Appointed to Service Without a Medical Certificate of Health Does not Apply to Military Pensioners; format Given in F.R. 10
- F.R. 11 : The Whole Time of a Govt. Servants is at the Disposal of Government; he May be Employed in any Manner Required

- F.R 12; Two or More Govt. Servants Cannot be Appointed to the Same Post Substantively Except as a Temporary Measure
- F.R 13; as Amplified in Govt. Order No: 144 dated 19.05.2009- lien Is the Right of Employee to hold a Post and is Acquired after Completion of Probation

- A Govt. Servant Line is suspended when is Appointed out Side Regular line;
- If A Govt. Servant who Resigned / Relieved from a Post to Join in a Different post on Direct Recruitment from Date of Resignation / Relief
- If A Govt. Employee When Transferred from one Department to another on Request or other wise by Deptal Transfers- Stands Suspended
- When Automatic Suspension of lien is Effected it gets Terminated when Probation in new Department is Declared
- Exercise option Within Two Months of the order (for o to cases)

- F.R. 15 Govt. Servant May be Transferred Substantively from one Post to another
- F.R 17 Charge Should be Assumed and given up Simultaneously by and Relieved Govt. Servants. Charge Transfer Certificate. Signed
For Authorised Training also applies; Govt. may permit charge Transfers telegraphically. HODs Delegated with this Power

Greater time is allowed in select Depts for Charge Transfer

- F.R 18 no Govt. Servant to avail Leave Continuously for a period Exceeding Five years
- Govt. Servant is Deemed to have Resigned if he absents from Duty for a Period Exceeding one year (Go 1287 Fin. dt. 01.06.07)
- Dies Non: means Wilful absence from Duty; Does not Preclude re admission Temporary Employee Remaining absent after Leave to be Discharged When he has no title to Leave

- Resignation takes Effect from Date of Relief; if on Leave from Date of Communication of Acceptance
- If Under Suspension; not to be Accepted During Suspension
- Resignation Forfeits Past Service
- Voluntary Retirement : While on Unauthorized Leave Retirement Accepted
- If Proposed to take Action (Disciplinary) Charges framed before Retirement

- Govt. Employee Desirous of Seeking jobs abroad can be Permitted to Apply & seek over Employment.
- Period of absence; Treated as extra Ordinary leave not Countable for Pay, Increments leave etc.
- If Pension Contribution Paid by Employee/ Employer, Counts for Pension
- No Dues to Govt, no Prosecution Pending or content Emplated are preconditions
- Absence Restricted to 5years
- No Preference in Promotions
- Can be availed in Different Spells ‘
- Govt. Sanction Necessary
- Specific offer Should Exist
- Withdrawal of Resignation is not Permissible after its Acceptance Except with Govt. Sanction

- F.R 27 – Permits Sanction of Advance Increments
- F.R 19- Next below Rule: one for one : is allowed when Junior in Regular Line is Promoted
- F.R 20 Officers on Training out side India (Duty) allowed Promotion

- F.R 20 a(i): When Promoted to A Higher Post- either minimum of new Pay Scale or the Stage next to ther Pay Drawn which ever is Advantageous is allowed
- a (ii); When Appointed to A post not Carrying Higher Responsibilities, the same Pay as in his Substantive Post and if there is no such stage pay fixed at the stage below the pay ntially and on the date of next increment of the new post, the personal pay is absorbed,
- a(iii); Appointment at request as above, but If the maximum of the new post is less than the pay drawn- he will draw the maximum of the new pay scale; no Personal pay allowed for the Differential (Pay)

- 22(b) if an Employee has Worked in the same post/post in the same time scale, the initial pay shall not be less than the pay he drew on the last occasion & past officiation periods count for increment on this appointment
- Benefits During Promotion out side regular line are set off by absorbing the difference in future increments
- 22a iv; the pay of a Govt. servant (not appointed under Emergency provisions) when appointed Directly to auother post, under the Government on selection by appsc/ dsc, shall be fixed in new post at a stage not lower than the pay drawn in earlier post

- F.R 23 Revision of Pay scale; the Employee may opt to remain in old pay scale
- F.R 24; Increment drawn as a matter of course unless with held
- Stoppage order to indicate
- Period of Stoppage
- Whether Effects future increments; If Silent, restored after prescribed period
- The Order should state whether it will be exclusive of any interval spent on leave before Suspension For Police Subordinate Service Earlier to Suspension Counts
- Increment with held without Cumulative Effect Countable for Pension
- If with held Cumulatively not Countable

- F.R 26 All Duty Counts for increment; Service in another post on an identical/ Higher Scale counts
- Extra Ordinary leave on Medical Grounds counts up to 6 Months Under Orders of H.O.D. similarly periods for Prosecution of higher Scientific & Technical Studies / any other Cause beyond Govt. Servants Control also counts
- If increment falls due while on leave, paper increase is made; monetary effect given from date of Resumption to duty after leave
- Monetary Benefits arising on revision of Seniority & Pay Fixation allowed. But they are allowed Limited to duty Periods (F.R. 22 a a)

- A probationer Whose Period of Probation is Two years is allowed, First years increment, the next year's increment is linked with Completion of Probation; if a Period of One year Elapses from date of Completion, Drawing Officer/ head of office may release increment if satisfied that probationer Fulfills Qualifications for probation
- A Person Promoted under Emergency Provisions, Though has not Passed Tests for Promotion allowed increments Govt. Memo No: 4579/66-3 G.A. Sera dt. 06.12..1966

- Increment Falling Due on any day of Calendar Month Should be Released from the very First day of the Month
- If increment is Postponed to a late day of Month owing to EOL, it is Granted from very First day of the Month
- Broken Periods of Earlier Service Count for increment by Adding; Granted from very First day if Employee is in the Particular Scale after Computing 12 Months
- If the Normal increment is with held for Specified Period to a Different date of Month it is Released from that date only
- Increment Falling due on the day Following the Retirement is added for Pension Purposes

- When a Temporary Employee is Selected for Regular Employment in Same / identical post in the same Service, Pay drawn earlier is allowed in Regular Post
- For grant of Additional Pay, the Post held should be equal or Higher
- more than one addl. Post held Simultaneously, one Adl. Pay only
- Full additional Charge- Period to Exceed 14 Working days
- Current duties- one Month or above
- HOD may Sanction up to 3 Months
- Govt. for Periods up to 6 Month at half rate for the next three Months
- Compensatory allowances attached to the Second Post allowed in Full
- Delegation of Making addl Charge in F.R 49.
- Not Permissible for Holding charge of new Post

- F.R.50 no Deputation out Side India Without approval of President
- Pay will be allowed in Foreign Currency as Determined by President
- F.R. 52 A Govt. Servant Dismissed / Removed from Service Ceases from date of Dismissal
- F.R 27 Provides for advance increments
- F.R. 28 on appointment to a lower Post Competent authority may allow to draw any pay not Exceeding the Maximum of employee lower grade Subject to Pay admissible under R. 22 or 26

- F.R. 29 if Pay is Reduced as Penalty the order to state Period; whether Post pones Future increments & whether it is exclusive of intervals spent on leave
- F.R. 31 On an Enhancement in the lower scale Employee entitled to repay Fixation in officiating Post
- Date of Passing of any Test is the date following the last day of the Test (F.R.26)
- F.R. 35; Govt./HOD may Fix the pay of an Officiating Employee at a Stage below the Minimum of Pay Scale
- F.R. 44; Compensatory allowances include H.R.A; Local allowances T.A.
- H.R.A. allowed on leave up to 180 days

- F.R. 49 Combination of appointments Two Kinds of additional Charge- Full additional Charge; Current Duties
- F.R 53 Employee Suspended gets Subsistence allowance at half of basic Pay; D.A. based on Subsistence allowance, Compensatory allowances based on Full pay
- If Suspended on charges of Corruption, Misappropriation, Demand or Acceptance of illegal Gratification the Subsistence is 50% of normal amount
- Review Conducted Every Three Months- Decrease/ Increase Decided. Based on review
- Review not a Vital factor for non Payment

- F.R 54; if the Employee is Exonerated- Full duty; full Pay Minus Subsistence allowance
- If awarded any Penalty including minor Penalty Period Treated- not Duty
- Employee may be Granted Leave at Request
- 105 Joining time; – Granted to Join new Post; allowed When appointed While on duty; Return from Earned Leave, to Join new Post;
- To Travel from Port of Debarkation on Leave; Study Leave; Deputation of more than Four Months

- Allowed on Change of Head Quarters
- Not Permissible for Temporary Transfer of 180 days & less
- Public interest Served to allow joining time
- Request Transfers; Reduced Joining Time may be allowed
- Regular Employees on appointment to Posts by Competitive Exams; Entitled to joining time
- If Vacation is availed With Leave in Cases Where total Period is less than Four Months joining time given
- If Transferred to Place where Employee was in Full addl. Charge J.T. allowed.

- Period
- Nor More than a day to Join new Post Which does not Necessitate Change of Residence (Change of Premises)
- Sunday to be Suffixed if it Falls after close of Joining time. Public Holidays also are allowed
- Previous Stations Pay and allowances Permissible in Joining time.
- If it takes Considerable Time to hand over Charge Relieving Govt. Servant allowed additional under time- Govt. Orders

- By Train- up to 500 Km or Fraction – Oneday
- Ocean Steamer – 350 Km– or Fraction – 1 day
- Moor Launch- 150 Km or – Fraction – 1 day
- Motor Vehicle- 150 Km or – Fraction- 1day
- By other Means- 25 Km or – Fraction – 1 day
- By Air – actual time -1 day
- If Places are Connection by Rail Calculated as Per Rail Route. Does not apply to Air Journeys (F.R. 106)

- If Employee on Leave Does not avail Full Joining time the joining time Period Short availed,Deducted from Leave
- F.R. 110- A Govt. Servant not to be Transferred to foreign Service Against his will. Does not apply to Service of a Body Which is Wholly or Substantially Owned or Controlled by Govt.

Thank Q