

No. 17011/10/2001-Estt. (Allowance)
Government of India
Ministry of Personnel, Public Grievances and Pension
(Department of Personnel and Training)

Dated: the 11th February,, 2004

OFFICE MEMORANDUM

Subject: Rates of honorarium to be granted to Reporters/ Interpreters/ Stenographers for reporting proceedings of ad-hoc Committee/ Conferences.

In partial modification of this Department's OM No. 17016/9/87- Estt. (Allow), dt. 04.02.92 on the subject mentioned above, the undersigned is directed to say that the question of revising the rates of honorarium for Reporters/ Interpreters of Parliament has been under consideration of the government. It has now been decided in consultation with the Ministry of Finance, Department of Expenditure to revise the rate of honorarium applicable to Reporters/ Interpreters of Parliament from Rs. 80 to Rs. 250/- per day subjecto to the maximum ceiling of honorarium fixed by this Department as per OM No. 17011/3/97- Estt (AL), dated 17.7.98.

2. All other conditions mentioned in the above referred OM will remain unaltered.

3. These orders will take effect from the date of issue.

Sd/-
(D.R. CHATTOPADHYAY)
UNDER SECRETARY TO THE GOVT. OF INDIA

To

All Ministries/ Departments of the Govt. of India
(As per standard list).

No. 17011/3/2001-Estt. (Allowance)
Government of India
Ministry of Personnel, Public Grievances and Pension
(Department of Personnel and Training)

Dated: the 29th March, 2001

OFFICE MEMORANDUM

Subject: Fifth Central Pay Commission's recommendation relating to Honorarium payable under FR 46 (b)- Further guidelines to restrict payment of Honorarium

The undersigned is directed to refer to this deptt.'s O.M. No. 17011/1/91- Estt.(AL), date 23.12.85 and O.M. No. 17020/1/91-Estt.(AL), dated 18.11.91 and O.M. No. 21011/26/96- Estt. (AL). dated 20.1.97 vide which Ministries/ Departments have been delegated powers and also guidelines have been delegated powers and also guidelines have been provided for sanctioning honorarium under the provisions of FR 46(b). Further guidelines to restrict the payment of honorarium were issued on the basis of the recommendations of the 5th Central Pay Commission vide this Department's O.M. No. 17011/3/97- Estt. (AL), dated 17.7.98. In addition to the items of work for which payment of honorarium is already prohibited under instructions issued by the Ministry of Finance and this Department from time to time an illustrative list of the items for which honorarium should not be paid has also been provided as an Annexure to OM, dated 17th July, 1998 referred to above (copy enclosed).

2. Despite such clear instructions, instances have come to notice of this Department that Ministries/ Departments have continued to sanction/ pay honorarium by interpreting this as within their delegated powers. This clearly amounts to violation of provisions contained in O.M., dated 17.7.98 (copy enclosed) and the spirit behind provisions of FR 46 (b).

3. It is, therefore, once again stressed that Ministries/ Departments should not entertain any claims of honorarium to any category of staff including personal staff of Ministers/ Secretaries/ Additional Secretaries/ Joint Secretaries etc. Respective Financial Advisers should ensure that strict compliance to the above and henceforth should not forward any proposal to this Department for relaxation.

4. Hindi version will follow.

Sd/-
(D.R. CHATTOPADHYAY)
Under Secretary to the Government of India

To:

1. All Ministries/ Departments of Government of India (As per standard list), 2. All Financial Advisers.

No. 17011/3/97-Estt. (Allowance)
Government of India
Ministry of Personnel, Public Grievances and Pension
(Department of Personnel and Training)

Dated: the 17th July, 1998

OFFICE MEMORANDUM

Subject: Fifth Central Pay Commission's recommendation relating to Honorarium payable under FR 46 (b)- Further guidelines to restrict payment of Honorarium.

The undersigned is directed to say that the Fifth Central Pay Commission in its report has recommended that Honorarium should be paid only when the employees are entrusted with

duties of a purely occasional nature and under no circumstances should any honorarium be paid for performing any functions that are legitimately part of one's defined duties and responsibilities.

2. In terms of the provisions of FR 46 (b), the Central Government may grant or permit a Government servant to receive an honorarium as remuneration for work performed which is occasional or intermittent in character and either so laborious or of such special merit as to justify a special reward. Except when special reasons, which should be recorded in writing, exist for a departure from this provision, sanction for the grant or acceptance of an honorarium should not be given unless the work has been undertaken with the prior consent of the Central Government and its account has been settled in advance.

3. Guidelines for payment of Honorarium under FR 46 (b) have already been laid down inter alia vide this Department's OM No. 17011/9/85- Estt. (AL), dated 23.12.1985 and OM No. 17020/1/91- Estt. (AL), dated 18.11.1991. It has also been clarified that no honorarium should be granted for temporary increases in work. It has, however, come to the notice of the Department of Personnel & Training that Honorarium is being paid in a routine manner by various Ministries/ Departments for regular items of work. Such payment of honorarium is against the provisions of FR 46(B) as well as the recommendations of the Fifth Pay Commission.

4. The recommendation of the Fifth Central Pay Commission has been accepted by Government and it has been decided that in addition to the items of work for which payment of honorarium is already prohibited under instructions issued by the Ministry of Finance and this Department from time to time, Ministries/ Departments should not grant honorarium for the items of work of a routine nature which form part of the duties and responsibilities of a government servant. An illustrative list of such items of work is enclosed (Annexure). It has also been decided that approval of the Financial Adviser should also be taken in cases in which the amount of honorarium payable to an individual in financial year exceeds Rs.2500/-.

5. It is also clarified that the amount of Rs.5000/ Rs, 2500/- payable 'in each case' by the Ministries/ Departments under the powers delegated to them vide this Department's O.M. No. 17011/9/85-Estt (AL), dated 23.12.85, refers to the total amount of honorarium, whether recurring or non-recurring, that may be paid to an individual in a financial year.

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

7. These orders will effective from the date of issue.

8. Hindi version is enclosed.

Sd/-
(J. Wislon)
Deputy Secretary to the Government of India

To

All the Ministries/ Departments of the Government of India.

Copy forwarded to The Comptroller & Auditor General of India (with 400 spare copies)

Copies also forwarded to:

1. Registrar General, Supreme Court of India.
2. Secretaries to Union Public Service Commission. Election Commission/ Lok Sabha Secretariat/ Rajya Sabha Secretariat/ Cabinet Secretariat/ Central Vigilance Commission/ President's Secretariat/ Vice President's Secretariat/ Prime Minister's Office/ Planning Commission.
3. Controller General of Accounts/ Controller of Accounts, Ministry of Finance.
4. Department of Personnel & Training (AIS Division/ JCA/ Admn. Section)
5. Additional Secretary (Home), Ministry of Home Affairs.
6. Joint Secretary (Union Territories), Ministry of Home Affairs.
7. Secretary, National Council (Staff Side), 13-C, Feroz Shah Road, New Delhi.
8. All officers/ Sections of the Department of Personnel & Training/ Department of Administrative Reforms & Public Grievances/ Department of Pension & Pensioner's Welfare

Sd/-
(J. Wislon)
Deputy Secretary to the Government of India

ANNEXURE

**ILLUSTRATIVE LIST OF ITEMS FOR WHICH
HONORARIUM SHOULD NOT BE PAID**

1. Compilation of demand for grants and preparation of Budget estimates (Except Budget work of the Budget division of Department of Economic Affairs)
2. Dealing with parliament questions.
3. Convening of DPCs for confirmation, promotion etc.
4. Incentive to personal staff of Ministers or to other officers and staff for meritorious work such as working for long hours.
5. Condemnation and disposal of unserviceable office stores.

6. Work relating to the issue of award of printing contract.
 7. Closing of annual GPF accounts/ Preparation of GPF statements (Except in the Indian Audit and Accounts Department where these items of work have not been taken into account while fixing staff norms.)
 8. Calculation of Income Tax.
 9. Work relating to the reviewing, weeding and transfer of old records.
 10. Preparation of bills for payment of bonus.
 11. Preparation of annual reports.
 12. Preparation of bills for D.A. arrears.
 13. Preparation/ Typing of Lists of files to be sent to departmental Record Room/ National Archives and similar other typing work.
 14. Stock verification of stationary stores.
 15. Supervising the job of vacating the stores and arranging segregation.
 16. Opening new pay bill ledgers.
 17. Taking out photocopies of various documents
 18. Special work in arbitration case.
 19. Work relating to confidential reports.
 20. Work relating to preparation of CGHS cards.
 21. Normal work relating to Hindi translation.
 22. Performing work relating to clearance drive.
 23. Exemplary work of commendable nature and devotion to duty
 24. Work connected with celebration e.g. anniversaries of setting up of Autonomous Bodies/ Organizations etc. under Ministries/ Departments
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No. 21011/263/9681-Estt. (Allowances)
Government of India
Ministry of Personnel, Public Grievances and Pensions
(Department of Personnel and Training)

New Delhi, the 20th January, 1997

New Delhi, 31st. March, 94

OFFICE MEMARNDUM

Subject: Delegation of Powers to Ministries/ Departments in the field of honorarium payable under FR 46 (b)- clarification regarding.

The undersigned is directed to refer to this Department's O.M. No.17011/9/85- Estt. (Allowances), dated 23.12.85 laying down the delegation of powers to Ministries/ Departments and Heads of Departments in the field of honorarium payable under FR 46(b) and to say that the monetary limits on payment of honorarium as prescribed therein are still in force and there has been no revision in the maximum amount of honorarium payable to a Govt. Servant during a year.

2. Instances have come to the notice of this Department where payment of honorarium exceeding Rs.5000/- has been made during a year on the plea that the limit of Rs. 5000/- is applicable to each item of work separately. It is clarified that the total amount of honorarium payable to a Govt. Servant during a financial year is limited to Rs. 5000/- under the powers delegated to the Ministries/ Departments/ C & A G of India and to Rs.2500/- under the powers of Heads of Deptts. These limits can not be exceeded in any case by treating different items of work or same item of work performed at different times of the year as separate for the purpose of calculating the entitlement of honorarium.

3. As already reiterated vide this Department's O.M. No.17020/1/91- Estt. (Allowances) dated 18.11.91 (copy enclosed), Ministries/ Departments should strictly follow the guidelines contained in FR 46(b) while considering the grant of honorarium.

4. Hindi version is enclosed.

Sd/-
(B. GANGAR)
UNDER SECRETARY TO THE GOVT. OF INDIA

To: All Ministries/ Department of Government of India (as per standard list)

Copy to:- Comptroller & Auditor General of India

No. 17020/1/91-Estt. (Allowance)
GOVERNMENT OF INDIA
MINISTRY OF PERSONNEL, PUBNLIC GRIEVANCES AND PENSIONS
DEPARTMENT OF PERSONNEL & TRAINING

New Delhi, 31st. March, 94

OFFICE MEMARNDUM

Subject: Grant of honorarium for translation from regional language to English/ Hindi & vice-versa.

In partial modification of this Department's O.M. of even number dated 23.11.92, the President is pleased to decide that the rates of honorarium payable for translation from regional languages to English/ Hindi & vice- versa will, hereafter be as follows:-

Existing Rates	Revised Rates
Ordinary Material- Rs.30/- p.th. w.	- Rs.40/- p.th. w.
Technical Material- Rs.40/- p.th. w. (including codes/ Manuals etc.)	- Rs.45/- p.th. w.

All other conditions laid down in the aforesaid O.M. will continue to be applicable for the grant of honorarium.

In so far as persons serving in the Indian Audit & Account Department are concerned, this issues with the concurrence of the Comptroller & Auditor General of India.

These orders will be effective rom the date of issue.

Hindi version is enclosed.

Sd/-
(B. GANGAR)
UNDER SECRETARY TO THE GOVT OF INDIA

To:

All Ministries / Departments (as per Standard List)
No. 17020/1/91-Estt. (Allowance), dated 31st March, 94

No. 17020/1/91-Estt. (Allowance)
DEPARTMENT OF PERSONNEL & TRAINING
ESTABLISHMENT (ALLOWANCE) SECTION

Dated: the 18.11.91

OFFICE MEMORANDUM

Subject: Delegation of more powers to Ministries/ Departments in the field of honorarium.

The undersigned is directed to refer to this Department's O.M. No. 17011/9/85-Estt (A1), dated 23.12.85 vide which Ministries/ Departments have been delegated powers for sanctioning honorarium under the provisions of FR 46(b). It has clearly been stipulated that the Central Government may grant or permit a Government servant to receive an honorarium as remuneration for work performed which is occassinal of intermitten in character and either so

laborious or of such special merit as to justify a special reward. Except when special reasons which should be recorded in writing, exist for a departure from this provision, sanction to the grant of acceptance of an honorarium should not be given unless the work has been undertaken with the prior consent of the Central Government and its amount has been settled in advance. It is also clarified that no honorarium is granted for temporary increase in work.

2. It has come to our notice that honorarium is being paid for work of regular nature, which is against the spirit of this Department's O.M> dated 23.12.85 referre to above. It is therefore, re-iterated, that the Ministries/ Departments should follow the guidelines contained in FR 46(b) strictly for grant of honorarium.

Sd/-
(Smt. P.V. Valsala G.Kutty)
UNDER SECRETARY TO THE GOVERNMENT OF INDIA

To:

All the Ministry / Department of Govt of India
(as per standard list)

No. 17016/8/87-Estt. (Allowance)
Government of India
Ministry of Personnel, Public Grievances and Pension
(Department of Personnel and Training)
Establishment (Allowances) Section

Dated: the 4. 2. 1992

OFFICE MEMORANDUM

Subject: Rates of honorarium to be granted to Reporters/ Interpreters / Stenographers for reporting proceedings of ad-hoc Committee/ Conferences.

The undersigned is directed to refer to this Deptt's O.M. of even number dated 25.05.88 on the subject mentioned above and to say that the question of consolidation of various Orders on the subject has been under consideration of the Government. It has now been decided in consultation with the Ministry of Finance, that in suppression of all previous orders, the following rates of honorarium will be applicable to Reporters/ Interpreters/ Stenographers for taking down verbatim reports of the proceedings of the Parliament/ State Legislature ad-hoc Committees, Conferences etc:-.

i.	Reporters/ Interpreters of Parliament and State Legislatures.	Rs. 80/- per day
ii.	Reporters of Government of India offices like ad-hoc Committees, Conferences etc. constituted by the Central Govt.	Rs. 45/- per day
iii.		Rs. 24/- per day

Stenographers (Gr. C & above) of the Ministries/ Attached/ Subordinate offices of the Government of India, State Governments, Private Organisations and Reporters and Stenographers of the Union Territory Administrations.
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2. Ministries/ Departments should ensure that the service of the Reporters/ Interpreters are requisitioned only in unavoidable circumstances.
3. In exceptional circumstances when no Stenographers (Gr. C & above) are available, services of Stenographers Gr. D in the Ministries / Attached Offices/ Subordinate Offices of the Government of India and of the Union Territory Administrations may be utilized and honorarium @ Rs.12/- per day may be granted in such cases.
4. No honorarium will, however, be paid to Reporters/ Interpreters/ Stenographers who are employed to take down reports other than verbatim reports of the meetings / conferences etc. arranged by various Ministries/ Attached Offices/ Subordinate Offices.
5. This will take effect from the date of issue.
6. In so far as persons serving in the Indian Audit & Accounts Departments re concerned this issues in consultation with the Comptroller & Auditor General of India.

Sd/-
(Smt. P.V. Valsala G. Kutty)
Under Secretary to the Government of India

To:

All Ministries/ Departments of Government of India
(as per standard list.)

No. 1711/9/85-Estt. (Allowance)
Government of India/ Bharat Sarkar
Ministry of Personnel, Public Grievances and Pension/
Department of Personnel and Training)

Dated: the 23rd December, 1985

OFFICE MEMORANDUM

Subject: Delegation of more powers to Ministries/ Departments in the field of honorarium.

The undersigned is directed to say that at present the powers delegated to the various authorities for sanctioning honorarium, under the provisions of FR 46 (b) are as under:

Sl. No.	Authority to which power is delegated	Extent of power delegated

1.	Ministries of the Govt. of India	Full power upto a maximum of Rs.1000/- in each case. In the case of recurring honorarium this limit applies to the total of the recurring payments made to an individual in a year.
2.	The C. & A.G.	Ditto
3.	All heads of Deptts.	Full power upto a maximum of Rs.500/- in each case. In the case of recurring honorarium, this limit applies to the total of the recurring payments made to an individual in a year.

2. the question of further delegation of powers to the Ministries/ Departments and Heads of Departments in the matter of sanctioning honorarium has been under consideration of this Department for some time and it has now been decided to delegate the powers further, as indicated below:

Sl. No.	Authority to which power is delegated	Extent of power delegated
1.	Ministries of the Govt. of India	Full power upto a maximum of Rs.5000/- in each case. In the case of recurring honorarium this limit applies to the total of the recurring payments made to an individual in a year.
2.	The C. & A.G.	Ditto
3.	All heads of Deptts.	Full power upto a maximum of Rs2,500/- (Rupees two thousand and five thousand only) in each case. In the case of recurring honorarium, this limit applies to the total of the recurring payments made to an individual in a year.

3. The above orders will take effect from the date of issue.

4. In so far as persons in the Indian Audit and Accounts Departments are concerned these orders issue in consultation with the office of the C. & A.G. of India.

5. Hindi version will follow.

Sd/-
(R. S. MEENA)
Under Secretary to the Govt. of India

To

All Ministries/ Departments of Govt. of India
No. 1711/9/85-Estt. (Allowance), dated. 23rd December, 1985

Copy also forwarded to:

1. C.& A.G. w.r.t. their D.O. No. 941-Audit- 1/143- DS, dt.13.12.85

2. M/ Finance, Deptt. of Expenditure w.r.t. their U.O.No.1526/E-11(B)/85, dated 5.12.. 1985

3. Fourth Pay Commission

Sd/-
(R. S. MEENA)
Under Secretary to the Govt. of India

No. 17016/9/80-Estt. (Allowance)
Government of India/ Bharat Sarkartr
Ministry of Home Affairs/ Grih Mantralaya
Department of Personnel and Administrative Reforms
(Karmik Aur Prashasnik Sudhar Vibhag)

Dated: the 28th April 1981

OFFICE MEMORANDUM

Subject:- Grant of honorarium to Class IV Staff who are required to work as Gestetner Operators for short periods..

The undersigned is directed to refer to Ministry of finance Office Memorandum No. 17016/1/E.II/ B-75, dated 23rd May 1975 on the above subject, and to say that it has now been decided that an honorarium at Rs.0.65 (Sixty five paise) per day instead of Rs. 0.40 (Forty paise per day) may be allowed for the days a Group 'D' employee actually performs the duties of Gestetner Operator during the absence of the regular Gestetner Operator on casual or regular leave for short periods when regular officiating arrangements in his place are not permissible or are not considered necessary.

2. Honorarium at the above rates will also be payable in those cases where a regular post of Gestetner Operator has not been sanctioned in an office but a Class IV employee attends to that item of work.. Honorarium at the above rate will also be admissible if the Class IV employee concerned works on the Gestetner Machine for half day or more in addition to his other work.

3. These orders take effect from the date of issue and past cases decided other-wise shall not be reopened.

4. So far as persons working in Indian Audit and Accounts Department are concerned, these orders have been issued after consultation with the Comptroller and Auditor General of India.

5. Hindi Version of this O.M. is enclosed.

Sd/-
(S. HARIHARAN)
UNDER SECRETARY TO THE GOVERNMENT OF INDIA

To: All Ministries/ Departments of Government of India etc.

As per standard distribution list.

(TO BE PUBLISHED IN THE GAZETTE OF INDIA, PART II
SUB- SECTION (II) OF SECTION 3)

No. 16013/1/93-Estt. (Allowances)
Government of India
Ministry of Personnel, Public Grievances & Pensions
(Department of Personnel & Training)

New Delhi, the 30th March, 2001

NOTIFICATION

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

- 1-
- (1) These rules may be called the Supplementary (Amendment) Rules, 2001.
 - (2) They shall come into force on the date of their publication in the Official Gazette.
2. For Supplementary Rule 12, the following shall be substituted, namely:-

"SR 12. Unless the President by special order otherwise directs, one third of any fees in excess of Rs.1500/- paid to a Government servant in a financial year shall be credited to the Consolidated Fund of India."

Note: The principal rule is being amended for the second time.

Sd/-
(D.R. CHATTOPADHYAY)
UNDER SECRETARY TO THE GOVERNMENT OF INDIA

To

Manager, Govt. of India Press,
Mayapuri, New Delhi.

All Ministries/ Departments of the Government of India as per standard distribution list etc. etc

No. 16012/7/97-Estt. (Allowances)
Government of India
Ministry of Personnel, Public Grievances & Pensions
(Department of Personnel & Training)

New Delhi, the 13th February, 1998

OFFICE MEMORANDUM

Subject:- Scheme of engagement of Consultants- Revision of guidelines regarding-

Normally, appointments are made in the Govt. against sanctioned posts. However, occasions may arise where for undertaking specific jobs of a specialized nature, specialists have to be appointed as Consultants. Such Consultants may be appointed either on a full-time or a part-time basis. In the case of a full-time Consultant, he is not allowed to take up any other assignment during the period of consultancy. In the case of a part-time Consultant, since the services are not availed of on a whole-time basis, there is no objection to his undertaking other jobs. Further, the officers engaged as Consultants could be either non-officials (outside experts) or retired Govt. servants.

2. The question of further streamlining the guidelines on the scheme of engagement of Consultants including the revision of fee payable to Consultants has been under consideration of the Government in the context of the revision of pay-scales of Central Government employees on the recommendations of the Fifth Central Pay Commission and it has now been decided that henceforth engagement of consultants (retired Govt. servants as well as outside experts) should be limited to skills which are not available within the cadre or in respect of specific and time-bound jobs like preparation of Project Reports etc. and no Consultant should be engaged for routine day-to-day work, for which regular staff is available, or to work as Personal staff of Senior Officers and Ministers if the job can be performed by a serving cadre Officer. Accordingly, in modification of the existing guidelines issued as per this Department's O.M. No. 1601/6/93- Estt. (Allow), dated the 21st December, 1993, the different aspects of the scheme of engagement of Consultants, including the payment of fee to them, will henceforth be regulated as under:-

(a) Criteria & Number of Consultants

Consultants should be engaged only to undertake specific jobs of a specialized nature and should not be appointed for the regular work of the Ministries/ Departments. Engagement of any Consultant (whether outside experts, i.e. those who have not been in Govt. service, or retired Govt. servants) should henceforth be limited to tapping of skills which are not available within the cadre or for attending to specific and time-bound jobs like preparation of Project Reports etc. and engagement of Consultants should not at all be allowed for routine day-to-day work for which the Ministries / Departments have regular staff support.

The strength of Consultants should be restricted to 10% of the total number of posts at the level of Joint Secretary and above within the Ministry/ Department, including attached/ subordinate offices, except in case of the Planning Commission, where the maximum number of consultants can be upto 25. When retiring/ retired Govt. servants are engaged as consultants, the number of such Govt. servants shall not exceed two at any time. In exceptional cases, where a consultant is engaged for performing regular work, the post earmarked for such work should be kept vacant till he completes the work as Consultants.

In respect of Ministries/ Departments having special problems, where appointment of retired/ retiring employees in large number is unavoidable, proposals may be made separately for such appointment beyond the permissible limit to the Department of Personnel & Training and Ministry of Finance.

(b) Period of engagement

Consultants may be engaged for the minimum period required. The maximum period of engagement should not exceed two years in case of outside experts. (An outside expert is one who has not been in Govt. service.). However, in case of retiring / retired Govt. servants, the

period of engagement as Consultants should not be engaged for jobs which cannot be completed within a period of two years or six months, as the case may be.

© Age limit

No retired Govt. servant should be engaged as a Consultant beyond the age of 62 years. No relaxation of age limit shall henceforth be allowed by the Department of Personnel & Training.

(d) Fee

The consolidated fee payable may be decided in each case by Ministries/ Departments in consultation with their Financial Advisers after taking into account all the relevant factors including the level of the post which the individual held on the date of his retirement.

In the case of non-officials (outside experts), the fee will henceforth be subject to a ceiling of Rs. 26000/- p.m. (with no DA, HRA, CCA or any other relief) if the engagement as Consultant is on a whole-time basis and of Rs. 13,000/- p.m. (with no DA, HRA, CCA or any other relief) if the engagement is on a part-time basis. In the case of retiring/ retired Govt. servants engaged as full-time consultants, the fee will be fixed subject to a ceiling of Rs. 13,000/- p.m.. They will also draw their pension and relief thereon in addition. If the retiring/ retired Govt. servant is engaged as a part-time consultant the fee will be subject to a ceiling of Rs. 65000/- p.m. (without any adjustment of the pension drawn by him). In case any Ministry/ Department wishes to appoint any retired Govt. servant as a consultant at a fee higher than the limit prescribed, it should obtain the approval of the Appointments Committee of the Cabinet by following the procedure prescribed in this regard.

Special care should be taken to ensure that henceforth the fee is fixed at an appropriate amount and is not fixed at the maximum, as has been the tendency hitherto, when the fee was routinely fixed at Rs. 4000/ 8000/. Further, in the case of a retired Govt. servant engaged as a full-time consultant, it should be ensured that the fee plus pension drawn by him should not exceed the last pay drawn, provided that in the case of a pre- 1.1.96 retiree the notional pay he would have drawn as on 1.1.96 in the revised pay scale on the basis of the last pay drawn by him before retirement in the pre-revised pay scale shall be treated as the 1st pay drawn. In the case of a retired Govt. servant engaged as a part-time consultant, the fee should not exceed half the amount of last pay drawn, or deemed to have been drawn, as the case may be., Wherever it is considered appropriate, Ministries/ Departments could consider the payment of fee on a lump sum basis in two or three installments, keeping in view the quantum of work handled by the Consultant.

3. The provisions regarding payment of TA, DA and the facility of Telephone and Accommodation will continue to the same as prescribed under this Department's OM dated 21.12.93.

4. The Financial Advisers of the Ministries/ Departments should ensure that no consultant (outside expert or retired Govt. servant) is engaged/ continued to be engaged in violation of these instructions so that there is no case for seeking ex-post-facto approval for regularizing any infringement thereof. No extension of consultancy should be allowed without the prior approval of the Deptt. of Personnel & Training. Proposals for extension of consultancy, if at all required in any case in public interest, as also for any other relaxation of the conditions, should be forwarded through the Financial Adviser of the concerned Ministry/ Department. To facilitate proper/ timely scrutiny of the proposal for extension of consultancy in any genuine case, up to date information regarding the Consultants in position in the Ministry/ Department as a whole (as per prescribed

proforma) should be forwarded, on file. However, no relaxation of the period of the consultancy of retired Govt. servants beyond a total period of one year and the age limit of 62 years in their case shall henceforth be considered/ allowed in any case.

5. Ministries/ Departments are also requested to ensure that to facilitate central monitoring of the scheme of engagement of Consultants, the information about the consultants employed in the Ministries/ Departments including subordinate offices, as on 1 Jan. and 1 July of every year should be forwarded to this Department in the prescribed proforma well in time.. The Financial Advisers may also adopt appropriate procedures for the requisite monitoring of the scheme within the Ministry/ Department.

6. These orders take effect from 1st December, 1997. the fee of the Consultants who are engaged on or after 1.12.97 as also of those engaged earlier but whose consultancy is continued beyond that date, with proper approval, may be refixed w.e.f. 1.12.97, keeping in view the provisions of para 2 (d) above.

Hindi version will follow.

Sd/-
(B. GANGAR)
UNDER SECRETARY TO THE GOVT. OF INDIA

To:

All Ministries/ Departments of the Govt. of India
(As per Standard List)

No. 16012/7/97-Estt. (Allowances), New Delhi, the 13th February, 1998
Copy forwarded to Comptroller & Auditor General of India.

Copy also forwarded to:-

1. Controller General of Accounts/ Contrtoller of Accounts, Ministry of Finance.
2. Union Public Service Commission/ Supreme Court of India/ Election Commission/ Lok Sabha Secretariat/ Rajya Sabha Secretariat/ Cabinet Secretariat/ Central Vigilance Commission/ President's Office/ Planning Commission.
3. Department of Personnel & Training (AIS Division, JCA, Administration Section)
4. All State Governments and Union Territories Administration.
5. Secretaries to Governors of all States/ Lt. Governors of Union Territories.
6. Secretary, National Council (Staff Side), 13-C Feroz Shah Road, New Delhi.

7. All Members of the Staff Side of National Council of JCM/
Departmental Council.

8. All Officers/ Sections of the Department of Personnel and Training/
Deptt. of Administrative Reforms & Public Grievances/ Department of
Pensions & Pensioners Welfare.

9. Ministry of Finance, Deptt. of Expenditure (E-II-A) Branch.

10. Official Language Wing (Legislative Department) Bhagwan Das Road,
New Delhi.

11. Railway Board.

12. 500 spare copies.

Sd/-
(B. GANGAR)
UNDER SECRETARY TO THE GOVT. OF INDIA

No. 16013/1/93-Estt. (Allowances)
Government of India
Ministry of Personnel, Public Grievances & Pensions
(Department of Personnel & Training)

New Delhi, the 21 January, 1998

OFFICE MEMORANDUM

Subject:- Instructions regarding acceptance of fees by Central Government employees (other than acceptance of fees by Medical Officers in civil employ)- Modification of-

The undersigned is directed to refer to this Department's O.M. No. 16013/1/79- Estt. (Allowances) dated 11th February, 1980 relating to acceptance of fees by Central Govt. employees (other than acceptance of fees by medical Officers in civil employ), read with O.M. No. 16011/3/81-Estt. (Allowances) dated 19.5.81 & 15.10.83 and to say that the operation of SR-12 has since been reviewed and it has been decided that in respect of occasional and casual work performed outside the office hours, unless otherwise provided, a Government servant may henceforth retain the full fee received by him upto a limit of Rs.1500/- in a financial year. Non-recurring and recurring fee should be dealt with separately and should not be added for the purpose of crediting one-third amount to the general revenues. In the case of non-recurring fee, the limit of Rs.1500/- should be applied in each individual case and in the case of recurring fee, the limit should be applied with reference to the total of recurring fee received in a financial year.

2. Further, it has also been decided that where prior sanction of the competent authority for undertaking the outside work or activity and the acceptance of fee has already been taken by a Govt. servant as required under SR-11 or Rule 15 of CCS (Conduct) Rules, the requirement of crediting, under SR-12, 1/3 of the amount of fee (if it exceeds Rs. 1500/- in each case in respect

of non-recurring fees and in a year respect of recurring fees, subject to the condition that the fee retained by him does not fall short of Rs.1500/-) to the general revenues will henceforth be enforced in the following types of cases only:-

(i) Where a Government servant receives sale proceeds or royalties on a book which is a mere compilation of Govt. rules, regulations and procedures. However, the requirement of 1/3rd deduction in such a case can be relaxed, with the concurrence of Deptt. of Personnel & Training, provided that a certificate is furnished by the Ministry/ Department concerned at the level not below the rank of Joint Secretary to the effect that "such a book is not a mere compilation of Govt. rules, regulations and procedures but it reveals the author's scholarly study of the subject". If the Officer in whose case the exemption under SR- 12 is sought is himself of the status of a Joint Secretary or above ,the certificate should be furnished by the next higher officer;

(ii) Where a Govt. servant is permitted under SR-11 to perform clerical, administrative or technical work of an occasional or casual nature for a private body including a private body engaged in literary, cultural, artistic, scientific, charitable or sports activities and accepts fee there from. The words "private body" include as co-operative societies and societies registered under the Societies Registration Act which are not subject to administrative control by Govt."

(iii) Where income is received for publishing a book or contributing an article on subjects other than those on literary, cultural, technological and scientific subjects (including management sciences);

(iv) Where income received by a Govt. servant from a regular remunerative occupation is in the nature of part-time employment permitted by the Govt. or the competent authority under Conduct Rule 15; and

(v) Where income is received for exploitation of a patent taken out without the permission of the competent authority.

3. Other terms & conditions would remain the same.

4. These orders will come into force from the date of issue.

5. Formal amendment to SR- 12 will follow.

6. In so far as the personnel of the Indian Audit and Accounts Department are concerned, these orders issue in consultation with the C & AG of India.

7. Hindi version is enclosed..

Sd/-
(B. GANGAR)
UNDER SECRETARY TO THE GOVERNMENT OF INDIA

To:

All Ministries/ Departments of Government of India
(As per standard distribution list)

No. 16013/1/93-Estt. (Allowances) New Delhi, the 21 January, 1998

Copy also forwarded to :-

1. Controller General of Accounts/ Controller of Accounts, Ministry of Finance.
2. Union Public Service Commission/ Supreme Court of India/ Election Commission/ Lok Sabha Secretariat/ Rajya Sabha Secretariat/ Cabinet Secretariat/ Central Vigilance Commission/ President's Office/ Planning Commission.

No. 16011/6/93-Estt. (Allowances)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

New Delhi, the 21st December, 93

OFFICE MEMORANDUM

Subject:- Scheme of engagement of Consultants

The undersigned is directed to refer to the Department of Personnel & Training's O.M. No.16014/8/84- Estt. (Allow) dated 29-8-2004, OM No. 16014/12/86- Estt. (Allow) dated 29-10-87 modified vide OM No. 16012/3/88- Estt. (Allow) dated 18-4-88, OM No. 16014/12/86- Estt. (Allow), dated 6-8-88 & 15-12-88, OM No. 21011/18/89- Estt. (Allow), dated 8.10.90 and OM No. 16011/8/93- Estt. (Allow) dated 26.8.93 on the subject mentioned above and to say that the need for consolidating these instructions has been felt for long and it has now been decided that the different aspects of the scheme of engagement of consultants will hereafter be regulated as under:-

(a) Criteria and Number of Consultants

Consultants are engaged to undertake specific jobs of a specialized nature and should not be appointed for the regular work of the Ministry/ Department. They can be engaged on full-time or part-time basis. Full-time Consultants are not allowed to take up any other assignments during the period of consultancy, whereas there is no objection to the part-time consultants taking up other assignments.

The strength of Consultants should be restricted to 10% of the total number of posts at the level of Joint Secretaries and above within the Ministry/ Department including attached/ subordinate offices except in the case of Planning Commission where the maximum number of Consultants can be upto 25. When retiring retired employees of the Ministry/ Department are engaged as Consultants, the number of such employees shall not exceed two at any time. In exceptional case, where a Consultant is engaged for performing regular work, the post earmarked for such work should be kept vacant till he completes the work as Consultant.

In respect of Department having special problems where appointment of retired/ retiring employees in large number is unavoidable, proposals may be made separately for such

appointment beyond permissible limits to the Department of Personnel & Training and the Ministry of Finance.

(b) Period of engagement:

Consultants may be engaged for the minimum period required. The maximum period should not exceed two years in the case of engagement of outside experts. (An outside expert is one who has not been in Govt. service). However, in the case of retiring/ retired employees of the Ministry/ Department being appointed as Consultants, the maximum period should not exceed six months.

© Age Limit

Having regard to the age of retirement at 58 years, it has been decided that not retired/ retiring Govt. servant should be engaged or continue to engaged as Consultant beyond the age of 62 years. The period of engagement will continue to be regulated as at (b) above.

(d) Fee

The consolidated fee payable may be decided in each case by Ministries/ Departments in consultation with their Financial Adviser after taking into account all the relevant factors, including the level of the post which the individual held on the date of his retirement.

In the case of non-officials (Outside experts), the fee will be subject to a ceiling of Rs. 8000/- p.m. (with no DA, HRA, CCA or any other relief if the appointment as Consultant is on a whole-time basis and Rs.4000/- p.m. (with no DA, HRA, CCA or any other relief) if the appointment if on a part-time basis. In the case of retiring / retired Govt. servants engaged as full-time Consultants, the fee will fixed subject to a ceiling of Rs.4000/- per month. They will also draw their pension and relief thereon in addition. If the retiring / retired Govt servant is appointed as art-time Consultant, the fee will be subject to a ceiling of Rs.2000/- p.m. (without any adjustment of the pension drawn by him). In case any Ministry/ department wish to appoint retired Govt. servants as Consultants on a fee higher than the limits prescribed, they should obtain the approval of the Appointments Committee of the Cabinet by flowing the procedure prescribed in this regard.

(e) TA/ DA

TA/ DA may be allowed to Consultants as per normal rules applicable to any serving officer of an equivalent rank in the Ministries/ Departments.

(f) Telephone

Consultants will not be entitled to telephone facilities.

(g) Transport

Consultants will not be entitled to transport facilities. However, they will be allowed reimbursement of conveyance charges of the same terms and conditions as admissible to serving officers of equivalent rank under the Delegation of Financial Power Rules. They will also not be allowed use of staff car for private purposes and also for journeys between residence and office as is admissible to officers of the rank of joint Secretary and above.

Any relaxation of the conditions at (f) and (g) above will be with the concurrence of Ministry of Finance.

(h) Accommodation

Consultants will not be allowed residential accommodation from Central Govt. pool. However, there is no objection if a Department has its own pool and desires to allot accommodation from that pool to Consultants. Power to allot such accommodation will vest within the Administrative Ministry/ Department.

2. In order to facilitate central monitoring of the scheme of engagement of Consultants Ministries/ Departments should send the information about the Consultants employed in the Ministry/ Department including the subordinate offices, as on 1st January and 1st July every year. This information is the prescribed proforma (annexure should reach the Department of Personnel & Training by 10th January/ 10th July every year.

3. The Financial Advisers of the Ministries/ Departments concerned should ensure that these guidelines are properly adhered to by them while engaging Consultants. Proposals involving relaxation of any of the above conditions should be submitted for consideration of Department of Personnel and Training with the approval of the Financial Adviser of the concerned Ministry/ Department and also the Minister concerned in the case of relaxation in the prescribed age limit.

4. These orders take effect from the date of issue.

5. Hindi version of the O.M. will follow.

Sd/-
(B. GANGAR)
UNDERSECRETARY TO THE GOVT. OF INDIA

To:

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

No. 16011/6/93-Estt. (Allowances), New Delhi, the 21.12 1998

Copy also forwarded to:-

1. Comptroller & Auditor General of India.

2. Controller General of Accounts/ Controller of Accounts, Ministry of Finance.

3. Secretaries to the Union Public Service Commission/ Supreme Court of India/ Election Commission/ Lok Sabha Secretariat/ Rajya Sabha Secretariat/ Cabinet Secretariat/ Central Vigilance Commission/ President's Office/ Planning Commission.

4. All State Governments and Union Territories Administration.

6. Secretaries to Governors of all States/ Lt. Governors of Union Territories

7. Secretary, National Council (Staff Side), 13-C Feroz Shah Road, New Delhi.

8. All Members of the Staff Side of National Council of JCM/ Departmental Council.

9. All Officers/ Sections of the Department of Personnel and Training/ Deptt. of Administrative Reforms & Public Grievances/ Department of Pensions & Pensioners Welfare.

10. Ministry of Finance, Deptt. of Expenditure (E-II-A) Branch.

11. Official Language Wing (Legislative Department) Bhagwan Das Road, New Delhi.

12. Railway Board.

12. JCA Section

13. 500 spare copies.

Sd/-
(B. GANGAR)
UNDER SECRETARY TO THE GOVT. OF INDIA

INFORMATION ON CONSULTANTS

1. Name of ministry/ Department -----

2. Total strength of JS & above level officers (for the Ministry/

Department including Attached and subordinate offices-----

3. Number of Consultants-----

Name of the Consultant and date of birth	Status (Official or non-Official	Period of engagement	Fee	Provision, if any relaxed (with details)	Whether approval of DoPT taken, if necessary

No. 16011/3/81-Estt. (Allowances)
Government of India/ Bhaqrat Sarkar
Ministry of Home Affairs/ Grih Mantralaya
Department of Personnel and Administrative Reforms
(Karmik Aur Prashasnik Sudhar Vibhag)

New Delhi, the 15th October, 1983

OFFICE MEMORANDUM

Subject:- Terms of deputation etc. for Government who are permitted to take up short term foreign assignment/ Consultancy with United Nations and other International Agencies like World Bank, Asian Bank, ESCA.P etc.

The undersigned is directed to refer to the consolidated instructions relating to the acceptance of fees by Central Government employees, contained in this Department's OM No.16013/1/79- Estt. (All), dated 11.2.1980 and the instructions regarding to exemption from the operation of SR.12 relating to fees received by Government employees permitted to take up short-term consultancy/ assignment with United Nations and other International Agencies issued vide this Deptt.s OM NO.16011/3/81- Estt. (All), dated 19.5.81 and to say that the Government of India have had, under consideration, the question of laying down certain guidelines to ensure uniformity in the terms and conditions that may be offered to Central Govt. employees permitted to undertake foreign assignment/ consultancy with United Nations and other International Agencies like World Bank, Asian Bank, ESCAP, etc.

2. It has been decided, in consultation with the Ministry of Finance, that the terms and conditions in regard to pay and allowances and the treatment of period spent on short term assignment / consultancy with the UN and other International Agency should be regulated as under:-

(a) Where the UN or other International Agency offers to the Government servant pay and allowances according to its own rules the period spent with the Agency by the Government servant will be treated as foreign service. The Agency would be required to pay contributions on account of leave salary and pension for the period of foreign service/ consultancy. If the Agency does not pay these contributions, the government servant himself should pay such contributions. In cases where leave salary and pension contributions are not paid either by the Agency or by the Govt. servant concerned the period spent on foreign service will not count as qualifying service for pension and for determining the leave entitlement.

(b) Where the Government of India sponsors a Government servant for a short term assignment/ consultancy with UN and other International Agency and the Government servant so sponsored is paid by the Agency only subsistence allowance (ie. Daily Allowance) or consultancy fee/ honorarium or both and not pay and allowances as per its own rules the Government servant would be treated as on deputation to the Agency and allowances would be paid by the Government of India. The Government servant would be treated as on duty for the entire period of deputation with the Agency. Contributions towards leave salary and pension are not payable in such cases.

© In cases other than these covered by (a) and (b) above where a Govt. to take up short term assignment/ consultancy with UN and other International Agencies and the Agency offers only subsistence allowance or fee/ honorarium or both, the period of absence of the Government servant would be treated as leave due and admissible to him. No contribution on account of leave salary and pension will be payable in such cases.

(d) In the cases of government servant whose appointment with the Government is on contract basis, if the duration of assignment/ consultancy with UN or other International Agencies is more than 45 days, the contract appointment should be terminated w.e.f. the he hands over charge for taking up the assignment/ consultancy. If after completion of the assignment / consultancy with the Agency the services of the official are still required, his appointment will have to be on a fresh basis. In case the duration of the Assignment/ Consultancy is 45 days or less, the period of assignment, consultancy will be regulated under sub-clause (a), (b) and (c) above.

3. In the context of the decisions contained in the above paragraph, the following points which are relevant to the issue are also clarified for the guidance and information of all the Ministries/ Departments of Central Government:-

(A) Employment during Leave:

Doubts have been raised in the past whether in cases where the period of foreign assignment/ consultancy is covered by the grant of leave due and admissible to the Government officer concerned, the officer can be allowed to accept employment in the form of assignment/ consultancy in view of the provisions contained in Rule 13 of the Central Civil Services (Leave) Rules, 1972 which provide that an officer on leave is prohibited from taking up any service or employment, without obtaining the previous sanction of the competent authority, during the period of his leave. The above rule further provides that such sanction is not to be granted ordinarily and in exceptional cases either the services of the offer be transferred to the office where he intends to work during leave or he may be required to resign.

It is clarified that in cases where the officer is permitted to take up foreign assignment/ consultancy with UN and other bodies, permission by the competent authority to the officer to accept foreign assignment/ consultancy would automatically carry with it also the permission under Rule 13 of the CCS (Leave) Rules, 1972.

(B) Provision for Scientists, Technologists and Medical Specialists

In paragraph 8 of O.M. No.16013/1/79- All, dated 11.2.80 it has been provided that scientists, technologists and medical specialists working under the Central Government, who, in the overall interest of research and development, are permitted by Government to take full time assignment either in foreign countries or within the country, as Visiting Professors, Students, etc. In Universities or Scientific/ Medical Institutions, received by them, subject to the following conditions:

- (i) They may be granted Extraordinary leave during the period of such assignment;
- (ii) The assignments should not be of more than two years duration at a time; and
- (iii) They shall pay pension contribution to the Gov. of India, as payable under the provisions of Fundamental Rules by a Govt. Servant if sent on deputation on foreign service. In the case of those who are governed by the Contributory Provident Fund Rules, they should themselves contribute the employer's share of contributions with reference to the emoluments which the official would have drawn had he been on duty in India.

It has been further provided that the above benefit will, however, not be applicable to (a) temporary employees with less than three years continuous service: and (b) re-employed pensioners. Persons appointed on contract will also not be eligible unless they have put in not less than three years' of service under the Central Government and they give an undertaking to service the Government on return from foreign assignment for a period of at least three years whether on contract or otherwise.

A view has been expressed that the above provisions are less liberal than the provisions contained in paragraph 2 supra. It has, therefore, been decided that the scientists, technologists and medical specialists permitted to take up short term foreign assignment/ consultancy with United Nations and other International Agencies may be given an option either to be governed by the provisions contained in paragraph 8 of O.M. dt 11.2.80 or provisions contained in paragraph 2 supra.

As per the provisions contained in para G(iii) of OM dated 11.2.80, payments received by Govt. servants for writing reports/ papers or study reports / papers or study reports on selected subjects for International bodies like the UN UNESCO, etc. are not subject to crediting 2/3rd of the amount under S.R. 13 to general revenues. In consultation with the Ministry of Finance and the C & AG, orders have since been issued vide this Department's O.M. No. 16011/3/81- Estt. (Al), dt. 19.5.81 providing that in cases under a Govt. servant writes a paper or a report etc. (aided by knowledge or acquired by him in the course of his service) on behalf of the United Nations or other International Agencies and such report has been written as an outcome of short term consultancy, the account paid by the agency on account of such work shall also be exempted from the cut under S.R. 13. In all other cases not covered under the orders referred to above the consultancy fee/ honorarium received by the officers for the short term assignment/ consultancy with the UN and other International Agencies will be subject to the cut as per provisions of S.R. 13.

(D) Other terms and conditions

Apart from what has been provided in this OM a Government servant permitted to take up foreign assignment/ consultancy with the World Organisations such as United Nations, World Bank, FAO, ESCAP etc. will not be entitled to any other payments or concessions from the Government of India and the other terms and conditions, like those for passage , T.A. etc. will be as settled with the borrowing organization.

(E) Short-term Consultancy

For the purpose of the aforesaid orders short term assignment/ consultancy means an assignment of not more than 3 months duration.

4. Vacancies exceeding forty five days caused on account of the officials having been sponsored by the Government of India to take up short term foreign assignment/ consultancy with the United Nations and other International Agencies, may be filled up by Ministries, etc. in the normal manner. Vacancies of duration of forty five days or less should not be filled up. Filling up of leave vacancies will be governed by the normal rules.

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

6. Hindi version of this O.M. is enclosed

Sd/-
(C.V. SRINIVASAN)
Director

To: All Ministries/ Department of the Government of India

No. 16011/3/81-Estt. (Allowances)New Delhi, the 15th October, 1983

TRANSIT TIME/ JOINING TIME

No. 21011/12/79- Allowances
Government of India/ Bharat Sarkar
Ministry of Home Affairs/ Grih Mantralaya
Department of Personnel & Administrative Reforms
(Karmik Aur Prashasnik Sudhar Vibhag)

New Delhi, the 16th November

OFFICE MEMORANDUM

Subject: Transit time/ Joining time to cover journey from / to a remote locality while proceeding on/ or returning from leave.

With the promulgation of of the Central Civil Services (Joining Time Rules, 1979, certain provisions of RFs and SRs and Government Orders there under relating to transit time / joining time admissible to Government servants to cover journeys from/ to a remote locality while proceeding on/ or returning from leave or on transfer have become inoperative. As regards joining time to remote localities on transfer, there will be no difficulty because of heads of departments may utilize Rule 5(5) of the new joining time rules. As regards such journeys during leave suitable provisions are proposed to be made in the Central Civil Services (Leave) Rules.

2. Pending amendment to the Central Civil Services (Leave) Rules, the following administrative instructions are issued:-

(1) A Government servant proceeding on leave from/ to a place in the remote locality mentioned in column 1 of the Annexure or returning from leave to/ from the said place shall be entitled, once in a calendar year to transit time each way to cover the period spent in journey between the said remote locality and the specified station at the scale prescribed in column 3 of that Annexure.

(2) A Government servant domiciled in the Union Territory of Andaman and Nicobar Islands or the Union Territory of Lakshadweep and proceeding on leave to his home town in another island of the Union Territory concerned, shall be entitled, once in a calendar year, to transit time to cover the period spent in journey by sea to the island in which his home town is located and vice versa while returning from leave. The transit time thus admissible shall be the actual number of days taken in the journey by sea subject to a maximum of seven days for each journey.

(3) Where the outward journey falls in one calendar year and the return journey falls in the succeeding calendar year, the concession shall be counted against the calendar year in which the leave commences. In calculating transit time, holidays falling before or at the end of it shall be excluded while those falling during transit time shall be included.

3. These will take effect from 8.5.1979.

4. In so far as Indian Audit and Accounts Department is concerned, these orders have been issued in consultation with the Comptroller and Auditor General of India.

5. The Ministry of Finance etc. may kindly bring these provisions to the notice of all concerned.

6. The Office Memorandum No. 21011/2/79-Allowances, dated 25th May, 1979, on the subject noted above is hereby cancelled.

Sd/-
(B.S. Nim)
Deputy Secretary to the Government of India

To:

1. All Ministries/ Departments of Government of India.
2. The Comptroller and Auditor General of India, New Delhi
3. President's Secretariat
4. Vice President's Secretariat
5. Prime Minister's Office
6. Lok Sabha Secretariat
7. Rajya Sabha Secretariat
8. Cabinet Secretariat
9. Union Public Service Commission, New Delhi
10. Supreme Court of India
11. Election Commission
12. Planning Commission
13. Staff Selection Commission, Khan Market, new Delhi

No. 19011/30/81- Allowances
Government of India/ Bharat Sarkar
Ministry of Home Affairs/ Grih Mantralaya
Department of Personnel & Administrative Reforms
(Karmik Aur Prashasnik Sudhar Vibhag)

New Delhi, the 13th October, 1981

OFFICE MEMORANDUM

Subject: Grant of Transit time/ Joining time to cover journey from / to a remote locality while proceeding on/ or returning from leave.

The undersigned is directed refer to this Department's OM No.21011/12/79-Allowances, dated 16th November. 1979 on the above mentioned subject and to issue the following executive instructions, pending amendment to the Central Civil Services (Leave) Rules:-

1) The Chief Commissioner, Andaman (CC) and the Administrator, Lakshdweep shall be empowered to grant extended joining time upto 15 das under SR 294-A to Govt. Servants while proceeding to and on returning from leave in cases of enforced halt at Calcutta/ Madras on account of delayed sailing of the ship. The Chief Commissioner/ Administrator shall further be authorized to re-delegate these powers to Heads of offices under their Administrative Control.

2) The Chief Commissioner/ Administrator are delegated full powers to increase the maximum period of 7 days joining time in special circumstances when a voyage to or from Calcutta or Madras takes a longer time.

3) A govt. servant domiciled in the Union Territory of Andaman and Nicobar Islands and recruited for service within that territory, when posted for service on mainland in the public interest shall be entitled to joining time once in a year while proceeding to and returning from Andaman and Nicobar Lakshadweep Islands on leave.

Sd/-
(M.R. Bhardwaj)
Director

To:

- 1.All Ministries/ Departments of Government of India.
- 2.The Comptroller and Auditor General of India, New Delhi
- 3.President's Secretariat
- 4.Vice President's Secretariat
- 5.Prime Minister's Office
- 6.Lok Sabha Secretariat
- 7.Rajya Sabha Secretariat
- 8.Cabinet Secretariat
- 9.Union Public Service Commission, New Delhi
- 10.Supreme Court of India
- 11.Election Commission
- 12.Planning Commission
- 13.Staff Selection Commission, Khan Market, new Delhi

Ministry of Home Affairs/ Grih Mantralaya
Department of Personnel & Administrative Reforms
(Karmik Aur Prashasnik Sudhar Vibhag)

New Delhi, the 29th January, 1983

OFFICE MEMORANDUM

Subject: CCS (JT) Rules 1979- Manner of regularisation of the period intervening between handing over charge at the old station and taking over at the new, in the case of transfer at one's own request.

The undersigned is directed to say that under rule 4 (i) of the Central Civil Services (Joining Time) Rules, joining time is admissible in cases of transfer in public interest. The question as to how the period between the date of handing over charge at an old station and that of taking over at another station should be regulated in the case of Government servants who are transferred on their own request, has been under consideration. It has now been decided that in the case of transfer of a Government servant at his own request, there is no objection to his being granted regular leave as admissible by the competent authority under the leave rules applicable to him to cover the period between the date of handing over charge at an old station and that of taking over at another, if the Government servant applies for fit and the competent authority is willing to sanction it.

2. These orders will take effect from 8.5.1979 i.e. the date from which the CCS (Joining Time) Rules came into force.
3. In so far as persons serving in the Indian Audit and Accounts Department are concerned, these orders have been issued in consultation with the Comptroller and Auditor General of India.
4. The Ministry of Finance etc. may kindly bring these provisions to the notice of all concerned.

Sd/-
(C.V. Srinivasan)
Director

To:

All Ministries / Departments of the Government of India.
(As per standard list)

No. 19011/16/88- Allowances
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

New Delhi, the 15th January, 1988

OFFICE MEMORANDUM

Subject: Utilisation of holidays / off days for journey period in case of transfer from one station to another of an official at his own request

The undersigned is directed to refer to this Department's OM No.19011/33/81- Estt. (Al), dated 29.1.83 in which instructions have been issued that in the case of no objection to his being granted regular leave, as admissible, by the competent authority under the leave rules applicable to him to cover the period between the date of handing over charge at an old station and that of taking over at the new station if the government servant applies for it and the competent Authority is willing to sanction it. Accordingly, when an official is relieved on transfer at his own request on the eve of holiday/ holidays and reports for duty at the transferred Station in the forenoon after the holiday/ holidays, the employee is required to, take leave for the intervening holidays.

2. The question whether the Government servant is required to take regular leave to cover such holidays has been under intervening holidays may be deemed to have been availed of by the Government servant as 'holidays' and he may not be required to take leave for such holiday/ holidays.

3. Pay for holidays intervening the date of relief and the date of joining the new place will be borne by the Department where the Government servant joins after his transfer.

4. In so far as the persons serving in the Indian Audit and Accounts Departments are concerned, this issues with the concurrence of the Comptroller and Auditor General of India.

5. Hindi version of the O.M. is also enclosed.

(S.K. Sreedharan)

Under Secretary to the Govt. of India

To:

All the Ministries / Departments of the Government of India

(as per standard list)

RISK ALLOWNACE

No. 21012/4/88- Allowances
Government of India/ Bharat Sarkar
Ministry of Personnel, Public Grievances & Pensions
(Department of Personnel & Training)

New Delhi, the 22nd August,, 1988

OFFICE MEMORANDUM

Subject: Risk Allowance to Central Government employees.

The undersigned is directed to refer to the recommendations of the IV Pay Commission contained in paragraph 17.23 of their Report relating to grant of Risk Allowance to Central Government employees whose duty involves risk and to say that in pursuance of this, a Committee was constituted and after considering the recommendations of the Committee, the President is pleased to decide as follows:-

(i) For determining the categories of staff exposed to risk in employment the following criteria may be adopted:-

- those engaged in duties involving greater hazards or whose health is liable to be adversely affected progressively over a long period of time because of the particular avocation, and

- Sweepers/ Safaiwalas engaged in cleaning of underground drains, sewer lines, those working in trenching grounds and Infectious Diseases Hospitals.

(ii) The existing categories of Government servants who are in receipt of Risk Allowance may continue to get the same at rates as under:-

(a) Unskilled workers.....Rs.20/- per. month.

(b) Semi-skilled workers.....Rs.30/- per-month.

(c) Skilled workers.....Rs.40/- per. month.

(d) Supervisors.....Rs.50/- per. month

(e) Gazetted officers (engaged in Nitro Glycerin preparation).....Rs.150/- per. month

(f) Non-gazetted officers (engaged in Nitro Glycerin preparation).....Rs.90/-per month

(f) Danger Building Officers.....Rs.200/- per month

(iii) Where a category of Government servants in a Department is in receipt of Risk Allowance, similar categories of Government servants in other Ministries/ Departments shall also be considered for grant of Risk Allowance under similar conditions, e.g. Safaiwalas/ Sanitary Cleaners working in underground drains, sewer lines, infectious diseases hospitals etc.

(iv) The Risk Allowance will not be treated as "Pay" for any purpose.

2. A review of the existing categories who are already in receipt of risk allowance may be conducted to ensure that the benefit is given only to those strictly covered under the criteria laid down in paragraph 1 (i) above. The review should be completed within a period of 3 months and report furnished to this Department.

3. Proposal for inclusion of any new category fulfilling the criteria as indicated above may be processed by the concerned Ministries in consultation with their Associate Finance and the

Department of Personnel & Training. Further in identifying such categories, Staff Side of the Departmental Council (JCM) may also be consulted.

4. It has also been decided that Ministries/ Departments may work out suitable welfare schemes for periodical medical check-up of the staff exposed to risk in their jobs to ensure their good health.

5. These orders come into force with effect from 1st October, 1986.

6. In their application to the officers of the I.A. & A.D. these orders are issued in consultation with Comptroller & Auditor General of India.

(S. Hariharan)

Under Secretary to the Government of India.

To: All Ministries/ Departments of the Govt. of India.

No.21012/4/88-Estt (Allowance) New Delhi, the 22nd August, 88

Copy also forwarded to:-

1. Controller General of Accounts/ Controller of Accounts, Ministry of Finance.

2. Secretaries to Union Public Service Commission/ Supreme Court of India/ Election Commission/ Lok Sabha Sectt./ Rajya Sabha Sectt./ Cabinet Sectt./ Central Vigilance Commission/ President's Sectt./ Vice President's Sectt./ Prime Minister's Office/ Planning Commission.

3. All State Governments and Union Territories.

No. 15011/2/E.II (B)/ 76
Government of India
Ministry of Finance
Department of Expenditure

New Delhi, dated the 11th August, 1976

Office Memorandum

Subject: Overtime Allowance to Central Government employees.

The undersigned is directed to state that a need has been felt for some time past of consolidating at one place the instructions/ orders issued by this Ministry from time to time. Accordingly in supersession of all the previous orders on the subject, the grant of overtime allowance to Central Government employees will be governed by the following orders. The Ministry of Home Affairs etc. are requested that these orders may be brought to the notice of all the administrative authorities under them for information/ guidance and compliance.

2. **Eligibility**

All non-gazetted Central Government servants and also gazetted Government servants who fall in the excepted category mentioned at para 5(a) of these orders, paid from Civil Estimates (including those working in the Union Territories Administration) of the following categories, Vis. (i) office staff and (ii) those staffs whose prescribed hours and nature of work are comparable to those of "Office staff" shall in future, be governed by these orders.

Administrative Ministries will be competent to decide, in consultation with their Internal Financial Advisers, as to which staff falls in category (ii) above. The Comptroller & Auditor General of India will exercise that power in respect of the staff of the Indian Audit and Accounts Department.

3. Condition for the grant.

(a) The work in all offices should be so organized as ordinarily to be capable of being done during the normal office hours. The question of overtime work to be done should be only in special circumstances and where working beyond the prescribed office hours is a regular feature of the offices and the officers should so stagger the working hours that the staff working in the office or attaché to officers attend to such work by rotation.

(b) Where, in special circumstances, it becomes necessary to perform overtime work, the competent authority may authorize such overtime work, after satisfying himself that the work is of such an urgent nature that it cannot be postponed in the public interest till the next working day and the competent authority shall, as far as possible, specify beforehand the time upto which a Government servant may be required to perform overtime work. In this regard following further instructions may be strictly observed:-

(i) If an employee is required to attend office earlier than the prescribed hours of work, he should normally be allowed to leave office correspondingly early. Where, however, it is not feasible to allow him to leave office early, he may be paid overtime allowance after deducting the normal one hour of free work.. If such an employee is also required to work beyond office hours on that day overtime allowance may be allowed for the total period of overtime work performed before and after the prescribed hours of work after deducting from the total normal one hour of free work..

(ii) The staff who are required to perform overtime duty for the full prescribed hours of work on Sundays (or other weekly or fortnightly off-day or Second Saturdays) or on other holidays/public holidays should, as a rule, be granted compensatory leave in lieu. Employees who are required to work on such days beyond full day may be allowed a day's compensatory leave in lieu of the full day's work and paid overtime allowance for the excess time put by them minus one hour free duty. In cases where an employee is required to work for half a day or less, e.g. from the time the office opens till lunch time, two such half days should be taken as equivalent to one full day for the purpose of grant of compensatory leave. Where necessary half a day's compensatory leave may be given.

Cash compensation in the form of overtime allowance for duty on Sundays/ weekly or Fortnightly off-days/ Second Saturdays/ public holiday may be granted only in very exceptional circumstances where an officer not below the rank of Joint Secretary in the Secretariat Offices or the Head of the Department in the case of Attached, Subordinate or other offices is satisfied and certifies that it is not possible to grant compensatory leave.

Note 1:- Whenever duty is performed beyond a full day (beyond full prescribed hours of work), overtime allowance for such duty is to be granted only after deducting one hour free duty. If an employee comes to office late, with or without previous permission, on any day and is required to work beyond office hours on that day, the following deductions should be made in calculating overtime allowance:-

(a) the normal one hour of free work; and

(b) the time by which he comes late.

Note 2:- Normally compensatory leave under these orders should be granted within one month of its becoming due. This condition may be relaxed in exceptional circumstances to be decided upon by an officer of the rank of Joint Secretary in the case of Secretariat staff and Head of the Department in the case of staff of attached, subordinate or other offices, who will satisfy himself and certify that the grant of compensatory leave to all the staff within a month would cause serious dislocation of current work.. There will be no limit upto which compensatory leave may be allowed to accumulate but not more than two days compensatory leave may be allowed to be availed of at a time.

(iii) The total overtime allowance payable to a Government servant in terms of these orders shall not exceed one-third of their monthly emolument payable during the month as defined in rule 4(b) below. While the ceiling referred to above will normally apply to personal staff also, in special cases, such staff may be paid overtime allowance in excess of the ceiling if the officers to whom they are attached certify that they have satisfied themselves that the overtime work performed by their personal staff necessitating the payment of overtime allowance in excess of the ceiling was necessary in the public interest. But in any case it should not exceed 50% of their emoluments as defined in these orders.

Note:- Payment of overtime allowance upto the ceiling of 50% of emoluments" referred to above will not be applicable to the personal staff posted by informal arrangements. The concession will be limited to those personal staff posted/ sanctioned by the Department of Personnel & Administrative Reforms or authorized by the competent authority.

In calculating overtime allowance under these orders, the actual time taken for lunch break should be deducted from the total hours for which the staff concerned is eligible for the allowance.

Overtime allowance under these orders may not be paid to Government servants required to perform duty at the site of an exhibition/ fair, in addition to his normal duty.

All the regular class IV staff, including Waiters, Cooks, Sweepers, Farashes and Chowkidars, whose hours of work have been prescribed by the competent authority and who are at present eligible to overtime allowance may be paid overtime allowance as the same rate admissible to other class IV staff working in offices except those who are paid overtime allowance under any statutory rules in force.

DEFINITIONS

For the purpose of these orders, unless the context otherwise requires:-

(a) A competent authority means:-

In the case of Secretariat and attached offices an officer not below the rank of an Under Secretary to the Government of India or comparable status;

In the case of an office under the supervision of a Government servant holding a non-gazetted post, a Government servant authorized by the Head of the Department to exercise the powers of a competent authority:

In the case of any other office, the Head of office declared a such for that office under the appropriate rule of GFE or under Rule 10(A) of the DFP Rules 1958 or any other officer in that office of a rank not lower than that of the Head of Office; and

In respect of the personal staff of Ministers and officers above the rank of Joint Secretary, their private Secretary, if the Private Secretary is a gazetted officer, will be the competent authority under these orders.

(in respect of the personal staff of officers of the rank of Joint Secretary, the Joint Secretary concerned or an officer of his rank may be regarded as the competent authority).

(b) Emoluments mean pay as defined in clause (c) below and all allowances including Winter Allowance & Hill compensatory allowance be excluding house rent allowance, conveyance allowance, horse allowance, traveling / daily allowance, permanent traveling allowance and clothing/ uniform allowance. In the case of re-employed pensioners, emoluments shall also include pension to the extent indicated vide para 6 below:-

Note 1:- The list of excluded allowances above is not exhaustive. The other allowance like children educational allowance, Messing allowance etc., which are not admissible to all Government Servants working at a place may be regarded as excluded category of allowances. The Project allowance to the extent it does not include an element of excluded an element of excluded category can be included in the emoluments for the purpose of Overtime allowance.

Note 2:- In the case of those employees who have opted to remain on pre-revised scales of pay under the Central Civil Services (Revised Pay) Rules, 1973 the term emoluments will also include interim relief admissible to them.

(c) Head of a Department means the authority declared as such under Supplementary Rule 2(10);

(d) Overtime work means work done in excess of one hour over the prescribed hours of work on any working day and includes work done on any Sunday or any other holiday;

(e) Pay means pay as defined in Fundamental Rules 9(21) (a).

Note:- As the overtime allowance payable in terms of these orders is based on emoluments which term includes dearness allowance, it will have to be recalculated, if any change- upwards or downwards- in emoluments is given effect from a retrospective date. As a result of recalculation of Overtime Allowances, arrears are to be paid or, as the case may be , recoveries of over payments are to effected.

(f) Prescribed hours of work means hours of work prescribed in any office in respect of employees working in this office.

5. CATEGORIES OF GOVERNMENT SERVANTS TO WHOM THESE ORDERS SHALL NOT APPLY EVEN THOUGH THEY MAY BE OF THE NATURE OF OFFICE STAFF OR STAFFS WHOSE PRESCRIBED HOURS AND NATURE OF WORK ARE COMPARABLE TO THOSE OF 'OFFICE STAFF'

These orders shall not apply to:-

(a) Government servants holding gazetted posts except that:-

The concessions of overtime allowance may be extended to officers holding the post of Private Secretaries, Additional Private Secretaries, Assistant Private Secretaries or First Personal Assistants to Ministers Deputy Ministers even though these posts are gazetted posts, in those cases in which:-

(i) Just before their appointment to such posts, they had held non-gazetted posts;

(ii) They have not been allowed full pay of the said gazetted posts but their pay has been restricted under FR 35 to below the minimum of the pay of those posts; and

(iii) their pay, as defined in para 4 (e) above does not exceed Rs. 750/-;

(iv) The grant of overtime allowance in above cases will also be subject to those orders, including ceiling limits etc.

Note: The overtime allowance will also be admissible to officers of the Central Secretariat Stenographers Service, not approved for appointment to Grade I of the service, but appointed as first personal Assistants to Ministers, if the total pay plus the special pay admissible falls below the minimum of the Grade I of the Central Secretariat Stenographers Service.

(b) Government servants holding non-gazetted posts whose pay, as defined under these orders exceeds Rs. 750/- p.m..

(c) Government servants who hold supervisory posts not excluded by clauses (a) and (b) above, unless they fulfill the following conditions:-

(i) They are in direct and continuous contact with staffs supervise:

(ii) They work the same hours as the staff under them; and

(iii) They are themselves subject to the kind of supervision which would enable them ordinarily to obtain prior approval for overtime.

(d) Field staff and Inspection staff.

(e) Government servants who are governed by the Factories Act, 1948, or the Minimum Wages (Central) Rules, 1950, and are paid overtime allowances in accordance with the provisions of Section 59 of the Factories Act, 1948 or Rule 25 of the Minimum Wages (Central) Rules, 1950 as the case may be:

(f) Staff Car Drivers.

(g) Resident (night duty) clerks and Peons attached to them in the Secretariat and certain other offices.

(h) Persons not in whole-time employment.

(i) Personal paid out of contingencies.

(j) Persons paid otherwise than on a monthly basis.

(k) Persons employed on contract except when the contract provides otherwise; and

(l) Such of the Government servants employed in the Government of India Presses, the Government Controlled Ports, the Mercantile Marine Department, the Customs (including Land Customs) Department, the Central Excise Department and the Overseas Communication Service, as are already in receipt of overtime allowance under other schemes.

5. (a) Re-employed pensioners

The drawal of overtime allowance in the case of re-employed pensioners shall be regulated as indicated below:-

(i) in the case of officers whose pay plus pension exceeds the sanctioned maximum pay of the post, overtime allowances shall be calculated on that maximum plus the includible allowance referred to in paragraph 4(b) above as may be admissible to them;

(ii) in the cases of officers whose pay on re-employment in civil posts is fixed without taking into account the entire pension or part thereof the amount of pension so ignored shall be ignored for calculating emoluments under para 4(b)

(iii) in other cases, the overtime allowance shall be calculated on pay plus pension plus the includible allowances referred to in paragraph 4(b) above as may be admissible to them.

(b) Persons in receipt of emoluments from foreign Governments:

Persons in receipt of any emoluments of the nature of pay, leave salary or pension from foreign Governments (eg. Burma Ceylon, Pakistan, etc.) in addition to pay from the Government of India shall subject to the total emoluments not exceeding the limits prescribed for eligibility for overtime allowance, draw the allowances on the basis of their pay plus the includible allowances referred to in paragraph 4(b) above as may be admissible to them from the Government of India alone.

Note:- For the purpose of sub-paragraphs (a) and (b):-

(i) "Pension" means gross pension including temporary increase in pension, death-cum-retirement gratuity and other retirement.

(ii) The amount of pension shall be the amount originally sanctioned (i.e. before commutation, in any) less the amount of pension, if any, held in abeyance as a condition of re-employment

(c) Workshop staffs:

(1) Where the payment of overtime allowance is regulated under the Factories Act or other statutory enactment, it will continue to be so regulated.

(2) In the case of the overtime allowance payable otherwise than according to the statutory provisions, the Third Pay Commission have made the following recommendations:-

(i) Where the system of overtime work continues, the period of overtime should be made admissible only if the work put in during a working week of 6 days exceeds 48 hours; in reckoning these 48 hours the period allowed for total breaks should be included;

(ii) In Government Presses, where the prescribed weekly hours are less than 48, the work done between the prescribed hours and the weekly norm of 48 hours is compensated in the form of overtime allowance at double the time rate. Compensation for such work should be only at the time rate in future.

It has been decided that these recommendations will not apply to existing employees working in the industrial establishment of the Government. They may continue to be governed by existing rules. Attempts should, however, be made to apply the recommendation to those who join service on or after 3.12.1974 and to employees of new industrial units. For this purpose, it may be necessary to amend standing orders, given notice of change etc. The administrative Ministries are requested to try the system as recommended by the Pay Commission wherever they find it feasible and in any case wherever a new industrial units are established. In such cases the rates of overtime allowance which may be prescribed by rules or orders should also be in accordance with the Pay Commissions' recommendations.

Non-industrial staffs in workshops

In the case of non-industrial staffs in workshops whose hours of work and holidays are the same as those of industrial staffs, the existing rates of overtime allowance may continue, if such non-industrial staffs are already covered by a scheme of overtime allowance.

If such non-industrial staffs are not at present covered by any scheme of overtime allowance, they may be allowed overtime allowance but only at the time rate for work in excess of the prescribed hours but not in excess of 48 hours in a week or 9 hours on any day. For work in excess of 9 hours on any day or 48 hours in a week, the non-industrial staff in workshops may

be given overtime allowance at the same rates as is admissible to the industrial staffs provided the Head of the establishment certifies that:-

(a) the non-industrial staffs have the same hours of work and holidays as the industrial staffs; and

(b) the nature of duties of the non-industrial staffs in such that their presence throughout is necessary for the efficient working of the industrial staffs.

Where the above two conditions are not fulfilled, the rate of overtime allowance for the non-industrial staffs for work in excess of 9 hours a day or 48 hours a week will be the time rate.

(III) If the hours of work and holidays of the non-industrial staffs are not the same as for industrial staffs the rate of over time allowance for the non-industrial staffs shall be the time rate for overtime work done in excess of one hour over the prescribed hours of work, unless there already exists any scheme for payment of overtime allowance to such employees which is more liberal, in which case the existing scheme will continue in force.

Note 1:- For this purpose, "time rate" shall mean the single hourly rate of over time allowance admissible in singular circumstances to the corresponding industrial staffs, in the same workshop/ establishment.

Note 2:- "Industrial staffs" in the above clause refers to "workers" as defined in Section 2(1) of the Factories Act. 1948 and non-industrial staffs refer to the staff other than 'workers'

Note 3:- The term "Workshop for this purpose shall mean a factory registered as such under factories act, 1948.

Note 4:- Where under the relevant enactments of the State Legislatures, the term "worker" includes also the non-industrial staff in the industrial establishments, payment of overtime allowance will be regulated according to the provisions contained in these enactments."

7. RATES OF OVERTIME ALLOWANCE

Where a Government servant to who this order applies is required to perform overtime work, he shall be entitled to overtime allowance in respect of the overtime work done by him in accordance with the following rates:-

The rates of overtime allowance and the basis of reckoning them will, for the present, be as under:-

Emoluments Rs.	<u>Overtime allowance per hour</u> Up to the first one hour. Thereafter in excess of the prescribed hours of work	
Below Rs. 275	Nil	0-95
275 and above but below Rs.325	Nil	1.25
325 and above but below Rs.375	Nil	1.55

375 and above but below Rs.425	Nil	1.80
425 and above but below Rs.475	Nil	2.05
475 and above but below Rs.525	Nil	2.35
525 and above but below Rs.575	Nil	2.60
575 and above but below Rs.625	Nil	2.90
625 and above but below Rs.675	Nil	3.20
675 and above	Nil	3.46

8. Where overtime allowance is payable to a Government servant for the overtime work performed by him, he shall not be entitled to receive any other remuneration (whether in the form of conveyance charge or compensatory leave or other-wise), in respect of such overtime work.

Provided that where a Government servant has been recalled from his residence to perform overtime work, the competent authority may allow conveyance charges to such a Government servant in addition to the overtime allowance admissible to him.

EXPLANATION 1: The first one hour of overtime work on a working day shall be free only where a Government servant works in continuation of the prescribed hours of work. Where a Government servant is recalled from his residence to perform overtime work, overtime allowance may be paid for the entire period of overtime work including the first one hour.

EXPLANATION 2: The overtime work in excess of one hour upto half an hour and thereafter every period upto half an hour be reckoned as half hour e.g. a person working for 2 hours and 10 minutes in excess of one hour beyond the prescribed hours of work will get overtime allowance for 2-1/2 hours.

EXPLANATION 3: The overtime allowance payable to Government servant shall be calculated to the nearest multiple of five paise, the fraction of three paise and more being rounded off to the next higher multiple of five paise and fractions below three paise being ignored.

EXPLANATION 4: If, for special reasons (such as the demise of a dignitary a working day is declared as a holiday before the time prescribed for the opening of the office, it shall be treated just like a Sunday or other holiday for the purpose of the payment of Overtime allowance on a day, on which the office is closed for special reasons after the prescribed opening time but before the prescribed closing time, shall be treated as a holiday only from the time the orders for closing the office reach the office.

EXPLANATION 5: The overtime allowance payable under these orders shall be classified as "honorarium" under F.R. 9(9) and shall not be treated as 'pay' as defined in F.R. 9 (21) or for the purposes of the supplementary Rules.

EXPLANATION 6: Government servants will also be eligible for overtime allowance for performing overtime work while on tour, subject to observance of the conditions prescribed

under these orders, namely limit of 1/3rd /50% applicable to total overtime earnings, deduction of one hours free work, maintenance of overtime register, grant of compensatory off, etc., and also subject to strict compliance with the conditions indicated below:-

(i) Employees who are not at present entitled to overtime allowance at their head quarters under the existing rules or schemes, shall not be entitled to overtime allowance on tour

(ii) Subject to (i) above, on employee would be entitled to overtime allowance on tour, provided overtime work in ordered on the spot (a) by his superior official in the tour party; or (b) where an employee on tour is attaché to a local office at his tour station by the competent authority in such local office at the tour station.

Note:- Where the superior official, who orders his subordinate official on tour to perform overtime work is a non-gazetted officer, or is not the competent authority to order overtime work at the head-quarters under the existing rules, he shall, on return to headquarters, submit a report to his controlling gazetted officer and / or to the competent authority, as the case may be, explaining the circumstances necessitating the detailing of staff on overtime duty, and seeking his approval.

(iii) Subject to (i) above, an employee on temporary transfer not exceeding 90 days would also be entitled to overtime allowance provided the overtime work has been ordered by his superior official on the spot.

(iv) For purposes of calculation of overtime, the time spent in travel shall be excluded . In other words, overtime shall be restricted to the period between the time when a halt on tour begins and the time when such halt ends.

(v) Overtime allowance regulated under any statutory rules will continue to be governed by such rules only.

9. CERTIFICATE: A certificate to be signed by the drawing officer in Form I shall be attached to the bill in which overtime allowance is drawn in respect of every Government servant to whom the overtime allowance is payable.

10. REGISTER:

(i) A register of overtime wok shall be maintained in Form II in each office in which entries shall be made as and when overtime wok authorized by the competent authority is performed by th4 Government servant concerned.

(ii) This register shall be examined by superior officers and shall be liable to examination by Audit at the time of inspection or audit and any instance of undue grant of overtime allowance shall be brought to the notice of the higher authorities. The superior officer shall particularly scrutinize cases where the same employee has been paid overtime allowance for more than 10 days in a month.

Note: The administrative Ministries / Departments concerned will take a decision as to who should be regarded as "Superior Officer" for the purpose of these orders.

11. If, in respect of any of the categories of staff excluded from the purview of these orders, there is no scheme of overtime allowance already in force and it is considered necessary to have such a scheme, a suitable scheme may be evolved in consultation with the Ministry of Finance, provided (a) the staff in question has prescribed hours of work; (b) the nature of work performed by the staff lends itself to a scheme of overtime allowance; (c) the staff is subject to the kind of supervision which would enable it ordinarily to obtain prior approval for working overtime and (d) the scheme is in conformity with the principles laid down in this Office Memorandum.

12. If any doubt arises relating to the interpretation of these orders it may be referred to the Ministry of Finance.

13. These orders shall take effect from the date of issue.

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

15. Hindi version of this O.M. will follow.

Sd/
(R.L. Bahl)

Under Secretary to the Govt. of India

To, All Ministries / Departments of the Govt. Of India (as per standard list)

Copy forwarded to :-

1. C & AG of India, New Delhi w.r.t. his U.O. No. 690/Audit/ 26-74 dated 30.6.1974
2. UPSC, New Delhi
3. Election Commission, New Delhi
4. Rajya Sabha Secretariat (Admn. Br.), New Delhi.
5. Lok Sabha Secretariat (Admn. Br.), New Delhi
6. Supreme Court of India, New Delhi
7. Central Vigilance Commission
8. All State Governments and Union Territory Administrations.
9. Commission for Scheduled Castes and Scheduled Tribes, New Delhi
10. Ministry of Finance (Defence Division) and E-Coord Branch
11. Shri K.V. Ramana Murthy, Deputy Secretary (AG), Min/ Defence

12. Railway Board, New Delhi

13. Secretary, Staff Side, National council, 9-Ashoka Road, New Delhi

14. All Members of the Staff Side of the National Council of JCM

15. Indian Red Cross Society, I-Red Cross Road, New Delhi

16. All India Services Division, Department of Personnel & Administrative Reforms

Sd/_____
(R.L. Bahl)

Under Secretary to the Govt. of India

FORM- I
(Certificate)
(See Paragraph 9)

Certified that the Government servant / Government servants in whose case the overtime allowance has been claimed in this bill was/ were required under specific orders to

Sit late in office after having put in work during prescribed hours on

_____ attend office on _____ Sunday/ holiday for disposal of urgent work which, in public interest, could not be postponed till the next working day.

Certified that the amount claimed in this bill is in accordance with the rates specified in paragraph 7 of the Government of India, Ministry of Finance (Department of Expenditure)'s Office Memorandum No.15011/2/E.II(B)/76, dated the 11th August 1976 and is according to the principles laid down therein and does not exceed the ceiling on overtime earnings prescribed in these orders, necessary certificates having been obtained from the officers concerned for payment of overtime allowances to the personal staff in excess of the prescribed ceiling.

Also certified that the Government servant(s) concerned did not received any other remuneration/ conveyance charge of compensatory leave for the performance of that overtime work.

()

(Signature of Drawing Officer)

FORM-II

Overtime Register (See paragraph 10)

Sl. No.	Name	Designation of the Govt. servant required to perform overtime work	Emoluments	Hours of overtime work authorized by the competent authority	Hours of overtime work performed by the Govt. servant

1	2	3	4	5	6
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Nature of the work performed during overtime hours	Why the work could not be performed during the prescribed hours of week	Amount of overtime allowance paid	Initial of competent authority
7	8	9	10

15011/2/E.II(B)/76
Government of India
Ministry of Finance
(Department of Expenditure)

New Delhi, the 8th May, 1978

OFFICE MEMORANDUM

Subject:- Overtime Allowance to Central Government employee

A reference is invited to para 2 (III) of this Ministry's Office Memorandum No. F.14(4)E. (Coord)/ 77 dated 27.5.77 which contains economy instructions on the payment of Overtime Allowance to non-industrial employees of the Central Government. While instruction contained in items (a), (b), (c), (d) and (e) of the above mentioned para are in the nature of guidelines for effecting strict economy in the expenditure on Over Time Allowance, the instructions contained in item (b) thereof which lay down that the staff required to attend on Sundays and holidays should be granted compensatory leave instead of OTA are of a mandatory nature. In spite of the so instructions, it has come to the notice of this Ministry that overtime allowance is paid to non-industrial employees for work on Sunday and holidays instead of compensatory leave. This Ministry once again emphasizes the imperative need for strict enforcement of these instructions in any case. In other words, Overtime Allowance should under no circumstances be paid for work on Sundays and holidays to non-industrial Government employees and only compensatory leave should be allowed for such work. In case, however, the employees are required to work on Sundays and holidays beyond the normal working hours, there is no objection to payment of Overtime Allowance in accordance with the provisions contained in para 3(b) (ii) of this Ministry's OM No. 15011/2/E.II(B)/76, dated 11th August 1976 for work done beyond the normal working hours. It may also be added that compensatory leave may be granted to the extent available in relaxation of the limit of 2 days at a time provided in note 2 under para 3(b) (ii) of the Ministry's OM No. 15011/2/E.II(B)/76, dated 11th August, 1976.

2. The above instructions apply to all categories of non-industrial staff including personal staff of Ministers.
3. Hindi version of the Office Memorandum is also enclosed.

(K. L. BAHL)
Under Secretary to the Govt. of India)

To All ministries/ Departments of the Government of India
(as per standard distribution list etc.
Copy to Comptroller and Auditor General of India etc.

No. 15012/3/86-Estt. (Allowance)
Government of India
Ministry of Personnel, Public Grievances and Pension
(Department of Personnel & Training)

New Delhi, the 19th March, 1991

OFFICE MEMORANDUM

Subject:- Overtime Allowance to Central Govt. employees

The undersigned is directed to refer to Ministry of Finance, Department of Expenditure's OM No. 15011/2/ E.II (B)/76, dated 11.8.1976 and this Ministry's OM No.15020/4/80- Estt. (Allowance), dated 23.12.82 on the subject mentioned above and to say that the question of revision of the rates of Overtime Allowance has been under consideration of the Government for some time past. The matter has been considered and the President is pleased to decide that in partial modification of the above mentioned O.Ms and this Department's O.M. of even number dated 13.11.86, the rates of Overtime Allowance shall be revised as indicated below:-

Office Staff:-

(i) The office staff covered under Ministry of Finance, Department of Expenditure's O.M. No.15011/2/E.II(B)/76, dated 11.8.76, who are drawing pay upto Rs. 2200/- per month under CCS (RP) Rules, 1986 shall be paid Overtime Allowance on the following basis:-

Emoluments Range	Upto the first one hour in excess of the prescribed hours the work	Thereafter
Upto Rs. 1200	Nil	Rs. 6.25
Rs.1200 – 1450	Nil	Rs. 7.50
Rs 1451 – 1700	Nil	Rs. 8.95
Rs. 1701 – 1950	Nil	Rs. 10.35
Rs. 1951 – 2200	Nil	Rs. 11.80
Rs.2201and above	Nil	Rs. 12.50

(ii) The maximum Overtime Allowance admissible to an employee in a month shall not exceed the amount corresponding to Overtime Allowance payable for 1/3rd of monthly working hours.

(iii) The term 'Pay' for the purpose of these orders means pay as defined in FR 9(21) (a). In case of employee who continue to draw pay in scales of pay which prevailed prior to 1st January, 1986, it will include, in addition to pay in the pre-revised scales, Dearness Pay, Dearness Allowance, Additional Dearness Allowance, Ad-hoc Dearness Allowance and Interim Relief appropriate to that pay, admissible under the orders in existence on 31.12.85.

(iv) The term 'Emoluments' for the purpose of these orders means pay as defined in para 2 (iii) above including Dearness Allowance, Compensatory (City) Allowance and Composite Hill Compensatory Allowance but excluding all other allowances/ incentives.

(v) All other conditions contained in Ministry of Finance, Department of Expenditure's OM No. 15011/2/ E.II (B)/76, dated 11.8.76, shall continue to be applicable for the grant of Overtime Allowance under these orders.

Staff Car Drivers:-

(i) Staff Car Drivers and Chauffeurs, covered under this Department's O.M. No.15020/4/80- Estt. (Allowance), dated 23.12.82 shall be paid Overtime Allowance on the following basis:-

Emoluments Range	Upto the first one hour in excess of the prescribed hours the work	Thereafter
Rs.1201 – 1450	Nil	Rs. 9.95
Rs 1451 – 1700	Nil	Rs. 11.80
Rs. 1701 – 1950	Nil	Rs. 13.70
Rs. 1951 – 2200	Nil	Rs. 15.55
Rs.2201 and above	Nil	Rs. 16.50

(ii) The term 'Emoluments' means emoluments as defined in para 2(IV) above.

(iii) All other conditions contained in this Department's OM No. 15020/4/80-Estt. (Allowances) dated 23.12.82 shall continue to be applicable for the grant of Overtime Allowance under these orders.

Operative Staff:-

(i) Operative staff drawing pay (as defined in FR 9(21) (a) upto Rs2200/- per month under CCS (RP) Rules, 1986 and falling in the categories identified by the concerned Departments as Operative Staff, shall be paid OTA at the following rates:-

Emoluments Range	OTA per hour Working day holidays
Upto Rs. 1200	Rs. 7.95
Rs. 1201 and above	Rs. 10.60

Rs.1200 – 1450	Rs. 9.95	Rs. 12.75
Rs 1451 – 1700	Rs. 11.35	Rs. 15.15
Rs. 1701 – 1950	Rs. 13.15	Rs. 17.55
Rs. 1951 – 2200	Rs. 14.95	Rs. 19.95
Rs.2201 and above	Rs. 15.85	Rs. 21.15

(ii) The above rates shall be applicable in respect of Operative Staff whose prescribed hours of weekly duty are 48 hours. In respect of operative staff whose prescribed hours of weekly duty are different , the proportionate rates with reference to the aforesaid rates for 48 hours may be prescribed by the concerned Ministries/ Departments in consultation with their Financial Advisers.

(iii) The detailed instructions for the grant of Overtime Allowance to operative staff will be issued separately by the respective Ministries in respect of operative staff serving them.

5. The Expenditure on Overtime Allowance shall be compiled under separate Sub-Head of Account from 1.4.91. No re-appropriation to this Head of Account will be made without the approval of Ministry of Finance. Suitable instructions for the opening of a separate Sub-Head will be issued by the Ministry of Finance separately.

6. As already laid down in the above mentioned O.Ms dated 11.8.76 and 13.11.86, Ministries/ Departments etc. are advised to organize their work in all offices in such a way as to complete it during the normal working. Hours. The standards of supervision should be tightened to achieve this objective. If in spite of all measures taken to re-organize the work and tightening of supervision, there are cases of work on holidays and excessive duty hours, the Government employees should normally be allowed compensatory off days. However, in exceptional circumstances where compensatory off cannot be given and it is inescapable to employ staff on overtime week, after satisfying himself that the work is of such an urgent nature that it cannot be postponed in the public interest till the next working day, the competent authority shall, as far as possible, specify before-hand the time upto which a Government servant may be required to perform overtime work..

7. These orders shall take effect from 1st December, 1990.

8. In their application to employees serving under Indian Audit and Accounts Department, these orders issue in consultation with C & AG.

(P.V. VALSALA G. KUTTY)
Under Secretary to the Govt. of India

To,

All Ministries & Departments of the Government of India

(As per standard list)

No 15014/1/93-Estt. (Allowances)
Government of India
Ministry of Personnel, Public Grievances and Pension
Department of Personnel & Training

Dated the 19th November, 1993

OFFICE MEMORANDUM

Subject:- Grant of OTA to Canteen employees of the Non-statutory Departmental Cooperative Canteens/Tiffin Rooms located in the Central Government offices and registered with Director (Canteens)

The undersigned is directed to say that this Department has been receiving references from various Ministries / Departments on payment of overtime allowance to Canteen employees in the wake of the Supreme Court judgment on the Canteen employees. In pursuance of this judgment, Canteen employees of the Non-statutory Department / Cooperative Canteens/ Tiffin Rooms located in Central Government offices and registered with Director (Canteens) have been extended all benefits as admissible to other Central Government employees of the comparable status vide this Department's OM No. 12/5/91-Dir ©, dated 29th January, 1982. The matter regarding payment of OTA to these employees has been considered in consultation with the Director (Canteens). Since the canteen employees observe the normal working hours coinciding with the office hours of the Ministries/ Departments and they have been treated as office staff, rates of OTA applicable to office staff as contained in para 2 of this Department's OM No. 15012/3/86-Estt.(Allowance), dated 19.3.91 shall be applicable to them.

2. In view of the instructions on economy, all Ministries/ Departments are advised to fix the normal duty hours of the canteen employees in such a way that they are not generally required to be deployed beyond the prescribed working hours.

3. The other conditions contained in Ministry of Finance's OM No. 15011/2/E-I(B), dated 11.8.76 as amended from time to time shall also be applicable to canteen employees.

4. In so far as the employees in the Departmental Canteens in the Indian Audit & Accounts Department Offices are concerned, these orders issue after consultation with the Comptroller and Auditor General of India.

5. These orders will be effective from the date of issue.

6. Hindi version is enclosed.

(B. GANGAR)
UNDER SECRETARY TO THE GOVT. OF INDIA

To: All Ministries/ Departments of the Government of India.

(as per standard list)

Copy also forwarded to:-

1. Controller General of Accounts/ Controller of Accounts, Ministry of Finance.
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5. Secretary, National Council (Staff Side), 13-c Feroz Shah Road, New Delhi.
6. All Members of the Staff Side of the National Council of JCM / Departmental Council.
7. All officers / Sections of the DOPT/ Department of Administrative Reforms & Public Grievances/ Department of Pension & Pensioners Welfare.
8. JCA Section, DOPT.
9. Ministry of Finance, Department of Expenditure (E-II (B) Br.
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11. Railway Board, New Delhi.
12. 200 spare copies.

(B. GANGAR)
UNDER SECRETARY TO THE GOVT. OF INDIA

No. 15022/4/90- Estt. (Allowances)
Government of India
Ministry of Personnel, Public Grievances and Pension
Department of Personnel and Training

New Delhi, the 9th June, 1994

OFFICE MEMORANDUM

Subject:- Revision of rates of OTA to Casual Employees.

The undersigned is directed to refer to Ministry of Finance's OM No. 6(2)/ E.II (B)/70, dated 2nd April, 1971 on the above subject and to say that the question of revision of rates of OTA for Casual employees has been under consideration of the Government for some time past. Keeping in view the Government policy regarding casual employees these employees have been classified

into the following categories and the formula / rate to be adopted for the purpose of payment of OTA is specified against each:-

CATEGORY	HOURLY RATE OF OTA
(i) Casual employees drawing Minimum of wages as notified by the Ministry of Labour or the State Govt. / UT Administration whichever is higher.	1/8 th of the daily wage
(ii) Casual employees drawing 1/30 th of the pay at the minimum of the relevant pay scale + DA read with para 1 (iv) of this Department's OM No. 49014/2/86- Estt. (C) dated 7.6.88.	Minimum of the relevant pay scale + DA admissible at the current rates divided by 30 x 8.
(iii) Casual workers having temporary status under this Department's OM No 51016/2/90- Estt. (C), dated 10.9.93	As admissible for office staff at the rates contained in this Department's OM No. 15012/2/86-Estt (Allowances), dated 19.3.91.

2. Other conditions regarding deduction of one hour as free duty over and above the prescribed hours per day of duty ceiling on earnings of OTA etc. as applicable to regular staff vide this Department's OM No. 15012/3/86-Estt. (Allowances), dated 19.3.91 and Ministry of Finance's OM No. 15011/2/E-II(B)/76, dated 11.8.76 as amended from time to time shall equally apply to the casual staff.

3. These orders will take effect from the date of issue.

4. In so far as persons serving in the Indian Audit and Accounts Departments are concerned, these orders issue in consultation with the C & AG of India.

4. Hindi version is enclosed.

(B. GANGAR)
UNDER SECRETARY TO THE GOVT. OF INDIA

To,

All Ministries / Departments of the Government of India

(as per the Standard List, with usual number of copies)

No. 15011/4/90- Estt. (Allowances) dated 9th June 1994

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7. Secretary, National Council (Staff Side), 13-c Feroz Shah Road, New Delhi.
8. All Members of the Staff Side of the National Council of JCM / Departmental Council.
9. All officers / Sections of the DOPT/ Department of Administrative Reforms & Public Grievances/ Department of Pension & Pensioners Welfare.
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11. Official Language Wing (Legislative Department) Bhagwan Das Road, New Delhi.
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13. JCA Section- 50 copies
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(B. GANGAR)
UNDER SECRETARY TO THE GOVT. OF INDIA

Pt. F. No. 21017/3/97-Estt. (Allowances)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

New Delhi, Dated 21st November, 1997

OFFICE MEMORANDUM

Subject: Overtime Allowances to the Central Government Employees.

The undersigned is directed to say that the Fifth Central Pay Commission have observed (Para 118.13 of their Report) that there is no justification for the continued payment of Overtime Allowance in the Central Govt. Offices, and have recommended its discontinuance. It has also been recommended by the Commission that in lieu of cash compensation in the form of OTA staff deployed on weekly off days may be entitled only to compensatory leave. However the Staff Car Drivers, Operational Staff and Industrial Employees have been recommended to be governed by the existing rules and instructions on the subject.

2. The Government has, however, decided to continue the status quo in regard to payment OTA, subject to a review of the matter to make the eligibility for OTA more restrictive and

commensurate with the interests of Government work. Accordingly, payment of Overtime Allowance may continue to be made as per the existing orders on the basis of notional pay admissible to the concerned Govt. employees in the pre-revised scales of pay/ pay slabs as laid down in the existing orders.

3. These instructions will apply until further orders. Pending cases of OTA bills, if any, may also be regulated under these instructions.

4. Hindi version is enclosed.

(B. GANGAR)
UNDER SECRETARY TO THE GOVT. OF INDIA

To,

All Ministries / Departments of the Government of India

(as per the Standard List, with usual number of copies)

No. 21017/3/97- Estt. (Allowances) dated 21.12.1997

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4. All States Government/ and of Union Territories Administration.
5. Secretaries to Governors of ass States/ Lt. Governors of Union Territories.
6. Secretary, National Council (Staff Side) , 13-c, Feroz Shah Road, New Delhi.
7. All Members of the Staff Side of National Council of JCM/ Departmental Council.
8. All officers / Sections of the DOPT/ Department of Administrative Reforms & Public Grievances/ Department of Pension & Pensioners Welfare.
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No. 15020/4/80-Estt. (Allowances)
Government of India/ Bharat Sarkar
Ministry of Home Affairs/ Grih Mantralaya
Department of Personnel and Administrative Reforms
(Karmik Aur Prashasnik Sudhar Vighag)

New Delhi, the 23 December, 1982

OFFICE MEMORANDUM

Subject:- Overtime Allowance to Chauffeurs of Staff Cars- Revision of rates.

The undersigned is directed to say that the President is pleased to decide as follows:-

(i) In replacement of the existing rates of Overtime Allowance admissible to the Chauffeurs of Staff Cars as indicated in Rule 26 of the Staff Car Rules, the revised rates of Overtime Allowance of Chauffeurs of Staff Cars will be as follows:-

Emoluments as defined in Note-1 of Rule 26	Rates of Overtime Allowance per hour:-	
	<u>Upto first one hour Thereafter</u>	
Below Rs. 575	Nil	Rs. 4.30
Rs.575 and above but below Rs.625	Nil	Rs. 4.50
Below Rs.625 and above but Rs.675	Nil	Rs. 4.90
Rs. 675 and above but below Rs. 725	Nil	Rs. 5.25
Rs. 725 and above but below Rs. 775	NilNil	Rs. 5.60
Rs. 775 and above but below Rs. 825	Nil	Rs. 6.00
Rs. 825 and above but below Rs.875	Nil	Rs 6.40
Rs. 875 and above but below Rs. 925	Nil	Rs. 6.75
Rs. 925 and above	Nil	Rs. 6.95

(ii) In place of the existing ceiling indicated in Note 9 below Rule 26 of the Staff Car Rules, the ceiling in respect of Overtime Allowance payable to chauffeurs of Staff Cars will be 100 hours in a month and not more than 8 hours per day on Sunday/ Holidays and 6 hours on working days. The Overtime work performed on all days, including Sundays/ holidays, in a month will be taken into account for working out the ceiling.

(iii) In the case of Chauffeurs of Staff Cars who cannot return to their Headquarters the same day and the journey involves absence of at least one night from their Headquarters, they shall be entitled to draw Daily Allowance as admissible under rules in addition to Overtime Allowance.

2. These orders will take effect from the date of issue.

3. In so far as the persons serving in the Indian Audit and Accounts Department are concerned, this issues in consultation with the C. & A.G. of India.

(C.V. Srinivasan)
Director

To,

All Ministries/ Departments (as per the standard list)

Copy (with spare copies as per standard endorsement) forwarded to:-

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2. Shri DD Bhagwala, Senior Personnel and Executive Officer, Lok Sabha Secretariat, New Delhi.
3. Supreme Court of India, New Delhi.
4. All State Governments and Union Territory Administrations
5. Central Vigilance Commission, New Delhi.
6. Commission for Scheduled Castes and Scheduled Tribes.
7. Secretary, Staff Side, National Council, 9-Ashoka Road, New Delhi
8. All Members of the Staff Side of the National Council of JCM
9. Indian Red Cross Society

No. 15020/7/91-Estt. (Allowance)
Government of India
Ministry of Personnel, Public Grievances and Pensions
(Department of Personnel and Training)

New Delhi, dated 15th 1977

OFFICE MEMORANDUM

Subject:- Grant of Overtime Allowance to Staff Car Drivers in Central Secretariat and Allied Offices- Implementation of the Award of the Board of Arbitration in C.A. Reference No. 7 of 1991

The undersigned is directed to say that the question of payment of Overtime Allowance in excess of the prescribed ceiling of 100 hours to Staff Car Drivers in Central Secretariat and Allied Offices (i.e. Staff Car Drivers governed by the Staff Car Rules) had been under reference to the Board of Arbitration in C.A. Reference No. 7 of 1991. The Board of Arbitration gave the following Award in the above C.A. Reference in March, 1993:-

- i) The Government has a right to fix the ceiling of Overtime duty hours of the Staff Car Drivers and as such the ceiling of limiting Overtime Allowance to 100 hours in a month imposed on the Staff Car Drivers of the Central Secretariat and Allied Offices is maintained.
- ii) In case the ceiling is exceeded in actual practice and the Staff Car Drivers are required to perform Overtime duty over and above the ceiling, they will be paid for such exceeding Overtime duty hours at the prescribed rate.
- iii) The Award shall come into effect from the date of disagreement i.e. 26.4.1991.

2. The above Award of the Board of Arbitration has been accepted by the Govt. The President is accordingly pleased to decide that in cases where the Staff Car Drivers have either already been deployed since 26.4.1991 or are, in exceptional and unavoidable circumstances, deployed on Overtime duty beyond 100 hours in a month, Overtime Allowance shall also be admissible in respect of the hours of Overtime duty performed over and above the ceiling of 100 hours in a month as laid down in para 1(ii) of this Department's OM No. 15020/4/80- Estt. (Allow), dated 23.12.82, since incorporated as Note 9 under Rule 26 of the Staff Car Rules. The Overtime work performed on all days, including Sundays/ Holidays, in as month will continue to be taken into account for working out the ceiling.

3. Attention is also drawn to this Deptt's OM No. 15020/7/91- Estt. (AL), dated 2.4.93 emphasizing that the Overtime duty in respect of Staff Car Drivers should be restricted in any event to a maximum of 100 hours as also suggesting rotation of duties of Staff Car Drivers to ensure that the ceiling of 100 hours is not exceeded in any case. It has now been decided that payment of Overtime Allowance beyond 100 hours will henceforth be further subject to a certificate of essentiality to be obtained from the Officer who uses the Staff Car or from the Private Secretary in the case of Minister, to be countersigned by the Joint Secretary (Admn) / Head of Department in case the certifying officer is below the level of Joint Secretary? Head of Department.

4. The Joint Secretary (Admn) and Heads of Department have already been made responsible vide instructions issued under O.M. referred to above for enforcing the limit of 100 hours. However, it has been observed that this limit is still being routinely exceeded and there is thus a need to exercise stricter checks on this practice. Accordingly, it has now been decided that the Financial Advisers in the Ministries/ Departments should monitor the Overtime duty hours put in by Staff Car Drivers to ensure that the limit of 100 hours on Overtime duty is not exceeded without fulfilling the conditions laid down under the instructions.

5. The rates of Overtime Allowance and other conditions for its payment shall continue to be the same as contained in this Department's OM No. 15012/3/86- Estt.(Allowances, dated 19.3.91, read with OM No. Pt. F. No.21017/3/97- Estt. (Allowances), dated 21.11.97.
6. Insofar as persons serving in the Indian Audit and Accounts Department are concerned, these orders issue in consultation with the Comptroller and Auditor General of India.
7. Hindi version is enclosed.

(B. GANGAR)
UNDER SECRETARY TO THE GOVT. OF INDIA

To,

All Ministries / Departments of the Government of India

(as per standard Distribution List)

No. 15020/7/91- Estt. (Allowances) New Delhi, the 15th Dec. 1977

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3. Department of Personnel and Training (AIS Division) (JCA)/ (Administration Section).
4. All State Governments and Union Territories Administration.
5. Secretaries to Governors of all States/ Lt. Governors of Union Territories.
6. Secretary, National Council (Staff Side), 13-C Feroz Shah Road, New Delhi.
7. All Members of the Staff Side of National Council of JCM/ Departmental Council.
8. All Officers / Sections of the Department of Personnel and Training/ Deptt. of Administrative Reforms & Public Grievances/ Department of Pensions & Pensioners Welfare.
9. Ministry of Finance, Deptt. of Expenditure (E-II, B) Branch.
10. Official Language Wing (Legislative Department), Bhagwan Das Road, New Delhi

11. Railway Board.

12. 400 Spare Copies.

(B. GANGAR)
UNDER SECRETARY TO THE GOVT. OF INDIA

No.12012/4/86-Estt.(Allowances)
Government of India
Ministry of Personnel, P.G. & Pensions
(Department of Personnel & Training)

New Delhi, the 4th Oct. 1989.

OFFICE MEMORANDUM

Subject:- Weightage for night duty – Recommendations of the IVth Pay Commission - regarding Government's decision thereon.

The undersigned is directed to say that in Paragraph 26.13 of its report, the IVth Pay Commission has recommended, as below, on the above subject:

"Government employees eligible for grant of various allowances are given 'Night Duty Allowance' or weightage for hours of work performed during night. It has not been possible for Govt. to introduce a uniform system of weightage for 'Night Duty' because the requirements of each organization are different. Suggestions have been received for prescribing uniform standard for 'Night Weightage' and 'night duty' hours. Government may consider the advisability of having the entire matter examined as it has various aspects and implications. In the meantime Govt. may refix the rates of night duty allowance".

2. In pursuance of the above recommendation, a Committee was constituted in the Deptt. of Personnel & Training associating representatives of the major employing Ministries/Departments, where the staff is required to perform night duty. After careful consideration of the Committee's recommendations, the President is pleased to decide as follows:-

(i) Wherever the working hours have been arrived at after taking into account the night weightage factor, no further compensation may be admissible.

(ii) Night Duty may be defined as duty performed between 22.00 hours and 6.00 hours.

(iii) A uniform weightage of 10 minutes may be given for every hour of night duty performed.

(iv) The ceiling of pay for entitlement of Night Duty Allowance shall be Rs.2200/- per month. There will, however, be no ceiling for entitlement of Night Duty Allowance in respect of the officials who are at present getting this benefit as per existing criteria.

(v) Duty Allowance shall be computed as per the following formula:

(a) For continuous Night and intensive duty	Rates calculated on the basis of current rates of pay including DA & CCA divided by the number of working hours in a month. For administrative convenience, the pay scales may be fitted into convenient slabs at the option of the Department.
(b) For intermittent and excluded Class III.	2/3 rd of the rate worked out under (a) above

(vi) Where in revising the pay scales of any category an improvement over replacement scale has been granted after taking into account night duty or where the night duty factor has already been taken into account for grant of any allowance such as Nursing Allowance, in the case of Nurses, no further compensation may be allowed for night duty.

3. The existing orders on the subject in so far as they relate to night duty should be deemed to have been modified accordingly.

4. In respect of employees of Deptt. of Telecommunications and Deptt. of Posts, separate orders will be issued by the Min. of Communications.

5. These orders shall come into force w.e.f. 1.1.1986.

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

7. Hindi version of these orders is enclosed.

Sd/-
(E. K. Sreedharan)
Under Secretary to the Govt. of India

To

All Ministries/Deptts. of Govt. of India.(as per standard list).

Copy also forwarded to:-

1. Comptroller & Auditor General of India, New Delhi
2. Controller General of Accounts/ Controller of Accounts, Ministry of Finance, New Delhi.
3. Secretaries to Union Public Service Commission/ Supreme Court of India/ Election Commission/ Lok Sabha Secretariat/ Rajya Sabha Secretariat/ Cabinet Secretariat/ Central Vigilance Commission/ President's office/ Planning Commission.
4. All State Governments and Union Territories.'
5. Governors of All States / Lt. Governors of Union Territories.
6. Secretary, National Council (Staff Side), 13-c, Feroz Shah Road, New Delhi
7. All Members of the Staff Side of the National Council of JCM/ Departmental Council.

8. All Officers/ Sections of the Department of Personnel and Training/ Department of Administrative Reforms and Public Grievances/ Department of Pensions and Pensioners' Welfare.

9. Ministry of Finance, Department of Expenditure (E-II, B, Branch.

10. Official Language Wing (Legislative Department), Bhagwan Das Road, New Delhi

11. Railway Board, New Delhi.

12. JCA Section. 50 copies

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Sd/-
(E. K. Sreedharan)
Under Secretary to the Govt. of India

No. 15020/2/92-Estt. (Allowance)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

New Delhi, the 5 May, 1994

OFFICE MEMORANDUM

Subject:- Night Duty Allowance to Resident (Night Duty) Clerks in the Central Secretariat & Allied Offices and Peons attached to them- Consideration and Implementation of the Award of the Board of Arbitration.

The undersigned is directed to refer to this Department's OM No.12012/4/86-Estt. (Allowances), dated 12.1.90 on the above subject and to say that the question of upward revision of rates payable to Resident (Night Duty) Staff in the Central Sectt. & Allied offices had been under reference to the Board of Arbitration in C.A. Ref. 8 of 1992. The Board of Arbitration have given the following Award on 30.793 in the above CA Ref.

"The Night Duty Allowance admissible to Clerks (LDCs/ UDCs) and Peons in the Central Secretariat and Allied offices shall henceforth be payable for 50% of the overtime put in by the particular employee per day at the rate of overtime and subject to the conditions laid down in relevant order of Government of India

This Award will have effect with effect from date of Award."

2. The above Award of Board of Arbitration has been accepted by the Government. The President is, accordingly, pleased to decide that the the Night Duty Allowance admissible to Resident Clerks (LDCs/ UDCs) and Peons in the Central Sectt. & Allied offices shall henceforth be payable for 50% of the hours of overtime work put in by the particular employee per night at the rates prescribed in para 2 of this Department's OM No. 15012/3/86-Estt. (Allowances), dated 19.3.91 subject to all other conditions prescribed therein and all other OMs on the subject.

3. The Night Duty hours being 15-1/2 hours a day, including half an hour dinner break (from the close of the office till the office reopens, i.e. 5.30 pm/ 6.00 pm to 9.00 a m / 9.30 a m next day) the maximum amount of Night Duty Allowance admissible per night shall be limited to OTA for 3 hours (night duty 15-1/2 hours minus 8-1/2 normal duty hours = 7 hours minus one hour free duty = 6 hours, 50% of which is 3 hours) and the maximum amount payable for a month also shall not exceed the amount corresponding to OTA payable to officer staff for 59 hrs a month.

4. No night duty staff should be engage to work during the normal working hors i.e. before or after the night duty hours.

5. These orders shall take effect from 30.7.93, i.e. from the date of the said Award of the Board of Arbitration.

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

7. Hindi version of this OM is enclosed.

(B. GANGAR)
UNDER SECRETARY TO THE GOVERNEMNT OF INDIA

To.

All Ministries/ Departments of the Government of India as per the Standard Distribution List.

No. 15020/2/92-Estt. (Allowance). New Delhi, the 5 May, 1994

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(B. GANGAR)

UNDER SECRETARY TO THE GOVERNMENT OF INDIA

No. 16 (1) – E. II 9B)/ 70
Government of India
Ministry of Finance
Department of Expenditure

New Delhi, the 10th February, 1970.

OFFICE MEMORANDUM

Subject:- Grant of Special allowance to Parliament Assistants

In super session of the orders contained in this Ministry's Office Memorandum No. F. 9(2)- E. II (B)/ 64, dated the 3rd. February, 1964 as amended by Office Memorandum No. 9 (25)- E. II (B)/ 68, dated 23.12.1968 and 11.9.1969, the President is pleased to decide that the grant of Special allowance to Parliament Assistant will be regulated as follows:--

i) An Assistant in a Ministry, who is engaged whole time on Parliamentary work (including work relating to questions, preparation of pads for the Minister, attendance in official gallery etc) will be allowed to draw a Special allowance at the rate of Rs. 150/- per mensem.

ii) If, however, an Upper Division Clerk is engaged on the work of the type referred to in (1) above, he will be allowed to draw the Special allowance at the rate of Rs. 120/- per mensem.

iii) The allowance will be admissible for every calendar month in which the Parliament is in Session for at least fifteen days. Months with shorter periods may be ignored.

Note:- The allowance will be admissible during the period of regular leave.

iv) Normally, the allowance will be admissible to only one Parliament Assistant in a Ministry. Where a Ministry consider it necessary to engage more than one Parliament Assistant on full time Parliamentary duty, the prior approval of this Ministry will be necessary. Such additional staff will also be entitled to the special allowance mentioned above according to the status he enjoys. Where this Ministry has agreed in the past to the engagement of more than one Parliament Assistant for Parliamentary work in any Ministry, this Ministry's approval need not be obtained fresh.

2. No overtime allowance shall be paid to Parliament Assistants for the calendar months in which the Parliament is in Session.

3. The Special allowance referred to above will be classified as "Other Allowances"

4. These orders take effect from 1.2.1970

(J.B. SINHA)
Under Secretary to the Govt. of India)

To:- All Ministries of the Govt. of India, etc.

No. 16 (1) – E. II 9B)/ 70
Government of India
Ministry of Finance
Department of Expenditure

New Delhi, the 18th May, 1970.

OFFICE MEMORANDUM

Subject:- Grant of Special allowance to Parliament Assistants

The undersigned is directed to refer to this Ministry's Office Memorandum No. 16 (1) – E. II 9B)/ 70, dated 10th February, 1970 on the above subject and to say that the President is pleased to decide that para 1(iii) of the said Office Memorandum may be substituted as follows:-

"The allowance will be admissible at full rates for every calendar month in which the Parliament is in Session for at least 15 days in that month. For month with shorter periods, the allowance will be admissible at half the rates prescribed for the full month."

2. The orders will take effect from 10.2.1970.

(J.B. SINHA)
Under Secretary to the Govt. of India)

To:- All Ministries of the Govt. of India, etc.

And UPSC.

No. 15020/1/84-Estt. (Allowance)
Government of India/ Bharat Sarkar
Ministry of Personnel, Public Grievances & Pension
Department of Personnel & Training/ Karmik Aur Prashikshan Vibhag

New Delhi. The 21st April, 1986

Office Memorandum

Subject: Grant of Special Allowance to Parliament Assistants.

The undersigned is directed to refer to the Ministry of Finance OM No. 15020/4/78- E.II (B), dated 18.8.1978 on the above subject and to say that the question of implementation of the Award given by the Board of Arbitration (JCM) on 30.1.1986 in C.A. Reference No. 17 of 1983, has been considered in consultation with the Ministry of Finance. The President is now pleased to decide that in modification of the provisions of the above O.M. dated 18.08.1978 the rates of special allowance admissible to Assistants and Upper Division Clerks wholly engaged on Parliamentary work shall be raised to Rs. 300/- p.m. and Rs. 225/- p.m. respectively. All other conditions laid down in the Ministry of Finance O.M.No.16(1)/E.II(B)/70, dated 10.2.70 and dated 18.5.70 shall remain the same.

2. These revised orders shall take effect from 7th Oct. 1980.

(Subhadra S)
Under Secretary to the Government of India.

To,

All Ministries/ Departments of the Government of India

(as per standard list)

No. 15016/3/91-Estt. (Allowances)
Government of India
Ministry of Personnel, P.G & Pensions
(Department of Personnel & Training)

New Delhi, the 28th October, 1996.

OFFICE MEMORANDUM

Subject:- Revision of rates of Special Allowance payable to Parliament Assistants.

The undersigned is directed to refer to this Deptt's OM No.15020/1/84-Estt.(AL) d. 21st April, 1986 on the above subject and to say that the question regarding enhancement of rates of Special Allowance payable to Assistant/UDC wholly engaged on Parliament work had been under reference to the Board of Arbitration in Ca Ref. No. 9 of 1991. The BOA have given the following Award on 7.12.95 in the above CA ref:-

"The demand of the Staff Side is accepted to the extent that the Special Allowance payable to Parliament Assistants shall be raised in case of UDCs from Rs.225/- p.m. to Rs.40/- p.m. and in case of Assistants from Rs.300/- to Rs. 500/- p.m. This Awards shall be effective from 1.1.92."

2. The above Award of the Board of Arbitration has been accepted by the Govt. The President is, accordingly, pleased to decide that, in modification of the provisions of the OM dt. 21.4.86 ibid the rates of Special Allowance admissible to Assistants and UDC wholly engaged on Parliamentary work shall be raised to Rs.50/- and Rs.400/- p.m. respectively. All the other

conditions laid down in the Min. of Finance OM No.10(1)/E.II(B)/70 dt. 10.2.70 and 18.5.70 shall remain the same.

3. These orders shall take effect from 1.1.92.

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

5. Hindi version of this OM is enclosed.

(B. Gangar)
Under Secretary to the Govt. of India

To

All Ministries/Deptts. of Govt. of India (as per standard list).

CENTRAL CIVIL SERVICES(EDUCATIONAL ASSISTANCE) ORDERS, 1988.

1. Short title and commencement

(i) These orders may be called the Central Civil Services

(Educational Assistance) Orders, 1988.

(ii) They shall come into force on 1.10.1988.

2. Application

(i) These orders shall apply to Govt. servants including State Govt. servants on deputation to the Central Govt. and industrial employees directly working under Government whose pay is debatable to civil estimates including civilians paid from Defence estimates but shall not apply to-

(a) Railway servants,

(b) Persons in casual or daily rated or ad-hoc or part-time employment,

(c) Persons paid from contingencies,

(d) Persons employed on contract except where the contract provided otherwise, and

(e) India based staff serving in Missions abroad and receiving educational assistance under the Indian Foreign service (Pay, Leave, Compensatory Allowances and other conditions of service) Rules, 1961 as amended from time to time.

(ii) These orders shall also apply to Govt. servants on deputation to State Governments or on foreign service, provided necessary provision in regard to the drawal of educational assistance under these orders from such State Government or foreign employers is expressly made in the terms of deputation or foreign service.

3. Definitions

In these orders, unless the context otherwise require:-

(a) 'Child' means a child of a Govt. servant and includes a step-child and an adopted child, who is wholly dependent on the Govt. servant;

(b) 'Government' means the Central Govt.

© 'Head of Office' means a gazetted officer declared as such under rule 4 of the Delegation of Financial Power Rules, 1978 and includes such other authority or person whom the competent authority may, by order, specify as Head of office;

(d) 'Higher Secondary or senior secondary classes' mean classes XI and XII and include classes upto the equivalent of XII class under the 10+2+3 scheme like Pre-university class or the first year class of an Intermediate College, a technical College, or a polytechnic provided the child has passed the Secondary or equivalent but not the Higher Secondary Examination before joining such class.

(e) 'Primary classes' mean classes I to V but does not include kindergarten or nursery classes.

(f) 'Recognised School' means a Govt. school or any educational institution whether in receipt of Govt. aid or not, recognized by the Central or State Govt. or Union Territory Administration or by a University or a recognized educational authority having jurisdiction over the area where the institution is situated. For the purpose of these orders education upto the Senior level shall be treated as school education;

(g) 'Secondary classes' mean classes VI to X.

(h) Tuition Fee means tuition fee payable and actually paid, and includes-

(i) Science fee,

(ii) Laboratory fee, in case science fee is not separately charged

(iii) Special fee charged for agriculture as an elective additional subject and,

(iv) Any fee charged for subjects like music which are taught as part of the regular school curriculum or subject requiring practical work under the programme of work experience,

Provided that if tuition fee charged from a Science student is higher than that charged from a non-science student, science fee, though separately charged, shall not be included in tuition fee for the purposes of these orders.

Explanation-

'Tuition fee' does not, however, include-

(i) domestic science fund charges,

(ii) Library fee;

- (iii) Games fee,
- (iv) Admission fee, and
- (v) Extra-curricular activity fee.

GENERAL CONDITIONS

4. Eligibility:- (1) Subject to the provisions contained in orders 11 to 24, all Govt. servants without, vide OM No. 18011/1/87- Estt. (Allcs), dated 31.12.87, any pay limit shall be eligible to draw children's educational allowance, reimbursement of tuition fee and Hostel subsidy.

5. (1) In case both wife and husband are govt. servants and are governed by the provisions of these orders the children's educational allowance or reimbursement of tuition fee or hostel subsidy as the case may be shall be admissible to one of them only.

(2) In case the wife or husband of a Govt. servant is employed outside the Central Government the Govt. servant shall be eligible to draw the allowance or reimbursement of subsidy under these orders, only if his/her spouse is not entitled to the benefit of any such allowance or reimbursement of subsidy from his/her employer and a declaration of that effect shall be obtained from the Govt. servant.

6. (i) The children's educational allowance or the re-imburement of tuition fees or hostel subsidy shall be admissible to a govt. servant while he/she is on duty or is under suspension or is on leave (including extra ordinary leave).

Provided that during any period which is treated as 'dies non' the Government servant shall not be eligible for the Allowance/ reimbursement/subsidy for the period.

(ii) If a Government servant dies or ceases to be in service by reason of retirement, resignation, discharge, dismissal or removal from service in the course of an academic year, the allowance or reimbursement of tuition fee or hostel subsidy shall be admissible till the end of the academic year in which the event takes place.

7. Children's educational allowance reimbursement of tuition fee or hostel subsidy shall be admissible only in respect of children between the age limits of 5 to 20 years. A Govt. servant shall not be eligible to draw children's educational allowance, reimbursement of tuition fee or hostel subsidy for a child for more than two academic years in the same class.

8. Assistance as per these orders shall be admissible upto 3 children at any time born upto 31.12.87 and shall be restricted to two children born thereafter.

Provided that where a Government servant claims children's educational allowance in respect of some of his children and hostel subsidy in respect of other children and hostel subsidy in respect of other children, the total number of children in respect of whom the allowance or subsidy is drawn shall not exceed two.

9. The children's educational allowance, reimbursement of tuition fee or hostel subsidy, as the case may be, shall be admissible to a Govt. servant in respect of a child only if the child attends the school regularly.

Provided that no such allowance, reimbursement or subsidy be admissible in any case where the period of absence from the school without proper leave exceeds one month notwithstanding that the name of the child remains on the rolls of the school.

10. The children's educational allowance, reimbursement of tuition fee, or hostel subsidy, as the case may be, shall be admissible to a Govt. servant in respect of his children regardless of the fact that any scholarship is received provided that if any fee concession is awarded, reimbursement of tuition fee/hostel subsidy shall be admissible only to the extent of fees actually paid.

Children's Educational Allowance

11. (1) A Government servant is eligible to draw children's educational allowance when he is compelled to send his child to a school away from the station at which he is posted and/or residing owing to the absence of a school of the requisite standard at that station.

(2) For the purpose of this order, the following schools shall not be deemed to be schools of the requisite standard;

(a) In so far as an Anglo Indian child is concerned, a school not run by the Anglo Indian community or a school not affiliated to the Council for Indian School Certificate Examination of the Indian Council of Secondary Education.

(b) A school run by a body of certain religious persuasion which the child is prevented by the tenets of his religious persuasion from attending due to religious instructions being compulsorily imparted in such a school; and

(c) A school where teaching is conducted in a language different from the language of the child.

Explanation I The language of the child will be the medium of instructions in the school where the child was getting education earlier and in the case of a child admitted in a school for the first time the mother tongue of the child by birth or by adoption.

Explanation II The admissibility of children's education allowance will have to be determined with reference to the standard of the school, viz, Primary, Secondary or Higher Secondary or Senior Secondary and the medium of instruction and the language of the child and not to the absence of any particular subject in a particular institution.

12. The allowance shall be admissible to a Govt. servant at a station where there is no school of the requisite standard, only if the nearest school of such standard is so situated that there is no convenient train or bus service to take the child from his residence near the time of the opening of the school and bring him back not too long after the school is closed for the day and the journey by such train/ bus service takes more than an hour.

13. If a Government servant is transferred from a station where there is no school of the requisite standard to a station where there is such a school and if he was in receipt of the allowance at the former station in respect of any child, he shall continue to remain eligible for such allowance until the close of the academic year of the school in which his child was studying at the time of his transfer provided the child continues to study for that period in that school.

14. If a child of a Govt. servant is denied admission to a school of the 'requisite standard' at the station at which the Government servant is posted and /or residing because of there being no

vacancy, or for any other reasons, and the child is, compelled to attend a school away from the Govt. servant's place of posting and /or residence, the Govt. servant shall be entitled to the allowance as if there were no school of the requisite standard at that station.

Explanation- The availability of a vacancy in a school shall be determined with reference to the position existing at the time of the admission of the child in the school, whether it be at the start or in the middle of the session, in consultation with competent educational authorities of the area and not on the basis of the certificate of the school authorities.

15. A Government servant in receipt of the allowance shall continue to be eligible to draw such allowance during any period, not exceeding four months.

(i) when he may go and stay with the child in respect of whom the allowance is drawn while on leave or during suspension or temporary transfer;

(ii) When the child may come to live with the Govt. servant provided it is certified by a registered medical practitioner that the child is forced to remain away from studies due to illness; and

(iii) When the child may come to live with the Govt. servant during vacation, provided the child continues to be on the rolls of the school.

16. The allowance shall be admissible to a Govt. servant at the following rates, vide OM No. 18011/1/87- Estt. (Allowance), dated 31.12.1987:-

Primary, Secondary Higher and Higher Secondary classes (I to XII)	Rs.100/- per month per child
---	------------------------------

17. (1) The Allowance shall be admissible to a Govt. servant throughout the year notwithstanding that no tuition fee is paid during the vacation.

(2) In the case of a child who is successful at the final secondary/ higher secondary/ senior secondary examination, the allowance shall be admissible to the Govt. servant upto the end of the month in which the examination is completed or upto the end of the month upto which the school fees are charged, whichever is later.

(3) In the case of a child who fails in the final secondary/ higher secondary/ senior secondary examination, but resumes his studies, the allowance shall be admissible to the Govt. servant for the period of vacation intervening provided that fees are paid for the period of vacation.

Reimbursement of Tuition Fee

18. A Govt. servant shall be eligible to the reimbursement of tuition fee payable and actually paid in respect of his child provided that no children educational allowance under these orders is admissible to him.

19. (i) The tuition fee payable and actually paid by a Govt. servant in respect of his child may be reimbursed, subject to the following limits (DoPT OM No. 18011/1/87- Estt Allowances), dt 31.12.87);

(a) Class I to X Rs.20/- p.m. per child

(b) Class XI and XII Rs.25/- p.m. per child

(c) Classes I to XII Rs.50/- p.m. per child

in respect of physically handicapped and mentally retarded children.

Note (DoPT OM No. 18011/1/87- Estt Allowances), dt 27.5.87):-

‘Science fee’ if charged separately upto the limit of Rs. 10/- p.m. will be reimbursable in addition to the tuition fee in respect of children studying in classes IX to XII & offering science subjects.

20. The reimbursement of tuition fee charged by a college run by a University or affiliated to a University for pre-University/first year class of an Intermediate College or of a Technical College or first year class of polytechnic for a correspondence course shall however, be reimbursed in full to their being restricted to the rates prescribed by Government college for corresponding classes.

"In cases where minimum qualifications for admission in the two years Diploma course in Polytechnics in 10th Class of the revised pattern of education and the student joins the polytechnic after passing X class of the revised pattern of education, the reimbursement of tuition fees shall also be allowed for the 1st and 2nd year classes of the above course".

21. Notwithstanding anything to the contrary in these orders, tuition fee payable and paid in respect of a physically handicapped or a mentally retarded child of a Government servant shall be reimbursed subject to the following conditions:

(a) The Institution in which the child is studying is one which is recognized or approved or aided by the Central Government or State Government or Union Territory Administration.

(b) The fee charged are approved by the Central Government for State Government or Union Territory Administration, as the case may be.

Explanation:- If the Institution is recognized or approved or aided but the fees charged are not approved by Central or State Government or Union Territory Administration, the fees reimbursable shall be subject to a ceiling of Rs. 50/- per month.

HOSTEL SUBSIDY

22. A government servant shall be eligible to the grant of subsidy at the rate of Rs.150/- p.m. per child if because of his transfer he is obliged to keep his children in the hostel of a residential school away from the station at which he is posted and /or is residing.

However, if the date of admission to the Hostel is earlier than the date of transfer, and if such admission is made in anticipation of the transfer, the hostel subsidy may be made from the effective date of transfer.

23. The hostel subsidy shall be payable upto 10 plus 2 stage in States and Union Territories, where the pattern of 10 plus 2 plus 3 has been adopted and upto Higher Secondary and Senior Secondary stage in other States and Union Territories irrespective of the fact that the children study in a Kendriya Vidyalaya or any other recognized school.

24. The Hostel subsidy shall not be admissible in respect of a child for whom children's educational allowance is drawn by a Govt. servant.

PROCEDURE FOR PAYMENT OF CHILDREN'S EDUCATIONAL ALLOWANCE, REIMBURSEMENT OF TUITION FEES AND HOSTEL SUBSIDY.

25. A Govt. servant claiming children's educational allowance, reimbursement of tuition fees or hostel subsidy shall furnish a certificate (DoPT OM No. 12011/ 3 88- Estt. (Allow), dated 17.10.1988) in the prescribed form 1,2,3 & 4 as the case may be to the Head of office at the time of preferring his initial claim and thereafter in the months of March and July every year. Where the Government servant is himself the Head of the Office, he shall furnish the certificate to the next higher authority.

26. The Head of Office in regard to officers working in his office and the next higher authority in regard to the Head of Office shall, after making such enquiry as may be considered necessary, issue a certificate indicating the amount of allowance admissible to the Govt. servant on the basis of which the allowance shall be drawn by the drawing and disbursing officer.

Provided that in the case of children's educational allowance it shall be permissible for the allowance being drawn on provisional basis, pending verification as above, for short periods not exceeding three months subject to an undertaking being obtained from the Govt. servant that if, as a result of verification, it is established that a school of the requisite standard does exist at a station of posting/residence or near such station as referred to in para 12, he shall refund the allowance paid to him.

Provided further that the Head of Office or the next higher authority, as the case may be, may at his discretion, make enquiry at periodic intervals regarding admissibility of assistance under these orders.

27. The drawing and disbursing officer shall certify on the pay bill that the certificates mentioned in order 26 in respect of the Govt. servants covered by the pay bill have been obtained.

28. A Government servant transferred from one station to another shall furnish a fresh certificate at the new station in case he continues to be eligible to draw children's educational allowance or hostel subsidy.

FORM - I

Para -25

CHILDREN'S EDUCATIONAL ALLOWANCE

1. Certified that my child/children mentioned below in respect of whom children's educational allowance is claimed is/are wholly dependent upon me and I am compelled to send my child/children away from the place of my posting/residence due to non-availability of the school of the requisite standard at the station of my posting/residence or due to non-availability of a vacancy in such a school at the station of my posting/residence.

Name of the child	Date of birth	School/ College in which studying, location thereof and	The place where the Government servant is residing	Class in which the child is studying	Monthly educational allowance admissible	Amount of the allowance for the period from July,----- to Feb,- =
-------------------	---------------	---	--	--------------------------------------	--	--

		residence of the child				March,---to June,--.
1	2	3	4	5	6	7

1.

2.

3.

2. Certified that my child/children in respect of whom children's educational allowance is claimed is/are studying in the schools mentioned in column (2) which is/are recognized schools (s) (Note applicable to schools run by Central Govt./state Govt/Union Territory Administration/Municipal Corporation/Municipal Committee/Panchayat Samiti/Zilla Parishad)

3. Certified that;

i) my wife/husband is/is not a Central Government servant

ii) my wife/husband is a Central Govt. servant and that she/he will not claim children's educational allowance in respect of our child/children.

iii) my wife/husband is employed with _____ she/he is/is not entitled to children's educational allowance in respect of our child/children.

4. Certified that during the period covered by the claim the child/children attended the school regularly and did not absent himself/herself/themselves from the school without proper leave for a period exceeding one month

5. Certified that the child/children has/have been not studying in the same class for more than two academic years.

6. In the event of any change in the particulars given above which affect my eligibility for children's educational allowance, I undertake to intimate the same promptly and also to refund excess payments, if any made.

(Signature of the Govt. servant)

Name in block letters _____

Designation & Office _____

Date _____

Place of Posting _____

(Strike out whatever is not applicable)

Para-25

REIMBURSEMENT OF TUITION FEE

1. Certified that the child/children mentioned below in respect of whom reimbursement of tuition fee is claimed is/are wholly dependent upon me:

Name of the child	Date of birth	School in which studying	Class in which the child is studying	Monthly tuition fee actually payable	Tuition fee actually paid from Julu,---	Amount of reimbursement
					Feb----	
1	2	3	4	5	6	7

- 1.
- 2.
- 3.

2. Certified that the tuition fees indicated against the child/each of the children had actually been paid by me (cash receipt/counter-foil of the Bank credit vouchers to be attached with the initially claim)

3. Certified that;

i) my wife/husband is/is not a Central Government servant.

ii) my wife/husband is a Central Govt. servant but she/he will not claim reimbursement of tuition fee in respect of our child/children.

iii) my wife/husband is employed with _____ she/he is/is not entitled to reimbursement of tuition fees in respect of our child/children.

4. Certified that during the period covered by this claim, the child/children attended the school(s) regularly and did not absent himself/ herself/themselves from the school (s) without proper leave for a period of exceeding one month.

5. Certified that the child/children mentioned has/have not been studying in the same class for more than two years.

6. Certified that I or my wife/husband have/has not claimed and will not claim the children's educational allowance in respect of the children mentioned above.

7. In the event of any change in the particulars above which affect my eligibility for reimbursement of Tuition Fees, I undertake to intimate the same promptly and also to refund excess payments, if any, made.

(Signature of the Govt. servant)

Name in block letters _____

Designation & Office _____

Dated _____

(Strike out what is not applicable)

FORM – 3

(Para 25)

HOSTEL SUBSIDY

1. Certified that my child Shri/Kumari studying in was admitted to hostel of the School on200.....

(Certificate from the Head of the School attached)

2. Certified that

(a) My wife/husband is/is not in Govt. service is/is not drawing Hostel Subsidy in respect of my child/children,

(b) the total number of children in respect of whom the hostel subsidy and children's educational allowance has been claimed does not exceed the number as provided in the orders.

3. I undertake to inform my employer forthwith in the event of my withdrawing the child from the Hostel and also about any change in the particulars mentioned earlier.

(Signature of the Govt. servant)

Dated.....

Name in block letters.....

Designation & Office

No.12011/4/88-Estt.(Allowances).

Government of India
Ministry of Personnel, Public Grievances & Pensions
(Department of Personnel & Training)

New Delhi, the 31 May, 1989

OFFICE MEMORANDUM

Subject:- Recommendation of the Fourth Central Pay Commission- relating to grant of Children Educational Assistance.

The undersigned is directed to refer to the recommendations of the IV Pay Commission containing in paragraph 15.8 of their Report relating to grant of Children Educational Assistance to Central Government employee and to say that the President is pleased to decide that notwithstanding clause 11(i) of the CCD (EA) orders 1988, Children Educational Allowance shall be admissible to a Government servant who on transfer from one Station to another, is compelled to keep his child/ children studying in the final year of the Secondary / Higher Secondary/ Senior Secondary Classes at their old Station for Board Examination in the interest of continuity of studies.

2. These orders come into force with effect from the first day of the month of its issue.
3. In their application into force with effect from the first day of the month of its issue.
4. Hindi version is attached.

(E.K. Sreedharan)

Under Secretary to the Government of India

To, All Ministries / Departments of the Govt. of India

No.12011/2/83-Estt.(Allowances).

Government of India
Ministry of Personnel, Public Grievances & Pensions
(Department of Personnel & Training)

New Delhi, the 27th December, 1989

OFFICE MEMORANDUM

Subject:- Grant of Children Educational Assistance- clarification regarding.

The undersigned is directed to refer to this Department's OM No. 21011/21/88- Estt (Allowances) dated the 17th October forwarding Central Civil Services (Educational Assistance) 1988, as amended in the light of the recommendations of the Pay Commission and to say that para 7 of the CCS (Educational Assistance) Orders, 1988 stipulates that Children's Education Allowance, Reimbursement of Tuition Fee or Hostel Subsidy shall be admissible only in respect of children between the age of 5 and 20 years. Ministry of External Affairs have a raised doubt whether the reimbursement of tuition fee will be admissible to the child on completion of 20 years age half way through academic session, till the end of the session.

2. The matter has been considered by this Department in consultation with the Ministry of Finance (Department of Expenditure) and it has been decided that Children's Educational Allowance, Re-imburement of Tuition Fee and Hostel Subsidy shall be admissible in respect of the child upto the end of the academic session even if he completes 20 years. (18 years in the case of Children's Educational Assistance so administered by Ministry of External Affairs) half way during the academic session.

3. All other terms and conditions remain unchanged.

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

5. Hindi version is enclosed.

E.K. Sreedharan)

Under Secretary to the Government of India

To,

All Ministries/ Departments of the Government of India

(As per standard list)

No. 21011/2/86-Estt. (Allowances)
Department of Personnel and Trg.

3.8.1990

Subject:- Grant of C.E.A., reimbursement of tuition fee etc. to Central Government Employees

The undersigned is directed to refer to Central Civil Services (Educational Assistance) Orders, 1988, circulated vide this Department's OM No. 21011/ 21/88- Estt. (Allowances), dated 17th October, 1988 and to say that the President is pleased to make the following amendments in the Central Civil Service (EA) Orders, 1988 namely:-

For Rule 4, the following Rule shall be substituted namely:-

"4. Eligibility:- Subject to the provision of Orders 11 to 24 all Government servants without any pay limit shall be eligible to draw Children's Educational Allowance. Reimbursement of tuition fee and Hostel subsidy,

Provided that the assistance will be admissible only if the children of the Government servant study in a recognized school".

2. For Rule 8, the following shall be substituted namely:-

"8. Assistance in these Orders shall be admissible to the Government Servant in respect of not more than 3 children at any time, born upto 31.12.87 and shall be restricted to 2 children at any time, born thereafter,

Provided that where a Government servant claims Children's Educational Assistance in respect of some of this children and Hostel Subsidy in respect of other children, the total number of children in respect of whom the allowance or subsidy is drawn shall not exceed three children born upto 31.12.87 and two children born thereafter."

3. Hindi Version will follow

(E.K. Sreedharan)
Under Secretary to the Government of India

To.

All Ministries/ Department of Govt. of India.

No.12013/190-Estt.(Allowances)
Government of India
Ministry of Personnel, Public Grievances & Pensions
(Department of Personnel & Training)

New Delhi, the 8th May, 1992

OFFICE MEMORANDUM

Subject:- Grant of Children Educational Assistance., Reimbursement of Tuition Fees etc. to Central Govt. Employees.

The undersigned is directed to refer to Central Civil Services (Educational Assistance) Orders 1988 circulated vide this Department's OM No. 21011/21/88- Estt (Allowance) dated 17.10.88 and subsequent amendment brought out vide OM dated 3.8.90 and to say that the President is pleased to make the following amendments in the CCS (EA) Orders, 1988 namely,

Sub Rule 2 of Rule 6 shall be deleted and the following Sub rules, shall be inserted.

(2) If a Govt. servant ceases to be in service by reasons of retirement, resignation, discharge, dismissal or removal from service in the course of an academic year, the allowance or reimbursement of Tuition Fees or hostel subsidy shall be admissible till the end of academic year in which the event takes place.

(3) If a Govt. servant dies while in service, the Children Educational Assistance or reimbursement of Tuition Fees or hostel subsidy shall be admissible in respect of his/ her children subject to observance of other conditions for its grant provided the wife/ husband of the deceased is not employed in service of the Central Govt., State Govt., Autonomous Body, PSU, Semi-Government Organisation such as Municipality, Port Trust Authority or any other Organisation partly or fully funded by the Central Government/ State Govts.

(4) The provisions under Sub Rule (3) of Rule 6 shall not be applicable in cases covered by the provisions of Ministry of Personnel, Public Grievances and Pension (Deptt. of P & PW) OM No. 33/5/89- P & PW (K) dated 9.4.90 relating to liberalized

2. Payment under these orders shall be made by the office in which the Govt. servant worked prior to his retirement . resignation, death as the case may be and will be regulated under the procedure laid down in para 25-27 of the consolidate orders dated 17-10-88.

3. These orders will take effect from the date of issue .

4. In their application to the Staff working in the Indian Audit Accounts Deptt. these instructions have been issued on consultation with the Controller & Auditor General of India.

5. Hindi version will follow.

(P.V. Valsala G. Kutty)
Under Secretary to the Govt. of India.

To,

All Ministries / Departments of Government of India

Copy tp C. & A.G. etc.

No.21017/1/97-Estt.(Allowances)
Government of India
Ministry of Personnel, Public Grievances & Pensions
(Department of Personnel & Training)

New Delhi, the 12th June, 1998

OFFICE MEMORANDUM

Subject:- Recommendation of the V Pay Commission- Decision relating to grant of Children Educational Assistance.

The undersigned is directed to say that in pursuance of the decisions taken by the Government on the recommendations made by the Fifth Central Pay Commission in paras 113.3 to 113.6 of their Report, regarding Children Educational Assistance to Central Govt. employees, the President is pleased to decide that the following modifications in Central Civil Services (Educational

Assistance) Orders, 1988 issued under this Department's OM No. 21011/21/88- Estt. (Allowances) Orders, 1988, 17.10.1988, read with OM No. 12011/4/88- Estt. (AL), dated 31.5.89, No. 12011/2/83- Estt. (AL), dated 27.12.89, No 21011/2/88- Estt. (AL), dated 3.8.90 and OM No. 12013/1/90- Estt(AL), dated 8.5.92 shall be made :-

(i)

Educational Assistance	Revised rate of payment/ limit of reimbursement of fee	
(a) Children Educational Allowance (Clause 16 of the Orders)	Primary, Secondary, Hr. & Sr. Secondary Classes (I to XII) Rs. 100/-p.m. per child	
(b) Reimbursement of tuition Fee (Clauses 19 and 21 of the Orders)	(a) Class I to X Rs. 40/-p.m. per child (b) Class XI to XII Rs. 50/- p.m. per child (c) Class I to XII in respect of physically handicapped and mentally retarded children Rs. 100/- p.m. per child Rs. 10/-p.m. Science Fee, if charged separately, will be reimbursable in addition to tuition fee in respect children studying in class IX to XII and offering science subjects	
(C) Hostel Subsidy (Clause 22 of Orders)	Primary, Secondary, Higher & Sr. Secondary Classes (I to XII) Rs. 300/- per child	

(ii) Clause 13 of the Central Civil Service (Educational Assistance) Orders, 1988 shall be revised as follows:-

" If a Govt. servant is transferred from a station where there is no school of the requisite standard to a station where there is such school and if he was in receipt of the allowance at the former station in respect of any child, he shall continue to remain eligible for such allowance as long as the child continues to study in the same school."

(iii) Re-imbusement of Tuition Fee in case of physically handicapped/ mentally retarded child of a Government servant shall be permitted even if the institution in which the child is studying is not recognized by the Central / State Govt. or Union Territory Administration, as the case may be.

2. These orders shall be effective from 1st August , 1997

3. The other conditions as laid down in the Central Civil Service (Educational Assistance) Orders, 1988 and subsequent amendments/ orders issued from time to time would continue to apply.

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

5. Hindi version is enclosed.

(J. Wilson)
Deputy Secretary to the Govt. of India

To, All Ministries/ Departments of the Government of India.
