

CHPATER X
JOINING TIME

- 125.** Joining time may be granted to an officer to enable him—
- (a) to join a new post to which he is appointed while on duty in his old post; or
 - (b) to join a new post,-
 - (i) on return from earned leave;
 - (ii) When he has not had sufficient notice of his appointment to the new post, on return from leave other than that specified in Sub-clause (i)

Note 1.—An officer deputed for training will be allowed for the onward and return journeys, the time actually required for the journeys, by the usual mode of conveyance, between the place of training and the station from/to which he proceeds, and the time so taken will be treated as part of deputation period for training.

Note 2.—Probationers and approved probationers in one service (including other officiating officers for whom no probation has been prescribed) when appointed to the same or another service by direct recruitment shall be allowed the minimum joining time (i.e., actual journey time) and transit pay, provided that the posts held by them prior to transfer or the posts to which they are appointed remain vacant during the period. They shall not, however, be allowed Travelling Allowance.

[Effective from 22nd August 1960]

Ruling No. 1

Joining time under Rule 125 (b) (i), Part I, Kerala Service Rules, will be admissible only in cases where an officer has proceeded on and has returned from earned leave proper and is posted to join a new post. In all other cases, it should be regulated under sub-clause (b) (ii) *ibid*.

Ruling No. 2

A gazetted officer deputed for training should relinquish charge of his post and prepare a charge report even if no officiating arrangement is made in his place. He should also intimate to the Audit Officer concerned, through the Training Institute/Officer, etc., the date and hour of reporting for training and on relief on the completion of training.

Government Decision

Retired officers re-employed in Government service will be treated on par with provisional hands appointed under General Rule 9 (a) (i) of the Kerala State and Subordinate Services Rules, 1958 for purposes of joining time and only the actual journey time allowed as joining time.

[G.O.(Ms) 11/67/PD.,
dt. 17-1-1967]

- 126.** Not more than one day is allowed to an officer in order to join a new post when the appointment to such post does not necessarily involve a change of residence from one station to another. A holiday or Sunday counts as a day for the purpose of this rule. No joining time is admissible in cases where the change of post does not involve an actual change of office.

Note.—A transfer shall be held to involve a change of station only if the distance between the two places is not less than eight kilometres.

[G.O.(P)48/66/Fin.,
dt. 10-2-1966]

- 126A.** When holiday(s) follow(s) joining time, the normal joining time may be deemed to have been extended to cover such holiday(s).

Ruling

When officers are transferred while on leave, joining time need be reckoned only from the date following the holiday(s), if any, suffixed to leave with the permission of the leave sanctioning authority unless otherwise directed in the transfer order.

[G.O.(P)38/73/Fin.,
dt. 5-2-1973]

- 127.** The joining time of an officer, in cases involving a transfer from one station to another, is subject to a maximum of 30 days. Six days are allowed for preparation and, in addition, a period to cover the actual journey calculated as follows: -

(a) An officer is allowed—

- | | | |
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| (i) For the portion of the journey which he travels by aircraft | } | Actual time occupied in the journey |
| (ii) For the portion of the journey which he travels or might travel : | | |

By railway	500 kilometres	}	One day for each or any longer time actually occupied in the journey.
By ocean steamer	350 kilometres		
By river steamer	150 kilometres		
By motor vehicles	150 Kilometres		
Or by conveyance plying for public hire in any other way	25 kilometres		

- (b) (i) For purposes of journey by air under clause (a) (i), a part of a day should be treated as one day.
- (ii) A day is also allowed for any fractional portion of any distance prescribed in clause (a) (ii).
- (c) When part of the journey is by steamer, the limit of six days for preparation may be extended to cover any period unavoidably spent in awaiting the departure of the steamer.
- (d) Travel by road not exceeding eight kilometres to or from a railway station or steamer ghat at the beginning or end of journey does not count for joining time.
- (e) A Sunday does not count as a day for the purpose of the calculations in this rule, but Sundays are included in the maximum period of 30 days.

Exception 1.—The authority sanctioning the transfer may, in special circumstances, reduce the period of joining time admissible under this rule.

Exception 2.—In the case of officers who are entrusted with the custody of stores, a period of not more than ten days and in the case of officers in charge of Timber Depots of the Forest Department a period of not more than one week will be allowed for transfer of charge of check conjointly stores and other materials, the minimum time actually required in each case alone being, however, utilised for the purpose.

Exception 3.—A period of not more than one week will be allowed to Forest Guards for transfer of charge and joint perambulation of the beats, the minimum time actually required alone being, however, utilised for the purpose. This period will be treated as an extension of joining time in respect of the relieving officer.

128. Except in the case of a journey performed by air, by whatever route an officer actually travels, his joining time shall, unless a competent authority for special reasons otherwise orders, be calculated by the route which travelers ordinarily use.

Government Decision

Except in cases of journeys performed by air, which will be covered by the provisions in sub-rule (a) of Rule 127, the entitlement to joining time of a Government servant, in cases where his old headquarters and new headquarters are connected by railway, should be calculated as admissible for a journey by railway.

[G.O.(P) 52/66/Fin.,
dt. 14-2-1966]

129. If an officer is authorised to make over charge of a post elsewhere than at its headquarters, his joining time shall be calculated from the place at which he makes over charge.

130. If an officer is appointed to a new post while in transit from one post to another, his joining time begins on the day following that on which he receives the order of appointment.

Note.—A second period of 6 days for preparation should not be allowed in calculating the joining time of an officer who is appointed to a new post, while in transit from one post to another.

Government Decision

In the case of a Government servant who is transferred from one post to another but whose transfer is subsequently cancelled after he has handed over charge of his old post but before he could take charge of the new post, the period intervening between the date of handing over charge of the old post and taking over the same later on account of cancellation of transfer orders, should be treated as joining time, subject to the provisions of Rule 130 and the Note thereunder.

[G.O.(P) 461/68/Fin.,
dt. 24-8-1968]

131. If a Government servant takes leave while in transit from one post to another, the period which has elapsed since he handed over charge of his old post must be included in his leave. On the expiry of the leave, the Government servant may be allowed normal joining time.

132. If an officer is appointed to a new post while on earned leave he is entitled to joining time calculated from his old station in addition to the earned leave. Should the officer join the new appointment before the expiry of leave plus joining time admissible, the period short taken should be considered as leave not enjoyed and a corresponding portion of the leave sanctioned should be cancelled without any reference to the authority which granted the leave. When vacation or holidays immediately preceding vacation begin during or immediately after the expiry of joining time admissible to an officer or when an officer is transferred during vacation, he may be allowed to join at the end of the vacation.

133. The Government may in any case extend the joining time admissible under these rules, provided that the general spirit of the rules, is observed.

134. Within the prescribed maximum of 30 days, the Government may, on such conditions as it thinks fit, grant to an officer a longer period of joining time than is admissible under the rules in the following circumstances:-
- (a) When the officer has been unable to use the ordinary mode of travelling or, notwithstanding due diligence on his part, has spent more time on the journey than is allowed by the rules; or
 - (b) When such extension is considered necessary for the public convenience or for the saving of such public expenditure as is caused by unnecessary or purely formal transfers; or
 - (c) When the rules have in any particular case operated harshly; as for example, when an officer has, though no fault on his part missed a steamer or fallen sick on the journey.

135. When an officer under the administrative control of the Government is transferred to the control of another Government which has made rules prescribing amounts of joining time, his joining time for the journey to join his post under the Government, and for the return journey will be governed by those rules.

136. A Government servant on joining time shall be regarded as on duty during that period and shall be entitled to joining time pay equal to the pay which was drawn before relinquishment of charge in the old post. He shall also be entitled to Dearness Allowance, if any, appropriate to the joining time pay. In addition, he can also draw compensatory allowances, and house rent allowance as applicable to the old station from which he was transferred. He shall not be allowed conveyance allowance or Permanent Travelling Allowance.

[G.O.(P) 1010/87/Fin.,
dt. 27-11-1987]

Note.—An Officer on transfer is not entitled for joining time unless his transfer is made in the public interest. However, in cases of transfers on request, an officer shall be paid joining time pay and allowances at the rate admissible under this rule for the period spent in travelling to join the new post and if he could not take charge on the new post on the day on which he is to join consequent on that day being declared a holiday, then, for that day also.

Explanation.—There is no objection to an officer being granted regular leave by the competent authority under the leave rules applicable to him even if the transfer is at his own request to cover the period of handing over charge at an old station and before taking over charge at another if the officer applied for it and the competent authority is willing to grant such leave.

137. An officer who does not join his post within his joining time, is entitled to no pay or leave salary after the end of the joining time. Wilful absence from duty after the expiry of joining time may be treated as misbehavior for the purpose of Rule 21.

Government Decision

The period of overstay of joining time of an officer may be regularised by granting eligible leave under Rule 131, Part I, Kerala Service Rules and the Joining time pay regulated under Rule 136 (b) *ibid*

138. A person, in employment other than Government service or on leave granted from such employment, if in the interest of Government, is appointed to a post under the Government may, at the discretion of Government, be treated as on joining time while he prepares for and makes the journey to join the post under Government and while he prepares for and makes the journey on

reversion from the post under Government to return to his original employment. During such joining time he shall receive pay equal to the pay, or in the case of joining time immediately following leave granted from the private employment, to the leave salary paid to him by his private employer prior to appointment to Government service, or pay equal to the pay of the post in Government service, whichever is less.

CHAPTER XI FOREIGN SERVICE

- 139.** The rules, in this chapter apply to those officers only who are transferred to foreign service after these rules come into force. Officers transferred previously will remain subject to the rules in force at the time of transfer.

Government Decision

In cases where the deputation of an officer to foreign service was sanctioned on a date prior to 1st November 1959 and the terms originally fixed extend beyond 1st November 1959, no change in the terms need be made even if the officer has opted to the Kerala Service Rules, but extension of the period beginning from or after 1st November 1959 should conform to the provisions in the Kerala Service Rules, provided the officer concerned has opted to the Kerala Service Rules, the extension of the term being treated as a fresh case of deputation.

[Circular No.
66494/RA3/61/Fin.,
dt. 14-10-1961]

- 140.** (a) No officer may be transferred to foreign service against his will:

[G.O.(P)254/70/Fin.,
dt. 27-4-1970]

Provided that this sub-rule shall not apply to the transfer of an officer to the service of a body, incorporated or not, which is wholly or substantially owned or controlled by the Government.

- (b) A transfer to foreign service requires the sanction of the Government.

*No officer shall normally be allowed to remain on deputation to foreign service for more than five years continuously. Provisions of Rule 24 will apply to an officer who continues in foreign service for more than five years at a time.

*Effective from 17th December 1976.

- 141.** A transfer to the foreign service is not admissible unless –

- (a) the duties to be performed after the transfer are such as should, for public reasons, be rendered by an officer of Government, and
- (b) the officer transferred holds, at the time of transfer, a permanent or temporary appointment paid from the General Revenues or holds a lien on such an appointment or would hold a lien on such a post had his lien not been suspended.

- 142.** If an officer is transferred to foreign service while on leave, he ceases from the date of such transfer to be on leave and to draw leave salary.

- 143.** An officer transferred to foreign service shall remain in the cadre or cadres in which he was included in a substantive or officiating capacity immediately before his transfer, and may be given such

substantive or officiating promotion in those cadres as the authority competent to order promotion may decide. In giving promotion, such authority shall take into account

- (a) the nature of the work performed in foreign service, and
- (b) the promotion given to juniors in the cadre in which the question of promotion arises.

144.

An officer in foreign service will draw pay from the foreign employer from the date on which he relinquishes charge of his post in Government Service. Subject to any restrictions which the Government may by general order impose, the amount of his pay, the amount of joining time admissible to him and his pay during such joining time will be fixed by the authority sanctioning the transfer in consultation with the foreign employer.

Note 1.-When transfer to foreign service is sanctioned the pay which he shall receive in such service must be precisely specified in the order sanctioning the transfer. If it is intended that he shall receive any remuneration, or enjoy any concession of pecuniary value, in addition to his pay proper, the exact nature of such remuneration or concession must be similarly specified. No officer will be permitted to receive any remuneration or enjoy any concession which is not so specified, and if the order is silent as to any particular remuneration or concession, it must be assumed that the intention is that it shall not be enjoyed.

Note 2.-No order of transfer to foreign service shall be issued without previous consultation with the Finance Department. It shall be open to that department to prescribe by general or special order, cases in which its consent may be presumed to have been given.

Note 3. In all cases of foreign service where the headquarters of the officer is located within Kerala, deputation allowance shall be granted at the rate of 10 per cent of the basic pay of the officer concerned.

[G.O.(P)1109/87/Fin.,
dt. 23-12-1987]

This amendment shall be deemed to have come into force with effect from 1st September 1985

Provided that no deputation allowance shall be granted for the period in excess of five years to an officer even if deputation is allowed to continue beyond 5 years continuously.

[G.O.(P)102/93/Fin.,
dt. 10-2-1993]

*In cases where the headquarters of the officer is outside Kerala and the deputation is to institutions/bodies aided by Government industrial undertakings in which Government hold majority of shares and also undertakings which are managed by Government, the deputationist's pay in foreign service shall not exceed his basic pay in Government service by more than 50 per cent or Rs.300 whichever is less.

[G.O.(P)254/70/Fin.,
dt. 22-4-1970]

*Effective from 17th December 1966.

Provided further that such pay in foreign service shall not exceed the basic pay in Government service by more than 50 percent or Rs.300 whichever is less.

[G.O.(P)128/65/Fin.,
dt. 8-4-1965]

This proviso shall apply also to cases of extension of deputation to foreign service sanctioned from 8th April 1965.

Note 4. Specific terms in regard to Travelling Allowance to be allowed to officers for journeys on transfer to foreign service and on reversion therefrom should invariably be prescribed in consultation and agreement with the foreign employer.

Note 5. - An officer who is eligible for concessions in regard to medical attendance for himself or his family should not be transferred to foreign service,

unless the foreign employer undertakes to afford to the officer privileges not inferior to those which he would have enjoyed if he had been employed in the service of Government

Note 6. No officer to whose children educational concessions are admissible, should be transferred to foreign service, unless the foreign employer undertakes to afford these privileges which the officer would have enjoyed had been employed in the service of Government.

[G.O.(P) 621/70/Fin.,
dt. 1-9-1970]

Note 7. The transit pay and allowances and transfer Travelling Allowance of a Government servant who proceeds on transfer from one foreign employer to another without reverting to Government service should be borne by the foreign employer to whom the Government servant proceeds on transfer.

Effective from November 24, 1967

Government Decision

The Heads of Departments, while proposing the deputation of officers to foreign service and the sections of the Secretariat while sanctioning such proposals, will attach to the proposals or sanctions, as the case may be, a separate statement giving the following details :-

(Circular Memorandum
No. 42765/Rules-
3/62/Fin., dt. 15-9-1962)

- (i) Name of the Government servant
- (ii) Date of Birth
- (iii) To whom lent
- (iv) Official designation (post held substantively before transfer)
- (v) Scale of pay of the post in Government service held substantively by the officer
- (vi) Head of account to which pay was debitible before transfer
- (vii) Monthly rate of pay sanctioned in foreign service
- (viii) Service rules applicable
- (ix) Rate of monthly contributions provisionally fixed under rule:
 - (a) Leave salary
 - (b) Pension
- (x) When lent
- (xi) Where to be recovered
- (xii) Whether creditable to State or Central
- (xiii) Date of termination of foreign service.

Ruling No. 1

An officer holding a provisional appointment deputed to foreign service, will be allowed to draw, in foreign service, the pay and allowances attached to the provisional appointment, only if it is certified by the competent authority that the officer would have held the provisional appointment but for his deputation to foreign service.

Ruling No. 2

- (i) For the period from 1-7-1978 to 30-4-1979, Officers on deputation will be allowed deputation allowance at the rates prescribed in the concerned Government Order by which the deputation was sanctioned based on their pre-revision pay in Government Service.

[G.O.(P) 359/81/Fin.,
dt. 4-6-1981]

- (ii) Those who continue to draw pay in the pre-revision scale on 1-5-1979 are eligible for deputation allowance from 1-5-1979 at the rates specified in Note 3 above. But the minimum of the revised scales of the posts from which they are deputed, will be the basis for determining the rate of deputation allowance. "Pay in the pre-revision scale" means the pay of the Officer concerned in the scale of pay as it stood as on 30-6-1978.

- 145.** (a) While an officer is in foreign service contribution towards the cost of his pension and leave salary must be paid to General Revenues on his behalf.
- (b) Contributions due under clause (a) above shall be paid by the officer himself, unless the foreign employer consents to pay them. They shall be payable during leave taken while in foreign service.

Note.- A copy of the orders sanctioning an officer's transfer to foreign service must always be communicated to the Audit Officer. The Officer himself should, without delay, communicate a copy to the officer who audits his pay, and take his instructions as to the officer to whom he is to account for the contribution; report to the latter officer the time and date of all transfers of charge to which he is a party when proceeding on, while in, and on return from foreign service; and furnish from time to time particulars regarding his pay in foreign service, leave taken by him, his postal address, and any other information which that officer may require.

- 146.** Recovery of pension contribution in respect of Government servants on deputation to foreign service shall be at the rate of 15 per cent of the maximum of the scale of pay of the post from which deputation is sanctioned. If the scale of pay is revised or the Government Servant gets promotion in the present department the recovery shall be at the rate of 15 per cent of the maximum of the revised scale of pay or the scale of pay of the post to which the officer is promoted in the parent department, as the case may be.

[G.O. (P) 742/84/Fin.,
dt. 15-12-1984]

The leave salary contribution shall be 10 percent of the maximum of the scale of pay of the post of the deputationist in the parent department. If the scale of pay is revised or the Government servant gets promotion in the parent department, the recovery shall be at 10 percent of the maximum of the revised scale of pay or the scale of the post to which the officer is promoted in the parent department, as the case may be.

The combined rate of leave salary and pension contribution shall be 25 per cent of the maximum of the scale of pay.

Contribution shall be paid for the actual period of duty in the foreign service including all kinds of leave taken while on foreign service. Contribution shall be paid for each calendar month or part thereof and no contribution shall be paid for the periods of joining time.

Note.- Leave salary contribution will not be realised in respect of Government officers serving on deputation on foreign service terms, in undertakings which are owned or controlled by the State Government. If the officer avails of leave while on such foreign service, the full expenditure should be borne by the concerned foreign employer and if the officer avails of leave after return from the foreign service, the expenditure should be borne by the Government.

[G.O.(P)169/83/Fin.,
dt. 6-4- 1983]

This Note shall be deemed to have come into force with effect from 1st April 1982.

Government Decision.

Leave salary and pension contribution will be recovered in whole rupees, fractions equal to 50 paise being rounded off to the next higher rupee. Rounding off will be done (1) at the initial stage while calculating the rates of monthly contributions, (2) while recovering contributions for part of a month at the beginning or at the end of foreign service and (3) where rates of monthly contributions are refixed due to a change in the rates of pay, deputation allowance, etc., and the total contribution recoverable for a calendar month are not in whole rupees.

[G.O.(P)883/70/Fin.,
dt. 2-12-1970]

This decision will take effect from 1st August 1970, i.e., in respect of contributions for August 1970 recoverable in September 1970.

147.

The rate of pension and leave salary contribution prescribed in Rule 146 is to secure the officer the pension that he would have earned by service under the State Government if he had not been transferred to foreign service and the leave salary on the scale and under the conditions applicable to him. In calculating the rate of leave salary admissible for earned leave alone, the pay drawn in foreign service less, in the case of officers paying their own contributions, such part of the pay as may be paid as contribution, will count as pay for the purpose of leave salary; provided that the difference between the amount of leave salary that would have been admissible to the officer had he remained in Government Service and the amount of leave salary admissible as aforesaid, shall be recovered from the foreign employer.

Note 1.-As the rates prescribed for such contribution have been calculated on the basis of the leave on full or half pay normally taken by an officer during the total period of his services and do not take into account any compensatory allowance which may form part of leave salary, the whole expenditure in respect of any compensatory allowance for periods of leave in or at the end of foreign service shall be borne by the foreign employer and a condition to this effect should be inserted in the terms of transfer to foreign service.

* [G.O. (P) 491/75/Fin.,
dt. 24-10- 1975]

Note 2.-The foreign employers should in the case of officers transferred to foreign service accept liability of leave salary in respect of disability leave granted on account of a disability incurred in and through foreign service even though such disability manifests itself after the termination of foreign service. The leave salary charges for such leave should be recovered direct from foreign employers, a condition to this effect being inserted in the terms of transfer to foreign service.

Note 3.-Leave salary in respect of maternity leave granted to and enjoyed by a female Government servant while in foreign service will be borne by the foreign employer.

[G.O. (P) 21/66/Fin.,
dt. 17-1-1966]

Government Decision No.1

In the case of an officer who takes leave on the conclusion of foreign service before rejoining his post, the leave salary should be calculated taking into account the pay drawn in foreign service also and the difference in leave salary should be recovered from the foreign employer as provided in the above rule. Orders sanctioning deputation to foreign service should specifically include a provision for the recovery of difference in the leave salary from the foreign employer. Leave salary in respect of leave taken after rejoining duty under Government shall be governed by the provisions in Rules 92 to 95 above.

[G.O.(P)491/75/Fin.,
dt. 24-10-1975]

However the recovery contemplated above will not apply in respect of officers on deputation on foreign service terms to undertakings which are owned or controlled by the Government, in whose case no leave salary contributions will be realised.

[G.O.(P) 214/85/Fin.,
dt. 11-4-1985]

Government Decision No. 2

When a Government servant is transferred to foreign service in India, an extract of the leave account of the Government servant will be furnished to the foreign employer by the Accountant General in respect of Gazetted Officers and by the Head of Office in respect of Non-Gazetted Officers so that the foreign employer may determine the leave admissible to the Government servant and the leave salary payable to him. Whenever leave is granted by the foreign employer a copy of the orders granting leave to the Government servant may be endorsed by the foreign employer to the Accountant General in respect of Gazetted Officers and to the Head of the office of the parent department in the case of Non-Gazetted Officers. The foreign employer will pay the leave salary which will be reimbursed to him by the Accountant General in the case of Gazetted Officers and by the Head of the Office (of the parent department) in the case of Non-Gazetted Officers. The claim for the reimbursement of leave salary thus paid by the foreign employer may be made half yearly for the period from April to September and October to March. While sending the claim to the Accountant General or Head of Office concerned, the foreign employer will give the name and designation of the Government servant, nature and period of leave sanctioned, the number and date of sanction, rate of leave salary and amount of leave salary paid. On receipt of the claim from the foreign employer the Accountant General or Head of Office will verify the claim with reference to the entries in the leave account and arrange to reimburse the amount by means of a bank draft within a month of receipt of the claim. The expenditure will be debited to the head of account to which the leave salary is debitable. It should be noted that in both cases, the amount of leave salary to be reimbursed to the foreign employer will be the leave salary (excluding Dearness Allowance and other compensatory allowance) to which the Government servant would have been eligible but for foreign services as the difference between the leave salary to which the officer is eligible and that he would have received but for foreign services together with Dearness Allowance and other compensatory allowance is to be finally borne by the foreign employer.

[G.O.(P)229/76/Fin.,
dt. 2-8-1976]

- 148.** The Government may ___
- a) remit the contributions due in any specified case or class of cases, and
 - (b) make rules prescribing the rate of interest, if any, to be levied on overdue contributions.
- 149.** An officer in foreign service may not elect to withhold contributions and forfeit right to count as duty in Government service the time spent in foreign employ. The contribution paid on his behalf maintains his claim to pension, or to pension and leave salary, as the case may be, in accordance with the rules of the service of which he is a member. Neither he nor the foreign employer has any right of property in a contribution paid and no claim for refund can be entertained.
- 150.** Contribution for leave salary or pension, due in respect of an officer on foreign service, may be paid annually within fifteen days from the end of each *calendar year or at the end of the foreign service, if the foreign service expires before the end of a *calendar year, and if the payment is not made within the said period, interest must be paid to Government on the unpaid contribution, unless it is specifically remitted by Government, at the rate of two paise per day

*[G.O.(P)742/84/Fin.,
dt. 15-12-1984]

per Rs.100 from the date of expiry of the period aforesaid upto the date on which the contribution is finally paid. The interest shall be paid by the officer or the foreign employer according as the contribution is paid by the former or the latter.

151. An Officer transferred to foreign service may not without the sanction of the Government accept a pension or gratuity from his foreign employer in respect of such service.
152. An officer in foreign service may not be granted leave otherwise than in accordance with the rules applicable to the service of which he is a member and may not take leave or receive leave salary from Government unless he actually quits duty and goes on leave.

Exception- An officer on foreign service out of India may be granted leave by the foreign employer on such conditions as he may determine. In any individual case, the authority sanctioning the transfer may determine beforehand, in consultation with the foreign employer, the conditions on which leave will be granted by him. The leave salary in respect of leave granted by the foreign employer will be paid by him and the leave will not be debited against the officer's leave account.

[G.O.(P) 390/66/Fin.,
dt. 20-8-1966]

This exception shall be deemed to have come into force with effect from 1st March 1965.

Note.- An officer on foreign service is himself personally responsible for the observance of the rules regarding leave in foreign service, by accepting leave to which he is not entitled under the rules, he renders himself liable to refund leave salary irregularly drawn, and in the event of his refusing to refund, he forfeits his previous service under Government and ceases to have any claim on Government in respect of either pension or leave salary.

Government Decision No. 1

*[Deleted]

Government Decision No. 2

*[Deleted]

*Effective from 30th May 1996.

*[G.O.(P) 477/97/Fin.,
dt. 1-4-1997]

153. An Officer in foreign service, if appointed to officiate in a post in Government service, will draw pay calculated on the pay of the post in Government service on which he holds a lien or would hold a lien had his lien not been suspended and that of the post in which he officiates. His pay in foreign service will not be taken into account in fixing his pay.

154. An Officer reverts from foreign service to Government service on the date on which he takes charges of his post in Government service; provided that if he takes leave on the conclusion of foreign service before rejoining his post, his reversion shall take effect from such date as the Government may decide.

[G.O.(P)250/83/Fin.,
dt. 11-5-1983]

As and when an order transferring a non-gazetted employee to foreign service is issued by the competent authority, the head of the office where the employee is then working should make an entry in his Service Book regarding the transfer to foreign service. The head of office should simultaneously furnish to the Accountant General information regarding the date of relief of the transferred officer, his pay, date of his next increment, scale of pay

of post held by him at the time of relief etc. Based on the sanction and particulars received from the head of office, the Accountant General will intimate the departmental officer concerned and the foreign employer the foreign service account number assigned to the transferred officer and the rate of foreign service contribution recoverable in his case. On receipt of the communication, the head of office should note in the Service Book the rate of contribution as fixed by the Accountant General. At the time of reversion of the employee from foreign service, the head of the office to which he is posted should intimate the Accountant General the date of his rejoining State Service and the date of termination of his foreign service as fixed under Rule 154, Part I, Kerala Service Rules. On receipt of the sanction reverting the officer to State Service and the particulars about his rejoining duty, the Accountant General will check whether the foreign service contributions have been recovered in full. As and when the recovery is completed, the Accountant General will send to the head of the office in which the Government servant is working at that time a communication showing the position about the recovery of contributions; a copy of it will be simultaneously endorsed to the employee also. On the strength of this communication, the head of the office should make an entry in the Service Book regarding the position about the recovery of foreign service contributions, giving reference to the communication received from the Accountant General. The letter received from the Accountant General in this regard should be kept in the Service Book itself for facilitating future reference. The head of the office and the employee concerned should acknowledge the receipt of the communication regarding recovery of contributions. Based on the entries in the Service Book made by the head of the office and copies of the Accountant General's communications kept in the Service Book, the employee's pension claims will be settled by the Accountant General at the time of his retirement. In the event of any dispute arising later about the recovery of contributions for want of necessary entries in the Service Books, the employee concerned may produce his copy of the communication received from the Accountant General as proof of recovery. On production of his copy of the communication, the Accountant General will verify the matter and settle his claims accordingly.

While laying down the above procedure, Government would like to impress upon all departmental officers that the responsibility for making entries relating to foreign service in the Service Book of the Non-Gazetted Officers rests with them.

[G.O.(P)250/83/Fin.,
dt. 11-5-1983]

Effective from 1st June 1983.

- 155.** When an officer reverts from foreign service to Government service, his pay will cease to be paid by the foreign employer and his contributions will be discontinued with effect from the date of reversion.
- 156.** When an addition is made to a regular establishment on the condition that its cost or a definite portion of its cost, shall be recovered from the persons for whose benefit the additional establishment is created, recoveries shall be made under the following rules: -
- a) The amount to be recovered shall be the gross sanctioned cost of the service or of the portion of the service, as the case may be, and shall not vary with the actual expenditure of any month.

- b) The cost of the service shall include contribution at such rates as may be laid down under Rule 146 and the contributions shall be calculated on the sanctioned rates of pay of the members of the establishment.
- c) The Government may reduce the amount of recoveries or may entirely forgo them.

Note.- The term 'gross sanctioned cost of service' shall include dearness and other compensatory allowances and bonus/special festival allowance. The monthly component of bonus/special festival allowance, shall be worked out at $\frac{1}{12}$ th of the last declared bonus/special festival allowance, for effecting recovery on a monthly basis.

[G.O. (P) 787/92/Fin.,
dt. 29-10-1992]

Government Decision

The procedure for the recovery of the cost of an establishment will be as follows :-

- (i) *Gross Sanctioned cost of the service.*- This will include the "average cost" of the several posts included in the establishment together with the Dearness Pay, Dearness Allowance, Special Dearness Allowance, Personal Pay/Special Pay, *Bonus/Special Festival Allowance* and other Compensatory Allowance admissible on the "average cost" for this purpose will be calculated according to the formula given under Rule 12 (35), Part I, Kerala Service Rules.
- (ii) *Pension and leave salary contribution.*- This contribution in respect of a post will be worked out at one-fourth-of the total of the "average cost" plus Dearness Pay, Special Pay/Personal Pay *and Bonus/Special Festival Allowance* admissible on the average cost.

*Effective from 29th October 1992

[G.O.(P) 446/93/Fin.,
dt. 24-8- 1993]

- (iii) *Calculation of average age at entry in the grade.*-

- (a) *In grades where direct recruitment is generally made.*- If the recruitment is generally made between 18 and 24/25 years, for example, the age of entry can with advantage be adopted uniformly as 21, instead of calculating it on the basis of age of entry of all persons in service on a date or recruited during a specified period which would involve unnecessary labour not yielding commensurate advantage. The average cost thus worked out on the above basis may hold good till there is a revision of scales or other conditions of service, e.g., age of retirement, etc.

(Circular No. 62/63/Fin.,
dt. 9-8-1963

&

No. 5/64/Fin.,
dt. 16-1-1964)

- (b) *In grades where appointments are generally made by promotion but occasionally direct recruitment is also resorted to.*- The factor of age of entry would in this case be depending on the incidence of promotion in individual establishment and no uniform age of entry can therefore be indicated. To get more accurate result the age of entry may be arrived at in these cases on the basis of the age of entry of all persons in service in that grade on 1st April of the year in which the occasion to calculate the average cost arises. As the basis of average cost itself is somewhat approximate, a change in the age of entry from year to year is of little consequence and therefore the age of entry thus arrived at and for that matter the average cost worked out on that basis, may hold good for a reasonable period, say 5 years, after which it may be reviewed, unless there is a general revision of the scales of pay or conditions of services in the meantime.

SERVICE UNDER LOCAL FUNDS

- 157.** Officers paid from Local Funds which are administered by Government are subject to the provisions of these service rules.
- 158.** The transfer of officers to service under Local Funds which are not administered by Government will be regulated by the rules in this chapter.
- 159.** Persons transferred to Government service from a Local Fund which is not administered by Government will be treated as joining a first post under Government and their previous service will not count as duty performed. The Government may, however, allow previous service in such cases to count as duty performed on such terms as it thinks fit.

Ruling

The pay of an officer transferred from a Local Fund Institution not administered by Government to Government service will be fixed at the minimum of the scale of pay of the post in Government service if the pay he was drawing under the Local Fund is less than the minimum. In case he was drawing, under the Local Fund, pay above the minimum and equal to a stage in the scale of pay of the post in Government service, his pay will be fixed at that stage and if the pay he was drawing under the Local Fund is not a stage in the scale of pay of the post in Government service it will be fixed at the next lower stage, the difference being treated as personal pay to be absorbed in future increases in pay. His next increment will ordinarily be allowed only after the full incremental period of duty in Government service.