

GOVERNMENT OF PAKISTAN

FINANCE DIVISION



THE CIVIL SERVICE REGULATIONS (C.S.R.)

**APPLICABLE TO THE FEDERAL CIVIL SERVANTS IN
PAKISTAN**

**UPDATED EDITION
2018**

Preface

The Civil Service Regulations (CSR) contain Government instructions for regulating the service conditions (Pay, leave, pension, other allowances, etc.) of the Government employees in the civil departments.

2. After independence, the First Edition of the CSR was officially published in 1951 by the Government of Pakistan. Since then, a number of orders/instructions have been issued, necessitating revision in the Edition of the CSR. Many constitutional changes have also been brought about especially promulgation of 1973 Constitution.

3. In the updated Edition 2018, while retaining the general principles of the rules, all the amendments/additions in CSR-1951 on the basis of Government orders (from 1952 to-date) have been incorporated.

4. I appreciate the efforts, zeal and dedication of all those who have worked hard in the preparation of this important document which will serve as a source of valuable information for government servants, policy makers and institutions.

5. It would be appreciated if any errors or omissions found in the book are brought to the notice of the Ministry of Finance, Islamabad.

**Finance Secretary
Government of Pakistan**

Islamabad 12th September, 2018.

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CIVIL SERVICE REGULATIONS

RELATING TO

SALARY, LEAVE, PENSION AND TRAVELING ALLOWANCE

PART-I.—PRELIMINARY

CHAPTER-I. — GENERAL SCOPE

Extent of Application

1. (a) These Regulations are intended to define the conditions under which salaries, and leave and pension and other allowances, are earned by service in the Civil Departments, and in what manner they are calculated. They do not deal otherwise than indirectly and incidentally with matters relating to recruitment, promotion, official duties, discipline or the like.

(b) Many orders applying to particular appointment or to particular individuals are not included in them; but with this exception the Regulations have been framed so as to embody all orders still in force affecting the acting allowances, the leave and leave allowances, the pension, and the travelling allowances of officers, the conditions of whose service in respect to, these matters are not defined by the Army and Pakistan Navy Regulations. The omission from the Regulations of any order on those matters which is believed to be still in force should be brought to the notice of the Government through the proper channel. Until so confirmed, it should be considered as not in force.

(c) These Regulations do not apply to the pay and allowances (except travelling allowances), pension and leave of officers of the Pakistan Navy holding shore appointments, which are governed by the Pakistan Navy Regulations.

2. The rules which apply to the ordinary civil establishments of the State apply also to officers employed under the Military and Navy Departments and under Local Governments whose service does not qualify under the Army or Pakistan Navy Regulations.

3. The Travelling Allowance Regulations in Part XI apply to Military and Pakistan Air Force officers in the Ministry of Defence Government of Pakistan and all officers in Civil employ, except those officers of Pakistan Navy to whom the Travelling Allowance Rules in the Pakistan Navy Regulations (see Section III, Volume I, Part II) apply.

Except in cases in which it is otherwise provided in the Army Regulations, or in which it may be otherwise specially sanctioned by the Government of Pakistan, the travelling allowance of clerks in all Military, Pakistan Navy and Pakistan Air Force officers is governed by the Regulations in Part XI.

Right of Changing or Interpreting Rules

4. The Government of Pakistan reserve to themselves the right of changing the rules in these Regulations regarding pay and acting allowance and leave and pension, from time to time at their discretion, and of interpreting their meaning in case of dispute.

An officer's claim to pay and allowances is regulated by the rules in force at the time in respect of which the pay and allowances are earned; to leave by the rules in force at the time the leave is applied for and granted; and to pension by the rules in force at the time when the officer resigns or is discharged from the service of Government.

4-A. An officer transferred to a Service or post to which the pension rules in these Regulations apply, from a Service or post to which they do not apply, becomes subject to the pension rules in these Regulations, provided that it shall be open to him, within six months of the date of transfer or, if he is on leave on that date, within six months of his return from leave, to elect to be governed by the pension rules to which he was subject immediately before the date of transfer. The intention of exercising this option must be specifically declared to the Local Government or the ** [President] as the case may be. The option once exercised shall be final.

CHAPTER II.—DEFINITIONS

5. Unless there be something repugnant in the subject or context, the terms defined in this Chapter are used in the Regulations in the sense here explained.

6. **Absentee** means an officer absent from an appointment on which he has a lien, either on leave or on deputation to another appointment, whether permanent or temporary, or on special duty unconnected with his own appointment, or on joining time, or under suspension.

7. **Accountant General** includes "Auditor-General" and "Comptroller".

8. **Active service** includes besides time spent on duty in Pakistan,—

(i) Privilege leave and subsidiary leave.

(ii) Examination leave under articles 279 and 280, provided that not more than twelve months of such leave can be so reckoned; and that leave under clauses (a) to (c) of Article 280 is not reckoned as

** Substitute for the words "Governor General".

Active service, unless the officer passes the examination for which the leave is granted.

- (iii) Time spent on the voyage to Pakistan by an officer who is recalled to duty before the expiry of any recognized leave out of Pakistan, provided his return to duty is compulsory (see Article 199).
- (iv) For purposes of pension, the period of absence from Pakistan of an officer deputed or detained out of Pakistan on duty.

9. In the case of a member of the late Indian Civil Service, Active Service includes also—

- (i) The interval between the date of an officer's first arrival in Indo-Pakistan sub-continent and the date on which he joins his first appointment.

Note.—[If an officer does not join his first appointment within the joining time allowed him, the interval between the end of such joining time and the date on which he actually joins is not Active Service.]

- (ii) Time passed in Pakistan, out of employ on Subsistence Allowances but not on Furlough. [But see Exception in Article 187.]

Note.—[This clause applies to Military Officers subject to the Civil Leave Rules.]

- (iii) For purposes of pension, the period not exceeding ten months spent in Russia in studying the Russian language.

10. Cancelled.

11. Cancelled.

12. Cancelled

13. Actual Travelling Expenses when used in part XI means the actual cost of locomotion for an officer himself, his servants, and personal luggage, including charges for ferry and other tolls, and for carriage of camp equipment (when necessary) ; but not including charges for hotels, dak bungalows or refreshments, or for the carriage of stores or conveyances, or for presents to coachmen, nor any allowance for such incidental losses or expenses as the breakage of crockery, the wear and tear of furniture, the entertainment of additional servants and the like.

14. Age.—When an officer is required to retire, revert, or ceases to be on leave, on attaining a specified age, the day on which he attains that age is reckoned as a non-working day, and the officer must retire, revert or cease to be on leave (as the case may be) with effect from and including that day. This rule applies to all officers, Civil, Military or Naval.

15. Audit Officer means the Account and Audit Officer, whatever his official designation, in whose circle of audit a public servant is serving or in respect of verification of service for pension is holding or has held a permanent non tenure post in a substantive capacity, i.e.,—

For service in an ordinary civil establishment including the Public Works Branch—the Accountant-General.

For service in the Post and Telegraph including Telegraph Engineering — the Accountant General, Posts and Telegraph Branch.

For service in the Military, Pakistan Navy and Pakistan Air Force Departments — the Controller of Military Accounts.

For service under the Railway Department — the Chief Auditor of the Pakistan Railways concerned.

16. Average salary means the average of the salary which an officer has earned during so much of the three years preceding the day on which he gives up office as he has passed on duty or on privilege leave.

Note 1.—[In the calculation of “Average Salary”, Privilege leave on half salary in the case of officers entitled to regular vacations, granted under Articles 271 to 274, is treated as if it were on full salary.]

Note 2.—[If the period spent by an officer on special duty in England is allowed to count for leave, if is included in the calculation of Average Salary, on the assumption that the officer drew full salary. Otherwise it is excluded in calculating Average Salary.]

Note 3.—[When Privilege leave is combined with other leave under Article 232, the calculation is made up to the day preceding the commencement of the Privilege leave.]

Note 4.—[In calculating the furlough allowance of an officer of the Royal Engineers in civil employ, when the period spent in undergoing the Chatham course and the subsequent military training in Indo-Pakistan Sub-continent falls wholly or partly within the 3

years on which average salary is based, the salary drawn by the officer immediately before proceeding on military training should, for a maximum period of 12 months, be taken into account instead of the salary actually drawn at military rates while under training.]

17. Barrister means a practising Barrister of England or Ireland and a practising member of the Faculty of Advocates of the Court of Session of Scotland. It does not include a person who, though a Barrister, has never practised the profession of Barrister.

18. Calendar month.—The following examples show how a period stated in calendar months should be calculated:—

Examples.—A period of six calendar months__

Beginning on the —	ends on the
28th February	27th August.
31st March or 1st April ...	30th September
29th August	28th February
30th August or 1st September ...	Last day of February

A period of three calendar months—

Beginning on the —	ends on the
29th November	28th February
30th November or 1st December ...	Last day of February

19. Camp Equipment or Equipage.— “Camp equipment” includes tents and the requisites for pitching and furnishing them, or where tents are not carried, such articles of camp furniture as it may be necessary in the interests of the public service for an officer to carry with him into camp. “Camp equipage” means the apparatus for moving a camp.

20. Cancelled.

21. Consolidated pay includes Military pay and allowances which cannot be separately drawn.

22. Continuous Service and Continuous Active Service mean the service and Active Service of an officer since his last return from Furlough or Extraordinary leave lasting in either case more than three months; or, if he have not had such leave, since the beginning of his Active Service. No leave may be included in Continuous Service, except Privilege leave and Special leave; and in the case of a Royal Engineer who has elected for Continuous Service in Pakistan,

Furlough on urgent private affairs under Rule XI of the Rules of 1868 (see Article 231)

- I. Examination leave under Articles 279 and 280 may also be included, unless the officer have already had twelve months' such leave, or, in the case of leave granted under clauses (a) to (c) of Article 280 unless the officer have failed to pass the examination for which the leave was granted.

23. Day.— When used in Part XI, the term “Day” means a calendar day beginning and ending at midnight. But an absence from head-quarters which does not exceed 24 hours is reckoned as one day, at whatever hours the period begins and ends.

23-A. Deputation (duty) allowance is an allowance given, in addition to pay or salary, to an officer deputed on special temporary duty when such duty involve a [decided increase of work or responsibility in comparison with the duties of his regular appointment (see Articles 76-C, 77 and 81)].

23-B. Deputation (local) allowance is an allowance given, in addition to pay or salary, to an officer, deputed on special temporary duty in consideration of a change of station involved by the deputation.

Note 1.—[When the deputation involves both increased work or responsibility and a change of station, the deputation allowance will be classed as deputation (duty) or deputation (local) allowance, according as the former or the latter is the main consideration in fixing the allowance.]

Note 2.—[The extra emoluments, drawn by an officer filling a temporary appointment which is not of like character to an existing appointment, will be classed as a deputation (duty) allowance or as a deputation (local) allowance, according as they are granted for increased work or responsibility, or for a change of station.]

23-C. Duty allowance is an allowance given to an officer, in addition to pay or salary, in consideration of *[the un-healthiness of the locality in which the work is performed or of] the specially arduous nature of his duties or of increased work or responsibility or for the discharge of duties which do not properly belong to his office and for which there is no sanctioned appointment.

24. Extraordinary leave means Special Furlough granted under Rule 8 of the Military Furlough Rules of 1875, and leave of absence from duty granted (see Article 306) otherwise than under the Leave Rules.

* This amendment takes effect from the 10th March, 1924.

Example.—Leave in extension of the three years admissible under Article 304 (a).

25. Family.—When used in Part XI, “Family” includes the officer’s wife, his legitimate children and step-children residing with and wholly dependent on him ; and also his parents, sisters, and minor brothers if wholly dependent on, and residing with him.

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

27.* Foreign Service means service in which a Government servant receives his substantive pay with the sanction of Government (a) from any source other than the Revenues of the President or of a Province or the Railway Fund when established; or (b) from a company working a State Railway.

28. General Revenues for the purposes of pension includes Provincial Revenues.

29. Grade and Class.—Appointments are said to be in the same “Class” when they are in the same Department, and bear the same designation, or have been declared by the Government of Pakistan to be in the same class. Appointments in the same class are sometimes divided into “Grades” according to pay.

Note.—[Appointment do not belong to the same Class or Grade unless they have been so constituted or recognized by proper authority. There are no classes of grades of Ministerial officers.]

29-A. Heads of Departments.—The term includes—

- (a) Officers who have been declared by the Government of Pakistan to be Heads of Departments. Officers who were declared by Local Governments to be Heads of Departments under the Resolution by the late Government of India in the Finance Department, No. 5525-Ex., dated the 19th November 1909, will continue to exercise such powers as have already been delegated to them ; but the extension to any such officer of the larger powers that can now be delegated to Heads of Departments requires the sanction of the Government of Pakistan, in which alone rests the power of adding to the list of Head of Departments.
- (b) Any other authority to which the Government of Pakistan may delegate the powers of a Head of a Department.

* This amended article takes effect from the 31st March 1937

29-B. Imperial Branch or Service.—The term applies—

- (1) To those services or branches of services, which are composed of gazetted officers recruited in England, e.g., the late Indian Civil Service, Military officers filling gazetted Civil appointments; and the “Imperial” as distinguished from the “Provincial” gazetted ranks of the Public Works Department, Forest, late Indian Educational Service, Police, Agricultural, Civil Veterinary Departments.
- (2) To such appointments as are specially declared by the Government of Pakistan to be “Imperial” appointments.

30. Civil Service Pakistan means the service formerly known as the Covenanted Civil Service.

31. Lien on Appointment.—When an officer is said to have a lien on an appointment, it is meant that the right of such an officer to resume on return to duty a substantive or an acting appointment on which he has a lien is subject to the same condition of conformity with the interest of the public service as the tenure of the appointment is. An officer may have a lien on an appointment without having actually joined it.

32. Local Allowance is an allowances given to an officer in addition to pay or salary in consideration of exceptional local circumstances, such as the *^[**]expensiveness of the locality or duty.

House rent allowances, Sind allowances and Baluchistan allowances are local allowances. Travelling allowances, conveyance allowances, horse allowances, and tent-age allowances are not local allowance.

33. Local Fund.— The expression “Local Fund” denotes:—

- (1) Revenue administered by bodies which by law or rule having force of law come under the control of Government whether in regard to the proceedings generally, or to specific matters such as the sanctioning of their budgets, sanction to the creation or filling up of particular appointments, the enactment of leave, pension or similar rules;
- (2) The revenues of any body, which may be specially notified by the Government of Pakistan as such.

34. Local Government.—This term applies primarily to the Provincial Governments, enumerated in Part I of Appendix I with which regular of quasi-

* The words “unhealthiness or” deleted with effect from the 10th March, 1924

provincial settlements have been concluded, and the Minor Local Governments enumerated in Part II whose position is analogous to that of Provincial Governments, but which are not embraced in the system of Provincial Settlements. But for the purpose of these Regulations, the term also includes, in so far as they exercise the powers of a Local Government, the Departments, and officers who are shown in Part III of the appendix referred to as exercising these powers in full or in part.

35. Military Officers.—(a) A Military Officer subject to the Civil Leave Rules means a Military Commissioned Officer in permanent civil employ who is not subject to the British Army Leave Rules.

1. Cancelled.
2. A continuous service Royal Engineer Officer becomes subject to the Civil Leave Rules from the date of entry into permanent civil employ if it is subsequent to the date of his election for continuous late Indian Service, or from the date of such election if it is subsequent to the entry into permanent civil employ. A non-continuous service Royal Engineer Officer becomes subject to the Civil Leave Rules, if he elects these rules, from the date of entry into permanent Civil employ if it is subsequent to the date on which he completes five years' late Indian service, or from the date of completion of five years' late Indian Service if it is subsequent to the entry into permanent Civil employ.
3. An officer of the Cantonments Department becomes subject to the Civil Leave Rules from the date of his substantive appointment to the department.
4. A Military Officer in the Ministry of Defence of the Government of Pakistan, and a Military Officer appointed from Military employment to be Private Secretary to a Governor, is not in Civil employ.
5. A military officer does not come under the Civil Leave Rules by reason of his being transferred to an appointment in the Civil department of which the tenure is limited to a definite period. Such officers remain subject to the Military Leave Rules except as regards privilege leave (see Article 241).
6. When a Military Officer subject the Civil Rules is temporarily deputed in the Military Department, but retains a lien on his appointment in the Civil Department, the period of his deputation qualifies for leave under the Civil Rules.

7. An officer of the late Indian Medical Service who is subject to the Civil Leave Rules becomes subject to the Military Leave Rules on promotion to the rank of Colonel or Surgeon-General.

(b) A Military Officer subject to the Military Leave Rules' means a Military Commissioned Officer in permanent Civil employ who is subject to the British Army Leave Rules, a Departmental Commissioned Officer, a Commissioned Officer of the Pakistan Subordinate Medical Department, or a Warrant Officer. Such an officer is not included in the term "an Officer" used in the Leave Rules.

Note.—[The term 'Military Commissioned Officer', when used in these Regulations, does not include a Departmental Commissioned Officer, or a Commissioned Officer of the Pakistan Subordinate Medical Department, or a Warrant Officer.]

(c) The term 'all Military Officers' means both Military Officers subject to the Civil Leave Rules, and Military Officers subject to the Military Leave Rules.

36. Ministerial Officer means an officer, whether gazetted or not, whose duties are not of an administrative or executive character, but who is employed as a member of an office establishment.

Examples.—An Accountant, or a clerk is a Ministerial officer. A Tehsildar, a Police Inspector or Constable, or teachers in a school is not ministerial officer.

37. Native of Pakistan means any person domiciled in Pakistan and born of parents habitually resident in Pakistan and not established there for temporary purposes only.

38. Pay and Salary.—

- (a) "Pay" means "monthly substantive pay". It includes also "overseas allowance" and "technical allowance".
- (b) For the purposes of the leave rules in chapter XIII, "Pay" includes also the Subsistence allowance of a member of the late Indian Civil Service or a Pakistan Military officer subject to the Civil Leave Rules who has an officiating but not a substantive appointment.
- (c) "Salary" means the sum of pay and acting allowance, or charge allowance under article 94 or Chapter VIII.

1. Personal allowance ¹[excepting the Personal allowance specified in clause (i) of paragraph 5 of the Finance Division's O.M. No. F 1(2)Imp./94(i), dated the 15th June, 1994,] is treated, for the purpose of calculating leave allowances and pensions as part of an officer's substantive pay, but not for purposes of travelling allowance, unless it has been granted to protect from loss an officer, the pay of whose appointment has been changed.
2. The allowance of an officer holding conjointly with another office a Professorship or Lecturer-ship in any Government institution, are part of his salary.
3. "Salary" does not include a local allowance, deputation (local) allowance, house rent, tentage, or travelling allowance, whether daily, monthly or yearly.
4. The charge allowances admissible to Inspectors and Charge Clerks late Indo-European Telegraph Department are part of their salary.
5. The good conduct allowance of policemen is treated as salary for the purpose of calculating leave allowances, but not pension.
6. Deputation (duty) allowances, and duty allowances are treated as salary for the purpose of calculating leave allowance, and are included in the term "emoluments" for calculating pensions.

Note.—[These definitions do not necessarily apply to the Statutory Rules under article 543, 567, etc.,]

39. The "pay of an appointment" means the pay which any particular officer would receive monthly if he held the appointment substantively.

1. The allowances of an officer acting in an appointment the pay of which is subject to increase upon the passing of an examination or upon the completion of a certain period of service, are calculated upon the pay which he would from time to time receive if he held the appointment substantively.
2. The allowances of an officer acting in an appointment the pay of which has been reduced with effect from the next succession thereto, are calculated upon the reduced pay.

¹In Articles 38 inserted by the S.R.O.59(KE)/96 [No.F.4(6)-Reg.6/94] , dated 23-5-1996, Gaz. Of Pak. Extr., Pt-II, P.No.194, dt: 23-7-96; and then omitted vide S.R.O.63(KE)/2010 [No.F.13(4)-Reg.6/2007], dated 20-3-2010, Gaz. Of Pak. Extr., Pt-II, P.No.459, dt: 8-6-2010.

3. The Government of Pakistan and Provincial Governments may declare the pay of an appointment, for the purpose of the rules in Chapters V, VI and VIII, in cases where the pay of an appointment is undetermined, at any rate not exceeding –
- (a) The pay of the permanent incumbent, or
 - (b) If the pay is incremental, his minimum pay, or
 - (c) If the appointment is tenable by an officer belonging to any one of several grades or classes in a service, the pay of the lowest grade or class.
4. In the case of an appointment reserved for officers of a Graded service, the pay of which varies according to the grade of the incumbent for the time being, the pay of an office of the current duties of which an officer is appointed to be in charge under the provisions of Articles 165 and 166, and the pay of any additional appointments which an officer is appointed temporarily to hold or officiate in under the provisions of article 162, is, for the purpose of calculating the incumbent's salary, the pay of the appointment left vacant in the lowest grade or class from which the office or additional appointment is usually filled.

40. (a) The "Pay of an Officer" is — in the case of an officer with a substantive appointment — the amount which he would receive monthly under any of the following designations, in his substantive appointment:—

Military pay and allowances and Staff Salary.

Pakistan Army pay and Staff Salary.

Substantive pay.

Consolidated pay.

(b) In the case of an officer without a substantive appointment, — is monthly Subsistence Allowance (if a member of the Civil Service, Pakistan a Statutory Civil Servant, or a Military officer subject to the Civil Leave Rules) and his Military pay and allowances or Army pay (if a Military officer subject to the Military Leave Rules).

41. Pension.—Except when the term "Pension" is used in contradistinction to Gratuity, "Pension" includes Gratuity.

42. Port Officers.—The Port Officers of Karachi, and Chittagong, are "Senior Port Officers". All other Port Officers are included in the term "Junior Port Officer".

43. Progressive Appointment means an appointment the pay of which is progressive, that is, pay which, subject to the good behaviour of an officer, rises, by periodical increments, from a minimum to a maximum.

Note.—[For brevity's sake, a Progressive pay is described by three groups of figures, namely, the minimum, the increment and the maximum, thus Rs.100-20-200 means a pay rising from Rs.100 by a yearly increment of Rs.20 to Rs.200.]

44. Public Conveyance means a train, steamer or other conveyance, which plies regularly for the conveyance of passengers.

44-A. Cancelled.

44-B. Remuneration includes, besides monthly substantive pay or salary, other payments to officers from general revenues (i.e., Central and Provincial, revenues, as well as the revenues of local funds administered by Government.) whether in the nature of fixed allowances, subject to the exceptions specified below, or of fees, rewards (except language rewards other than those which take the form of monthly allowances) or recurring honoraria. It does not, however, include the pension of an officer who is re-employed, local allowances granted on account of the un-healthiness or expensiveness of particular localities, exchange compensation allowances, travelling, tentage or conveyance allowance, house-rent allowance, or grant of free quarters, allowances to civil surgeons for charge of railway employees, office allowances or hill allowances, and non-recurring honoraria.

45. Rule of Proportions.—Pension or leave allowances are said to be chargeable according to the rule of proportions, when the charge is debitable to several accounts in the proportions in which, in case of pension the aggregate pay drawn by the officer during the whole of his qualifying service has been paid from them or in the case of leave allowances, the aggregate salary drawn by the officer during the portion of his service immediately preceding the beginning of his leave which is taken into account in calculating the leave granted to him was charged to such several accounts.

(2) No pension contribution shall be required by a lending department if a Federal or Provincial Government's employee is posted on deputation to autonomous body corporation, authority, project, program or company etc. within the same Federal or Provincial Government as the case may be, which have the same source of budget.

(3) Pension contribution shall be charged according to rule of proportions when a Federal Government employee is posted to a Provincial Government and vice versa or a Provincial Government employee is sent on deputation to another Provincial Government.

²² Article 45 substituted by the S.R.O.1423(I)/2018 [No.F.9(3)-R.6/2015-1262], dt:-15-11-2018, Gaz. Of Pak., Extra., Pt. II. page. No.3005, dt:- 20-11-2018.

(4) Pension contribution shall be required if an employee of Federal Government is posted on deputation outside the Federal Government to an autonomous body or corporation or project or program under a Provincial Government and vice versa. In such cases, the contribution shall be paid by borrowing organization at the time of repatriation or relinquishment of charge by an employee through treasury challan duly verified by treasury office and the amount contributed shall also be mentioned on last pay certificate supported by schedule of monthly contribution.

(5) Pension contribution shall be required and paid if an employee of Federal Government or Provincial Government is posted to such organizations that are not funded by Government of Pakistan or a Provincial Government, raise their own revenues and incur expenditure out of those revenues e.g., an employee of Federal of Government or Provincial Government is posted on deputation to Capita Development Authority (CDA) and vice versa. The Office of Controller General of Accounts (CGA) may issue a list and decide on status of an entity regarding requirements of pension contributions”;

46. Staff Salary is an allowance to a Military officer in addition to the Military Pay and Allowances or the Army pay of his rank.

Note.—[The following allowances are not treated as staff salary;- Command allowance of hill convalescent depots of British troops, of all stations and forts (Assirghur excepted) not being brigade commends; and the salaries of staff Officers of stations and convalescent depots and of Superintendent of Bazars.]

47. Cancelled.

48. Warrant Officer.—A departmental officer with honorary rank or Warrant Officer includes all Department officers with honorary rank and Warrant Officers of all Defence Departments to whichever Military furlough rules they may be subject. These officers are:—

(a) Departmental officer with honorary rank—

- (i) Commissary
- (ii) Deputy Commissary
- (iii) Assistant Commissary
- (iv) Senior Assistant Surgeon

(b) Warrant Officer—

- (i) Conductor,
- (ii) Sub-Conductor.
- (iii) Assistant Surgeon of the 1st, 2nd, 3rd or 4th class.

PART II.—RULES REGARDING PAY & ALLOWANCES

CHAPTER III.—GENERAL RULES FOR REGULATING ALLOWANCES

Conditions of Age and Health

49. No person may be appointed in Pakistan to a post in Government service without a medical certificate of health in the following form (with suitable modifications when necessary) by a Commissioned Medical Officer of the Government or by a Medical Officer-in-charge of a civil station. This certificate shall be annexed to the first bill submitted for the pay of the Officer:—

I hereby certify that I have examined A. B., a candidate for employment in the Department, and cannot discover that he/she has any disease (communicable or otherwise) constitutional weakness or bodily infirmity except I do not consider this a disqualification for employment in the office of A. B.'s age is according to his own statementyears and by appearance about years.

Note 1.—[In the case of a female candidate a competent authority may accept a certificate signed by any female medical practitioner.]

Note 2.—[In the case of a candidate to be appointed on pay which at the time of his confirmation is not likely to exceed fifty rupees, the appointing authority may accept a certificate signed by a medical graduate or licentiate in Government Medical Service, or failing such, by any other medical graduate or licentiate.]

Note 3.—[A candidate who is likely to be employed in a temporary capacity continuously for three months or more shall produce, either before or within a week from the date of his employment, a certificate from the authorized medical attendant but, if the latter is doubtful whether or not the candidate is fit for Government service, he shall refer the case to the Civil Surgeon. Save as provided in Note 2 above, persons who are likely to be made permanent eventually should, however, be examined by a Commissioned Medical Officer of Government or by a Medical Officer-in-Charge of a civil station. When, however, a Government servant initially employed in an office in a temporary capacity for less than three months is subsequently retained in that office or is transferred without a break to another office and the total period of continuous service under Government is expected to last for three months or more he shall produce such a certificate within a week from the date of the orders sanctioning his retention in that office or joining the new office.]

Note 4.—[When a Government servant, in whom a defect has been noticed by the Examining Officer, is transferred from one office to another, the duties of which are different in character, a Commissioned Medical Officer or a Medical Officer –in-charge of a civil station should report whether the defect will materially interfere with the discharge of his new duties by the person so transferred.]

Note 5.—[The following classes of Government servants are exempted from the production of a medical certificate of health:-

- (1) (Cancelled.)
- (2) A Government servant in superior appointed in a temporary vacancy of less than three months' duration.
- (3) A Class IV servant appointed in a temporary vacancy of less than six months' duration.
- (4) Government servant recruited through a competitive examination who had to undergo medical examination in accordance with the regulations prescribed for appointment to service under Government.
- (5) A temporary Government servant, who has already been medically examined in one office, if transferred to another office without a break in his service.
- (6) A retired Government servant re-employed immediately after retirement.

No.189-A

50. The Local Government may, in any individual case on public grounds, dispense with the production of the certificate required by Article 49.

***[51.** A person who is appointed by initial appointment to a post must be within the age limits as prescribed in the recruitment rules applicable to the post concerned:

Provided that the prescribed upper age limit shall be relaxed to the extent specified in the Initial Appointment to Civil Posts (Relaxation of Upper Age Limit) Rules, 1993].

Date of reckoning Allowance

52. (a) Unless it be otherwise provided by special rule or contract, the salary of an officer begins when he takes charge of the appointment in respect of which it is earned. If the charge is transferred afternoon, the transfer does not affect allowances until the next day.

*Article 51, substituted by the S.R.O 359(1)/94[No.F.6(3)/R.I/93-A], dated 20th April, 1994, Gaz. of Pak., Extr., Part II, P.No.569, dated 7th May, 1994.

(b) If, however, the substantive appointment of an officer is changed while he is officiating in an appointment, or if, while so officiating, an officer is appointed, for the first time, to some substantive office, then, provided that this tenure of his officiating appointment is not interrupted by his new substantive appointment, he may draw the pay thereof without joining it from the date on which he is appointed thereto, or from any later date on which the substantive office becomes vacant.

(c) The local government may by general or special order allow a student, stipendiary or otherwise, who is entitled to be appointed to the service of Government on passing through a course of training at a university, college or school, to draw pay from any date following that on which the final qualifying examination passed by him ends, as if he assumed charge of his duties on that date. It may also grant such a student leave for a period not exceeding five weeks, from the date from which he is allowed to draw pay and count service.

Charge of Office

53. Unless for special recorded reasons (which must be of a public nature) the authority under whose orders transfer takes place permits or requires it to be made in any particular case elsewhere, or otherwise, the charge of an office must be made over at its head-quarters, both the relieving and the relieved officers being present.

1. A Provincial Government may delegate to a subordinate authority the power to relax, for special and recorded reasons of a public nature, the provisions of this Article in the case of any class of officers serving under the latter whose transfer has been ordered by competent authority not higher than that of the Provincial Government.
2. Sanction to the delivery of charge away from headquarters, but within the jurisdiction of the officer relieved may be accorded by Minor Local Governments and by Minister in respect of all officers serving under them who are transferred under competent authority. In special cases where the Head of the Minor Local Government or Imperial Department desires for particular reasons connected with the public service, to confer at his own headquarters with the relieving officer before the latter enters upon his local duties, he may permit the transfer to be made at his own headquarters.
3. The condition imposed by this rule that both the relieving and the relieved officers must be present is not enforced in the case of officers who are permitted to combine vacation with leave under Article 278. In such cases the following procedure has been laid down:-

- (a) When vacation is prefixed to leave the outgoing officer will report before leaving headquarters, or if for urgent reasons the leave is granted during vacation, as soon as it is granted, that he makes over charge with effect from the end of the vacation. The relieving officer will then take over charge at the end of the vacation in the ordinary way.
- (b) When vacation is affixed to leave the officer to be relieved will make over charge in the ordinary way before the vacation, the incoming officer on return at the end of the vacation taking over charge with effect from the beginning of the vacation.

54. As a general rule, and subject to any special orders to the contrary in particular cases, the headquarters of an officer on the staff of a Government, as, for instance, a Secretary to a Government, or a clerk in a Government Secretariat, are the headquarters, for the time being of the Government to which he is attached.

55. The headquarters of any other officer are either the station which has been declared to be his headquarters by the authority which appoints him, or, in the absence of such declaration, the station where the records of his office are kept.

Note.—[A Local Government may delegate to a subordinate authority the power to fix, or change, the headquarters of officers serving under the latter who are appointed by a higher authority]

Leaving Jurisdiction

56. No officers (other than a police officer acting within his legal powers or an excise officer acting under the orders of the Collectors) is entitled to pay or allowances for any time he may spend beyond the limits of his charge without proper authority.

57. A Local Government may authorize any of its officers to proceed on duty to any part of Pakistan, whether within or beyond its own jurisdiction, or to any State which has acceded to Pakistan or Foreign Settlement in Pakistan, provided either that the pay and allowances of the officer deputed are chargeable wholly or partially to Provincial Revenues or that the officer belongs to a Department or Establishment, which, though paid from General Revenues is under the administrative control of the Local Government.

Note.—[The Local Government may delegate its powers under this Article to Heads of Departments. Deputy Inspectors General of Police are Heads of Departments for the purposes of this rule.]

An officers permitted under this Article to proceed to any place on duty may take with him such establishment and records as are absolutely necessary for the efficient discharge of his duties.

58. A Controlling Officer (see Article 1159) may allow any officer subordinate to him to proceed on duty to any part of the territories of his Local Government, or to a District or Foreign State or Settlement adjoining the jurisdiction of the Controlling Officer and to draw travelling allowances under rule.

59. An Accountant-General may, under the orders of a Local Government, pass pay and allowances (according to rule) to the head of an Administration for any period during which he may be absent from his jurisdiction and to any member of his personal or Secretariat Staff.

Promotion during Leave

60. An officer on Long Leave has no claim to substantive promotion. Such promotion may, however, be given, but, except in the case provided for in Note 1 under Article 585 (a), the promotion has effect only from the date on which the officer returns to duty.

If an officer, while absent on short leave during which the amount of his leave allowances depends upon the substantive or officiating appointment which he would hold if present on duty, obtains promotion, substantive or officiating, or an increase of pay or acting allowance which involve no change in, or addition to, his duties or responsibilities, the promotion or increase has effect at once.

Personal, Local and Duty Allowances

61. Unless in any case it is specially ordered otherwise by the authority sanctioning it, a personal allowance should be reduced by any amount by which the recipient's pay or salary may be increased, and should cease as soon as his pay or salary is increased by an amount equal to his personal allowance.

62. (a)(i) A duty allowance is drawn in full by the officer actually discharging the duties for which the allowance has been sanctioned.

(ii) In addition a duty allowance may continue to be drawn by an officer absent from his office through deputation on special duty for a period not exceeding one month, but if the absence exceeds this period, he is not entitled to draw the allowance for any part of the absence.

Note 1.—[Any Medical Officer in medical charge of a civil station, who is required to proceed beyond the limits of his charge in order to appear as a witness in any judicial proceedings shall, in addition to the salary of his office continue to draw the duty allowance attached thereto.]

(c) (i) Subject to the provision of Article 268(a) as regards house-rent allowances, an officer discharging the duties of an appointment is entitled to the local allowances attached to it.

(ii) So much of a local allowance as is not paid to a substitute may be drawn by an officer absent from his office through deputation on special duty for a period not exceeding one month, but if the absence exceeds this period he is not entitled to draw the allowance for any part of the absence.

Note 2.— [The rule in the Note under clause (a) of this Article regarding duty allowance applies in the case of local allowance also without prejudice to the claim of the locum tenens to draw the allowance.]

Salaries of Natives of Pakistan

63. The salary of a Native of Pakistan appointed to an office which has been usually filled by a member of the Civil Service, Pakistan or of the Pakistan Army or by nomination in England, is, in the absence of special orders to the contrary, two-thirds of that assigned to the European.

Note 1.—[In the case of appointments usually filled by members of the Pakistan Civil Service the two-thirds is more accurately described as 64 per cent, thus:—

Full salary	...	...	Rs.100
Deduct 4 per cent. for annuity - net salary			Rs. 96
Two-thirds of net salary	...	...	Rs. 64]

Note 2.— [Any local or duty allowance attached to an appointment of the class referred to in this Article should also be reduced to two-thirds when the appointment is held by a Native of Pakistan.]

Advances and their Recovery

64. (a) An advance may be made to any public officer in the Civil Department—

- (i) on arrival in Pakistan on first appointment, of an amount not exceeding two months' pay less the amount of any advance made in England.
- (ii) on return from long leave or special duty out of Pakistan, not exceeding two months' pay or Rs.1,000, whichever is less, in addition to any advance made by the High Commissioner for Pakistan in the U.K.

(b) The advance may be drawn under the orders of the Audit Officer from any treasury in Pakistan to be specified in such orders.

(c) Such advances, as well as similar advances issued in England, are to be recovered by monthly instalments of one-third of salary.

Note.—[Clause (c) does not apply in the case of a Military officer in Civil employ subject to the Military Leave Rules granted an advance under those rules; nor does it apply to Covenanted Engine-drivers, Mechanics, Boiler-makers, etc., recoveries from whom are regulated by Article 667.]

65. An officer returning from leave out of Pakistan may be granted an advance of his leave allowance for the unexpired portion of his leave subject to a maximum of 35 days from the date of embarkation for Pakistan.

66. An advance of pay made in England to enable an officer to return to duty in Pakistan, or to one appointed in England proceeding to Pakistan to join his appointment, is recovered at such rate of exchange as the President may by order prescribe.

Transfer on Duty

67. (a) No officer (unless he has been newly appointed to the service of Government) can begin to draw any pay or allowances at any treasury in Pakistan, or at the office of the High Commissioner for Pakistan in U. K. without producing a last pay certificate from the treasury where his pay or allowances were last disbursed, or from the Accountant-General within whose jurisdiction this treasury is, or in the case of a non-gazetted officer, from the head of the office under whom he was last employed.

(b) The rules regarding the issue of last-pay certificates in connection with "transfer on duty" are laid down in Appendix 3.

Pay of officers undergoing training or Instruction

68-A. The Local Government may authorize an officer to undergo a course of instruction, or training; and may, at its discretion, decide what pay shall be allowed during the period of training up to the limit of the salary which the officer would have drawn but for his undergoing such training. In the case of a non-gazetted officer allowed under the provision of Article 57 to proceed outside the limits of the province in which he is serving, the Local Government may, at its discretion, grant in addition an allowance not exceeding one-fifth of his salary, when it considers that the expenses of the officer exceed those to which he might be put by a temporary transfer on duty within the province in which he is employed. If the place of training has been recognized as particularly expensive by the grant of special compensatory allowances to officers stationed there, the

Local Government, at its discretion, may in addition grant a non-gazetted officer an allowance similar to the compensatory allowance admissible in such place to an officer of his class. In the case of a student who is not in Government Service, the Local Government may allow such pay, not exceeding Rs.250 a month, as it considers suitable.

Note 1.— [The Local Government may delegate its powers under this Article to Heads of Departments.]

Note 2.— [A Local Government may issue general orders under this Article in regard to any specified class of officers.]

Subsistence Allowance

68-B. The rates of subsistence allowance of members of the Civil Service Pakistan of Military Officers subject to the Civil Leave Rules, and of Military Officers subject to the Military Leave Rules are as follows:—

(a) Members of the Civil Service Pakistan and Military Officers subject to the Civil Leave Rules.

	In sterling per mensem	In rupees per mensem
For an officer of not more than eight years' actual residence in Indo-Pakistan Sub-Continent.....	33 ¹ / ₃	333 ¹ / ₃
For an officer of more than eight but less than twelve years' actual residence in Indo-Pakistan Sub-Continent	42 ² / ₃	426 ² / ₃
For an officer of not less than twelve but not more than sixteen years' actual residence in Indo-Pakistan Sub-Continent..	53 ¹ / ₃	533 ¹ / ₃
For an officer of more than sixteen years' actual residence in Indo-Pakistan Sub-Continent..	66 ³ / ₅	666

Note.—[The amount of subsistence allowance, however, shall in no case exceed the amount of leave allowance which the officer would draw if he were on leave on half average salary.]

(b) Military Officers subject to the Military Leave Rules. -

For an officer of the rank of Captain ..Rs.250 per mensem.
or subaltern

For an officer of the rank of Major Rs.320 per mensem.

For an officer of higher rank than Major..Rs.400 per mensem.

CHAPTER –IV: ADDITIONS TO SALARY AND DEPUTATIONS

Note.—[The powers of the Government of Pakistan and of subordinate authorities in regard to the creation of permanent and temporary appointment, the placing of officers on deputation in Pakistan and the sanctioning of additions to the remuneration of officers are stated in separate orders of the Government of Pakistan.]

69. The maximum Civil Salary, except of appointments of which the salary is fixed by Statute, is Rs.50,000 a year. But sumptuary allowances, travelling allowances and the like may be granted in addition to this maximum.

70. Cancelled.

Additions to Salary

71. (a) Unless in any particular case it be otherwise distinctly provided, the whole time of a public officer must be held to be paid for by the State, and he may be employed in any manner required by proper authority within his own branch of duty, without claim for additional remuneration, whether the services rendered are such as would ordinarily be paid for from General Revenues or a Local Fund or from the revenues of a State which has acceded to Pakistan.

(b) All Municipalities and Funds administered under a Local Government inclusive of Port Trust Funds and Wards' Estates are entitled to the gratuitous advice and services of officers of the Public Works' Department, and of all Government Medical, Sanitary and Educational officers whenever these can, in the opinion of the Local Government, be given without detriment to the public service. It will rest with Local Government in each case to decide whether this last condition is fulfilled, and to indicate in each instance to what officer application for advice or assistance should be made. When a Municipality has its own Engineer or Manager, it will probably only desire to consult some superior officer of the Public Works or other Department. In other cases more direct supervision and assistance may be considered desirable, and should be freely given without charge if the Local Government decides that such supervision and assistance can be given without detriment to the public service.

(c) This rule does not, however, affect such officers as Members of a Town Council or a Port Trust, who are entitled under any special or local law to receive fees or other remuneration for attendance at meetings of Directors or Commissioners, etc., for the transaction of business.

72-74. Cancelled [with effect from 21st November, 1935].

75-76. Cancelled.

Temporary Appointments

76-A. A temporary appointment is an appointment carrying a definite rate of pay sanctioned for a limited time.

76-B. When a temporary appointment of like character to existing permanent appointment is filled by an officer in the service of Government, his salary will be determined as follows:—

- (a) If the existing appointments are divided into grades or classes, the temporary appointment will be treated as a temporary addition to the corresponding grade or class of the cadre; and the salaries of all officers concerned will be regulated according to promotions within the cadre under the rules in Chapter V.
- (b) If the appointments are not graded, the salary of the officer filling the temporary appointment will be equal to that which he would draw if he were acting in a permanent appointment on the same pay. The promotions made in such arrangements may in certain cases be substantive pro tempore, if the temporary appointment is for not less than six-months, in accordance with the provisions of Article 90.

Note.—[A temporary addition to a clerical establishment for the performance of work falling within the ordinary duties of the establishment comes under clause (a) above.]

The Government of Pakistan may sanction the drawl by the holder of a temporary appointment of salary in excess of what is permissible under the above rules, subject to the maximum limit of the pay of the appointment.

The Local Government may sanction the drawl by the holder of a temporary appointment, the pay of which does not exceed Rs.800 a month, of a salary in excess of what is permissible under the above rules, subject to the maximum limit of the pay of the appointment, and provided that no special orders of the Government of Pakistan are thereby infringed.

76-C. When a temporary appointment not of like character to existing permanent appointments is filled by an officer in the service of Government his emoluments will, subject to the maximum limit of the pay of the appointment, be regulated as if he had been deputed on special duty under Article 81. The authority appointing him will declare whether any increase in emoluments drawn by him is to be treated as a deputation (duty) or deputation (local) allowance.

The Government of Pakistan may, subject to the maximum limit of the pay of the appointment, increase the amount of the deputation allowance to such an extent as is considered necessary.

If the pay of the appointment does not exceed Rs.800, the Local Government may increase the amount of the deputation allowance to such an extent as is considered necessary, subject to the maximum limit of the pay of that appointment and provided that no special orders are thereby infringed.

76-D. The authority, which appoints an officer to a temporary appointment, may declare that the officer shall hold the appointment substantively for the purposes of the acting allowance rules. The effect of such a declaration will be that if the officer officiates in another appointment while continuing to retain a lien on the temporary appointment, his emoluments in respect of the temporary appointment will be regarded as his substantive pay for the purpose of calculating his salary.

Deputation in Pakistan

77. An officer is said to be on deputation when he is detached on special temporary duty for the performance of which there is no permanently or temporarily sanctioned appointment.

77-A—78. Cancelled.

78-A. See Article 76. B&D

79—80. Cancelled.

81. An officer deputed on special duty may be allowed to draw the pay or salary which he is drawing at the time of his deputation, or which he would have drawn from time to time if he had not been so deputed; provided that an officer who, while on deputation, is nominated to an appointment outside the regular line, shall not be admitted to the pay or salary of that appointment until he joins it. The officer may in addition be allowed to draw (1) if the special duty involves a decided increase of work or responsibility in comparison with the duties of his regular appointment, a deputation (duty) allowances, or (2) if the special duty involves a change of station, a deputation (local) allowance. If the special duty involves both increased work or responsibility and a change of station, the allowance will be classed as duty or local according as it is given mainly for increased work or responsibility or for a change of station. In either case it may not, except with the special sanction of the Government of Pakistan, exceed one-fifth of salary or Rs.10 a day, whichever is less.

82. Deputation allowance does not include re-imburement of cost of travelling, and an officer who draws deputation allowance is not thereby debarred from drawing any travelling allowance which would be admissible to him, if the duty on which he is deputed were created as a new permanent appointment.

83. Cancelled.

Famine Duty

84. The following allowances in addition to salary are granted to an officer deputed to Famine work in a Province other than that in which he is serving, besides the usual travelling allowances both to and from the scene of his labours and while there.

		Rs. a month	
(i)	To a Sub-Engineer in the Public Works Department ...	75	} Besides the usual sub-division Allowance permitted by the rules, and cost of one servant's journey in and from the famine districts.
	To a Supervisor or an Overseer in the Public Works Department	60	
	To a Sub-Overseer in the Public Works Department	25	
(ii)	To a Military officer transferred from Regimental or purely Military duty to Famine work whether in or out of Province—		} The travelling allowance of a Military officer are the same as those admissible to a member of the Civil Service Pakistan
	1. If the officer's service is more than five years..	300	
	2. If the officer's service is not more than five years	200	
(iii)	To every other Officer	Rs.5 a day.	Besides the cost of the journeys to And from the famine districts of his Servants and (If tents and horses are carried) the carriage of his tents and horses.

Deputation outside Pakistan

84-A. Cancelled.

* **85.** The President may sanction the deputation of Government servant on duty out of Pakistan.

* **85-A.** (1) When a Government servant is with proper sanction temporarily deputed on official business out of Pakistan his pay shall be regulated as follows:—

(A) If he is deputed for duty in Europe or his deputation elsewhere is declared by the President to be under quasi-European conditions

* Revised Articles 85 to 85-C, which have been substituted for Articles 85 and 85-A take effect from 4th March, 1938.

and if he is sent from Pakistan for the purpose of his deputation and does not include any leave within the period of his absence from Pakistan, he shall receive for the first month of his absence from Pakistan the pay which he would have drawn if he had remained on duty in Pakistan, for the second month of such absence, 11/12ths of such amount, for the third month of such absence, 5/6ths of such amount, for the fourth month of such absence 3/4th of such amount, for the fifth to tenth month of such absence, 2/3rds of such amount, and thereafter 3/4ths of such amount.

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

(C) If he is deputed for duty elsewhere than in Europe and his deputation is not declared by the President to be under quasi-European condition, his pay shall be determined by the President with due regard to the provisions of Articles 76-B and 76-C of these Regulations as though a temporary post had been created provided that—

(a) No Government servant on deputation out of Pakistan shall draw pay at a rate exceeding Rs.5,500 per month;

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

(2) In addition to the pay admissible under clause (1) of this Article a Government servant on deputation may be granted a compensatory allowance of such amount as the President may think fit.

(3) The sterling equivalent of the pay admissible under clause (1) of this Article shall be calculated at such rate of exchange as the President may by order prescribe.

85-B. Cancelled.

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

CHAPTER V.—ACTING ALLOWANCES—GENERAL RULES

SECTION I.—DEFINITIONS AND LIMITATIONS

86. “Acting Allowance” is the allowance given, in addition to substantive pay (if any) to an officer who is appointed to officiate in an appointment of which either there is no holder or of which the holder is an absentee.

1. A Local Government may, at its discretion, allow acting appointments to be made in place of officers ordered or permitted to undergo a course of training. It may delegate its power under this rule to Heads of Departments.
2. A Local Government may also issue general orders authorizing acting appointments to be made in the place of any specified class of officers under training.

87. In certain cases, as defined in Articles 89 to 92, it is permissible to appoint an officer “provisionally” or “substantively pro-tempore” instead of appointing him to officiate.

88. It is also permissible, instead of appointing an officer to officiate, to appoint him to be in charge of the current duties of the vacant appointment. In such cases a “charge allowance” is given as explained in Articles 94, 95, 165 to 169-A and 174-A.

Provisional Appointments

89. If an officer is transferred to duty which is such that he retains no connection with his own appointment and which, there is reason to believe, will not terminate within three years, the Local Government may, if it think fit, suspend his lien upon his own appointment altogether, and fill up that appointment substantively, reserving only the right to reverse the arrangements thus made in case the absent officer at any time reverts to his original appointment.

Note.—[A Local Government may delegate its powers under this Articles to Heads of Departments in respect of officer whom they can appoint.]

*Revised Articles 85 to 85-C, which have been substituted for Articles 85 and 85-A take effect from 4th March, 1938.

Substantive Pro-tempore Appointments

90. An officer to whom the rules in Section I of Chapter VI do not apply may be appointed substantively pro tempore on full pay without prejudice to the lien of the absentee, in place of an absentee who draws no part of the pay of the appointment or of an officer on deputation, provided that when the absence is due to a temporary appointment of the officer is on deputation, the temporary appointment or deputation lasts for six months or more.

The full pay of an officer thus appointed substantively for a time may, in like manner and upon the same condition, be given to a substitute similarly appointed. The status of an officer appointed substantively pro tempore under this Article is that of an Acting officer, and if he is appointed to officiate in a higher appointment, his salary is reckoned upon his substantive pay proper and not upon the pay of the appointment he had substantively pro tempore.

Note 1.—[This rule is subject to the proviso that the salary of an officer who is substantive pro tempore in one appointment and who is appointed to officiate in a higher appointment shall not be less than that which he drew while holding the substantive pro tempore appointment. While appointed to officiate in a higher appointment or in a higher class the officer does not cease to hold the former appointment substantively pro tempore unless expressly reverted; and unless the officiating appointment is expected to last for at least three months, the authority appointing him may not revert him to his substantive appointment merely for the purpose of appointing another officer to the substantive pro tempore appointment.]

Note 2.— [Full pay is not to be drawn under Articles 89 and 90 as a matter of course or unless the officer claiming it has been formally appointed “provisionally” or “substantively pro tempore” by competent authority.]

91. An officer appointed to act in another office is not an absentee within the meaning of Article 90 unless the full pay of that office is available and he is appointed to it substantively pro tempore.

92. An absentee who receives absentee allowances draws, within the meaning of Article 90, “part of the pay of his appointment”; and that Article is not to be construed as conflicting with Article 214.”

93. Cancelled.

Charge Allowances

94. An officer appointed to be in charge of the current duties of an office independently, i.e., under orders which expressly relieve him of the charge of his own office, is entitled to a charge allowance of three-quarters of the acting allowance which would be admissible to him if he were appointed to officiate in the office. An officer cannot be thus appointed to be in charge of a “grade”.

Note.— [The rules laid down in Articles 168 and 169 apply here also.]

95. The Local Government may, if it thinks fit, assign to the officer a charge allowance of less than the amount thus admissible, and, on the other hand, if it thinks this amount too small, may grant him for special recorded reasons, the full acting allowance. Charge allowance under this Article must never exceed what an officer would draw as acting allowance if appointed to officiate in the appointment.

Note.—[The rules laid down in Articles 168 and 169 apply here also.]

1. The local Government may delegate its power under this Article to the Head of a Department or Commissioner of a Division.

SECTION II.—MAXIMUM AND MINIMUM SALARIES

96. The minimum salary of an officiating officer is half the pay of the appointment, and, except in cases where the rules in Section I of Chapter VI apply, the maximum salary is the pay of the appointment.

97. Cancelled.

SECTION III.—PRIVILEGE LEAVE VACANCIES

98. As a general rule, the duties of an officer absent on Privilege leave taken separately and not combined with other leave under Article 232 shall be discharged by another officer in the same station or district. Only in exceptional cases where there is absolutely no officer available on the spot, can the transfer of an officer from another station or district to act in consequence of the absence of an officer on Privilege leave be allowed. In the case of appointments held by members of the Civil Service Pakistan or a Commission, if a member of that Service or Commission is not available on the spot, a Provincial Service officer should be placed in charge of the vacant appointment.

99—103. Cancelled.

CHAPTER VI.—ACTING ALLOWANCES—RULES FOR CALCULATIONS

SECTION I.—IMPERIAL SERVICES AND SERVICES ORGANISED ON A TIME-SCALE BASIS

104. The rules in this Section apply to all Imperial Services and to any other Service, except the Ministry of Finance, Government of Pakistan which is organized on a time-scale basis.

105. Subject to the provisions of Article 162, an officer holding one appointment substantively, who is appointed to officiate in another, shall not draw acting allowance unless the officiating appointment involves the assumption of duties or responsibilities of greater importance or of a different character. This condition is not fulfilled if the two appointments are on the same scale of pay.

Note.—[Two appointments are said to be on the same scale of pay when they fall within a cadre or a class in a cadre, such cadre or class having been created in order to fill all appointment involving duties of approximately the same character or degree or responsibility in a service or establishment or group of establishment so that the pay of the holder of any particular appointment is determined by his position in the cadre or class and not by the fact that he holds that appointment.]

106. Subject to the provisions of Article 105 and 108, the acting allowance of an officiating officer will be the difference between his pay and the pay of the appointment in which he officiates. If, however, his substantive pay is greater than the pay of the appointment in which he officiates, he will continue to draw his substantive pay.

107. An officer officiating in an appointment on a time-scale draws as initial salary the stage of the time scale next above his substantive pay, if any; provided that, if he has previously officiated in the appointment or in an appointment in the same cadre on the same time scale, his initial salary shall not be less than the salary which he drew when last officiating. All officiating service in any stage of the time-scale, whether continuous or not, counts for increment in that stage. If the salary drawn during any period of past officiating service was intermediate between two stages of the time-scale, that period will count for increment in the lower of the two stages. If the substantive pay of the officer at any time exceeds the salary calculated under this rule, he will draw salary equal to that substantive pay.

108. A Local Government may grant to an officiating officer an acting allowance less than admissible under these rules.

109-137. Cancelled.

SECTION II.—OTHER SERVICES

138. The following rules are applicable to officers in Civil employ whose cases are not provided for in Section I of this Chapter, or by rules peculiar to the Services concerned, such as—

- (1) Cancelled.
- (2) Judges of the High Courts (see Chapter XXIII).
- (3) Cancelled
- (4) Law Officers (see Chapter XXXI)

139—139-A. Cancelled.

Officers having a substantive Appointment

140. An officer with a substantive appointment, officiating in an appointment to which this Section applies and of which the pay is not less than Rs.100, is entitled to an acting allowance of one-fifth of the pay of the appointment; Provided that no officer may under this Article be appointed to officiate in a higher grade of his own class.

1. A section writer or a Press servant who is paid for piece – work is, for the purposes of the rule in this Section, held to be an officer without a substantive appointment.

141. For the purpose of this Section, the pay of an appointment which belongs to a graded class is the average pay of the grades, calculated out reference to the number of appointments in each grade; but the officiating officer's salary shall not exceed the pay of the lowest grade, unless he belongs to another department, and is especially appointed to officiate in a grade other than the lowest.

The provisions of this Article are not to be applied in the case of temporary acting appointments not lasting longer than three months so as to give the officiating officer a lower salary than his salary in appointment he would have continued to hold but for the acting appointment.

Medical Appointments

142. A Military Assistant Surgeon while officiating in charge of a Civil station is entitled to draw the full minimum pay of the post and to count the period of officiating service towards increment.

Note.—[In East Bengal, and the Punjab, the under mentioned allowances may be granted under the orders of the Local Government to a Military Assistant Surgeon performing the duties of the Civil Surgeon at headquarters while the latter is absent for more than seven days on duty:—

(a)	If the substantive holder of the charge is a Commissioned Medical Officer-	
		Rs.
	To a Senior Military Surgeon, or Military Assistant Surgeon First class, a duty allowance of	75
	To a Military Assistant Surgeon of the second, third or fourth Class, a duty allowance of	50
(b)	If the substantive holder of the charge is a Civil of Military Assistant Surgeon – in all cases, a duty allowance of ..	50

143. Cancelled.

143-A. Cancelled.

Officers without a Substantive Appointment

144. (a) An officer without a substantive appointment, officiating in an appointment the pay of which is not less than Rs.100, is ordinarily entitled to an acting allowance of half the pay, or, if the pay of the appointment is progressive, half the minimum pay, of the appointment.

(b) In special cases, however, the acting allowance may, with the previous sanction of the Local Government be increased to an amount not exceeding the full pay of the appointment.

Note 1.—[The Local Government may delegate its powers under clause (b) of this article to Heads of Departments in respect of non-gazetted—officers under their control.]

Note 2.—[The salary of an officer without substantive appointment who does not devote his whole time to the duties of the appointment in which he officiates, is regulated by clause (a) of this Article. If the appointment is not ordinarily a whole time post, the Local Government may increase his salary up to the full pay of the appointment under clause (b) of this article; but otherwise, no allowance in excess of the minimum laid down in clause (a) may be given to such an officer without the sanction of the Government.]

Note 3.—[A report of the circumstances of each case in which sanction is accorded by the Local Government or subordinate Heads of Departments under clause (b) of this Article should be forwarded at the beginning of each year through the audit officer to the Government in an amalgamated schedule.]

145-146. Cancelled

Appointments on less than Rs.100

147. The salary of an officer officiating in an appointment of which the pay is less than Rs.100 should, as far as practicable, be regulated by Article 140 and 144. The following conditions must be observed:—

- (i) If the officiating has a substantive appointment, his salary must not exceed what it would be if Article 140 were applied.
 - (ii) If he has no substantive appointment, the officer who appoints him may grant him such allowance, not exceeding the pay, or if the appointment is progressive the minimum pay, of the appointment as he considers necessary.
 - (iii) If the vacancy is caused by the absence on leave of an officer in inferior service, the absentee allowance of such officer must not exceed the difference between his pay and the sum of the acting allowances paid in consequence of his absence, except when, in the resultant acting arrangements, an officer who has no substantive appointment is given more than half the pay of the appointment in which he acts-in which case the excess over half pay granted to him may, at the discretion of the Local Government, be disregarded altogether in calculating the sum available for the leave allowance of the absentee and the acting allowance paid in consequence of his absence.
1. The Local Government may delegate its power under this clause to heads of Offices and departments.

148. The third of the conditions above mentioned is not enforced in the case of:—

- (i) Officers on hospital leave under Chapter XII, Articles 287 to 294.
- (ii) Female warders or matrons employed in Jails.

APPOINTMENTS ON PROGRESSIVE PAY

148-A. In the case of progressive appointments, acting allowances are fixed as follows:—

- (a) An officer whose substantive pay is progressive, and who acts in an office of which the pay is fixed. In this case the officer's acting allowance is calculated as if his substantive pay were a fixed one. Equal to the amount at which from time to time it stands.
- (b) An officer whose substantive pay is fixed, and who acts in an office of which the pay is progressive. In this case the officer's acting allowance is calculated upon the pay to which he would from time to time have risen if he had held the officiating appointment substantively.

(c) An officer whose substantive pay is progressive, and who acts in an office of which the pay is progressive. In this case the officer draws:—

- (i) His substantive pay, with the increments thereof as they fall due;
- (ii) The acting allowance which he would have drawn if the substantive and officiating appointments were both on fixed pay equal to the minimum.

Note 1.—[No officer should be transferred to officiate in a progressive appointment the value of which calculated under Article 150 is less than that of his substantive appointment, save for special reasons of a public nature, to be recorded by the authority appointing him.]

Note 2.—[The maximum limit of salary is not that prescribed in Article 96 but the officer's substantive pay or the pay to which he would have risen if his officiating tenure had been substantive, whichever is the greater.]

Note 3.—[When calculating the salary of an officer who acts in an appointment, the whole of the acting tenure whether continues or not, should be taken into account.]

Example:—An officer who is substantively in the Rs.170 stage of an appointment on Rs150-10-200 is appointed to act in an office of which the pay is Rs.200-8-240. His salary is thus fixed—

Pay	Rs.170	}	But this is limited for the first year to Rs.200.
Acting allowance (one-fifth of Rs.200)	Rs. 40		
Total	Rs.210		

Next year he gets pay Rs.180 + acting allowance Rs.40=total Rs.220. But this is limited for a year to Rs.208.

CHAPTER VII.—REGULATION OF PROGRESSIVE PAY

149. Except under special orders to the contrary, a Progressive pay shall not rise from the minimum to the maximum by less than five equal yearly increments.

149-A. Cancelled.

Calculation of Value

150. A Progressive pay is on an average, equivalent to a fixed pay the amount of which lies between the minimum and maximum of the Progressive pay.

The exact amount of this equivalent varies according to the conditions of each appointment; but in practice, it is assumed that a Progressive pay rising to its maximum by five equal yearly increments, is equivalent to a fixed pay equal to the minimum plus two-thirds, or if the appointment is a Ministerial appointment, plus three-fourths, of the difference between the minimum and the maximum.

Note.—[This Article does not fix the pay of a Progressive appointment, but only indicate the mode of rating the value of such an appointment for financial purpose.]

Accrual of Increment

151. An increment accrues from the day following that on which it is earned.

152. A periodical increment should not be granted to an officer serving on Progressive pay, as a matter of course, or unless his conduct has been good. When an increment is withheld, the period for which it is withheld is at the discretion of the authority having power to withhold, who will also decide whether the postponement is or is not to have the effect of similarly postponing future increments. The authority having power to withhold is, in the case of ministerial and menial officers, the head of the office, and in the case of other officers, the Local Government, which may delegate the powers to heads of departments or other supervising officers.

153. (a) A proposal to grant an increment of progressive pay in advance of the due date should always be scrutinized with special jealousy: it is contrary to the principle of Progressive pay to grant an increment before it is due, and such a grant should not be recommended or allowed, excepting under circumstances which would justify a personal allowance to an officer whose pay is fixed,- that is to say, seldom if ever.

(b) The powers of the Government of Pakistan, of Local Governments and of subordinate authorities to grant a premature increment to an officer are subject to the limits up to which each such authority can raise the officer's remuneration.

154. An officer reduced to a lower grade or appointment on account of misconduct or inefficiency cannot, without the sanction of the authority by whom he is reinstated or promoted, count for increments previous service in the grade or appointment from which he was reduced.

155. Cancelled.

Initial Pay

156. When an officer is appointed substantively to a post on progressive pay—

- (a) (i) if he has not previously officiated in the post; or
 - (ii) if he has officiated in it but his present substantive pay exceeds the salary which he last drew in it, he will draw as initial pay the pay of the stage in the progressive scale next above his present substantive pay, and will draw increments after the period usually required; and
- (b) If he has previously officiated in the post, but his present substantive pay does not exceed the salary which he drew when last officiating, he will draw initial pay equal to that salary, and will count for increment in that stage the period during which he was drawing the said salary.

157 -157-A. Cancelled.

157-B. (a) When, however, the conditions of an officer's service are such that he is liable to be transferred in the same department between appointments of which the pay and increments are identical, his service will, in the case of such a transfer, count for increments as if he had not been transferred.

(b) The authority which orders the transfer of an officer, as a penalty from a higher to a lower appointment, may allow him to draw any salary not exceeding the maximum of the lower appointment, as it may think proper.

158. The incumbent of an appointment the pay of which is changed shall be treated as if he were transferred to a new appointment on the new pay: Provided he may at his option retain his old pay until the date on which he has earned his next or any subsequent increment on the old pay, or until he vacates his appointment. This option once made is final.

TIME SPENT ON LEAVE UNDER SUSPENSION

159. Time spent on leave with allowances counts towards increments in the same manner as if during it the officer had actually held or officiated in (as the case may be) the appointment on which he has a lien.

Note.—[The last sentence of Article 31 must not be held to conflict with this Article. Subject always to the provisions of Article 60 the phrase "the appointment on which he has a lien" means the appointment which the officer relinquished when he proceeded on leave and does not refer to an

appointment to which an officer has been nominated during his absence on leave.]

160. Time passed under suspension does not count towards increments if the suspension is a penalty for misconduct; but an officer, in directing the reinstatement of a person who has been suspended, may declare that the time shall count.

Officers under Training

160-A. A Local Government may at its discretion decide, in the case of an officer who is selected to undergo a course of training, whether the time spent in training shall count as service qualifying for increments of pay.

Note 1.—[The Local government may delegate its powers under this Article to Heads of Departments]

Note 2.—[A Local government may issue general orders under this Article in regard to any specified class of officers under training]

Officers on a Time-Scale of Pay

160-B. (a) Leave without allowance taken by an officer prior to his admission to a time-scale of pay, and overstayals of privilege leave to the extent of one week in similar circumstance, count for increments under the time-scale.

(b) Leave without allowances taken by an officer while he is on a time-scale of pay, or overstayals of privilege leave, do not count towards increments; but Local Governments and Ministries and Divisions of the Government of Pakistan which have the powers of Local Governments may exempt an officer from the operation of the rule, on proof being furnished to them that the leave was taken on account of illness or other cause beyond the officer's control.

CHAPTER VIII.—COMBINATION OF APPOINTMENTS AND SALARIES

SECTION I.—AN OFFICER PERFORMING PERMANENTLY THE DUTIES OF ONE OR MORE SANCTIONED APPOINTMENTS IN ADDITION TO THE DUTIES OF HIS OWN APPOINTMENT

161. A local government may appoint an officer to hold permanently two or more appointments at the same time if the aggregate remuneration does not exceed the maximum limit up to which it can increase an officer's remuneration. The salary of an officer appointed to officiate in two or more appointments which under due sanction have been combined as a single charge is calculated upon the pay fixed for the combined appointment, Article 162 being inoperative in such case.

Note.—[A Local Government may delegate its power under this Article to a Head of a Department in cases where he is competent to fill up the appointment.]

SECTION II.—AN OFFICER PERFORMING TEMPORARILY ADDITIONAL DUTIES WHICH ARE OUTSIDE THE DUTIES OF HIS OWN APPOINTMENT

Performance of additional duties for which there are one or more sanctioned appointments

162. A Local Government may, appoint one officer to hold substantively as a temporary measure, or to officiate in, two or more independent appointments at one time. In such cases, the emoluments are regulated as follows:—

- (i) He draws the highest salary to which he would be entitled if he held or, as the case may be, officiated in, any one of the appointments alone.
- (ii) For the other appointment or appointments he draws such allowances as the Local Government may fix, not exceeding for each appointment half the salary which he would draw if he held, or, as the case may be, officiated in, it alone.
- (iii) Provided that his aggregate salary shall not exceed the pay which he would draw in the most highly paid of the appointments, if he held it substantively and alone.

1. The local government may delegate its power under this Article to the Head of a Department or Commissioner of a Division.

2. The proviso in clause (iii) of this Article may be dispensed with if the Local Government declares that for special reasons (which shall be recorded) it is necessary on public grounds to entrust to the one officer the duties of the several offices at once, and that the salary to which he would be limited by this proviso is not enough.

Note.—[This Article does not apply to the allowance given to a Government officer for holding a Professorship or Lecturer-ship in any Government institution conjointly with another office.]

162-A. Article 162 does not apply to the case of an officer discharging the duties of more than one appointment in the same office or on the same establishment. An officer so employed is entitled to the highest salary to which he would be entitled if he held or officiated in any of the appointments alone, and to nothing more.

Examples.—An Under-Secretary discharging the duties of a fellow Under-Secretary in the same office or department as well as his own.

A Joint Magistrate appointed in addition to his own duties, to officiate as Magistrate of the District. In this case he gets allowances only as Officiating Magistrate.

A District Judge deprived of the help of an additional or Assistant Judge, and therefore doing the Additional or Assistant Judge's work.

A Joint Magistrate doing the work of a second Joint Magistrate in the District as well as his own.

A subordinate doing the duties of another subordinate in the same office.

163. The allowances for his Civil duties of a Military Officer, appointed to officiate in a Civil office other than a Cantonment Magistracy without being relieved of his Military duty, are regulated in accordance with Article 162 and Rule 2 under it and are drawn in the Civil Department. If he has no substantive appointment in the Military Department, the pay of his rank is held to be his substantive pay for the purpose of Article 162.

Note.—[This Article does not apply to cases of Medical appointments falling under Article 171.]

164. An officer holding two or more independent appointments to all or any of which a local or duty allowance is attached, will ordinarily draw the highest allowances (whether it is local allowance or duty allowance) attached to any one of the appointments. In case, however, the highest allowance is a local allowance, the difference between this and the highest duty allowance, if any, will be treated as a local allowance and the balance as duty allowance. But the Local Government may, for special reasons allow him to draw all such allowances attached to the different appointments held by him.

CHARGE OF CURRENT DUTIES

165. An officer appointed to be in charge of the current duties of an office in addition to his own duties may, if the charge in the opinion of the Local Government entails a substantial increase of responsibility and some additional work, be granted a charge allowance, to be fixed by the Local government not exceeding one tenth of the pay of the office; provided that if the office is open to and may in practice be held by a member of the Civil Service Pakistan or a Military Officer, the allowance shall not be less than Rs.100.

Note.—[The Local government may delegate its power under this Article to Heads of Departments.]

166. The salary of an officer appointed to be in charge of the current duties of an additional office shall never exceed the salary which he would receive for officiating in the office. One effect of this rule is that an officer is not entitled to an allowance for taking charge of an office the pay of which is not more than that of his own substantive office. But the Local Government may, for special reasons which shall be recorded, relax this restriction.

167. The amount of “charge allowance” has been fixed in the cases shown in Appendix 6.

168. (a) No allowance is admissible under Article 165 unless the incumbent has actually given over charge of the office under the orders of competent authority, and is absent on leave or deputation or is under suspension. For instance, no allowance is admissible to a subordinate officer empowered to dispose of routine business while his superior is on tour.

(b) But in the Western Pakistan Salt Revenue Department charge allowance is granted to an officer placed in charge of the current duties of an Assistant Commissioner office during the absence of the incumbent on tour.

169. An officer placed in charge of the current duties of an office is not entitled to any local or duty allowance attached to the office, except under the special orders of the Local Government. (see also Article 1010)

Note.—[The Local Government may delegate his powers under this Article to the Head of Department or Commissioner of a Division.]

169-A. The above rules in this chapter do not apply to the special cases dealt with in the following Articles 170 to 174, for which special allowances are admissible.

SPECIAL CASES

District Jail

170. No allowance is admissible to a member of the Civil Service Pakistan or to any officer holding an appointment ordinarily held by a member of that Service, or to a Superintendent of a Central Jail, for the executive charge, either permanently or temporarily of a District Jail. Any other person, whether he does or does not hold any office under Government if placed in executive charge of a District Jail, is entitled to an allowance on the following scale:-

1 st Class Jail ...	...	Rs. 150 a month
2 nd Class Jail ...	...	Rs. 100 a month
3 rd Class Jail ...	...	Rs. 75 a month
4 th Class Jail ...	...	Rs. 50 a month

Civil Surgeoncy

171. A Regimental Medical Officer appointed to act as Civil Surgeon without relinquishing his Regimental duties is entitled to an allowance of Rs.100 a month.

172. An officer in medical charge of a Civil station is entitled to an allowance of Rs.100 a month for holding visiting charge of a second station.

Note.—[In East Bengal the allowance may be Rs.50 or Rs.100 as the Local Government may fix.]

Medical Charge of Jails

172-A. An officer appointed to the medical charge of a Central Jail when the administrative and medical charges are not united is entitled to an allowance of Rs.100, or, in special cases at the discretion of the Local Government. Rs.150;

Provided always that the aggregate cost for the administrator and medical charges shall not exceed the total pay payable for the combination of the two charges in one person.

172-B. Cancelled.

173. Cancelled.

174. Cancelled.

Nature of the allowance

174-A. The allowances granted under Article 170 to 174 are “acting” or “charge” allowances if they are granted to an officer for acting in, or holding charge of the current duties of, an office for which there is a sanctioned appointment and “duty” allowances if granted for the performance of duties for which there is no sanctioned appointment.

CHAPTER IX --- JOINING TIME

SECTION I—GENERAL RULES

175. Joining time is the time allowed to an officer to proceed from one station to another when his appointment is changed, or when, being unemployed, he is appointed to any office or to an officer returning from long leave out of Pakistan (whether combined with privilege leave or not), who is not entitled to subsidiary leave, to travel from the port of debarkation and re-organize his domestic establishment. In the latter case the minimum Joining Time is 10 days. An officer is held to be on duty during Joining Time.

176. In cases involving a change of station, Joining Time is calculated as follows, subject to a maximum of thirty days:—

(i) Six days for preparation; and in addition thereto:—

For the portion of the journey a day each for which the officer travels or might travel:-

By railway	250 miles.	} Or any longer time actually occupied in the journey.
By ocean steamer	200 miles.	
By river steamers.....	80 miles.	
By motor car plying for public Hire.....	80 miles.	
By Mail cart or other public stage Conveyance drawn by Horses	80 miles.	
In any other way	15 miles.	

An extra day is allowed for any fraction of distance over that prescribed.

(ii) When part of the journey is by steamer, the days intervening between the officer being set free from his office, or if he has no office, receiving his orders, and the departure of the steamer or his start duly regulated to catch the steamer, shall be added.

Note 1.— [Sundays are not included in the above calculations, though they are included in the maximum limit of thirty days.]

Note 2. — [A journey by road of five miles or under to or from a railway station from or to the point which may be prescribed under Article 998 does not count for joining time.]

Note 3.— [An officer whose salary does not exceed Rs.100 a month should not ordinarily be required to travel by mail cart or other public stage conveyance drawn by horses.]

177. By whatever route the officer travels, his Joining Time shall, unless the Local Government specially permit otherwise, be calculated by the route which travellers habitually use.

Note.—[The Local Government may delegate its powers under this Article to Heads of Departments.]

178. (a) The Local Government may in any case extend Joining Time admissible by rule provided the general spirit of the rules is observed.

(b) Within the maximum of thirty days, Heads of Departments and Commissioners of Divisions in the case of officers of Provincial Services and non-gazetted subordinates under their control, may extend the Joining Time admissible by rule—

- (i) if the officer has been unable to avail himself of the usual mode of travelling, or if, notwithstanding due diligence on his part, the journey has occupied more time than is allowed by the rules—to the extent of the time actually taken;
- (ii) if such extension is considered necessary for the public convenience or for the saving of public expense, as, for example, to prevent unnecessary and merely formal transfers to the extent necessary;
- (iii) if the rules have in any particular case operated harshly, as, for example, if an officer has through no fault on his part missed a steamer or fallen sick on the journey—to the extent necessary, on such conditions as to allowances or otherwise as the sanctioning authority may think fit.

Note.—[A local government may delegate the powers of Heads of Departments under clause (b) of this Article to other subordinate authorities in respect of non-gazetted officers serving under the latter.]

179. The Audit Officer shall move the Local Government to report to the Government of Pakistan any concession made under the preceding Article, which appears to him contrary to the spirit of the rules. The Local Government may not, finally, overrule the Audit Officer without a reference to the President.

SECTION II.—JOINING TIME ON FIRST APPOINTMENT OR TRANSFER

180. Only one day is allowed for joining an appointment which does not necessarily involve a change of residence from one station to another.

Note.—[Sundays are included in the calculation of the joining time of one day admissible under this Article. An officer who gives over charge on Saturday forenoon must, therefore, take charge on Saturday afternoon, and an officer who gives over charge on Saturday afternoon must take charge on Monday forenoon.]

181. If an officer is authorized under Article 53 to make over charge of an office elsewhere than at its headquarters, any Joining Time to which he may be entitled shall be reckoned from the place at which he actually makes over charge.

When Leave Intervenes

182. When an officer, after giving over charge of his office at one station on transfer, or reversion to another office, takes Privilege or Examination leave before joining the office to which he has been transferred or to which he has reverted, or when an officer, while on Privilege or Examination leave is transferred to a station other than that from which he took leave, he is entitled to Joining Time in addition to his Privilege or Examination leave. The Joining Time of an officer transferred during Privilege or Examination Leave will be counted from his old station, or from the place where he receives the order of transfer, whichever calculation would entitle him to the less joining time

183. If an officer; during transit from one appointment to another, obtains Furlough on medical certificate (with or without Privilege leave prefixed), he may be allowed only the Joining Time calculated for the journey from his old station to the furthest place to which he has proceeded on his route to his new station.

Appointment Changed

184. The joining time of an officer whose appointment is changed while he is in transit from one appointment to another begins on the day following that on which he receives his orders.

Allowances

185. Except in the case mentioned in Article 188, an officer draws, during Joining Time, the pay or salary which he *[would have drawn if he had not been transferred], or that which he will draw on joining his new appointment, whichever is less: provided that an officer transferred from one officiating appointment to another shall not draw any acting allowance during Joining Time if he had not a superior lien on either of the officiating appointments to that of the officer relieved by or relieving him. If the officer is entitled to tentage in his old appointment and tentage is also attached to his new appointment, he may draw tentage during Joining Time at the lower of the two rates. If the officer in his old appointment drew a local allowance granted on account of special expensiveness of living or unhealthiness of climate, in any district, province or locality, and the transfer is to another appointment within the same district, province or locality he may draw the local allowance during Joining Time. Provided that, if the rates differ in the two appointments or parts of the local area, he may draw the lower rate only. If an officer drawing a duty allowance, in one appointment is transferred to another appointment similarly carrying a duty allowance he may draw the same during the period of transit provided that, if the rates differ, the allowance to which he is entitled is the lower of the two.

* [] These amendments take effect from the 11th February, 1936.

186. When, under Article 182, an officer combines Privilege on Examination leave and Joining Time, his allowances during Joining Time, - that is to say for the period, not exceeding the Joining Time admissible by rule, in excess of his Privilege or Examination leave, during which he is absent from duty, - must be calculated at the rate at which he is Joining Time allowance would have been calculated if he had joined the office to which he is transferred directly.

187. Cancelled.

188. An officer who is not in the Civil Service Pakistan or in the Army, and who has no substantive appointment, is not entitled to any allowance during Joining Time; but if such an officer officiating in an office is transferred to another office under the same Local Government, the officer who orders the transfer may allow him to draw, during his transit, the allowance to which he would be entitled under the first sentence of Article 185.

Note.—[A Provincial Government may issue general orders applicable to officers of any particular class holding no substantive appointment permitting them to draw the allowances admissible under the first sentence of Article 185, when transferred from one office under it to another.]

Exceeding joining time

189. An officer who does not join his new appointment within his Joining Time is entitled to no allowances after the end of his Joining Time and after a week ceases to have a lien on any appointment. But if the authority making the appointment considers that his default was due to circumstances beyond his control, it may exempt him from the loss of his appointment.

Note.— [The expression “allowances” in this Article does not include travelling allowance.]

Ministerial Officers

190. A ministerial officer transferred to service in another office is entitled to Joining Time under the rules in this Chapter and his service for leave and pension is not interrupted. But unless his transfer has been ordered for the public convenience he is not entitled to any allowances during Joining Time and the Joining Time does not count as service for leave or pension.

Note 1.—[A transfer at the officer’s request for his own advantage is not a transfer for the public convenience within the meaning of this Article.]

Note 2.—[The procedure laid down in Article 1099 should be followed when an officer is transferred otherwise than for the public convenience.]

SECTION III.—JOINING TIME ON RETURN FROM LONG LEAVE OUT OF PAKISTAN

190-A. An officer returning to Pakistan, without the permission of the authority which granted him leave, more than fourteen days before the end of his leave, is not entitled to Joining Time, save under the special orders of the Local Government.

190-B. During Joining Time granted to an officer returning from long leave out of Pakistan he is entitled to allowances as follows:-

- (a) If the leave from which the officer returned was (i) furlough other than furlough on average salary or (ii) extraordinary leave granted in extensions of furlough for a period not exceeding 14 days the officer retaining a lien on his substantive appointment, he is entitled to the allowances which he would have drawn for the last day of his furlough had that day been spent on furlough in Asia. These allowances are subject to no maximum if the officer is a member of the Civil Service Pakistan or a Military Officer subject to the Civil Leave Rules. Otherwise they are subject to the maxima prescribed for allowances during leave spent in Asia. If the furlough was furlough on average salary under Article 316-A or 325-A, the allowances admissible are as for furlough on half average salary.
- (b) If the leave from which the officer returned was extraordinary leave and the conditions of clause (a) (ii) are not fulfilled a member of the Civil Service Pakistan or a Military Officer subject to the Civil Leave Rules is entitled to subsistence allowance and other officers to no allowance.

CHAPTER X.—OFFICERS DISMISSED *[REMOVED], SUSPENDED, OR IMPRISONED

MEMBERS OF THE CIVIL SERVICE PAKISTAN AND MILITARY OFFICERS

191. A member of the Civil Service Pakistan is entitled when under suspension to the subsistence allowance of his rank, and a Military officer in Civil employ to the pay and allowances of his rank.

Other Officers

192. Saving as provided in Article 193 (b), an officer under suspension is entitled to no salary while he is absent from duty, and the salary of an officer who is dismissed *[or removed] ceases absolutely from the date of his dismissal *[or

* These amendments take effect from the 11th February 1936

removal]; no allowances may be granted for any period occupied in the prosecution of appeals against the order of dismissal *[or removal].

193. (a) A subsistence allowance, at a rate not exceeding one quarter of his salary, may be granted by the authority suspending him to an officer removed from office pending enquiry into his alleged misconduct. Provided that the subsistence allowance of a European should not commonly be less than Rs.25 a month; if his salary be less than Rs.100 a month, the rate may be increased accordingly. An officer of the Pakistan Navy, whose duties are not confined to the shore, will draw, in addition to the subsistence allowance, rations, or, when rations are not issued, compensation in lieu thereof.

(b) When the suspension of a Government servant is held to have been unjustifiable or not wholly justifiable; or when a Government servant who has been dismissed, *[removed] or suspended is reinstated, the revising or appellate authority may grant to him for the period of his absence from duty-

- (a) if he is honourably acquitted the full salary to which he would have entitled if he had not been dismissed, *[removed] or suspended and by an order to be separately recorded any allowance of which he was in receipt prior to his dismissal, *[removal] or suspension ; or
- (b) if otherwise, such proportion of such salary and allowances as the revising or appellate authority may prescribe.

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

(c) No extra cost may ordinarily be imposed on the State by the grant of an allowance under either clause (a) or clause (b) without the permission of the Local Government. In cases however where it does not exceed Rs.500 and where the period during which the officer has remained unemployed through suspension, *[removal] or dismissal does not exceed six month the excess expenditure may be admitted on the sanction of the authority mentioned in clause (a) or in clause (b) as the case may be.

Note.—[The subsistence allowance referred to in clause (a) is authorized as a matter of grace only and cannot be claimed as of right.]

193-A. The preceding Article applies also to officers in temporary employ, but in deciding whether an allowance should be granted to such officers, the

period for which the temporary appointment has been sanctioned should be taken into consideration.

Committals to Prison

²[194. A Government servant who has been charged for a criminal offence or debt and is committed to prison shall be considered as under suspension from the date of his arrest. In case such a Govt. servant is not arrested or is released on bail, the competent authority may suspend him, by specific order, if the charge against him is connected with his position as Government servant or is likely to embarrass him in the discharge of his duties or involves moral turpitude. During suspension period the Government servant shall be entitled to the subsistence grant as admissible under F.R-53.]

³[194-A. * * * * *]

Leave while under Suspension

195. Leave of absence for a definite period is not admissible to an officer who has been suspended from duty. If permission to proceed to England is granted in such a case, it should only be for such period as the President may determine.

PART III.—LEAVE RULES

CHAPTER XI.—GENERAL CONDITIONS FOR LEAVE

SECTION I. —GENERAL RULES

196. The rules in this chapter apply to all officers in Civil employ except in as far as they are inconsistent with, or overridden by, the special conditions of leave which obtain in the case of the following classes of officers:—

- (a) Cancelled.
- (b) Judges of the High Courts (see Chapter XXIII.)
- (c) Barristers and Pleaders holding the appointments specified in Article 547 (see Chapter XXIV)
- (d) Cancelled.
- (e) Cancelled.
- (f) Officers subject to the Military Leave Rules (see Chapter XXVIII).

² Article 194 substituted by the S.R.O.25(KE)/97[No.F.1(6)R-4/93], the 4th February, 1997, Gaz. of Pak., Extr., Pt. II. P. No. 77-78, dated March 17, 1997.

³ Article 194-A omitted by the S.R.O.25(KE)/97[No.F.1(6)R-4/93], the 4th February, 1997, Gaz. of Pak., Extr., Pt. II. P. No. 77-78, dated March 17, 1997.

- (g) Army Veterinary Officers of the Civil Veterinary Department (see Chapter XXIX)
- (h) Law Officers (see Chapter XXXI).
- (i) State Railway Establishments (see Chapter XXXII)
- (j) Cancelled.
- (k) Cancelled.
- (l) Dacca Military Police (see Chapter XXXV)
- (m) Cancelled.
- (n) Cancelled.
- (o) Officers serving under Special Contracts (their contracts)

1. An officer appointed under contract for any term of years without prospect of permanent employment is not entitled to leave, other than privilege leave and leave on medical certificate (regarding which see Note below), except in accordance with the terms of his contract (see Note under Article 352).

Note.—[If the health of an officer who is serving under an agreement which does not give a title to leave until the expiry of a fixed period fails during that period his engagement should be terminated, unless-

- (i) He has exhibited such special ability that it is desirable on public grounds to retain him even at the cost of the difference between a leave allowance and any passage money, etc., due under his agreement; and
- (ii) It is certified that he will in all probability be able to return to duty at or before the end of six months. In cases in which the engagement is not terminated, leave may be granted for a period not exceeding six months and on allowances not exceeding half-pay.]

Discretion of Government

197. (a) Leave of absence cannot be claimed as of right. Nothing in these Regulations must be understood to limit the free discretion of the Government refuse, or revoke, leave of absence of any description, at any time according to the exigencies of the public Service.

(b) The Local Government may refuse to grant the full amount of leave applied for in any case, and should, by the exercise of this power, so regulate the date of an officer's return from leave as to cause as little change as possible in administrative arrangements.

Local Governments should not grant leave of any description to an extent, which would unduly deplete the strength of a service or department available for active duty. Consequently, when the duty strength has been reduced to a point which, in the opinion of the Local Government, is for the time being an essential minimum, no further leave of any description should be given save in cases of the most absolute necessity, such as sickness or most urgent private affairs, until the strength available for duty has increased. In applying this principle, Local Government may take into special consideration the case of officers who apply for privilege leave in Pakistan, for, as they can be readily recalled if necessary, they stand on a different footing to officers who are out of convenient reach.

1. The local government may lay down such conditions, as it may consider administratively desirable to check any undue frequency of leave in the case of officers holding isolated appointments not filled by members of a regularly organized service.

2. When the cadre of a service includes provision for appointments under the Government of Pakistan or in another province, the local government should take particular care that the needs of other Governments are properly complied with.

(c) This article gives Local Governments ample powers for regulating leave of every description and in dealing with applications for leave the following instructions should be carefully borne in mind:—

Government order:—It has been decided that the Civil Furlough Rules as they stand, appear to make sufficient provision against their frequent or general abuse, and that any present formal modification of those rules is therefore unnecessary. Officers in England on medical leave will not be permitted to return to duty without a medical certificate of fitness for duty in Pakistan. At the same time the subject would be reconsidered. But it might be brought to the notice of Local Governments and heads of departments. It is pointed out that to grant leave on urgent private affairs in consideration of the state of an office's health is not in accordance with the spirit of the rules. When an officer applies for repeated grants of medical leave within short intervals, the attention of the Medical Board should be drawn to his case with a view to their carefully considering the term of absence necessary for his complete recovery.

2. Two Military officers having applied for ordinary furlough within a short period after their transfer to employment in the Civil Department. — namely, before they had completed one year's service in that Department, — the Local Government concerned felt itself justified under the terms in clause (a) in refusing to forward the applications unless supported by medical certificate, and reported its proceedings to the Central Government. The Local Government was told that the object of the rule contained in clause (a) under which these applications fall to be dealt with is to give Local Governments the fullest power of dealing with

applications for leave, subject to the condition that leave may be refused only on public grounds. The local Government's action was accordingly approved.

Maximum Leave Admissible

*[198. * * * * *]

Recall from Leave

199. An officer who is recalled to duty before the expiry of leave of any kind, if the return to duty is optional, is entitled to no concession. If the return to duty is compulsory, he is entitled:—

- (a) if the leave from which he is recalled is out of Pakistan—
 - i. to the concession in Articles 8 (iii) and 1127 subject to the conditions and limitations specified therein ; and
 - ii. to leave allowances during the voyage to Pakistan; and for the period from the date of landing in Pakistan to the date of joining his appointment, to the joining time allowance which he would have drawn had he not been recalled but simply returned on the termination of his leave:—
- (b) if the leave from which he is recalled is in Pakistan—
 - i. to the concessions in Article 1127 subject to the conditions and limitations specified therein; and
 - ii. to be treated (if the recall is from leave other than privilege leave) as on duty from the date on which he starts for the station to which he is ordered but he is entitled until he re-joins his appointment to draw leave allowances only.

Note.—[All orders recalling an officer before the expiry of his leave should distinctly state whether the return to duty is optional or compulsory. Orders recalling an officer from leave out of Pakistan should be communicated to him officially through the High Commissioner for Pakistan in the U.K.]

* Article 198 omitted by the S.R.O. 38 (KE) /98[No.F.1(11)R-4/89], dt:- 11-02-1998.

EMPLOYMENT DURING LEAVE

200. A Government servant on leave may not take any service or accept any employment without obtaining the previous sanction of –

- * (a) Cancelled.
- (b) The President if the proposed service or employment lies elsewhere than in Pakistan.
- (c) The President or any lower authority empowered to appoint him, if the proposed service or employment lies in Pakistan.

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

Note.—[The rules providing for the grant of leave to an officer who has a temporary or similar employment. No, does it apply to acceptance of Foreign Service during leave, which is governed by Article 761 of the Regulations.

SECTION II.— SERVICES QUALIFYING FOR LEAVE

Service out of Pakistan

200-A. Time spent on duty in any part of Asia under Articles 85 and 85-A counts for leave in the absence of special directions to the contrary. Time spent on duty in any other place out of Pakistan is not an interruption for service for leave, but it does not, without the special sanction of the President count as service for leave.

Temporary Service

201. Temporary and officiating service if it counts for pension, counts also for leave.

Note.—[The rules providing for the grant of leave to an officer who has a temporary or officiating appointment only are contained in Articles 242 and 320 (b).]

* Clauses (a) to (c) in this amended from take effect from the 23rd October 1939.

Probationers and Apprentices

202. (a) An officer appointed as probationer for a certain period before formal appointment is entitled to the same leave as if he held a substantive appointment.

1. Officers appointed under contract in England on probation in view to permanent service in Pakistan are entitled to leave as follows:-

- (i) Officer appointed for three years or more (see Appendix No. 33), the same leave as if they held permanent appointments.
- (ii) Officers appointed for less than three years (see Appendix No. 33), privilege leave and, if necessary, furlough on medical certificate, not more than six month of such furlough carrying allowances.

Note 1—3 Cancelled.

(b) Cancelled.

(c) The service of—

- (1) Probationary, officiating and temporary Deputy Magistrate-Collectors and Sub-Deputy Collectors in East Bengal, and
- (2) Probationary, officiating and temporary Extra Assistant Commissioners in the Punjab,

counts for leave from the date on which all the three following conditions are fulfilled, namely,

- (a) Two years' continuous probationary or officiating service as such has been rendered.
- (b) Departmental examinations have been fully passed, and
- (c) The age of twenty years has been attained.

Note. 1—[The above conditions do not apply to Deputy Collectors and Sub-Deputy Collectors who began service in the settlement Department on a Temporary footing and were promoted to be probationary or officiating Deputy Collectors or Sub-Deputy Collectors in the provincial and subordinate civil services. Such officers are allowed to count for leave the whole of their continuous service from the date of their first appointment in the Settlement Department.]

Note 2 and 3.— Cancelled.

203. (a) Services as an Apprentice does not qualify except in the following cases:—

Engineer or Examiner Apprentices,
Qualified students of the Thomason
College under practical training;



In the Public Works or Railways
Department

Assistant Superintendent Apprentices in the Pakistan Telegraph Department.

(b) Apprentice Overseers in the Public Works or Railway Department and Apprentice Permanent-Way Inspectors on State Railways may be allowed leave on medical certificate on half pay subject, in the case of Military Apprentices, to the proviso that the leave allowance shall not be less than Military pay and allowances. An apprentice of either class counts his service as such for leave if on the termination of his apprenticeship he is appointed to the department.

Officers under Training

203-A. A Local Government may at its discretion decide, in the case of an officer who is selected to undergo a course of training, whether the time spent in training shall count as service qualifying for leave; and also whether or not such time shall be regarded as an interruption entailing forfeiture of leave already earned.

Note 1.—[The Local Government may delegate its power under this Article to Heads of Departments in respect of officers serving under them.]

Note 2. — [A Local Government may issue general orders under this Article in regard to any specified class of officers under training.]

Service under other Rules

204. An officer transferred to an office to which these rules apply is not entitled to Long Leave under them in respect of service rendered in an office to which they do not apply. But service in the Army which under Article 356 counts toward civil pension qualifies also for leave under civil rules. Any leave taken by an officer during such service will in the calculation of future leave be treated as if it had been under these Regulations.

Note 1. [A government servant paid from military estimates who is temporarily transferred to service paid for from civil estimates (including service in a tenure post) remains subject to the rules which would be applicable to him but for his temporary transfer.]

Note 2. [A Government servant paid from Civil Estimates and subject to the leave rules in the Fundamental Rules who is permanently transferred to service paid from Defence Service Estimates becomes subject to the leave rules in these regulations as if they had applied to him ab initio. In calculating the leave due to him under these regulations, the following procedure should be adopted:-

(1) the leave on average pay up to four months which corresponds with privilege leave under these Regulations should be treated as privilege leave; the period of leave on average pay taken in excess of privilege leave which would have been admissible under these regulations should be treated as furlough on average salary although the conditions for its grant may not have been fulfilled.

(2) Leave on half average pay enjoyed under the Fundamental Rules should be treated as furlough under these regulations. This leave will not be treated as an interruption of duty for the purpose of Article 246.

(3) any leave already enjoyed in excess of the leave which would have been due under these regulations should be ignored.]

Service before discharge, Resignation or Dismissal

205. (a) An officer who is discharged on reduction of establishment from, or resigns the public service and is re-employed after an interval, cannot, without the permission of the authority sanctioning the re-employment count his former service towards leave.

(b) An officer who is dismissed or removed from the public service and who is reinstated on appeal, cannot count his former service towards leave unless the authority who, on revision or appeal, reverses the order of dismissal or removal, declares that his former qualifying services shall count.

Private Secretary

206. Service as Private Secretary to the President or a Governor qualifies for leave, provided that the officer (before his appointment as Private Secretary) belongs to the Civil Service. (whether the late Indian Civil Service or not) or to the Pakistan Army.

207. After a continuous service of three years, a Private Secretary whose case is not provided for by the preceding Article, may be granted leave on Medical Certificate to the extent of one year with a leave allowance equal to half his salary, and subject to a maximum of £1,000, a year.

Press Servants

208. A Section–writer or a Press servant, paid under piece-work system, if granted leave, is not entitled to any allowance whatever during his absence.

208-A. Cancelled.

Rules of Proportions

209. The leave allowance of an officer not subject to the Foreign Service Rule (Part VII) who has served in any appointment the salary of which has been derived either wholly or in part otherwise than from Pakistan revenues is charged according to the rule of proportions.

SECTION III – RETENTION OF APPOINTMENT

Lien on Appointment

210. An officer on Privilege leave has a lien on his substantive appointment; he has also a lien on his officiating appointment, so long as it is not resumed by an officer having a superior lien on it.

211. Except as provided in article 212, an officer on furlough under the European Service Leave Rules or the Pakistan Service Leave Rules has a lien on his substantive appointment or an substantive appointment of a like character and not less pay. He has no lien on an acting appointment.

212. A member of the Civil Service Pakistan or a Military officer subject to the Civil Leave Rules has no lien on any appointment during any period of furlough during which he is entitled to draw subsistence allowance only.

213. An officer, during joining time on return from long leave out of Pakistan, has or has not a lien on an appointment according as he has or has not such a lien on the last day of the leave immediately preceding the joining time.

214. An officer on leave may not surrender his lien on his substantive appointment, and except as provided in Article 89 and 90, a Local Government may not fill up substantially even for a time the appointment on which an officer has a lien, without transferring him to another substantive appointment which, save in cases of misbehaviour or in inefficiency, must be one of not less pay than his standing in the regular line would justify.

215. Except as provided in Articles 202 (a) and 320 (b) an officer cannot obtain furlough unless he has a substantive appointment.

Note 1.— [A Military officer who has officiated continuously in the Civil Department of at least 3 years is an officer with a substantive appointment for the purpose of this rules.]

Compulsory Retirement

216. If a Local Government decides, before an officer whom it has the power to remove from the service leaves Pakistan, that he shall not be permitted to return to duty in Pakistan, it should give notice to him before he leaves Pakistan, so that any remonstrance which he may wish to make may be considered on the spot by an authority fully cognizant of the facts of the case. Such notice should not be postponed until after the officer's departure, and then communicated to him through the High Commissioner for Pakistan in the U.K.

217. If when an officer is going on leave out of Pakistan, it is necessary to consider the propriety of removing him for incapacity whether mental or physical, which is of such a nature that it is not possible to say before his departure from Pakistan, whether it will be permanent or temporary, or if for any reason it is considered inexpedient that an officer who is on leave should return to Pakistan, the Local Government should report the circumstances fully (in the case of the Government of East Pakistan direct; otherwise through the Government of Pakistan) to the High Commissioner for Pakistan in the U.K. A communication of this nature should not be made direct to the officer concerned. The report should be made in time to enable him to take any necessary measures before the officer would in ordinary course be permitted to return to duty, and in any case should reach the High Commissioner for Pakistan in the U.K at least three months before the end of the officers leave.

218. Articles 216 and 217 must not be understood to authorize the grant of Furlough to an officer who ought to be dismissed or removed from the service for misconduct or general incapacity.

Abolition of Appointment

219. The abolition of the appointment of an officer absent on leave out of Pakistan should be immediately communicated to the High Commissioner for Pakistan in the U.K.

SECTION IV.—COMMENCEMENT AND END OF LEAVE

220. Ordinarily leave begins on the day on which transfer of charge is effected, or, if charge is transferred afternoon, on the following day; similarly leave other than long leave out of Pakistan ordinarily ends on the day preceding that on which charge is resumed, or, if charge is resumed afternoon, on that day. But if a Sunday or one or more gazetted holidays fall on a day immediately preceding that on which the leave begins, or on the day on which the leave or the joining time

between two appointments ends, an officer may leave his station at the close of the day before, or return to it at the end of such holidays, provided his departure or return does not involve:—

- i. The immediate transfer of an officer from or to another station or the loss of his appointment by an officer appointed temporarily to the service.
- ii. The taking over of money, unless, subject to condition that the departing officer remains responsible for the money in his charge, the Local Government specially allows transfer of charge to take place before or after the holidays.

If holidays are as above prefixed to leave, the leave and consequent rearrangement of allowances, if any, take effect from the first day after the holidays on which the office is opened for business, and if holidays are affixed to leave or joining time, the leave or joining time is treated as having terminated on and the arrangement of allowance, if any, takes effect from the day on which the officer would have resumed charge had holidays not followed the leave or joining time.

In cases in which the application of the above rules as to prefixing and affixing holidays to leave is doubtful or inequitable, the Local Government shall decide which officer shall be held to have been in-charge and to which the salary of the office for the Sunday or holiday shall be paid.

221. Long leave out of Pakistan ends on, and includes, the day before the arrival at the port where the officer last quits it of the vessel in which he returns, and joining time begins the day after.

Note.—[The day of arrival of the vessel in which the officer returns is the day on which the vessel reaches her moorings or anchorage in port.]

221-A. Special rules have been laid down in appendix 6A for reckoning leave in the case of officers stationed in certain remote districts outside Pakistan.

222. An officer taking Furlough out of Pakistan, whether by itself or in combination with Privilege leave must report his embarkation through the Audit Officer, to the Local Government (or other authority) which granted his leave and his arrival in England to the High Commissioner for Pakistan in the U.K.

SECTION V.—RETURN TO DUTY

Note.—[with the exception of Article 231 this section applies to Military officers in Civil employ subject to the Military Leave Rules]

Permission to Return

223. (a) An officer may not, without the permission of the authority which granted him leave, return to duty more than fourteen days before the end of long leave.

(b) Officers returning to Pakistan at times other than those fixed for them by their own Government are liable to be kept on subsistence allowance until a suitable vacancy occurs to which to post them.

224. An officer on Long Leave in Europe, North Africa, America or the West Indies must, if the leave was granted or has been extended on account of ill-health, whether it be technically leave on medical certificate or not, satisfy the Medical Board at the office of the High Commissioner for Pakistan in the U.K. as to his fitness to return to duty. Ordinarily he must attend at that Office for examination by that Board, but, in special cases, particularly if he be residing at a distance of more than sixty miles from London, a certificate in a form to be obtained from that Office from two medical practitioners may be accepted. On the required evidence of fitness being furnished, the officer will receive from the High Commissioner for Pakistan permission to return to Pakistan.

An officer whose leave was not granted, and has not been extended, on medical grounds, does not require such a permission to return to Pakistan. He must, however, take steps either personally or through his agents, to obtain from the High Commissioner for Pakistan a last-pay certificate, and should also inform the authority in Pakistan who granted him the leave, of the date on which he expects to return to duty, at least a month before he is due to arrive in Pakistan.

Note.— [An Officer who has taken leave on medical certificate, or whose leave has been extended on Medical certificates; should ordinarily appear before the Medical Board at the High Commissioner's Office or should furnish a certificate from two Medical Practitioners at least two months before expiry of his leave. An officer who fails to do so, and who is not permitted to return to Pakistan within the period of his leave will ordinarily be charged with the cost of the telegram which will be sent to the authorities in Pakistan informing them of the extension of leave granted.]

225. (1) An officer who has taken leave in Asia on medical certificate may not return to duty until he has produced a medical certificate of fitness in the following form:-

"We the members of a Medical Committee
Civil Surgeon of

registered medical practitioner of

do hereby certify that we/I have carefully examined A.B.C. of the department, and find that he has recovered from his illness and is now fit to resume duties in Government Service. We/ I also certify that before arriving at this decision we/I have examined the original medical certificate(s) and statement(s) of the case (or certified copies thereof) on which leave was granted or extended, and have taken these into consideration in arriving at our /my decision.”

(2) The original medical certificate(s) and statement(s) of the case on which the leave was originally granted or extended shall be produced before the authority asked to issue the above certificate. For this purpose the original certificate(s) and statement(s) of the case should be prepared in duplicate, one copy being retained by the officer concerned.

(3) If the officer is gazetted, the medical certificate should be obtained:—

- (i) where the total leave is not for more than three months or where the total leave is for not more than three months, and the Medical Committee granting the original certificate or the certificate for extension of leave state at the time of granting of such certificate that the officer need not appear before any Medical Committee for obtaining a certificate of fitness,- from a Commissioned Medical Officer or a Medical Officer in charge of a civil station; and
- (ii) in all other cases – from a Medical Committee.

If the officer is not gazetted, the competent authority may, in its discretion, accept a certificate of fitness signed by any registered medical practitioner or require a certificate signed by such medical officer as the authority may direct.

(4) An officer who has taken leave in Asia on account of ill health but not on medical certificate, or elsewhere than in Asia, Europe, North Africa, America, or the West Indies on account of ill health, whether on medical certificate or not may be required by the authority who granted the leave to produce, before he is permitted to return to duty, a medical certificate of fitness signed by such medical officer as the authority may direct.

226. An officer is not entitled, at the end of Long Leave, to resume, as a matter of course, without further orders, the particular appointment which he vacated before his leave. He should report his return to duty as prescribed in Article 228 and await orders.

Change of Appointment

227. If the appointment of an officer is changed during Long Leave in Pakistan, he must join his new appointment within his leave. But if he has not had sufficient notice of the change, the Local Government may allow him joining time. During such joining time his allowances will be the same as for joining time on return from furlough out of Pakistan.

Report of Return

228. A gazetted officer must report his return to duty to the Local Government under which he is employed.

Overstaying Leave

229. An officer who remains absent after the end of his leave is entitled to no allowance for the period of such absence and ceases to have a lien on any appointment,—

- (i) if his leave was Furlough without Medical Certificate,- immediately, and
- (ii) if it was Furlough on Medical Certificate or Vacation or Privilege Leave,- after a week. In the case of officers to whom exception (ii) under Article 251 applies, the week commence from the end of the fifteen days mentioned therein.

Note 1.—[This Article does not affect the liability of an officer overstaying leave to forfeit past service under the rule in article 420 (b).]

Note 2.—[Short extensions of leave may be granted retrospectively in Pakistan to officers who under certain specified circumstances over stay their leave. See article 299(c).]

230. If the Local Government is satisfied that the default of an officer is due to circumstances beyond his control, it may exempt him from loss of appointment under the preceding Article, but not from loss of allowances during the period of his absence without leave. The Local Government may authorize the payment to an officer of as much as it thinks fit of any joining time allowances to which he would have been entitled under article 190B if he had not remained absent after the end of his furlough.

Note.—[The Local Government may delegate the power exercised by it under the first sentence of this article to any subordinate authority in respect of officers to whom, such authority is empowered to grant leave.]

231. So long as an officer retains a lien under section III or if he is exempted under the preceding Article from loss of appointment, absence after the end of his leave, though not counting as Continuous Service, does not operate as an interruption of Continuous Service or Continuous Active Service.

SECTION VI.—COMBINATION AND EXTENSION OF LEAVE

232. The authority which has the power to sanction leave may:-

- (1) Grant to an officer any kind of leave admissible under these Regulations (including extraordinary leave without allowances) in combination with any other kind of leave so admissible.
- (2) Grant to an officer any kind of leave admissible under these Regulations in continuation of leave of any other kind already taken:
- (3) Commute the whole or any portion of any leave granted under these Regulations retrospectively into any other kind of leave which was admissible when the original leave was granted ; and
- (4) Commute retrospectively periods of absence without leave into leave without allowances (see Article 421).

1. Extraordinary leave without allowances cannot be converted retrospectively into furlough on medical certificate, but furlough may be given on medical certificate in continuation of extraordinary leave without allowances

2. Leave granted to a Military Officer subject to the Military Leave Rules may be retrospectively commuted by the authority which granted it to any other kind of leave which the said authority would have been competent to allow when the original leave was sanctioned. When the privilege leave of such an officer is on medical certificate retrospectively changed for furlough out of Pakistan, so much of the leave passed before the departure of the vessel in which the officer sails may be treated as subsidiary leave under clause (1) of Article 321 (a) as it stood prior to 29th July 1920 as might have been granted as subsidiary leave if the officer had originally obtained furlough and not privilege leave, notwithstanding that a portion of such retrospective furlough has been passed in Pakistan.

233. (a) Except when furlough is extended on medical certificate or extraordinary leave is granted in continuation of other leave, the total leave enjoyed by an officer at one time shall not exceed two years. (This period shall in no circumstances be exceeded by an officer who is on furlough preparatory to retirement.)

(b) The total period for which Military Officers in Civil employ who are subject to the Military Leave Rules may be absent from duty is regulated by the rules in Army Regulations and not by this Article.

Note.— [Extensions of furlough., see Article 299.]

SECTION VII.—LEAVE AFTER COMPLETION OF TERM OF SERVICE

234. (a) The limitations affecting members of the Civil Service, Pakistan whose term of service is complete, are prescribed in Article 555, and those affecting Military Officers in Article 620.

(b) In the case of other officers the Local Government may grant on the attainment of 55 years of age such leave as is necessary for the purpose of breaking up establishments and proceeding to the port of embarkation or frontier town by which he quits the country; or in exceptional cases, when leave has been deferred in the public interest, may in its discretion grant leave extending to not more than 6 months beyond an officers fifty-fifth birthday; or may grant leave for not more than six months in all to an officer who is being retained in the service after the age of 55 years. The leave granted must be of a kind which is due and not in excess of the amount at credit.

Save as above stated, all leave expires on the date of attaining 55 years and no fresh leave may be granted.

235 – 240.Cancelled.

CHAPTER XII.—SHORT LEAVE

SECTION I. – EXTENT OF APPLICATION

241. The rules in this Chapter regulate the Short Leave of all officers in Civil employ whatever may be the rules to which they are subject in regard to other leave except:—

- (a) The President and Governors, (see Chapter XXII)
- (b) Judges of High Courts (see Chapter XXIII)
- (c) Barristers holding the appointments referred to in Chapter XXIV except as stated in that Chapter.
- (d) Cancelled.
- (e) Law officers, except as stated in Chapter XXXI.
- (f) State Railway Establishments, except as stated in Chapter XXXII.
- (g) Cancelled.
- (h) Cancelled.

Officers in charge of medical store depots remain subject to the leave rules, civil or military under which they were serving at the time of their transfer to the medical stores department.

Temporary and Non-Continuous Service

242. (a) An officer who has a temporary or officiating appointment only may be allowed Privilege leave without losing his lien on such appointment, if no substitute is required, or if his duties can be provided for without additional expense.

(b) If such an officer is, without interruption of his service, appointed to a permanent office, his temporary or officiating service may be treated as duty qualifying for Privilege leave.

Note.—[this rule does not apply to the State Railway officers whose service is classed under clauses (c) and (d) of Article 659.]

243. Privilege leave is not allowed to an officer employed in an establishment the duties of which are not continuous, but are restricted to certain fixed periods in each year. (See also Article 369.)

Petty Military Officers

244. Privilege leave may be granted under this Chapter to a Military Hospital Assistant temporarily lent to the Civil Department. A Hospital Assistant is not entitled to Privilege leave in respect of duty done in the Military Department.

245. Cancelled.

SECTION II.—PRIVILEGE LEAVE—ORDINARY RULES

Amount earned

246. The amount of Privilege leave earned by an officer is one-eleventh part of the time during which he has been on duty without interruption: Provided that no Privilege leave can be earned by an officer by duty performed while four months', such leave is due to him, and that, whenever duty is interrupted, all claim to Privilege leave earned theretofore is forfeited. Absence on Privilege leave, though not counting as duty, is not an interruption of duty within the meaning of this Article.

247. The calculation must be made as follows:—One calendar month for every eleven complete months of duty, and one day for every eleven days of the balance.

Qualifying Service

248. When an officer is first appointed to the public service, duty qualifying for Privilege leave does not begin until he taken charge of his office.

249. Cancelled.

250. (a) In calculating the Privilege leave of a Military officer no distinction should be made between an officer who has a substantive Civil appointment and one who is merely officiating in the Civil Department.

(b) The leave is earned by uninterrupted duty in either the Civil or the Military Department. But a Military officer who has taken in any calendar year the whole or a portion of the Privilege leave admissible to him for that year, under Military Rules, does not begin to count service for Privilege leave in the Civil Department until the first day of the following year.

Limit

251. The amount of Privilege leave admissible at one time is limited to four calendar months.

Amount due

252. The Privilege leave due to an officer is the privilege leave which he has earned since the last interruption of duty-less the period during which he has been absent on Privilege leave.

Interruptions of Duty

253. If an officer remains absent after the end of Privilege leave, his duty is interrupted within the meaning of Article 246. But if the Local Government considers that his default was due to circumstances beyond his control, it may remit the penalty.

Note.—[The Local Government may delegate its power under this Article to any subordinate authority in respect of officers to whom such authority is empowered to grant leave.]

254. If an officer remains absent after the end of Examination leave or of Joining Time, the period of absences cannot count as duty qualifying for Privilege leave, and, unless the absence is accounted for to the satisfaction of the Local Government it is an interruption of duty.

Note.—[The Local Government may delegate its power under this Article to any subordinate authority in respect of officers to whom such authority is empowered to grant leave.]

255. (a) Leave under article 279 and 280 may, if the examination for which it is granted be successfully passed, and if the officer has not already had twelve months leave under that Article, count as duty qualifying for Privilege leave.

(b) Cancelled.

(c) Examination leave does not interrupt duty.

256. Hospital leave under Article 287, 288, 288-A and 291 and leave on medical certificate under Article 661 and 663 are not interruptions of duty.

257. Suspension from office as a penalty for misconduct is an interruption of duty.

258. Suspension from office pending enquiry into an officer's conduct interrupts duty or not as may be decided in each case by the authority having power to pass final orders in the case. Time passed under suspension does not qualify for Privilege leave, unless, in any case, such authority expressly orders that it shall so qualify.

259. "Leave in Pakistan" under rule 1 of the Leave Rules for the Pakistan Army is an interruption of duty.

Condition of grant

260. Subject to the exigencies of the public service, an officer may be granted the whole or any part of the Privilege leave due to him.

* **260-A.** Privilege leave may be granted under this Chapter to an Officer in class IV service so far as it can be done without imposing any cost upon the State. The absentee allowance of the substantive incumbent must not exceed what remains from his pay after provision is made for the efficient discharge of his duties during his absence except when in the resultant acting arrangements, an officer who has no substantive appointment is given more than half the pay of the appointment in which he acts, in which case the excess over half pay granted to him may at the discretion of the Local Government, be disregarded altogether in calculating the sum available for the leave allowance of the absentee and the acting allowances paid in consequence of his absence.

* Take effect from the 17th October, 1934.

Note.—[The Local Government may delegate its power under this Article to Heads of Offices and Departments.]

Leave Allowances

261. Except as provided in Article 266, 271 and 275, an officer on Privilege leave is entitled to a leave allowance equal to the salary which he would receive if he were on duty in the appointment on which he has a lien, and he is entitled to this allowance even though another officer be appointed to act for him.

Note 1.—[The term salary in this Article includes a duty allowance attached to the appointment on which the officer has a lien.]

Note 2.—[An officer on Privilege leave may draw a deputation (duty) allowance provided that he would have continued to draw the allowance had he not proceeded on leave and that it is intended that he shall return to the special temporary duty at the end of the leave.]

262. Cancelled.

263. An officer who has no lien on an appointment is entitled, during Privilege leave,—

- (i) in the case of a member of the Civil Service Pakistan or a Military officer subject to the Civil Leave Rules — to Subsistence allowance;
- (ii) in the case of any other Civil officer — to no allowance.

Exception.— Officers of the Pakistan Medical Service who have rendered not less than 3 year's officiating services, but have not yet been confirmed in a civil appointment may draw, during Privilege leave, when they have no lien on any appointment, the allowances that would be admissible under the Military Leave Rules.

264. Cancelled.

265. If an officer, on transfer from one appointment to another, obtains Privilege leave without joining his new office, his leave allowance shall not be less than it would have been if he had joined his new office before taking leave, provided that the rate of pay attached to the new appointment is not different from and higher than the rate of pay attached to the old appointment. Where, however, the transfer involves an increase in the officer's duties or responsibilities and is to an office on a different and higher rate of pay from that drawn by the officer in the old office, the officer shall not draw the higher rate of salary until he actually joins his new office.

Example.—The rate of pay drawn by a Collector and by an Accountant General is different from and higher than the rate of pay drawn by a Joint Magistrate or by an officer in classes I of the Pakistan Audit Department respectively.

266. An officer who holds an appointment of the kind specified in article 76-B sanctioned for not more than six months is not entitled, during Privilege leave, to the special rate of pay of, or any special allowance attached to the appointment.

Local Allowances or Deputation (Local) Allowances how affected

267. (1) A local allowance attached to an appointment may not be drawn by an officer on Privilege leave unless he has a lien on the appointment, and

(2) A deputation (local) allowance drawn by an officer before going on Privilege leave may not be drawn by him during the leave unless he would have continued to draw it had he not proceeded on leave and unless it is intended that he should return to the special temporary duty at the end of the leave.

268. Provided that the conditions laid down in Article 267 are fulfilled,—

(a) The house rent attached to his appointment may be drawn by an officer on Privilege leave if he places his house at the disposal of the officer, if any, who officiates for him. The officiating officer cannot in such cases draw the house rent attached to the appointment. But if the officiating officer for a reason, which the Local Government considers sufficient, refuses the accommodation placed at his disposal, the allowance is to be drawn by him and not by the absentee.

Exception.—Cancelled.

(b) A local allowance given on account of the expensiveness of the locality or duty may be drawn by an officer on Privilege leave if the officer continues to incur the expenditure to meet which the allowance was sanctioned. The fact that the expenditure continues during Privilege leave should be certified in writing by the officer himself if he is a gazetted officer, by the head of the office in the case of a non-gazetted officer and by the immediate superior in the case of a non-gazetted officer who is himself the head of an office.

(c) Any other local allowance may be drawn by an officer on Privilege leave under rules framed by the Local Government.

Note.1—[The local allowances known as Baluchistan allowance and the local allowance drawn by certain Executive and Assistant Engineers in Sind, the Punjab and the North-West Frontier Province, may continue to be drawn by officers on Privilege leave, provided that the grant of leave does not necessitate the transfer within the limits of the Province of an officer from outside the Province. For the purposes of this rule the Punjab and the North-West Frontier Province whose irrigation Departments are manned from a single cadre may be regarded as one Province.]

Note 2. — Cancelled.

269 – 270. Cancelled.

SECTION III.—GRANT OF PRIVILEGE LEAVE TO OFFICERS ENTITLED TO REGULAR VACATIONS

271. Privilege leave is not admissible to officers serving in department in which regular vacations are allowed, during which the officers are permitted to be absent from duty, as Judicial Officer (other than District and Sessions Judges), Educational officers, officers in a High Court. But in case of urgent necessity and subject to the exigencies of the public service, Privilege leave may be granted to any such officer under the ordinary rules, provided that the officer shall during his absence receive only half the salary and allowances ordinarily admissible during Privilege leave.

Note.—[The rule in this Article does not apply to the Judicial Commissioners and Additional Judicial Commissioners of Sind in cases where the conditions of Note I to Article 277 are satisfied.]

272. The preceding Article does not apply to an officer who is by general or special orders issued by competent authority prevented in any year from availing himself of the vacation or vacations by reason of his having to remain at his post on duty. To such an officer Privilege leave may be granted under the ordinary rules.

Note.—[In the case of every officer to whom Articles 271 and 272 apply, the presumption is that he will avail himself of the vacation. No certificate of title to Privilege Leave, except the leave “in case of urgent necessity” under Article 271, can be given for the period of service rendered between two vacations, until the second vacation expires. If, however, the conditions required by this Article or by Article 273 to render an officer eligible for Privilege leave under the ordinary unless are subsequently fulfilled in respect of the second vacation, any Privilege leave which may have been granted on half salary under Article 271, in consequence of the presumption that the officer would avail himself on the vacation, may be commuted into Privilege leave on full salary. Privilege leave on

full salary may be combined with Privilege leave on half salary to the extent due, granted under Article 271.]

273. An officer whose work requires him to be present at his station for a portion of the vacation is eligible for Privilege leave under the ordinary rules, provided he has not been absent from his station except on duty for more than fifteen days of the vacation. If he has been absent for more than fifteen days except on duty, his title to Privilege leave is regulated by Articles 271 and 274. Any such officer applying for Privilege leave must attach to his application a certificate either.

- (i) That he was not absent from his station for more than fifteen days or,
- (ii) That he was absent from his station for specified number of days exceeding fifteen, in any of the vacations included in the period of service by which the Privilege leave claimed has been earned.

274. An officer who is, by general or special orders issued by competent authority, prevented from availing himself of a part only of a periodical vacation, may, during Privilege leave subsequently taken, draw his full salary for a period bearing the same proportion, if the vacation be annual, to a month, or if it be half-yearly, to half a month, as the time spent on duty during the vacation bears to the whole vacation.

275. An officer transferred from a non-vacation to a vacation department can take the Privilege leave which was at this credit at the time of such transfer: provided that the allowances during such Privilege leave shall not exceed the allowances which would have been admissible if he had taken the leave immediately before being transferred.

276. (a) An officer transferred from a vacation to a non-vacation department counts his service for Privilege leave under the ordinary rules from the date on which the last vacation in the former department ended.

(b) If, however, he had at his credit at the time of his transfer any Privilege leave on full salary admissible to him under Articles 272 to 275, the amount of such Privilege leave shall be added to the Privilege leave calculated under clause (a) above.

276-A. The reckoning under Articles 275 and 276 shall not in any case extend backwards over an interruption of duty.

277. The foregoing rules do not apply to District and Sessions Judges to whom Privilege leave is granted under the ordinary rules.

Note 1.—The rule in this Article has been extended to the Judicial Commissioners, and Additional Judicial Commissioners of Sind for such time as the Court of the Judicial Commissioner consists of not less than three Judges and provided the Court annual vacation does not exceed one month

Note. 2.— deleted.

278. Officers, whose Privilege leave is regulated by the rules in Articles 271, 272, 273, 274, 275 and 277 may combine vacation with Privilege or other leave [whether taken by itself or combined under Article 232 (1)] either at the beginning or end thereof. Provided that:-

- (1) No additional expend is incurred by the State for the period of the vacation;
- (2) Vacation is not both prefixed and suffixed to leave; and
- (3) When vacation is taken in conjunction with Privilege leave, whether taken by itself or in combination with other leave, the total period of Privilege leave and vacation should not together exceed four months.

1. Proviso (3) is not applicable to officers coming under Article 277, when vacation is combined with Privilege leave taken by itself.

SECTION IV. — EXAMINATION LEAVE

279. In cases not specially provided for in this Section, permission to appear at an optional examination prescribed by Government in any of the Oriental languages carries with it the grant of joining time (excluding the time allowed for preparation) to and from the place of examination, besides leave for the day or days of examination.

280. (a) A candidate for the High Proficiency and Degree of Honour examinations in all vernacular languages may, at the discretion of the Local Government, be granted study leave up to three months before the examination.

(b) A candidate for a reward by the Higher Standard or High Proficiency in Arabic or Persian may be allowed leave for a period not exceeding three months if he undertakes to spend it in study under professional tuition at any place approved by the Local Government

(c) An officer who is a candidate for the Degree of Honour in Arabic or Persian may be allowed either leave for a period not exceeding three months under clause (b), or if he leaves Pakistan for study, leave for six months to Iran for Persian, or for six months to Arabia, Mesopotamia, Egypt and Syria for Arabic.

Note. — [Leave under clause (a), (b) or (c) is not admissible more than once nor can such leave be combined]

(d) Leave under this Article may be combined with Privileges leave, provided that Privilege leave prefixed to leave under Clause (c) must be spent in or in travelling to, one of the countries mentioned in the clause.

(e) An officer on leave under this Article has a lien on appointment substantive or officiating, and is entitled to leave allowances, as if he were on Privilege leave, for an aggregate maximum period of twelve months.

Note.—[An officer serving in a department in which regular vacations are allowed is entitled, during examination leave, to a leave allowance equal to the salary which he would receive if he were on duty in the appointment on which he has a lien.]

281. Cancelled.

282. Except as provided in Article 280, no kind of leave, except Furlough on medical certificate, may be granted in continuation of Examination leave.

283. The rules in this Section apply to Military officers subject to the Military Leave Rules serving in any Civil Department other than the Public Works, Railway, the Survey of Pakistan and Forest Departments to which Departments they are not applicable.

Departmental Examinations

284. (a) An officer while absent from his office or from his station to attend an obligatory Departmental Examination, or (in the Punjab) an examination in Pushtu or Baluchi, is considered to be on duty.

(b) Leave may not be given under this Article to an officer to prepare for examination or for recreation after examination. A reasonable time, including the day or days of examination, should be allowed for the journey to and from the place of examination, and nothing more.

285. An officer permitted to present himself at any examination, which must be passed before a person is eligible for a higher subordinate appointment in any branch of the service, such as a Deputy Magistracy, may, under the orders of his immediate Departmental Superior, be allowed leave of absence for the number of days actually necessary to enable him to attend at the examination. During this short absence, no deduction will be made from the officer's allowances, unless the head of the office finds such deduction necessary to enable him to make arrangements for carrying on the work. Such leave should not be allowed more than twice for each standard of examination,

286. Cancelled.

SECTION V.—HOSPITAL LEAVE

Jail Warders, Postal Officers, Peons and Guards

287. A Warder of a Lunatic Asylum (except in provinces where the Local Government has extended the concession of Article 288 to this class of officers), Postman, Mail Carrier or Mail Coachman, or a Peon or a Guard in permanent employ whose case is not provided for in Article 288, while ill in hospital or dispensary, or receiving medical aid as an out-door patient of the hospital or dispensary of station at which he serves, may, without reference to the allowance paid to his substitute, be allowed half pay for a period not exceeding six months altogether in any one term of three years whether such leave be taken in one period or by instalments. The Director-General of Posts and Telegraphs and Postmasters General may grant full pay for three months to Postman, Mail Carrier or Mail Coachman in exceptional circumstances, as, for example, if he is wounded by robbers or a wild animal, and may also, at his discretion, dispense with the condition requiring attendance at a hospital or dispensary. The Director-General may also grant leave on full pay in Pakistan for a period not exceeding six months to subordinates of the Railway Mail Service who may be injured in the execution of their duty, subject to the conditions under which such leave is granted to State Railway employees by the Agents of State Railways under Article 665.

Note.—[The term “Peon” in this Article includes a process-server of that class]

Police and Salt Department Officers

288. A Police officer whose pay does not exceed Rs.25, or an officer of the Salt Revenue Department, (including officers of the Opium Preventive Service), whose pay does not exceed Rs.20, or an orderly, warder or a head warder of the Jail Department, on a pay not exceeding Rs.25 a month or a head warder or warder of a Mental Hospital whose pay does not exceed Rs.20 in the province where the Local Government extends the concession of this Article to this class of officers, or a matron of the Jail Department whose pay does not exceed Rs.20 a month, or a Forest subordinate (not being a clerk) whose pay does not exceed Rs.25 a month if employed elsewhere than in the North—West Frontier Province and Baluchistan or Rs.30 a month if employed in the North-West Frontier Province, or a Deputy Ranger employed in Baluchistan whose pay does not exceed Rs.40 a month, may, while sick in hospital or while receiving medical aid as an outdoor patient at the station or headquarters of the district in which he serves, be allowed, at the discretion of the sanctioning authority Leave of absence from duty for six months altogether in any period of three years. Such leave may be taken in one period or by instalments and may be followed by, or taken in continuation of any other leave admissible under these Regulations. For the first

three months of such leave the officer may receive full pay, and for the remaining three months half pay, without the restriction that no extra cost shall be imposed upon the State: Provided always that this concession shall be confined strictly to cases in which illness shall be certified not to have been caused by irregular or intemperate habits.

Note 1.—[An officer on leave under this Article may, for the first three months of such leave, during which full pay is admissible, retain any local or duty allowance attached to his appointment: Provided in the case of a local allowance that there is no locum-tenens to whom it is payable.]

Note 2.—Cancelled.

Note 3.— [This Article so far as it applies to head warders or warden includes both female and male warder.]

Female Officers

*⁴**288-A.** Maternity leave of absence from duty may be granted on full pay by a Local Government, or any subordinate authority empowered in this behalf whether by general or special order by a Local Government, to female officers in the service of Government for a period which may extend up to the end of three months from the date of its commencement or to the end of six weeks from the date of confinement whichever be earlier.

***288-B.** Leave of any other kind may be granted in continuation of Maternity leave if the request for its grant be supported by a medical certificate.

Navy and Military Establishments

289. An Officer, Warrant or Petty officers, of the Pakistan Government sea-going, inland, or harbour vessels and hulks, is, in case of sickness or injury, ordinarily treated on board his vessels and is entitled to full pay for a period not exceeding six weeks. If sent to a hospital such an officer is, unless the disease or injury is certified by a responsible Medical Officer to have been caused by an offence such as malingering, wilful maiming, wilful aggravating of disease or injury, drunkenness, etc., committed by him, entitled to full pay for a period of six weeks, inclusive of any time passed on board his ship sick-quarters. Time thus spent in ship sick-quarters or in hospital on shore, up to a period of six weeks, is not an interruption of duty within the meaning of Article 246. An officer of the Navy who hold a shore appointment is not entitled to this concession.

*The word "Educational" deleted from the heading to Article-288-A and this Article replaced by the existing Articles (288-A & 288-B) with effect from the 4th March, 1930.

Note. — [The provisions of this Article apply to the crew of the Indo-European Telegraph Department Steamer.]

290. A seaman disabled while in the discharge of duty may be allowed pay at harbour rates for a period not exceeding three months, provided that the injuries from which he is disabled are certified to by a Government Medical Officer, and are not owing to the seaman's own carelessness or inexperience, and that the vacancy caused by his absence is not filled up.

291. An Engineer of the Navy, an employee in a Government Press a subordinate employee (including a temporary or extra employee) in an Ordinance or Government Dockyard establishment a syce, whether permanent or temporary, in charge of a Government stallion, or a public servant in a Commissariat establishment may, during absence from work on account of injuries received in the course of his duty, be allowed full pay for one month, and thereafter half pay for three months: Provided that in the case of a person to whom the Workmen's Compensation Act, 1923, applies, the grant of leave under this Article shall be subject to the condition that the leave allowance payable shall be reduced by the amount of any compensation payable under Section 4 (1) D of the said Act.

292. Cancelled.

293. Cancelled.

294. Cancelled.

SECTION VI.—DEPARTMENTAL LEAVE

295. Departmental leave may be granted during the Recess by the Head of the Party or Office to which he belongs to—

- (i) a Surveyor or other subordinate in the Survey of Pakistan, whose service is superior, —on half pay or less (payable on return to duty), or without pay;
- (ii) such of the Tindals, mates, Khalasis, Jamadars, Chaprasis, Burkandaze's attached to any Party or Office of the Survey of Pakistan, as the head of the party or officer may deem it desirable to re-entertain for the ensuing season,—on allowances not exceeding half pay (payable on return to duty);

Provided always that the officer returns to duty when required by his superior officers.

1. Superintendent in charge of Survey circles and the Superintendent of the Trigonometrical Survey may at their discretion and in the interest of

Government grant departmental leave, not exceeding six months at a time, to officers mentioned in clauses (i) and (ii) at times other than the Recess and the Director General may in special cases extend any departmental leave granted under this article or under this rule to a period not exceeding one year in all. Particular care should, however, be taken that the grant of departmental leave in such cases does not override the provisions of Chapter XIV of these Regulations, and in all cases where an extension of the departmental leave is asked for on a medical certificate, the entire absence should be converted in to leave under that Chapter.

2. The establishments of the East Bangle Survey Departments employed purely on field work may be granted leave under this article on the same conditions as similar officers of the Survey of Pakistan.

296. Privilege leave may not be granted to an officer who is entitled to departmental leave under the preceding article, but a lower subordinate in the Survey of Pakistan, a class IV servant in the Survey of Pakistan or a Lower Subordinate or menial in the East Bengal Survey Department employed purely on field work, who is prevented from availing himself of departmental leave, may be allowed to take Privilege leave under the ordinary rules, service towards such leave counting from the date of return from departmental leave. Privilege leave will not be granted except upon a certificate, from the Head of the Party or Office to which the officer is attached, that he was prevented from availing himself of departmental leave in consequence of the exigencies of the service.

CHAPTER XII-A.—LONG LEAVE—GENERAL RULES

SECTION I.—EXTENT OF APPLICATION

297. The rules in this Chapter apply to all officers subject to the rules in Chapter XIII and XIV.

298. Omitted.

SECTION II.— EXTENSION OF LEAVE OUT OF PAKISTAN

299. (a) An officer absent on long leave in Europe, North Africa, America or the West Indies, who wishes to have his leave extended or commuted, must apply to the High Commissioner for Pakistan in the U.K. about three months before the expiration of his leave, and, unless the extension is desired on medical grounds, or is for a period of not more than 14 days, he must produce with his application evidence that the Local Government has been referred to by him and has no objection to the extension or commutation desired.

If on medical grounds the officer desires an extension for more than 14 days, he must satisfy the High Commissioner for Pakistan in the U.K. of the

necessity for the extension. If application for extension be delayed until the last two months of leave, advice of any extension granted for a period of more than seven days will be sent to Pakistan by telegraph and the cost of the telegraph will ordinarily be charged to the officer.

If the officer has been granted furlough on Medical certificate and desires an extension on grounds other than medical, he must satisfy the Medical Board as prescribed in Article 224 that he has recovered his health. Any such extension without medical certificate will only be admissible if the extension was due at the time the original furlough was granted.

1. In the case of a Commissioned Medical Officer the Local Government should make a reference to the Director General, Pakistan Medical Service, before granting the permission.

(b) The High Commissioner for Pakistan in the U. K. reserves to himself the power of granting extension or commutation of leave to an officer in any case in which it appears to him that sufficient ground has been shown for the application being made without the previous approval of the Local Government, but in the event of it being found necessary by the High Commissioner for Pakistan in the U. K. to telegraph to Pakistan in regard to any such application the cost of the telegrams to and from Pakistan will be charged to the applicant.

Note.—[The High Commissioner for Pakistan in the U. K. in granting extension of leave some times decline to guarantee retention of appointment, if there is no time to communicate with Local Government in Pakistan.]

(c) The authority in Pakistan by which the leave was originally granted, is empowered, in any case in which it is satisfied that the non-return of an officer within the period of his leave was due to circumstances beyond his control and of such a nature that an application to the High Commissioner for Pakistan in the U.K. for an extension was impossible before embarkation, or that non-return was for administrative convenience, to sanction retrospectively extension of furlough or leave up to a maximum period of 14 days. It is also empowered in the case of an officer returning from furlough on Medical certificate to sanction an extension, if the circumstances seem to require it, up to a maximum of 14 days inclusive of any short extension that may have been granted by the High Commissioner for Pakistan in the U.K.

Note 1.— [Extension of furlough up to maximum of 14 days granted under this clause are not limited by the provisions of Article 233, and may be granted whether the furlough be due or not and in excess of the six month admissible under Article 302.]

Note 2.—[This Article applies to Military Officers subject to the Military Leave Rules.]

300. An officer on long leave in any place out of Pakistan not mentioned in Article 299 (a) who wishes to have his leave extended or commuted must apply three months before the expiry of the leave to the authority in Pakistan, which granted it. Whenever leave is extended or commuted under this Article, the fact should forthwith be notified by the Audit Officer to the Government of Pakistan in the Ministry of Finance in order to its being communicated to the High Commissioner for Pakistan in the U. K. with a view to the payment by Colonial Treasurers of Staff Officers being checked.

Note.— [This article applies to Military Officers subject to the Military Leave Rules.]

SECTION III.—FURLOUGH

301. Subject to the provisions of Article 233, furlough for not more than two years at a time may be granted to an officer as follows:

- (a) **On medical certificate** — unconditionally: see Articles 828 to 834.
- (b) **Without medical certificate** — subject to the condition that the furlough is “due”.

302. In respect of urgent private affairs, an officer may be granted furlough for a period exceeding the amount ‘due’ to him, provided that furlough which is not “due’ shall not be granted for a period, exceeding six month at one time or 12 months in his whole service. An officer who has enjoyed furlough under this Article may not again be granted a furlough on the same condition until the furlough earned by him after his return to duty exceeds so much of the furlough granted under this Article as was not ‘due’.

303. If in the interests of the public service all applications for furlough cannot be complied with, the Local Government will have full discretion in deciding which should be granted, and in so doing it may take into consideration the following circumstances:—

- (1) The officers who can for the time being best be spared.
- (2) The furlough due to the various competing applicants.
- (3) The amount and character of the previous continuous active service that they have rendered.
- (4) The fact that an officer was compulsorily recalled from the leave last enjoyed by him.

- (5) The fact that an officer has been refused leave in the public interests.

304. (a) On medical certificate furlough may be extended to a total period not exceeding three years.

(b) Otherwise than on medical certificate furlough may be extended to total period not exceeding two years provided that—

- (i) When furlough is combined with other leave, the total period of leave granted shall not exceed two years, and
- (ii) The furlough granted under Article 302, which is 'not due', shall not exceed six months.

305. Notwithstanding anything in articles 301, 302, 303, and 304 furlough which is not "due", whether on medical certificate or otherwise shall not be granted to an officer on furlough preparatory to retirement. In cases where an officer who has been granted, under the foregoing articles, furlough which is not due, applies for permission to retire voluntarily, the furlough which is not due shall, if permission be granted, be cancelled, and his retirement shall have effect from the date on which such furlough commenced.

SECTION IV.—EXTRAORDINARY AND CASUAL LEAVE

306. (a) Subject always to the provisions of any order of the President applicable to the case, the authority competent to grant leave may, in special circumstances and when no other kind of leave is by rule admissible, grant leave of absence from duty otherwise than under these Regulations: provided that:-

- (i) an officer absent from duty on leave so granted shall receive no absentee allowance; and
- (ii) if he is a member of the Civil Service Pakistan or a Military Officer subject to the Civil Leave Rules, he shall retain no lien upon any office except when the extraordinary leave does not exceed a fortnight.

(b) No officer is entitled to extraordinary leave, but subject to provisions of Article 198, there is no limit to the length or frequency of leave under this Article.

1. The Local Government may for special reasons dispense with the ordinary condition that extraordinary leave can be granted only when no other kind of leave is by rule admissible.

307. A Military Officer subject to the Civil Leave Rules, who has exhausted the full period of furlough admissible to him under these Regulations and who is granted extraordinary leave on medical certificate, will continue to be treated as wholly in the Civil employee for all purposes with the exception that, if the Medical Board at the Office of the High Commissioner for Pakistan in the U. K report that there is no prospect of the officers returning to duty within a reasonable period, he will be placed on Military half pay. If an officer thus placed on half-pay is afterwards permitted to revert to the effective list and returns to duty in Pakistan, he will not be entitled to be reinstated in Civil employments, but will be posted to Civil or Military duty as may be decided in Pakistan.

308. Articles 306 and 307 do not refer to casual leave for short periods. Such leave is not recognized and is not subject to any rule. Technically, therefore, an officer on casual leave is not treated as absent from duty, and his salary is not intermitted. Casual leave, however, must not be given so as to cause evasion of the rules regarding—

- | | | | |
|-------|-------------------------------|---|----------------------------|
| (I) | Date of reckoning allowances | } | See the Articles 52 - 55 |
| (II) | Charge of office | | |
| (III) | Commencement and end of leave | } | See the Articles 220 - 231 |
| (IV) | Return to duty | | |

or so as to extend the term of Privilege or other leave beyond the time admissible by rule.

SECTION V.— QUARANTINE LEAVE

309. Quarantine leave is leave of absence from duty necessitated by orders not to attend office in consequence of the presence of infectious diseases in the family or household of a Government servant or detention in plague camps on the way to re-join duty. Such leave may be granted by the head of the office on the certificate of Medical or Public Health Officer for a period not exceeding 21 days; or, in exceptional circumstances, 30 days. Any leave necessary for quarantine purposes in excess of this period shall be treated as ordinary leave. Quarantine leave may also be granted when necessary in continuation of other leave, subject to the above maximum. Except in the cases mentioned in the Note below, no substitute should be appointed in place of a Government servant absent on quarantine leave. A Government servant on quarantine leave is not treated as absent from duty and his pay is not intermitted.

Note. — [The Government of Pakistan or the Local Government may sanction a substitute for an absentee who is on quarantine leave and whose duties cannot be arranged for without prejudice to his pay; provided the absence does not exceed 30 days and the pay or salary of the absentee is not more than Rs.100 a month.]

CHAPTER XIII.—LONG LEAVE— EUROPEAN SERVICES

SECTION I. — EXTENT OF APPLICATION

310. (1) All officers who are not hereinafter declared to be subject to the rules in this Chapter shall be subject to the Pakistan Service Leave Rules.

(2) The following officers shall be subject to the rules in this Chapter, namely:

(a) Any officer having at the time of his appointment his domicile elsewhere than in Asia:

Provided that no such officer shall be entitled to the benefits of these rules who, prior to such appointment, has, for the purpose of his appointment to any office under the Government or of the conferment upon him by the Government of any scholarship, emoluments, or other privilege, claimed and been deemed to be of Pakistan domicile.

(b) Any officer having at the time of his appointment his domicile in Asia who was admitted to the benefits of these rules prior to the 24th July, 1923.

(c) Any officer having at the time of his appointment his domicile in Asia, who, prior to the 24th July 1923, held substantively an appointment in any of the Departments enumerated below, provided that such an officer shall be admitted to the benefits of the rules in this Chapter only when he attains the rank or rate of pay shown against the particular entry relating to him:—

Judicial Department.—Judges (other than Chief Judges) and Registrars of Presidency Small Cause Courts; Legal Remembrancer and Secretary to the Legislative Assembly, Punjab, when these appointments are held by Barristers or Solicitors.

Police Department.— Assistant Superintendents and officers of higher rank.

Jail Department. — Inspectors-General and Superintendents of Central Jails.

Accounts Department (Civil).— (a) Officers of the Pakistan Audit and Accounts Service, including members both of the late Enrolled List and of the late Superior Accounts Branch of the Public Works Departments.

(i) If appointed in England by the late Secretary of State.

- (ii) If appointed otherwise, but drawing pay not less than Rs.800 a month.

(b) Officers of the late Postal Accounts Department drawing pay not less than Rs.800 a month.

Military Accounts Department.— Officers appointed in England by the late Secretary of State.

Postal Department.— Officers of higher rank than Superintendent.

Opium Department.— Sub-Deputy Opium Agents and officers of higher rank.

Salt Department.— Assistant Commissioners and Assistant Collectors and officers of higher rank.

Minor Scientific Departments.—Civil Officers of the Civil Veterinary Department and all other officers originally appointed to the public service by the late Secretary of State or with his special sanctions:

Archaeological Department.—Director-General, Epigraphist, and Superintendents of circles.

Imperial Customs Department.—

- (i) Officers appointed in England by the late Secretary of State.
- (ii) Other officers on pay of not less than Rs.900 a month.

Public Works and Railway Department.—

General.— Officers of the Engineer Establishment and the Superior Revenue Establishment of State Railway, appointed thereto by the late Secretary of State or with his particular sanction.

Engineer Establishment.— Engineer officer of whatever rank in the Department, who belong to the Imperial Branch of the establishment, except those who were appointed in India as Natives of India.

Special Engineers (ungraded) who were taken over from the service of Guaranteed Railway Companies when the lines were transferred from the Companies to Government, from the time they reach a substantive pay of Rs.850 or over.

Superior Revenue Establishment of State Railways: Officers whose pay is not less than Rs.800 a month.

Government of Pakistan, Secretariat Works Division – Under Secretary not being a member of a graded establishment.

Indian Telegraph Department.— The Imperial Branch of the Department:

Indo-European Telegraph Department.— Officers of the graded establishment of Directors; Electrician: Superintendents, Assistant Superintendents.

Medical officers.- If appointed by the late Secretary of State

The Commander, First and Second Officers and Chief Engineer of the Cable ship.

Note.— [The Concession allowed by sub-clause (c) above is not admissible to an officer who attains such rank or rate of pay by reason of being promoted by selection from a subordinate service or post after the 24th July 1923.]

310-A. (a) For the purpose of clause (2) of Article 310, the domicile of a person shall be determined in accordance with the provisions set out in the Schedule below:

Provided that a person who was born and has been educated exclusively in Asia and has not resided out of Asia for a total period exceeding six months shall be deemed to have his domicile in Asia, unless in the case of a person to whom the proviso in sub-rule (2)(a) Article 310 does not apply, it is proved to the satisfaction of the appointing authority that he did not have his domicile in Asia on that date.

(b) No officer who, after his appointment to a service or post, acquires a new domicile shall there-by lose his right to, or become entitled to admission to, the benefits of these rules.

(c) If any question arises as to the domicile of any officer at the time of his appointment, the decision thereon of the President in the case of persons appointed by him, or of the Local Government in the case of persons appointed by them, shall be final.

THE SCHEDULE

Provision for the Determination of Domicile

1. A person can only have one domicile.
2. The domicile of origin of every person of legitimate birth is in the country in which at the time of his birth his father was domiciled, or, if he is a

posthumous child, in the country in which his father was domiciled at the time of the father's death.

3. The domicile of origin of an illegitimate child is in the country in which at the time of his birth his mother was domiciled.

4. The domicile of origin prevails until a new domicile has been acquired, and a new domicile continues until the former domicile has been resumed or another has been acquired.

5. (1) A person acquires a new domicile by taking up his fixed habitation in a country which is not that of his domicile of origin.

(2) Any person may, if the law of any country so provides, and subject to any such provisions, acquire a domicile in that country by making, in accordance with the said provisions, a declaration of his desire to acquire such domicile.

Explanation 1.—A person is not to be considered as having taken up his fixed habitation in a country merely by reason of his residing there in Government's a civil military service or in the exercise of any profession or calling.

Explanation 2.—A person does not acquire a new domicile in any country merely by reason of residing as part of the family or as a servant of any ambassador, consul or other representative of the Government of another country.

6. The domicile of a minor follows the domicile of the parent from whom he derives his domicile of origin:

Provided that the domicile of a minor does not change with that of his parent if the minor is married or holds any office or employment in the service of Government or has set up with the consent of the parent in any distinct business.

7. After marriage a woman acquires the domicile of her husband if she had not the same domicile before, and her domicile during the marriage follows, the domicile of her husband:

Provided that if the husband and wife are separated by the order of a competent court or if the husband is undergoing a sentence of transportation, the wife becomes capable of acquiring an independent domicile.

8. Save as otherwise provided above, a person cannot during minority acquire a new domicile.

9. An insane person cannot acquire a new domicile in any other way than by his domicile following the domicile of another person.

311. An officer to whom the rules in this Chapter are applicable under sub-clauses (b) and (c) of Articles 310 (2) does not forfeit his privileges upon transfer to an office, which does not entitle him to the benefits of those rules.

SECTION II.— FURLOUGH

312. The total amount of furlough admissible (a) to a member of the Civil Service Pakistan or a Military Officer subject to the Civil Leave Rules is six years and six months, and (b) to any other officer to whom these rules apply (see Articles 310) is six years. All the rules in this part of the Regulations are subject to this limitation.

Note.—[The following leave under rules is counted as furlough under this Article:—

- (1) Furlough and special leave with allowances taken under the rules in force prior to 29th July 1920.
- (2) In the case of a Military Officer subject to the Civil Leave Rules, leave in and out of Pakistan with pay under the Leave Rules for the Indian Army, 1886.
- (3) In the case of an officer who becomes entitled to the rules contained in this Chapter after being subject to the Indian Service Leave Rules—all leave counting towards the maximum in Article 322.]

313. The amount of furlough 'earned' by an officer subject to the rules in this Chapter is one-fourth of the active service rendered by him while subject to such rules.

314. An officer, who becomes entitled to the rules in this Chapter after being subject to other Leave Rules, may add to furlough earned under Article 313 an amount of furlough in respect of his previous service calculated as shown below. Any minus result of the calculation may be neglected, while, in the case of an officer other than a Military Officer subject to Civil Leave Rules, the maximum permissible addition is two years—

- (i) the service for furlough of a Military Officer subject to the Civil Leave Rules who, before coming under the rules in this Chapter, was subject to the Leave Rules for the Indian Army or the British Army, shall be calculated in accordance with Article 313 retrospectively from the date of his arrival in Indo- Pakistan sub: Continent or from the date of his coming under the Indian Army Leave Rules or the British Army Leave Rules whichever is later, except that service rendered out of India or Pakistan under the British Army Leave Rules shall not be taken into account for the purpose, i.e., he shall be credited with furlough equivalent to one-fourth of his active service, as defined in

Article 8 less any period of service rendered outside India or Pakistan under the British Army Leave Rules, reduced by any leave with pay in or out of India or Pakistan actually taken. The provisions of this clause apply to Royal Engineers in Civil employ who, while serving under British Army Leave Rules, either (a) have elected for continuous service in India, or Pakistan whether, the election was made before or after their entry into Civil employment, or (b) have completed five years' Indian or Pakistan service and elect to come under Civil Leave Rules.

1. An officer of the Royal Engineers who has not elected for continuous service in India or Pakistan remain under British Army Leaves Rules till he complete 5 years Indian/Pakistan service.

Note.—[When a Military Officer becomes subject to the Civil Leave Rules, the Account Officer-in-Charge of his record of pension service will, on application and on being furnished with the date of commencement of active service, furnish to Audit Officer to whose audit he becomes subject, a memorandum showing the furlough earned, the different kinds of leave taken distinguishing those which should be deducted from the maximum furlough admissible and the balance of furlough due under Military Rules.]

(ii) An officer who, after being subject to the Pakistan Service Leave Rules, becomes entitled to the rules contained in this Chapter, shall be credited with furlough equivalent to one-sixth of his active service rendered under the former rules less any leave actually taken under such rules which counts as furlough under Article 322.

Note. 1 — [An officer who comes under the rules in this Chapter while he is on leave under the Pakistan Service Leave Rules may at his option]—

(a) Change, his leave allowances to the amount admissible under the European Service Leave Rules and come under them immediately or;

(b) Postpone his coming under them until his return from leave,

Note 2.— (If an officer who was at first subject to the Pakistan Service Leave Rules became prior to 29th July 1920 entitled to the European Service Leave Rules, if an officer elects under Note 1 to Article 320 to remain under the old Indian Service Leave Rules and subsequently becomes entitled to the Leave Rules in this Chapter, the amount of furlough due to him in respect of his service under the Indian Service Leave Rules shall be calculated under Article 305 as it stood prior to 29th July 1920.

315. The amount of furlough 'due' to an officer is the amount he has 'earned' diminished by the furlough and special leave with allowances taken under the rules in force to 29th July 1920 and the furlough taken under these rules,

Note. — [In calculating the amount of furlough 'due' to a member of the Civil Service Pakistan or a Military Officer subject to the Civil Leave Rules, special leave taken under the rules in force prior to 29th July 1920 and furlough which was not 'due' granted under Article 302 may be disregarded subject to a maximum of 6 months in all.)

316. Whether such furlough be 'due' or 'not', an officer is entitled during the first two years of each separate period of furlough to a leave allowance equal to half his average salary, subject to the following limits.

(a) In the case of a member of the Civil Service Pakistan -

- (i) if the leave is spent out of Asia maximum £ 111 a month and minimum £ 55 1/2 a month, or the salary last drawn by him on duty, whichever is less;
- (ii) if the leave is spent in Asia, maximum Rs.1,111 a month and minimum Rs.555 a month, or the salary last drawn by him on duty, whichever is less.

(b) In the case of a Military Officer subject to the Civil Leave Rules, the same maxima and minima as in the case of a member of the Civil Service Pakistan. Provided that, during furlough added under Article 314 (i) to the furlough earned under Civil Rules, the minimum shall (in the case of an officer who became subject to the Civil Leave Rules on or after the 1st April 1888) be that prescribed by the Military Rules to which an officer was subject immediately before coming under the Civil Leave Rules, and that in the case of an officer of the Royal Engineers, whose case is also governed by Article 314 (i), the minimum shall be the rate prescribed by the Leave Rules for the Pakistan Army, according to the length of his service for Pakistan for pension. In the case, however, of an officer of the Royal Engineers, who was serving under British Army Leave Rules immediately before he became subject to the rules in this Chapter, the minimum for so much of the furlough credited under Article 314 (i) as has been earned by service in civil employment shall be at the rate of £ 55 1/2 a month if the leave is spent out of Asia and Rs.555 5/9 a month if the leave is spent in Asia or the salary last drawn by him on duty, whichever is less—if he elects to come under the Civil Leave Rules after completing five years Pakistan service-

Note.—[A Military Officer in Civil employ, who is granted furlough on medical certificate in excess of the amount earned by him both under the Civil and Military rules, may be allowed the Civil minimum rate of leave allowance for the period of leave enjoyed in excess of the amount so

earned; but such officer must exhaust all leave that he has so earned before he can be eligible for this concession.]

- (c) In the case of any other officer subject to the rules -
 - (i) if the leave is spent out of Asia, maximum £100 a month; no minimum, except as provide in Article 319;
 - (ii) if the leave is spent in Asia, maximum Rs.1,000 a month; no minimum, except as provided in Article 319.

Provided always that the allowances of an officer during leave shall in no case exceed his actual salary when he takes leave.

316-A. An officer on furlough may be granted by the authority sanctioning the furlough a leave allowance equal to his full average salary, subject to the, following conditions:-

- (a) Average salary will be granted during furlough for a total period not exceeding 1 year in an officer's whole service.

⁵Note.—[See also Article 348-1 (6)]

- (b) When an officer has taken furlough on average salary, he will be treated as having taken furlough on half average salary for twice the period actually taken on average salary except for purposes of Article ⁶[234 (b) and 408].

⁷Note.—[See also Article 348-1 (6).]

- (c) The maximum period of furlough on average salary in each separate period of leave is 8 months.

(d) The period during which an officer may draw due furlough average salary in lieu of the allowances ordinarily admissible should be so regulated that at the termination of the period he will still have not less than six months' furlough due to him; but this condition, except in the case of furlough taken on medical certificate, may be relaxed at its discretion by the authority granting the furlough. In the case of furlough taken on medical certificate the grant of furlough on average salary is subject to the further condition that its grant shall not operate to curtail the actual period of leave recommended in the medical certificate.

⁵Take affect from the 31st December, 1929.

⁶Inserted with effect from 11th July, 1921.

* For facility of reference, chapter XIV as it stood prior to 29th July, 1920 is reproduced in Annexure.

(e) The officer's average salary, if paid at the office of the High Commissioner for Pakistan in the U. K or in a Colony where the standard of currency is gold, will be converted into sterling at the same rate of exchange as ordinary furlough allowances (vide Article 868). The average salary is subject to the following maximum limits:-

- (i) In the case of a member of the Civil Service Pakistan or a Military Officer subject to the Civil Leave Rules, £.222 a month if the leave is spent out of Asia and Rs.2,222 a month if the leave is spent in Asia.
- (ii) In the case of any other officer subject to these rules, £.200 a month if the leave is spent out of Asia and Rs.2,000 a month if the leave is spent in Asia.

(f) Privilege leave to the extent due may be prefixed to furlough on average salary, subject to a maximum of 8 months for the two kinds of leave combined on each occasion of such combination.

Note.— [The maximum limit prescribed in this clause is applicable in cases falling under Article 278, in which furlough on average salary is taken in combination with vacation or vacation and Privilege leave.]

(g) Furlough on half average salary may be granted in continuation of furlough on average salary or of combined Privilege leave and furlough on average salary.

317. After the expiry of the first two years of each separate period of furlough an officer on furlough is entitled -

- (i) if a member of the Civil Service Pakistan or a Military Officer subject to the Civil Leave Rules, to subsistence allowance;
- (ii) if an officer not in the Civil Service Pakistan or the Army, to £.60 a month if the leave is spent out of Asia and Rs.600 a month if the leave is spent in Asia or to one-quarter of his average salary, whichever is less. In the case provided for in Article 319, quarter average salary is subject to the minima prescribed in that Article.

Note. — [In the case of officers drawing their leave allowances in Pakistan, the Government of Pakistan, in exceptional circumstances, may grant leave allowance under Article 316, and not under this Article for any leave taken which is due under Article 315 even though it be in excess of two years.]

318. Whenever an officer whose appointment is not gazetted takes leave for not more than one month, or whenever such an officer's salary is less than

Rs.300, his pay (not salary) when he gives up office is to be treated as his average salary for the purposes Articles 316, 316A and 317.

Note.— [For the purpose of this Article duty and deputation (duty) allowance are deemed to be included in pay and salary.]

319. The leave allowances of the officers referred to in Article 316 (c) and 317 (ii) are subject to the following minima:-

If the leave has been granted or extended on account of ill health -

Half average salary

Minima

If the leave is spent out of Asia

£.33 a month, or $\frac{3}{4}$ th of the salary last drawn on duty, whichever is less.

If the leave is spent in Asia

Rs.333 $\frac{1}{2}$ month or $\frac{3}{4}$ th of the salary last drawn on duty, whichever is less.

Quarter average salary

If the leave is spent out of Asia

£.16 $\frac{1}{2}$ month, or 37 $\frac{1}{2}$ percent of the salary last drawn on duty whichever is less.

If the leave is spent in Asia

Rs.166 $\frac{3}{4}$ a month, or 37 $\frac{1}{2}$ percent of the salary last drawn on duty, whichever is less.

Note. — [The benefit of this Article is not admissible unless the following conditions are fulfilled:-

- (i) The leave is taken out of Pakistan elsewhere than in India Ceylon Nepal, Burma or Aden.
- (ii) Leave out of Pakistan has either been recommended by a medical certificate or, if not so recommended, has been extended on medical certificate or commuted into furlough on medical certificate.]

CHAPTER XIV.—LONG LEAVE— PAKISTAN SERVICES

SECTION I.—EXTENT OF APPLICATION

320. (a) The rules in this Chapter apply to all officers holding substantive appointments on permanent establishments under Government, to whom neither the rules in Chapter XIII nor the special rules in Part V of these Regulations apply. They apply fully only to officers in superior service.

Munsiffs in East Bengal, Extra Assistant Commissioners, Extra Judicial Assistant Commissioners, Subordinate Judges and Munsiffs in the Punjab.

(b) An officer who has a temporary or officiating appointment only may be allowed —

- (i) Furlough on medical certificate for not more than three months at a time on half his pay or salary, if no substitute is required or if his duties can be provided for without additional expense;
- (ii) Extraordinary leave without allowances for not more than three months at one time.

Note 1.— [An officer who prior to 29th July 1920 was subject to the Pakistan Service Leave Rules as contained in chapter XIV* as it stood prior to that date will remain under those rules unless and until he elects to substitute the rules in this Chapter. Such choice, once made, will be final. The officer is not debarred by this election from coming under European Service Leave Rules in Chapter XIII if by any rules or orders applicable to him he is entitled at some period of his service to come under those rules.]

Note 2.—[Notwithstanding anything in Note 1, an officer who remains under the old Pakistan Service Leave Rules may, while on furlough out of Pakistan, India, Ceylon, Nepal, Burma or Aden or on furlough on medical certificate, be granted a leave allowance equal to his full average salary (or full pay as the case may be), subject to the conditions mentioned in Article 325-A, in this Chapter.]

321. Leave may, however, be granted under this Chapter to an officer in Class IV service so far as it can be done without imposing any cost upon the State. The absentee allowance of the substantive incumbent must not exceed what remains from his pay after provision is made for the efficient discharge of his duties during his absence except when, in the resultant acting arrangements, an officer who has no substantive appointment is given more than half the pay of the appointment in which he acts, in which case the excess over half pay granted to him may, at the discretion of the Local Government, be disregarded altogether in calculating the sum available for the leave allowance of the absentee and the acting allowances paid in consequence of his absence.

1. The Local Government may delegate its power under this Article to Heads of Offices and Departments.

SECTION II— FURLOUGH

322. The total amount of furlough admissible to an officer to whom these rules apply is five years. All the rules in this part of the Regulations are subject to this limitation.

Note.— [Furlough and leave on medical certificate and on private affairs taken under the rules in force prior to 29th July 1920 count as furlough for the purpose of the Article.]

323. The amount of furlough “earned” by an officer is one-sixth of the active service rendered by him.

324. The amount of furlough ‘due’ to an officer’s is the amount which he has ‘earned’ diminished by the furlough which he has enjoyed under these rules and the furlough and leave on medical certificate and on private affairs taken under the rules in force prior to 29th July 1920.

325. (a) Except as provided in clause (b), an officer is entitled during the first two years of each separate period of furlough, whether such furlough be ‘due’ or ‘not due’, to a leave allowance equal to half his average salary and thereafter to one—quarter of his average salary.

(b) Whenever an officer whose appointment is not gazetted takes leave for not more than one month, or whenever such an officer’s salary is less than Rs.300 his pay (not salary) when he gives up office is to be taken in lieu of average salary:

Provided that the allowances of an officer during furlough shall in no case exceed his actual salary when he takes furlough.

Note 1. — [For the purpose of clause (b) of this Article, duty and deputation allowances for deemed to be included in pay and salary.]

Note 2.— [In the case of officers drawing their leave allowances in Pakistan, the Government of Pakistan, in exceptional circumstances, may grant leave allowances admissible under this Article during the first two years for any leave taken, which is due under Article 324, even though it be in excess of two years.]

325-A. An officer ⁸[other than an officer in Class IV service] who proceeds on furlough out of Pakistan, India, Ceylon, Nepal, Burma or Aden, or takes furlough on medical certificate, ⁹[other than furlough preparatory to retirement], may be granted by the authority sanctioning the furlough a leave allowance equal to his full average salary, subject to the conditions laid down in clauses (a) to (g) of Article 316-A with the exception that average salary must not exceed maximum limit of £.150 a month if the leave is spent out of Asia and Rs.1,500 a month if the leave is spent in Asia.

⁸Inserted with effect from the 17th October, 1934.

⁹Inserted with effect from the 16th March, 1937.

Note.— [In the case of officers who under clause (b) of Article 325 are entitled during furlough on half average salary to an allowance equal to half pay, the allowance during furlough under this Article shall be equal to full pay.]

326. (a) Half average salary is subject to the following maxima:—

- (i) If the leave is spent in Asia, Rs.750 a month.
- (ii) If the leave is spent out of Asia, £.75 a month.

(b) Quarter average salary is subject to a maximum of Rs.600 a month if the leave is spent in Asia and £.60 a month if the leave is spent out of Asia.

(c) In the case of non-gazetted officers whose salary is not less than Rs.300, half average salary and quarter average salary are, except as provided in Article 327, subject to the following minima:—

Half average salary

If the leave is spent in Asia Rs.168³/₄ a month.

If the leave is spent out of Asia £.16⁷/₈ a month

Quarter average salary

If the leave is spent in Asia Rs.84³/₈ a month.

If the leave is spent out of Asia £.8⁷/₁₆ a month.

327. The leave allowances of the officers subject to the rules in this Chapter are subject to the following minima:-

If the leave has been granted or extended on account of ill-health-

Half average salary

Minima

the leave is spent out of Asia £.25 a month, or 3/4ths of the salary last drawn on duty, whichever is less.

the leave is spent in Asia Rs.250 a month, or 3/4ths of the salary drawn on duty, whichever less.

Quarter average salary

the leave is spent out of Asia £.12¹/₂ a month or 37 ½% of the salary drawn on duty, whichever is less.

the leave is spent in Asia Rs.125 a month, or 37 ½% of the salary last drawn on duty, whichever is less.

Note.—[The benefit of this Article is not admissible unless the following conditions are fulfilled:-

- (i) The leave as taken out of Pakistan, elsewhere than in India, Ceylon, Nepal, Burma or Aden.
- (ii) Leave out of Pakistan has either been recommended by a medical certificate or, if not so recommended, has been extended on medical certificate or commuted into furlough in medical certificate.]

328—348. Cancelled.

*** CHAPTER XIV.A.— SPECIAL DISABILITY LEAVE**

348-I. (1) Subject to the conditions hereinafter specified Government of Pakistan or a Provincial Government may grant special disability leave to a Government servant who is disabled by injury intentionally inflicted or caused in, or in consequence of, the due performance of his official duties or in consequence of his official position.

(2) Such leave shall not be granted unless the disability manifested itself within three months of the occurrence to which it is attributed, and the person disabled acted with due promptitude in bringing it to notice. But the Government of Pakistan, if they are satisfied as to the cause of the disability, may permit leave to be granted in cases where the disability manifested itself more than three months after the occurrence of its cause.

(3) The period of leave granted shall be such as is certified by a medical board to be necessary. It shall not be extended except on the certificate of a medical board, and shall in no case exceed 24 months.

(4) Such leave may be combined with leave of any other kind.

(5) Such leave may be granted more than once if the disability is aggravated or reproduced in similar circumstances at a later date, but not more than 24 months of such leave shall be granted in consequence of any one disability.

(6) Special disability leave will count as service for pension or as 'active service' under Articles 549 (b), 561 and 573 of these Regulations, but it will not count as service for leave. It will not be regarded as interrupting service for leave under the ordinary rules, nor as diminishing the amount of such leave at the Government servant's credit, nor as part of the maximum leave admissible to him, except that leave on average salary taken under clause 7 (b) will be reckoned as

*The new Chapter takes effect from the 31st December, 1929.

furlough on half average salary against the total amount of furlough prescribed in Article 312 and 322 and as furlough on average salary against the total period of such furlough prescribed in Article 316-A (a) and 325-A.

(7) Leave allowances during such leave shall, subject to the maxima and minima prescribed in Articles 316, 316-A, 319, 325-A, 326 and 327, be equal—

- (a) for the first four months of any period of such leave, including a period of such leave granted under clause (5) of this Article to average salary and
- (b) for the remaining period of any such leave to half average salary, or at the Government servant's option, for a period not exceeding the amount of furlough on average salary either by itself or in combination with privilege leave which would otherwise be admissible to him, to average salary.

(8) In the case of a person to whom the Workmen Compensation Act, 1923, applies, the amount of leave allowance payable under this Article shall be reduced by the amount of compensation payable under section 4 (l) (d) of the said Act.

(9) The provisions of this Article apply to a civil servant disabled in consequence of service with a military force, if he is discharged as unfit for further military service, but is not completely and permanently incapacitated for further civil service, and to a civil servant not so discharged who suffers a disability which is certified by a medical board to be directly attributable to his service with a military force; but in either case any period of leave granted to such a person under military rules in respect of that disability shall be reckoned as leave granted under this Article for the purpose of calculating the period admissible.

348-II. The Government of Pakistan may extend the application of the provisions of Article 348-I to a Government servant who is disabled by injury accidentally incurred in: or in consequence of the due performance of his official duties or in consequence of his official position, or by illness incurred in the performance of any particular duty which has the effect of increasing his liability to illness or injury beyond the ordinary risk attaching to the civil post which he holds. The grant of this concession is subject to the further conditions—

- (i) that the disability, if due to disease, must be certified by a medical board to be directly due to the performance of the particular duty; and
- (ii) that, if the Government servant has contracted such disability during service otherwise than with a military force, it must be, in the opinion of the Government of Pakistan, so exceptional in character or in the

circumstances of its occurrence as to justify such unusual treatment as the grant of this form of leave; and

- (iii) that the period of absence recommended by the medical board may be covered in part by leave under this Article and in part by other leave, and that the amount of special disability leave granted on average salary may be less than four months.

348-III. (1) A Government servant who has been granted special disability leave under Article 348-1, and whose domicile is elsewhere than in Asia, may be granted by the authority which sanctioned the special disability leave, free passage by sea for himself, his wife, and children, to the United Kingdom or to any port in Europe or in a British colony, dominion, or possession, and on the conclusion of such leave return passage to Pakistan, unless he takes leave other cleave on medical certificate in continuation of special disability leave, in which case return passage shall not he granted save with special sanction of the President: Provided that the cost of any passages granted under this Article shall not exceed the cost of passages between Pakistan and the United Kingdom.

(2) Passages granted under this Article may include travel by land between port of embarkation and port of debarkation, and shall be of such class as the sanctioning authority in each case may determine.

(3) The Government of Pakistan may extend the application of provisions of clause (1) and (2) to a Government servant who has been granted special disability leave under Article 348—II, and whose domicile is elsewhere than in Asia, provided that they may at their discretion, grant free passage to the Government servant only, or to the Government servant and his wife only.

- (4) For the purpose of this Article—
 - i. the domicile of a Government servant is his domicile at the time of his appointment to Government service, as determined in accordance with the provisions of clause (2) (a) of Article 310 and of Article 310-A;
 - ii. 'child' means a legitimate child (including a step-child) residing with and wholly dependent on the Government servant, who, if a female, is unmarried, or, if a male, is under the age of 16.

PART IV.—ORDINARY PENSIONS

CHAPTER XV—GENERAL RULES

SECTION I.—EXTENT OF APPLICATION

348-A. Every pension shall be held to have been granted subject to the conditions contained in Chapter XXI.

349. The conditions of service of officers of the following classes include special rules for pension which are laid down in the chapters noted against each, viz.:

- (a) Judges of the High Court (see Chapter XXIII).
- (b) Barristers, etc., holding the appointments specified in Article 547(see Chapter XXIV).
- (c) Members of the Civil Service Pakistan (see Chapter XXV).
- (d) Cancelled.
- (e) Civil Engineers and Telegraph Officers (see Chapter XXX).
- (f) State Railway Establishments (see Chapter XXXII).
- (g) Cancelled.
- (h) Special Rules for the Police.
- (i) Cancelled.
- (j) Army Veterinary Officers of the Civil Veterinary Department (see Chapter XXIX).
- (k) Cancelled.

349-A. (1) The rules in Articles 404-A, ¹⁰[456-A] 474-A and 475-A apply to officer (other than Military officers and members of the Civil Service Pakistan) appointed ¹¹[substantively] to the services or the appointment specified below who –

- (a) Joined their appointments after 29th August, 1919, or
- (b) were in service on 29th August, 1919 but have definitely elected in writing with the permission of Government to come under them.

N.B. Officers who were appointed in England during the year 1919 should, for the purpose of this Article, be treated as in service on the 29th August, 1919, even if they joined their appointments after that date.

¹⁰ Omitted vide Fin. Div. Notification No.14(6)-R1(1)/57, dated:-09-07-1958.

¹¹ Omitted vide Fin. Div. Notification No.14(6)-R1(1)/57, dated:-09-07-1958.

These rules in the case of officers subject to them replace the rules in Articles 403, 404, 465, 474 (b), 475, 476 (c), 623, 641 (c), 642 and 643 :-

The Agricultural Department— Central and Provincial branches.

The Civil Veterinary Department—Officers of and above the rank of Deputy Superintendent.

The Customs Department—Collectors and Assistant Collectors.

The Educational Department—Central and Provincial Services.

Inspectors of Factory and Boiler Inspection in the provinces and of the Smoke Nuisances Department in East Bengal.

The Pakistan Audit Department—officers of the Pakistan Audit and Accounts Service of and above class II; Assistant Accounts Officers and Assistant Audit Officers in pensionable service ;

The Military Accounts Department—officers of and above class II; Deputy Assistant Controllers (including Deputy Assistant Military Accounts General).

The Forest Department—Central Service and Provincial officers of and above the rank of Extra Assistant Conservator.

The Geological Survey of Pakistan — Officers of rank equal to or above that of Assistant Superintendent.

The Provincial Civil Service Executive and Judicial.¹²

The Medical Department—Civil Surgeons and Civil Assistant Surgeons, Professors of Medical Colleges and Chemical Examiners.

The Pakistan Mines Department—Inspectors.

The Mint and Assay Department—Mint Masters and Deputy Mint Masters, Chief Assayer and Deputy Chief Assayers.

The Police Department—Officers of the Pakistan Police and Deputy Superintendents.

The Pakistan Posts and Telegraph Department—Officers of or above the rank of Superintendents of Post Offices and of Gazetted Deputy and Assistant Post Masters;

¹² For this purpose this term includes the following:-

Officers of the Telegraph Traffic Service, Class I;

Officers of the Superior Telegraph Engineering and Wireless Branches;

Assistant Engineers, Telegraphs,

Assistant Engineers, Wireless;

Assistant Electricians;

Superintendent, Telegraph Workshop;

Account Officers, Telephone Revenue, Stores and Workshops, and
Accounts Officers Telephone Revenue Accounting Office.

The Indo-European Telegraph Department—Officers of and above the rank
of Assistant Superintendent up to 14th August 1947.

The Public Works Department—Officers of the Pakistan service of
Engineers and of the Provincial Engineer service.

The Railway Department—Officers of the Pakistan Railway Service of
Engineers and of the Provincial Engineering Service, State Railways.

The Registration Department— Officers of or above the rank of District
Registrar.

The Western Pakistan Salt Revenue Department—Officers of and above
the rank of Assistant Superintendent.

The Salt and Excise Department— Officers of and above the rank of
Superintendent in East Bengal.

The Survey of Pakistan Department—Officers of and above the of Extra
Assistant Superintendent, and the Superintendent and Assistant
Superintendents, Mathematical Instrument Office.

The Meteorological Department—Officers of and above the rank of
Assistant Director or Assistant Meteorologist, and the Scientific Assistant.

The Opium Department—Officers of and above the rank District Opium
Officer or Assistant Opium Officer.

The Archaeological Department—officers of rank equal to or above that of
Assistant Superintendent.

The Jail Department—Officers of and above the rank of Superintendent Director of Statistics.

Imperial Dairy Expert.

Economic Botanist to the Botanical Survey of Pakistan.

Superintendents of Provincial Government's Presses.

Managers, Government of Pakistan Presses, and Deputy Controllers in the Stationery and Printing Department.

The Government Examiner of Questioned Documents.

Registrars of Joint Stock Companies for East Bengal.

Registrar, Judicial Commissioner's Court, Sind, when the post is not held by a Provincial Civil Service Officer.

Zoological Survey of Pakistan Department—Officers of and above the rank of Assistant Superintendent.

Second Solicitor to the Government of Pakistan.

Curator, Bureau of Education, Government of Pakistan.

The Forest Engineering Service.

Assistant Financial Advisers, Military Finance.

Manager of Sind Government Press, Karachi.

First and Second Assistant Secretaries to the Government of East Bengal, Legislative Department and Assistant Secretaries to the East Bengal Legislative Council.

Extra Assistant Commissioners in the North-West Frontier Province and in Baluchistan.

Agricultural Engineers in Pensionable service.

The Income-tax Department—all gazetted officers.

The Central Board of Revenue—Members and Personal Assistants to the Members. -

Personal Assistant to the Inspector General, Civil Hospital Punjab.

Administrative Officer, Intelligence Bureau, Ministry of Interior Home Division.

Assistant Secretary to Government, Punjab Public Work Department, Buildings and Road Branch, and Irrigation Branch.

Assistant Secretaries to Government Punjab, employed in the Civil Secretariat,

Registrar, Punjab Irrigation Secretariat.
Deputy Registrar, High Court, Lahore.

Civilian Officer, Supervisors at Army and Air Headquarters.

Any other officer eligible for an additional pension under Article 475-A Civilian Gazetted Officers, Pakistan Army Service Corp Record office, Central Revenue, Chemical Service—Chief Chemist.

Controller of Patents and Designs.

Examiners of Patents.

Assistant Government Examiner of Questioned Documents.

Manager, Photo-Litho Office and the Head Engraver, Engraving Office, Survey of Pakistan.

Director of Civil Aviation in Pakistan.

Administrative Officer, Civil Aviation Directorate.

(2) The Government of Pakistan may include in the list in clause (1) any gazetted services or appointments the duties of which are so important that they cannot be regarded as subordinate.

Note.— [An officer who does not hold substantively one of the appointments mentioned above, but who by rendering officiating service counting as effective service in one of the appointments included in the schedule appended to Article 475-A, becomes eligible for an additional pension is entitled to the benefits of this Article, provided, in the case of officers who were in service on 29th August 1919 they have definitely elected the rules referred to in the preamble of the Article.]

349-AA. Article 349-A, does not apply to an officer (1) who entered Government service on or after the 1st October, 1938 or (2) who, having entered such service before that date, did not hold a lien or a suspended lien on a permanent pensionable post before that date or (3) who is transferred on or after the 1st October, 1938, permanently from service under a Provincial Government or a Local Fund administered by Government to service under the President and did not hold a lien or a suspended lien on a permanent pensionable post under the Provincial Government or the Local Fund before that date.

In the case of such officers the rules in Articles 465AA, 474AA and 475-AA replace the rules in Articles 465, 465A, 474A, 475, 475A. and 623.

¹³**349-AAA.** Articles 349A and 349AA do not apply to officers who entered Government service on or after 1st July, 1966, or who, having entered such service before that date, did not elect to continue to be governed by the rules theretofore applicable to them.

In the case of such officers the rules in Articles 465B, 474B and 474 C¹⁴[***] replace the rules in Articles 465, 465A, 465AA, 474, 474A, 474AA, 475, 475A, 475AA and 475AAA.]

349-B. Notwithstanding anything contained in Article 394-A, the rules in this Part, subject to the exception noted below, do not apply to officers of the Pakistan Railway Service of Engineers, or the Provincial Engineering Service, State Railways, who joined their appointments on or after the 17th September 1925.

Exceptions.—(a) The under-mentioned officers who joined their appointments in the Pakistan Railway Service of Engineers after the 17th September 1925 are subject to the rules in this Part to the same extent as other officers appointed to the Service before that date:-

(i) Mr. R. C. Harvey. (ii) Mr. Q. F. Rahman.

(b) Officers pensionable service who were or may be promoted to the Pakistan Railway Service of Engineers or the Provincial Engineering Service, State Railways, on or after the 17th September 1925 retain their pensionary privileges after promotion.

350. The pensions of all other officers are regulated by the rules in this Part: Provided that it is open to a Local Government to rule that the service of any class of officers serving under it does not qualify for pension.

1. Service in Dak Bangalow and District Garden Establishments does not qualify.

¹³Inserted vide Fin. Div. Notification No.F.4(4)-RS/68, dt:-30-1-1971.

¹⁴In Article 349AAA omitted "475C" by SRO.227(1)/83[No.F.6(4)-REG(6)/81], dt:-17-02-1983, the Gaz of Pak. Extr. Part-II, P.No.326, dt:-8-3-1983.

2. The service of a Patwari, whether appointed before or after the abolition of the Patwari or Village Officer's Cesses and Funds, does not qualify in any case in which it did not qualify prior to that abolition.

351. (1) Future good conduct is an implied condition of every grant of a pension. The Local Government and the Government of Pakistan reserve to themselves the right of withholding or withdrawing a pension or any part of it, if the pensioner be convicted of serious crime or be guilty of grave misconduct.

The decision of the President on any question of withholding or withdrawing the whole or any part of a pension under this Regulation shall be final and conclusive.

¹⁵[(2) Except with the previous sanction of the Federal Government, no pensioner shall, within a period of two years from the date of his retirement, take part in any election or engage in political activity of any kind.

(3) The contravention of clause (2) shall be deemed to be a grave misconduct within the meaning of this regulation.]

¹⁶Note 1.—[This rule is applicable, to all the officers enumerated in Article 349.]

¹⁷Note 2.—[Power given in this rule to withhold or withdraw a pension or any part of it, if the pensioner is guilty of grave misconduct, shall not be exercised until an opportunity has been given to the pensioner to explain his conduct verbally or in writing.]

351-A. The President reserves to himself the right to order the recovery from the pension of an officer who entered service on or after 23rd February, 1939 of any amount on account of losses found in judicial or departmental proceedings to have been caused to Government by the negligence or fraud of such officer during his service:

Provided that—

- (1) such departmental proceedings, if not instituted while the officer was on duty,-
 - (i) shall not be instituted save with sanction of the President;

¹⁵ Added vide S.R.O.144(K)/65[No. F. 1(7)-RI/64], dated 01-03-1965, Gaz. Of Pak. Extra.Pt.II,P.No.115, dt:-12-03-1965.

¹⁶ Already existing in the old CSR Book of 1951.

¹⁷ Inserted vide Fin. Div. Notification No. F. 12 (4)-RI/55, dated the 14-12-1955.

- (ii) shall be instituted before the officer's retirement from service or within a year from the date on which he was last on duty whichever is later;
- (iii) shall be in respect of an event which took place not more than one year before the date on which the officer was last on duty and:
- (iv) shall be conducted by such authority and in such places whether in Pakistan or elsewhere, as the President may direct;

(2) all such departmental proceedings shall be conducted, if the officer concerned so requests, in accordance with procedure applicable to departmental proceedings on which an order of dismissal from service may be made; and

(3) such judicial proceedings, if not instituted while the officer was on duty, shall have been instituted in accordance with sub-clauses (ii) and (iii) of clause (1).

¹⁸[**351-B** The Government may, within one year from the date of issue of Pension Payment Order, recover any of its dues from the pension granted to a civil servant, subject to the condition that no recovery shall be made from the pension without the personal order of the Head of the Ministry or Division or Head of the Department, declared as such under S.R.2(10) and included in Appendix No.14, Vol. II of the Compilation of the Fundamental Rules and Supplementary Rules, as the case may be.]

SECTION II.—CASES IN WHICH CLAIMS ARE INADMISSIBLE

352. In the following cases no claim to pension is admitted:

(a) When an officer is appointed for a limited time only, or for a specified duty, on the completion of which he is to be discharged.

(b) When a person is employed temporarily on monthly wages without specified limit of time or duty; but a month's notice of discharge should be given to such a person, and his wages must be paid for any period by which such notice falls short of a month.

(c) When a person's whole time is not retained for the public service, but he is merely paid for work done for the Government.

(1) This clause applies, among others, to the following, officers:—

¹⁸Inserted vide SRO.258(I)/82[No.F.6(8)-Reg.6/79], dt:-18-3-1982, Gaz. Of Pak. Extra.Pt.II, P.No.379, dt:-22-3-1982

Advocate General, Solicitor to Government, Government Pleaders and Law Officers not debarred from private practice.

(d) When a public servant holds some other pensionable office, he earns no pension in respect of an office of the kind mentioned in clause (c) or in respect of duties paid for by a Local Allowance.

(e) When an officer serves under a covenant which contains no stipulation regarding pension, unless the Government of Pakistan specially authorizes an officer to count such service towards pension.

Misconduct or Inefficiency

353. No pension may be granted to an officer dismissed or removed for misconduct, insolvency or inefficiency; but to officers so dismissed or removed compassionate allowances may be granted when they are deserving of special consideration; provided that the allowances granted to any officer shall not exceed two-thirds of the pension which would have been admissible to him if he had retired on medical certificate.

Unfitness for further advancement

353-A. When an officer, belonging to one of the following services, who is proved to be unfit for further advancement, is removed from service by the President on the recommendation of the Local government and the Government of Pakistan, he may, with the sanction of the President, be granted a pension not usually exceeding, and not necessarily so great as, that which would have been admissible to the officer if he had been invalided on medical certificate. In making their recommendations in such cases, the Government of Pakistan and the Local Government will be guided by the circumstances of each case and are not debarred from proposing, if the circumstance justify it, a pension lower or (in exceptional cases) higher in amount than that which would be admissible to the officer if he was invalided on medical certificate:-

- (a) The Civil Service Pakistan.
- (b) The Indian Political Department up to 14th August, 1947.
- (c) The Pakistan Audit Department (General List, including the Public Works List)
- (d) The Pakistan Police.
- (e) The Pakistan Customs Service.
- (f) Pakistan Posts and Telegraphs Department.

- (g) The Geological Survey of Pakistan.
- (h) The Engineer establishment of the Pakistan Public Works and State Railway Departments.

Note 1.— [In the case of the military officers belonging to the late Indian Politic department the pension recommended will be based on the amount of retiring pension which an officer might have earned at the time under the Army Regulations.]

Note 2.— [In the case of Royal Engineer officers of the Public Works and State Railway Department the enforcement of the rule will take the form of requiring the officers to vacate their civil appointments and revert to military duty.]

Claims of Widow

354. (a) It being the duty of every Government officer himself to provide for his family, the Government ¹⁹[except as provided in respect of officers governed by the Pension-cum-Gratuity Scheme, 1954,] recognises no claim by a widow on account of the services of her husband, and is almost invariably under the painful necessity of rejecting recommendations made in contravention of this rule.

(b) The submission of such recommendations; save under very extraordinary circumstances, is disapproved, as calculated only to give rise to hopes which cannot be fulfilled.

Limitations

355. (a) An officer cannot earn two pensions in the same office at the same time, or by the same continuous service.

(b) Two officers may not simultaneously count service in respect of the same office.

Military Service

356. (a) Service rendered by an employee belonging to one of the classes mentioned in Note 2 below,²⁰[***]which is pensionable under military rules but which terminates before a pension has been earned in respect of it, may, at the discretion of the Government of Pakistan or of the Provincial and Minor Local Governments specified in Parts I and II of Appendix I to these Regulations, be allowed to count, when followed by service qualifying for pension under civil rules,

¹⁹ In Article 354, inserted vide Fin. Div. Notification No.3(2)-RSII/69, dt:-22-10-1969.

²⁰ Omitted the words " after attaining the age of 20 years" vide SRO.151(1)/73 [Fin. Div. No.F.1(15)-Reg(6)/72], dt:-31-1-73

as part of such service, provided that any bonus or gratuity received in lieu of pension on, or since discharge from military service shall be refunded in such number of monthly instalments, not normally exceeding 36 and beginning from such date, as in each case the Government of Pakistan, Provincial Government or Minor Local Government, as the case may be, may decide. Service so allowed to count shall, however, be restricted to service, within or outside the employee's unit or department, in Pakistan or elsewhere, which has been paid for from Pakistan revenues or for which a pensionary contribution has been received by Pakistan revenues.

(b) Service pensionable under military rules which does not terminate before a pension has been earned in respect of it shall not be allowed to count for pension under civil rules without the sanction of the President.

Note 1.—An officer, ex-soldier or ex-airman will not be brought under the operation of this Article as a matter of course. Each case will be decided on its merits, e. g., there may be cases in which it may be open to a claimant for pension to add military service during the Great War to former non-pensionable service in the Army in order to claim the benefit of a military pension. In such cases it may be to the advantage of the claimant that he should not be brought under the operation of this Article. The bearing of paragraph 574 of the Pay and Allowance Regulations of the Army, Part II, on the position of soldiers of the Pakistan Army who re-entered during the Great War, deserves consideration in this connection.

Note 2.—This Article applies to commissioned officers, non-commissioned officers and men of the Pakistan Army, ²¹[of the Pakistan Navy], ²²[Pakistan Air Force](and of the Frontier Constabulary and Militias) and to non-combatant departmental and regimental employees and followers of the supplemental services. It also applies to warrant and non-commissioned officers and men of the British Service, and to warrant officers and departmental officers of the commissary and assistant surgeon classes.]

Note 3.—²³Omitted.

Note 4.—[Employees in the Military Police have the option of counting service under any other rules in these Regulations which would give them a similar or more liberal concession.]

Note 5.—[Employees who were in service in an appointment pensionable under civil rules on the 22nd February 1921 are eligible to count service under the rules which were in force before that date, where these rules are more advantageous to them.]

²¹ Inserted vide Fin. Div. Notification No.F.4(12)-Reg(6)/77, dated:-11-04-1978.

²² Inserted vide SRO.1014(1)/79 [No.F.1(3)-Reg.7/78], dated:-06-11-1979, Gaz. Of Pak. Extr, Part-II, P.No.1808, dt:-10-11-1979.

²³ Omitted vide SRO.227(1)/83 [No.F.6(4)-Reg(6)/81], dt:-17-2-83, Gaz. Of Pak. Extr, Part-II, P.No.326, dt:-8-3-83.

Note 6.—[A person permanently appointed to the Civil Police force or to a post in the Jails Department of an administration subordinate to the Governor-General who before such appointment has served in the reserve of the Pakistan Army, may, if his military service, whether or not including service with the colours in addition to service, in the reserve was pensionable under military rules but terminated before he had qualified for pension, be permitted, at the discretion of the head of the administration, and subject to the provisions contained in this Article to count for civil pension the whole of his service with the colours, if any, and half his service in the reserve.]

²⁴**357.** Omitted.

357-A Civil employees other than those governed by Article 357-B who, prior to their civil employment, have rendered satisfactory paid service between the 4th August, 1914. and the 31st August 1921, in His Majesty's Military, Naval or Air Forces, British or Indian, which did not earn a service pension under the Military, Naval or Air Force Rules, shall be allowed to count such military service, including sick leave taken during such service, for the purpose of civil pension, subject to the observance of the following general principles:—

- (1) Completed years of military service shall be allowed to count up to a maximum of four years.
- (2) In the case of services in which a minimum age is fixed for recruitment, no military service rendered below that age shall be allowed to count for pension.
- (3) The addition of war service shall not be included in total service under Article 408 for the purpose of counting leave as service for pension, not allowed in addition to the concession in Article 404-A, but any Government servant who may be entitled to the concessions admissible under the latter Articles and to the concession in this Article, will be allowed to select whichever is more favourable.
- (4) British and Pakistan military service shall be allowed to count alike for pension and no contribution towards, or share of, a pension earned as a result of this concession shall be claimed from the British Government.
- (5) No refund of military bonus or gratuity shall be demanded from the employee.

²⁵**{357-AA** Civil employees who, prior to their Civil employment, have rendered whole-time satisfactory paid, enlisted or commissioned service

²⁴Omitted vide SRO.1241(K)/69 [Fin. Div.No.D203-RS.II/69], dt:-21-4-69, Gaz. Of Pak. Extra.Part-I.P.No.491,dt:-2-5-69.

²⁶(including service rendered as a Cadet in a Military Training School) ²⁷[***] between the 3rd September, 1939 and the 31st March, 1946, in His Majesty's Military Naval or Air Forces, British or Indian, which did not earn a service pension under the Military, Naval or Air Force Rules and who have been appointed in a civil pensionable post on or before the 18th July, 1949, shall, subject to the observance of general principles laid down, in Articles 357-A and 357-B in so far as they are not inconsistent with this Article, be allowed to count completed years of such service upto a maximum of five years, for the purpose of civil pension.}

357-B Members of the services specified in the Schedule below, who, prior to their civil employment, have rendered whole-time enlisted or commissioned service between the 4th August, 1914, and the 31st August, 1921, in His Majesty's Military, Naval or Air Forces, British or Indian, which did not earn a service pension under the Military, Naval or Air Forces Rules, may count such service, including sick leave taken during such service, for civil pension of all kinds subject to the following conditions:—

- (1) Completed years of service rendered after the attainment of the minimum age mentioned in the schedule to this Article shall be allowed to count up to a maximum of four years.
- (2) The addition so made shall not be included in total service under Article 408 for the purpose of counting leave as service qualifying for pension nor be allowed in addition to the concession in Article 404-A but an officer who may be entitled to the concession under Article 404-A and to that provided in this Article, shall be allowed whichever concession is more favourable to him.
- (3) Save as stated in Note 1, no refund of bonus or gratuity received in respect of such service shall be required from the officer.

Note 1.—Officers of the late Indian Army retired as surplus under the terms of the Royal Warrant of 25th April, 1922, appointed to any of the services named in the schedule shall be entitled to the concession in this Article or to the following concession whichever is more favourable:—

They shall be allowed to count as service qualifying for superannuation, retiring and invalid pension, all service in the Pakistan Army (excluding service in the British Army which would have counted for Pakistan Army Pension) rendered after attaining the minimum age of appointments as indicated in the Schedule below, and subject to a maximum period in all of four years but the gratuity, if any, received by them under that Royal Warrant shall be refunded to Government.

²⁵Inserted by Fin. Div. Notification No. F.11(3)-R I/56, dated 15-09-1956, Gaz. Of Pak. Extra.Part-II,P.No.451,dt:-5-10-56.

²⁶Inserted by Fin. Div. Notification No. 24(8)-RS (3)/70, dated 10-12-1970.

²⁷Omitted vide SRO.151(1)/73 [Fin. Div. Notification No. F.1(15)-Reg. (6)72], dated 31-01-73.

Note 2.—Service added under this Article shall count towards the limit of 28 years' qualifying service prescribed in Article 475A (7).

Schedule

Service	Minimum age
Pakistan Audit and Accounts Service	22 Years
Pakistan Customs Service	22 Years
Superior Telegraph Engineering and Wireless Branches of the Posts and Telegraph Department	22 Years
Geological Survey of Pakistan (Class I)	Nil
Mines Department (Class I)	25 Years

²⁸**357-C** Omitted.

CHAPTER XVI.—CONDITIONS OF QUALIFYING SERVICE

SECTION I.—DEFINITION OF QUALIFYING SERVICE

Beginning of Service

²⁹**358.** Unless it be otherwise provided by special rule or contract, the service of an officer begins to qualify for pension from the date he takes charge of the office to which he is first appointed.]

³⁰**359.** Omitted.

³¹**360.** Omitted,

Conditions of Qualification

361.³²[Except as otherwise provided in these Regulations, the service of an officer] does not qualify for pension unless it conforms to the following three conditions:—

First.—The service must be under Government.

Second.—The employment must be substantive and permanent.

Third.—The service must be paid by Government.

²⁸Omitted vide SRO.1241(K)/69 [Fin. Div.No.D.203-RS.II/69], dt:-21-4-69, Gaz. Of Pak. Extra.Part-I,P.No.491,dt:-2-5-69.

²⁹Substituted vide SRO.151(1)/73 [Fin. Div. Notification No. F.1(15)-Reg.(6)/72], dated 31-01-73.

³⁰Omitted vide SRO.151(1)/73 [Fin. Div. Notification No.1(15)-Reg.(6)/72], dated 31-1-1973.

³¹Omitted vide SRO.1241(K)/69 [Fin. Div.No.D.203-RS.II/69], dt:-21-4-69, Gaz. Of Pak. Extra.Part-I,P.No.491, dt:-2-5-69.

³²Substituted vide SRO.595-(K) [Fin. Div. Notification No.F.11(5)-R I(1)/59], dated the 09-12-1959.

These three conditions are fully explained in the following Sections.

361-A The Government of Pakistan may, however, in the case of service paid from General Revenues, even though either both of conditions (1) and (2) are not fulfilled.

- (1) declare that any specified kind of service rendered in a non-gazetted capacity shall qualify for pension;
- (2) In individual cases and subject to such conditions as it may think fit to impose in each case, allow service rendered by an officer to count for pension.

Subject to such conditions as it may think fit to impose, the Government of Pakistan may delegate its powers under this Article to Provincial Governments, Minor Local Governments and Heads of Departments.

Note.—(a) Provincial Governments exercise the powers of the Government of Pakistan under clauses (1) and (2) of this Article in respect to officer serving under them if the pension does not exceed fifty rupees a month. In individual cases where the pension exceeds fifty rupees a month, they may allow half the actual non-qualifying service paid from General Revenues to count for pension subject to a maximum of twelve months in all.

- (b) Minor Local Governments exercise the powers of the Government of Pakistan under clause (2) of this Article in respect of officers serving under them if the pension does not exceed ten rupees a month.

SECTION II.—FIRST CONDITION

362. The service of an officer does not qualify unless he is appointed and his duties and pay are regulated by the Government, or under conditions determined by the Government. The following are examples of officers excluded from pension by this Article:—

- (1) An Officer of the Navy paid by fees fixed by the Board of Trade;
- (2) Officers of a Municipality;
- (3) Officers of Grant-in-aid Schools and Institutions;
- (4) Subordinates appointed by Treasurers on their own responsibility .e.g. Potdars (money-testers) in East Bengal.

363-364. Cancelled.

Service paid from Contract Allowances

365. Service on an establishment paid from a Contract Establishment Allowance, with the detailed distribution of which the Government does not interfere, does not qualify, whether such contract allowance is a fixed amount or consists of fees.

2. Cancelled.

Note.—[The maximum Establishment Allowance for Registration offices in East Bengal is not a contract allowance within the meaning of this Article].

366. Service on an establishment paid from the Household Allowance of President or a Governor, does not qualify.

Service under an employer other than Government

367. In the following cases service under an employer to whose position Government has succeeded qualifies:—

(a) Cancelled.

(b) Service in the establishment employed in the Khelat territory for the assessment and collection of water-rate on lands watered by the Sind Canal which was paid in part by the Khan of Khelat prior to the levy of a local cess to meet the charge.

SECTION III.—SECOND CONDITION

General Principles

368. ³³[Except as otherwise provided in these Regulations, service] does not qualify unless the officer holds a substantive office on a permanent establishment.

369. An establishment, the duties of which are not continuous, but are limited to certain fixed periods in each year, is not a temporary establishment. Service in such an establishment, including the period during which the establishment is not employed, qualifies, but the concession of counting as service the period during which the establishment is not employed does not apply to an officer who was not on actual duty when the establishment was discharged, after completion of its work, or to an officer who was not on actual duty on the first day on which the establishment was again re-employed.

³³Substituted vide SRO.595-(K)[Fin. Div. Notification No. F.11(5)-R I(I)/59], dated:- 09-12-1959.

370. An officer transferred from a temporary to a permanent appointment can count his service in the temporary office, if, though at first created experimentally or temporarily, it eventually becomes permanent.

371. An officer without a substantive appointment officiating in an office which is vacant, or the permanent incumbent of which does not draw any part of the pay or count service, may, if he is confirmed without interruption in his service count his officiating service.

³⁴**371-A.** Notwithstanding anything contained in Articles ³⁴[355(b),]³⁵[361,] 368, and 371 of these Regulations, temporary and officiating service, in the case of Government servants who retired on or after the 1st January, 1949, or who joined service thereafter, shall count for pension according to the following rule:—

- (i) Government servants borne on temporary establishments who have rendered more than 5 years continuous temporary service shall count such service for the purpose of pension or gratuity excluding broken periods of temporary service, if any, rendered previously, and
- ³⁶(ii) Continuous temporary and officiating service of less than 5 years immediately followed by confirmation shall also count for gratuity or pension, as the case may be.

Apprentices and Probationers

372. Service as an apprentice shall qualify for pension subject to the following limits:—

Engineer or Examiner Apprentices Assistant Superintendent Apprentices in the Pakistan Telegraph and Telephone Department	}	Full
All other Apprentices		One-half"

373. The service of a probationer who holds a substantive office and draws substantive pay qualifies. So does that of an officer who is on probation for a substantive office, if he is employed in a vacancy reserved for him pending probation, and in which no other officer simultaneously counts service.

374. Police probationers and temporary and officiating Assistant Superintendents of Police in all Provinces count their service as follows:—

- (1) If recruited in England - from the date from which they draw pay.

³⁴ Added vide Notification No. F.11(4)-RI/52, dated:-23-01-1953.

³⁵ Inserted vide SRO.595-(K) [Fin. Div. Notification No. F.11(5)-RI(1)/59], dated:-9-12-1959.

³⁶ Clause (ii) substituted vide Fin. Div. Notification No. F. 5(1)-Reg(6)77-II, dt:-22-10-1985.

- (2) If recruited in India under the orders in late Secretary of State's dispatch No.14 dated, the 15th March 1894 - from the date of assuming charge of their appointments.

375. The service of:-

- (1) Probationary, officiating and temporary Deputy Magistrate-Collectors and Sub-Deputy Collectors in East Bengal,
- (2) Probationary, officiating and temporary Extra Assistant Commissioners in the Punjab,

counts for pension from the date on which all the three following conditions are fulfilled, namely:—

- (a) Two years' continuous probationary or officiating service as such has been rendered
- (b) Departmental examinations have been fully passed; and
- (c) The age of twenty years has been attained

Note 1.— [The above conditions do not apply to Deputy Collectors and Sub-Deputy Collectors who began service in the Settlement Department on a temporary footing and were promoted to be probationary or officiating Deputy Collectors or Sub-Deputy Collectors in the provincial and subordinate civil service. Such officers are allowed to count the whole of their continuous service for pension from the date of their first appointment in the Settlement Departments.]

Permanent Officer deputed

376. An officer on a permanent establishment detached on temporary duty, on the understanding that, when the temporary duty ceases, he will return to the permanent establishment, counts his detached service.

377. The preceding Article permits the temporary suspension of the second condition of qualifying service which forms the subject of this Section; it does not authorise any relaxation of the first condition (Section II), or the third conditions (Section IV) and, in particular, must not be understood to countenance any modification of the rules in Part VII, which apply to an officer on Foreign Service.

378. Service as Private Secretary to the President or a Governor, qualifies, provided that the officer belonged, before his appointment as Private

Secretary, to the Civil Service of Government, whether the Civil Service Pakistan or not.

Substantive Office abolished

379. If the substantive office of the officer is abolished within the meaning of Article 426, but the officer is, at the time, on special duty or is, on abolition of his office, deputed on special duty, his service on special duty qualifies, but the duty must be special; mere employment, in continuation of permanent employment, in a temporary appointment which happens at the time to be vacant, does not qualify.

1. The service of an officer of the Navy continues to qualify when, upon the abolition of his appointment, he is retained on subsistence allowance or in an acting appointment.

Piece-work

380. A Press servant, who is paid for piece-work, is treated as having held a substantive office, if –

- (i) he is employed, not casually, but as a member of a fixed establishment; and
- (ii) during the last seventy-two months of his actual employment he has been attached to one office uninterruptedly for twenty-four months, or it has been through his own choice or misconduct that he has not been so attached.

Surveys and Settlements

381. (a) The service of an officer not merely temporarily engaged in the under-mentioned Settlement and Survey Departments which are (or were) on a quasi-permanent footing qualifies:-

The Settlement Department in the Punjab. The Revenue Survey Departments in East Bengal.

(b) Except in the regular Departments and to the extent above specified, Settlement and Survey service does not count unless it is followed, without interruption, by qualifying Service. Settlement Service followed, without interruption; by pensionable service paid from a Patwari Fund also qualifies.

Note 1.— [From the dates mentioned, the following posts have been declared to be on a quasi-permanent footing: —

- (a) Cancelled.
- (b) In the Settlement Establishment in Baluchistan from 1st September 1904—

Superintendent (pay Rs.150), 1 Deputy Superintendent (pay Rs.90), 1 Deputy Superintendent (pays.Rs.75), 2 Munsarims (pay Rs.50 each), 2 Munsarims (pay Rs.40 each) 1 Head Clerk (pay Rs.90), 1 Second Clerk (pay Rs.65), 1 Copyist (pay Rs.50); 1 Sharistadar to Settlement Extra Assistant Commissioner (Pay Rs.65) 1 Muharrir (pay Rs.40), 1 Nazir (pay Rs.30), 1 Shirstedar to Settlement Superintendent (pay Rs.40) 1 Nazir to Settlement Superintendent (pay Rs.30).

Service in these posts qualifies from the dates mentioned or from any previous date from which the incumbents on 1st October 1899 or 1st September 1904 (as the case may be) may have been serving substantively and without interruption in one or other of them.

382. Deputy Collectors and similar gazetted officers, when not specially employed for temporary work, are not affected by the preceding article, as they count service independently of the particular department to which they happen for the time to be attached.

Exception

383. A Medical Officer in charge of a Government vessel may count his service afloat, if he is transferred, without interruption of his service, to the Civil Medical Service.

- 384.** Cancelled

SECTION IV.—THIRD CONDITION

Sources of Remuneration

385. Service which satisfies the conditions prescribed in Section II and III qualifies, or does not qualify, according to the source from which it is paid; with reference to this Article, service is classified as follows:—

- (a) Paid from the General Revenues.
- (b) Paid from Local Funds.
- (c) Paid from Funds in respect to which the Government holds the position of Trustee.
- (d) Paid by Fees levied by law, or under the authority of the Government, or by Commission.

- (e) Paid by the Grant, in accordance with law or custom, of a tenure in land, or of any source of income, or right to collect money.

General Revenues

386. Service paid from the General Revenues qualifies. The fact that arrangements are made for the recovery on the part of the Government, of the whole or part, of the cost of an establishment or officer, does not affect the operation of this principle: Provided that the establishment or officer is appointed, controlled, and paid by the Government.

Note. — [In making arrangements for the recovery of cost of establishments, it should not be forgotten that Government has to bear not only the immediate cost, but also that of leave allowances and pensions. (See Article 783)]

Example: When Police officers are entertained at the cost of individuals and corporate bodies, an additional charge of one-fourth of the pay of officers whose pay is not less than Rs.100 a month and of three-sixteenth of the pay of others must be defrayed by the persons for whose benefit the officers are employed: Provided always that the additional charge shall not be made when such officers do not belonging to the regular Police, but are only temporarily engaged, their service not counting for pension; or when the pay of the officers is a charge upon the General Revenues.[See Article 495 (b)]

387-389. Cancelled.

Local Funds and Trust Funds

390. Service paid from a Local Fund qualifies, or does not qualify according to the rules laid down in Chapter XLII.

391. Service paid from Funds which Government hold only as a Trustee such as under a Court of Wards or in an Attached Estate, does not qualify.

Fees and Commission

392. Except when fees or commission are drawn in addition to pay from the General Revenues, service in an office paid only by fees, whether levied by law or under the authority of Government, or by a commission, does not qualify.

1. Service as Official Assignee does not qualify.

Tenures in Lands, etc.

393. Service paid by the grant, in accordance with law or custom, of a tenure inland, or of any other source of income, or right to collect money, does not qualify.

394. Cancelled.

SECTION V.—DISTINCTION BETWEEN SUPERIOR AND CLASS IV SERVICE

³⁷**395-402.** Omitted.

CHAPTER XVII—RULES FOR RECKONING SERVICE

SECTION I.—SPECIAL ADDITIONS

Special Appointments

403. Cancelled.

404. Cancelled.

404-A. For officers mentioned in Article 349-A, the concession of adding to qualifying service is as follows:—

In the case of the Agriculture (Imperial), Education (Imperial and Provincial Services, Civil Veterinary (Imperial), Factory and Boilers and Smoke Nuisance Inspection, Pakistan Mines, Mint and Assay, Geological Survey and Meteorological Departments, the Provincial Judicial Services, Distillery Experts in the Salt and Excise Department, officers of the Zoological and the Archaeological Departments, Superintendents of Provincial Government Presses, Commander, Chief Engineer and First Officer of the Indo-European Telegraph Department attached to the Cable ship Patrick Stewart and Medical Superintendents of the Indo-European Telegraph Department in the Persian Section, Registrars of Joint Stock companies for East Bengal. First and Second Assistant Secretaries to the Government of East Bengal, Legislative Departments and Assistant Secretaries to the East Bengal Legislative Assembly, Deputy Superintendents and Remembrance of Legal Affairs, East Bengal, the Press and Forms Managers, East Bengal Director of Civil Aviation in Pakistan and of such other appointments as may be definitely specified in this behalf in other Departments, except those included in clause (i) of Article 474-A in which recruitment is likely to take place normally after 25 years of age, officers recruited over that age made add to their service qualifying for superannuating pension (but not for any other class of pension) the actual period not exceeding five years by which their age at

³⁷Omitted vide SRO.1241(K)/69 [Fin. Div.No.D203-RS.II/69], dt:-21-4-69, Gaz. Of Pak. Extra.Part-I.P.No.491,dt:-2-5-69.

recruitment exceeded twenty-five years. This concession will not be granted to Individual officers appointed at an age exceeding twenty-five years to Departments or appointments other than those included above. No officer can claim the benefit of this Article unless his actual qualifying service at the time he quits Government service is not less than ten years.

Note.— [The extra years conceded in this Article count towards the limit of 28 years qualifying service prescribed in Article 475.A.]

1. The provisions of this Article apply to members of the Bar directly appointed before the 23rd February, 1937 to judicial posts ordinarily reserve for members the Civil Service Pakistan but in their case the maximum period to be added will be ten years

2. Cancelled.

3. The provision of this article also do not apply to officers of the Departments and holders of the appointments mentioned therein, who are under the rule making control of President and are recruited on or after the 8th July 1937.

405. Cancelled.

406. Cancelled.

SECTION II.—PERIODS OF LEAVE

Superior Service

407. ³⁸[All periods of leave, other than extraordinary leave, count as service qualifying for pension.]

³⁹**408-410.** Omitted.

411. The Government of Pakistan may at its discretion decide in the case of an officer (including a person in training for, but not actually appointed to, Government service) who is selected to undergo a course of training, whether the time spent in training shall count as service qualifying for pension. A Local Government exercises similar powers in respect of officers serving under it.

Note. 1—[The Government of Pakistan and Local Governments may delegate their power under this Article to Heads of Departments as regards officers serving under them.]

³⁸ Substituted vide SRO.1241(K)/69 [Fin. Div.No.D.203-RS.II/69], dt:-21-4-69, Gaz. Of Pak. Extra.Part-I,P.No.491,dt:-2-5-69.

³⁹ Omitted vide SRO.196(K)/64 [Fin. Div.No.F.2(3)-Reg-(S)/64], dt:-6-3-1964Gaz. Of Pak. Extra.Part-II, P.No.88, dt:-13-3-64.

Note. 2.—[The Government of Pakistan or a Local Government may issue general orders under this Article in regard to any specified class of officers under training.]

Deputation out of Pakistan

412. When an officer is deputed out of Pakistan on duty, the whole period of his absence from Pakistan counts. When an officer on leave out of Pakistan is employed, or is detained after the termination of his leave on duty, the period of such employment or detention counts.

Recall to Duty

413. Time spent on the voyage to India up-to 14th August 1947 and to Pakistan thereafter by an officer, who is recalled to duty before the expiry of any recognised leave out of India/Pakistan counts, provided his return to duty is compulsory (see Article 199).

⁴⁰**414.** Omitted.

415. Cancelled.

SECTION III-SUSPENSIONS, RESIGNATION, BREAKS, AND DEFICIENCIES IN SERVICES

Periods of Suspension

416. Time passed under suspension pending enquiry into conduct counts, if the suspension is immediately followed by reinstatement ⁴¹[***].

⁴²[**417.** Time passed under suspension followed by reinstatement shall count for pension irrespective of whether the Government servant was or was not allowed full pay and allowances for that period.]

⁴³[**417-A.** If an officer, who has been suspended pending inquiry into his conduct, attains the age of superannuation before completion of the inquiry, the disciplinary proceedings against him shall abate and such officer shall retire with full pensionary benefits and the period of suspension shall be treated as period spent on duty.]

⁴⁰ Omitted vide SRO.1241(K)/69 [Fin. Div.No.D.203-RS.II/69], dt:-21-4-69, Gaz. Of Pak. Extra.Part-I,P.No.491,dt:-2-5-69.

⁴¹ Omitted vide SRO.21(K)/66 [Fin. Div.No.F.3(2)-RS/65], dt:-4-1-1966, Gaz. Of Pak. Extra.Part-I,P.No.33, dt:-14-1-66.

⁴² Substituted vide SRO.227(1)/83 [Fin. Div. No.F.6(4)-Reg(6)/81], dt:-17-2-83, Gaz. Of Pak. Extr, Part-II, P.No.326, dt:-8-3-83.

⁴³ Inserted vide SRO.1144(I)/80 [No.F.12(8)-Reg.6/79], dt:-10-11-1980, Gaz. Of Pak., Extra. Part-II, P.No.2215, dt:-20-11-1980.

Resignations and Dismissals

418. (a) Resignation of the public service, or dismissal or removal from it for misconduct, insolvency, inefficiency not due to age, or failure to pass a prescribed examination entails forfeiture of past service.

(b) Resignation of an appointment to take up another appointment, service in which counts, is not a resignation of the public service.

419. Any authority who, on revision or appeal, reverses; an order dismissing (or removing) an officer, may declare that the officer's past service counts.

Interruptions

420. An interruption in the service of an officer entails forfeiture of his past service, except in the following cases—

- (a) Authorised leave of absence.
- (b) Un-authorised absence in continuation of authorised leave of absence so long as the office of the absentee is not substantively filled; if his office is substantively filled, the past service of the absentee is forfeited.
- ⁴⁴[(c) Suspension where it is immediately followed by re-instatement, whether to the same or a different office, or where the officer dies or is permitted to retire or is retired while under suspension.]
- (d) Abolition of office or loss of appointment owing to reduction of establishment.
- (e) Transfer to non-qualifying service in an establishment under Government control. The transfer must be made by competent authority; an officer who voluntarily resigns qualifying service cannot claim the benefit of this exception. Transfer to a grant-in-aid school entails forfeiture [But see Example (c) of Article 386].
- (f) Transfer to service on the household establishment of the President.
- (g) Time occupied in transit from one appointment to another, provided that the officer is transferred under the orders of competent authority, or, if he is a non-gazetted officer, with the consent of the head of his old office.

⁴⁴ Substituted vide Fin. Div. Notification No.F.2(7)-Reg(6)/72, dt:-13-9-1972

- ⁴⁵(h) Due to any other reason, provided the interruption is not due to any fault, or wilful act of a Government servant, such as, un-authorised absence, resignation or removal from service;

421. The authority who sanctions the pension may commute retrospectively periods of absence without leave into leave without allowances.

Condonation of Interruptions and Deficiencies

422. Upon such conditions as it may think fit in each case to impose the authority competent to fill the appointment held by an officer at the time condonation is applied for, were he to vacate that appointment, may condone all interruptions in his service.

Note.—[The powers under this Article shall be exercised subject to any Rules which the Government of Pakistan may deem fit to prescribe ⁴⁶{but shall not be so exercised as to condone breaks in temporary and officiating service specially excluded from the category of qualifying, service under Article 371-A.}].

⁴⁷[**423.** (I) A deficiency of a period not exceeding six months in the qualifying service of an officer shall be deemed to have been condoned automatically.

(2) The authority competent to sanction pension may condone a deficiency of more than six months but less than a year subject to the following conditions, namely:—

(a) The officer has died while in service, or has retired under circumstances beyond his control, such as on invalidation or the abolition of his post, and would have completed another year of service if he had not died or retired.

(b) The service rendered by him had been meritorious.]

⁴⁸(3) Omitted.

423-A. Cancelled.

⁴⁵Inserted vide SRO.227(1)/83 [No.F.6(4)REG(6)/81], dt:-17-2-83, Gaz. Of Pak. Extr, Part-II, P.No.326, dt:-8-3-83.

⁴⁶Inserted vide Fin. Div. Notification No.F.4(9)RI(I)/57, dt:-1-5-1958.

⁴⁷Substituted Fin. Div. Notification of. F. 4(4)-RS/68, dated:- 30-1-1971.

⁴⁸Omitted vide SRO.1241(K)/69 [Fin. Div.No.D203-RS.II/69], dt:-21-4-69, Gaz. Of Pak. Extra.Part-I.P.No.491,dt:-2-5-69.

CHAPTER XVIII.—CONDITIONS OF GRANT OF PENSION

SECTION I.—CLASSIFICATION OF PENSIONS

424. Pensions ⁴⁹[****] are divided into four classes, the rules for which are prescribed in the following Sections of this Chapter:—

- (a) Compensation pensions (see Section II).
- (b) Invalid pensions (see Section III).
- (c) Superannuation pensions (see Section IV).
- (d) Retiring pensions (see Section V).

⁵⁰**425.** Omitted.

SECTION II.—COMPENSATION PENSION

426. If an officer is selected for discharge owing to the abolition of a permanent post, he shall, unless he is appointed to another post the conditions of which are deemed by authority competent to discharge him to be at least equal to those of his own, have the option—

- (a) of taking any compensation pension or gratuity to which he may be entitled for the service he has already rendered, or
- (b) of accepting another appointment or transfer to another establishment even on a lower pay, if offered, and continuing to count his previous service for pension.
- (c) of accepting another appointment on such pay as may be offered and combining to count his previous service for pension.

427. Cancelled. [With effect from 9th June 1937.]

Selection for Discharge

428. The selection of the officers to be discharged upon the reduction of an establishment should prima facie be so made that the least charge for Compensation pension will be incurred.

429. The discharge of one officer to make room for another better qualified is not the abolition of an appointment within the meaning of Article 426;

⁴⁹Omitted vide SRO.1241(K)/69 [Fin. Div.No.D.203-RS.II/69], dt:-21-4-69, Gaz. Of Pak. Extra.Part-I,P.No.491,dt:-2-5-69.

⁵⁰Omitted vide SRO.1241(K)/69 [Fin. Div.No.D.203-RS.II/69], dt:-21-4-69, Gaz. Of Pak. Extra.Part-I,P.No.491,dt:-2-5-69.

the abolition must produce a real saving to Government. Particulars of the saving effected should be fully set forth in every application for Compensation pension. The saving should always exceed the cost of the pension; otherwise it may perhaps be better to postpone the reduction of establishment or abolition of appointment. (see orders printed as Appendix- 8)

Note.—[The relaxation of the condition laid down in this article require the sanction of the Provincial Government in respect of appointments which it is competent to abolish, and otherwise of the Govt. of Pakistan.]

Restrictions

430. A Deputy Collector, Munsiff, or similar officer who belongs to the public service apart from his particular local appointments cannot obtain a compensation pension on the abolition of a particular appointment.

431. No pension is admissible to an officer for the loss of an appointment on discharge after the completion of a specified term of service.

432. No pension may be awarded for the loss of a duty or local allowance.

433. School masters or other officers, who, in addition to their other duties, are employed in any capacity in the Postal Department, are not entitled to Compensation pension on being relieved of such duties.

Special Cases

434. If it is necessary to discharge an officer in consequence of a change in the nature of the duties of his office, the case should be referred to the Local Government, who will deal with it in accordance with the rules laid down in this Section as to notice of discharge and compensation pension or gratuity.

435. If of two appointments held by one officer only one is abolished and it is desired to give him an immediate pension in respect of the abolished post, the case should be specially referred for the orders of the Government of Pakistan or of the Provincial Government competent to abolish the appointment.

Notice of Discharge

436. Reasonable notice should be given to an officer in permanent employ before his services are dispensed with on the abolition of his office. If, in any case, notice of at least three months is not given, and the officer has not been provided with other employment on the date on which his services are dispensed with, then, with the sanction of the authority competent to dispense with the officer's services, a gratuity not exceeding his emoluments for the period by which

the notice actually given to him falls short of three months, may be paid to him, in addition to the pension to which he may be entitled under ⁵¹[these regulations]; but the pension shall not be payable for the period in respect of which he receives a gratuity in lieu of notice.

1. The gratuity prescribed in this Article is not granted as compensation for loss of employment but only in lieu of notice of discharge, with view to mitigate the hardship caused to an officer by the sudden loss of employment. When, therefore, an officer discharged without notice is provided with some other employment on the date on which his services are dispensed with, whether that re-employment be in qualifying or non-qualifying service, he is not entitled to any gratuity.

2. Unless it contains an express statement to the contrary, an order for the abolition of an office or appointment shall not be brought into operation till the expiry of three months after notice has been given to the officers whose services are to be dispensed with on such abolition. The immediate head of the office or the department will be held responsible that there is no un-necessary delay in giving such notice. In the case of an officer on leave, the order shall not be brought into operation until the leave expires.

Note.—[Emoluments in this rule means the emoluments or leave allowances (or partly the one, partly the other) which the officer would be receiving during the period in question had the notice not been given to him.]

436-A. Whenever it is found necessary to determine the service of an officer serving under a contract within the period of his agreement, a specific intimation of the determination of the agreement and of the grounds on which it has been determined shall be furnished to the officer in writing.

Offer of Re-employment

437. Cancelled. (With effect from the 9th June 1937).

438. The rule in Articles 511 and 512, requiring the refund of a Compensation gratuity on re-employment, applies to a gratuity awarded under Article 436, if the officer is permanently re-employed within three months from the date of notice. But the officer need not refund that proportion of his gratuity under this rule which the interval of his non-employment bears to the whole period for which the gratuity is given. If the officer is re-employed only temporarily, he need refund no part of his gratuity; but if such temporary employment is foreseen, the gratuity should be proportionately reduced.

439. Cancelled. (With effect from the 9th June, 1937).

⁵¹Substituted vide SRO.1241(K)/69 [Fin. Div.No.D.203-RS.II/69], dt:-21-4-69, Gaz. Of Pak. Extra.Part-I,P. No.491,dt:-2-5-69.

Acceptance of new Appointment

440. If an officer who is entitled to Compensation pension accepts instead another appointment in the public service, and subsequently becomes again entitled to receive a pension of any class, the amount of such pension shall not be less than he could have claimed if he had not accepted the appointment.

SECTION III.—INVALID PENSION

441. An Invalid pension is awarded, on his retirement from the public service, to an officer who by bodily or mental infirmity is permanently incapacitated for the public service, or for the particular branch of it to which he belongs.

Rules regarding Medical Certificates

442. If an officer applying for an invalid pension is sixty years old or upwards, no certificate by a Medical Officer is necessary; it suffices for the head of the office to certify to the incapacity of the applicant. Otherwise incapacity for service must be established by a medical certificate attested as follows:—

- (a) If the officer submitting it is on leave in England by the Medical Board at the Office of the Ambassador for Pakistan in the United Kingdom.
- (b) If he is serving at or near the capital town of a Province - by the Administrative Medical Officer of the Province, or by a Medical Committee over which the Administrative Medical Officer should, when practicable, preside.
- (c) If he is an officer in Superior service, and is serving in the interior of the country under such circumstances that, in the opinion of the authority which sanctions the pension, he can be conveniently required to appear before a Medical Invaliding Committee - by such Committee.
- (d) In other cases, the authority which sanctions the pension may either accept a certificate given by a single Commissioned Medical Officer or Medical Officer-in-Charge of a civil station, or assemble a special Invaliding Committee at a convenient civil station.
- (e) If the pension applied for exceeds Rs.100 a month, a certificate by a single Medical Officer should not be accepted as sufficient, if it is possible, without undue inconvenience, to assemble an Invaliding Committee or to cause the applicant to appear before the Director-General of Health.

- (f) Except in the case of an officer on leave in England, no medical certificate of incapacity for service may be granted unless the applicant produces a letter to show that the head of his office or department is aware of his intention to appear before the Medical Officer. The Medical Officer shall also be supplied by the head of the office or department, in which the applicant is employed, with a statement of what appears from official records to be the applicant's age. Where the applicant has a Service book, the age there recorded should be reported.
- (g) In the case of civilians in the various administrative services and departments of the Pakistan Army including the Military Accounts Department who, under an agreement, are liable for field service, incapacity for service must be established by a Military Medical Board the members of which will attest the medical certificate.

443. (a) A succinct statement of the medical case, and of the treatment adopted, should, if possible, be appended.

(b) If the Examining Medical Officer, although unable to discover any specific disease in the officer, considers him incapacitated for further service by general debility while still under the age of fifty-five years, he should give detailed reasons for his opinion, and, if possible, a second medical opinion should always in such a case be obtained.

(c) In a case of this kind, special explanation will be expected from the head of the office or department of the grounds on which it is proposed to invalid the officer.

444. A simple certificate that inefficiency is due to old age or natural decay from advancing years, is not sufficient in the case of an officer whose recorded age is less than fifty-five years, but a Medical Officer is at liberty, when certifying that the officer is incapacitated for further service by general debility to state his reasons for believing the age to be understated.

Form of Medical Certificate in England

445. The form of the medical certificate given by the Medical Board, respecting an officer applying for pension in England is as follows:—

"We have carefully examined Mr.
Taking into account all the facts of the case as well as his present condition, we consider that he is incapable of discharging the duties of his situation, and that such incapability is likely to be permanent. We, therefore, recommend that he be permitted to retire from the service of Government on the pension or gratuity for which he may be eligible."

446. If any doubt arises regarding the validity of a certificate by the Medical Board, the Audit Officer must not of his own motion reject the certificate as invalid, but must submit the matter for the decision of the Local Government.

Note.—[The Local Government may delegate its power under this Article to Head of the Departments.]

Form of Medical Certificate in Pakistan

447. (a) The form of the certificate to be given respecting an officer applying for pension in Pakistan is as follows:—

"Certified that I (we) have carefully examined A. B, son of C, D, a----- in the ----- . His age is by his own statement-----years, and by appearance about-----years.

I (we) consider A, B, to be completely and permanently incapacitated for further service of any kind [or in the Department to which he belongs] in consequence of (here state disease or cause). His incapacity does not appear to me (us) to have been caused by irregular or intemperate habits."

Note.—If the incapacity is obviously the result of intemperance, substitute for the last sentence: In my (our) opinion his incapacity is the result of irregular or intemperate habits.

(If the incapacity does not appear to be complete and permanent, the certificate should be modified accordingly and the following addition should be made:-)

I am (we are) of opinion that A, B, is fit for further service of a less laborious character than that which he has been doing [or may, after resting for----- months, be fit for further service of a less laborious character than that which he has been doing.]

(b) The object of the alternative certificate (of partial incapacity) is that an officer should, if possible, be employed even on lower pay, so that the expense of pensioning him may be avoided. If there be no means of employing him even on lower pay, then he may be admitted to pension; but it should be considered whether, in view of his capacity for partially earning a living, it is necessary to grant to him the full pension admissible under rule. [The principle of Article 427 must always be carefully borne in mind.]

447-A (a) In the case of civilians in the various administrative services and departments of the Pakistan Army including the Military Accounts Department who, under an agreement, are liable for field service, and whose continuous and pensionable service is not more than 20 years, the medical certificate will take the

following form if the officer is incapacitated from permanent physical unfitness to fulfil his field service obligations but is not completely incapacitated for ordinary service:—

Certified that I (we) have carefully examined A, B, son of C, D. a——— in the———. His age is by his own statement———years and by appearance about———years———. I (we) consider A, B, to be incapacitated for further service in the——— in consequence of (here state disease, etc.) which renders him permanently unfit physically for field service. I am (we are) of opinion that A, B is fit for further service in any department or service of Government in which liability, for field service is not a condition of employment. His incapacity does not appear to me (us) to have been caused by irregular or intemperate habits.

Note.—[If the incapacity is obviously the result of intemperance, the following will be substituted for the last sentence "In my (our) opinion his incapacity is the result of irregular or intemperate habits."]

(b) The above certificate does not give an officer any right of transfer to any other Government service or department; and an officer invalidated on a certificate in this form will receive either full pension admissible under rule or such smaller amount as may be decided by the authority empowered to sanction the pension.

Signallers in the Telegraph Department

448. (a) In the case of Signallers in the Pakistan Telegraph Departments the medical certificate prescribed by Article 447 may, if it is found after medical examination that it cannot be granted, be dispensed with in special cases when inefficiency is not the result of misconduct, and instead of it two certificates—

- (i) one in Form A signed by two superior officers of the Telegraph Department; and
- (ii) the other in Form B signed by the Director-General of Telegraphs - may be substituted.

Form A.—"We certify that, after a perusal of the records of A B's service and of the report of his immediate superior during the last twelve months of his service, we are satisfied that he is permanently incapacitated for the duties of a Signaller in the Telegraph Department."

Form B.—"After a careful consideration of A B's case, I concur with Messrs. C and D in thinking that he is permanently incapacitated for the duties of a Signaller in the Telegraph Department and accordingly recommend that he may be permitted to retire on the pension or gratuity for which he may be found eligible."

(b) The practice enjoined in Article 447 (b) of re-employing pensioners should be carefully followed as far as practicable in these cases.

(c) Officers permitted to retire under this Article may be granted a pension or gratuity of only four-fifths of the amount that would be admissible for a man permanently unfit for any duty.

Note.—[This Articles applies only to men who are "Signallers" including in that term Telegraph Masters who are members of the signalling staff, when they retire.]

Special precautions in the Police

449. District Superintendents of Police should be on their guard against endeavours to retire on Invalid pension by officers who are capable of serving longer.

450. Medical Officers should confine themselves to recommending leave to such policemen as are not likely to benefit by a further stay in hospital and should not certify that a policeman is incapacitated for further service unless they are officially requested to report upon his incapacity for further service.

451. Medical Officers should be specially searching in their examination of the physical unfitness of every applicant for pension, and, whenever the number of applicants for pensions is large the examination should, if possible, be conducted by two Medical Officers.

Restrictions

452. An officer discharged on other grounds has no claim under Article 441, even although he can produce medical evidence of incapacity for service.

453. Cancelled.

454. If the incapacity is directly due to irregular or intemperate habits, no pension can be granted. If it has not been directly caused by such habits, but has been accelerated or aggravated by them, it will be for the authority by which the pension is grantable to decide what reduction should be made on this account.

Applicant to be discharged

⁵²[**455.** An officer who has submitted under Article 442 a Medical Certificate of incapacity for further service, may not (except for special reasons to be recorded in writing by the authority which has the power to sanction the

⁵² Substituted vide Fin. Div. Notification No.(51)-F.10(10)-RI/54, dated:-24-03-1955, Gaz. Of Pak. Part-I, P.No.76, dated: -01-04-1955.

pension) be retained in active service pending a decision on his application for pension, nor can he obtain leave of absence.

The authority which has the power to sanction the pension may allow the service intervening between the date of such Medical Certificate and the date on which the discharge is actually affected, to count for pension up to a maximum of one month.]

456. The object of Article 445 is to discourage tentative applications: but ⁵³[an employee in Grade 1-2] (including in that term a Police officer whose pay does not exceed Rs.20) who, in the opinion of the head of his office, is fit for light work may be retained in employment till his pension is sanctioned, provided that his place is not filled up till he retires, and that his service counts only ⁵⁴[for the actual period of service rendered after the date of his medical certificate not exceeding one month].

457. Article 455 refers only to the retention in active service of an officer who has furnished a medical certificate in support of an application for Invalid pension or gratuity while in Pakistan. The retirement of an officer who is absent on leave other than Privilege leave, when such certificate is submitted, may have effect from the termination of his leave, and the officer may continue to draw leave allowance to the end of his leave.

SECTION IV—SUPERANNUATION PENSION

458. A Superannuation pension is granted to an officer ⁵⁵[***] entitled or compelled, by rule, to retire at a particular age.

459. (a) (i) Ministerial officers who have attained the age of 55 may be required to retire, but should ordinarily be retained in service so long as they remain efficient until they come under the provisions of clause (e).

“(a) (ii) A ministerial officer, who entered Government service on or after the 1st April 1938, or who being in Government service on the 31st March 1938 did not hold lien or a suspended lien on a permanent post on that date, must not be retained after the age of 55 years except on public grounds, which must be recorded in writing, and he must not be retained after the age of 60 years except in very special circumstances. The power to retain such an officer after the age of 55 years but not after 60 years will be exercised by heads of departments, provided that extensions are limited to a period of one year at a time.”

(b) Officers, other than ministerial, who have attained the age of 55, should ordinarily be required to retire, and should not be retained in service except

⁵³ Substituted vide Establishment Div. Notification No. SRO.1530(I)/73, dated:-03-11-1973.

⁵⁴ Substituted vide Fin. Div. Notification No.(51)-F.10(10)-RI/54, dated:-24-03-1955, Gaz. Of Pak. Part-I, P.No.76, dated:-01-04-1955.

⁵⁵ Omitted vide SRO.1241(K)/69 [Fin. Div.No.D203-RS.II/69], dt:-21-4-69, Gaz. Of Pak. Extra.Part-I,P.No.491, dt:-2-5-69.

where unquestionable public grounds for retention exist which must be recorded in writing, and there is no doubt as to the physical fitness of the officer.

(c) Each officer's case should be taken up when he is approaching the age of 55 and before the expiry of each extension of service. Extensions may not be granted for any period exceeding one year at one time.

(d) The powers given by the preceding clauses may be exercised by the authority competent to fill the appointment (if vacant) of the officer who is required to retire or retained in service.

(e) An officer who has attained the age of 60 cannot be retained in the service of Government save in very exceptional circumstances, and with the sanction of the Local Government.

(f) No claim to compensation from an officer who is required to retire under the provisions of this Article will be entertained.

Note.—[The provisions of this Article do not apply to officers referred to in the Note under Article 550.]

⁵⁶**460.** Omitted.

461-462. Cancelled.

Procedure

463. With a view to the issue of necessary orders as to retention or otherwise of officers to whom Article 459 (b) applies (i.e., officers other than ministerial), the Audit Officer should on or about the 1st of September in each year submit to the authorities concerned a list of those who will attain the age of 55, or complete the term for which extension has been allowed, during the next official year. The Audit Officer should similarly submit to the authorities concerned on or about the 1st of September in each year a list of ministerial officers who will attain the age of 60 during the next official year, should the Local Government or the Head of a (Federal) Department so direct.

Optional Retirement at Fifty-five

464. An officer in Superior service who has attained the age of 55 years may, at his option, retire on a Superannuation pension.

⁵⁶Omitted vide SRO.1241(K)/69 [Fin. Div.No.D.203-RS.II/69], dt:-21-4-69, Gaz. Of Pak. Extra.Part-I,P.No.491, dt:-2-5-69.

SECTION V.—RETIRING PENSION

465. A retiring pension is granted to an officer who is permitted to retire after completing qualifying Superior service for thirty years or such less time as may for any special class of officers be prescribed.

⁵⁷(2) A retiring pension is also granted to an officer who is required by Government under paragraph (a) of clause (4) of Article 178 of the Constitution to retire after completing twenty-five years' qualifying service or more. This clause does not apply to an officer who has attained the age of fifty-five years.

465-A. For officers ⁵⁸[appointed substantively to the services or appointments] mentioned in Article 349-A the rule for the grant of retiring pension is as follows:—

(1) An officer is entitled, on his resignation being accepted, to a retiring pension after completing qualifying service of not less than 25 years or in the case of officers of Central Services of the Forest, Geological Survey, Public Works, Railway and Telegraph Departments and any others covered by Article 635 who entered the service before the 6th day of December, 1932, not less than twenty years.

⁵⁹(2) A retiring pension is also granted to an officer who is required by Government under paragraph (a) of clause (4) of Article 178 of the Constitution to retire after completing twenty-five years' qualifying service or more. This clause does not apply to a Judge of the Supreme Court or of a High Court or the Comptroller and Auditor General of Pakistan or an officer who has attained the age of fifty-five years.

⁶⁰Note 1. Omitted.

Note 2.—[In the case of an officer who was in the service on or before the 15th November, 1919 and who fulfils the conditions of clause (1) of this Article, acceptance of his resignation will in no circumstances be deferred beyond a period of six months from the date on which his application to resign was submitted.]

465-AA. For officers referred to in Article 349 AA the rule for the grant of retiring pension is as follows:—

⁵⁷Substituted vide SRO.239(K)/66 [Fin. Div. Notification No.F.3(1)-RS/66], dt:-1-3-1966, Gaz. Of Pak. Part-I, P.No.128, dt:-11-03-1966.

⁵⁸Inserted vide Fin. Div. Notification No F.14(6)R1(1)/57, dated 9-7-1958.

⁵⁹Substituted vide SRO.239(K)/66 [Fin. Div. Notification No.F.3(1)-RS/66], dt:-1-3-1966, Gaz. Of Pak. Part-I, P.No.128, dt:-11-03-1966.

⁶⁰Omitted vide SRO.239(K)/66 [Fin. Div. Notification No.F.3(1)-RS/66], dt:-1-3-1966, Gaz. Of Pak. Part-I, P.No.128, dt:-11-03-1966.

- (1) An officer is entitled, on his resignation being accepted, to a retiring pension after completing qualifying service of not less than 30 years.
- ⁶¹(2) A retiring pension is also granted to an officer who is required by Government under paragraph (a) of clause (4) of Article 178 of the Constitution to retire after completing twenty-five years' qualifying service or more. This clause does not apply to a Judge of the Supreme Court or of a High Court or the Comptroller and Auditor General of Pakistan or an officer who has attained the age of fifty-five years.

⁶²Note 1. Omitted.

⁶³[**465-B.** For officers referred to in Article 349 AAA, the rule for the grant of retiring pension is as follows:—

- (1) A retiring pension is granted to an officer who exercises his right to retire from service any time after completing twenty-five years' qualifying service.
- (2) A retiring pension is also granted to an officer who is required by Government to retire after completing twenty-five years' qualifying service. This clause does not apply to a Judge of the Supreme Court or of a High Court or the Comptroller and Auditor General of Pakistan or an officer who has attained the age of fifty-five years.

Note 1.—Subject to the provisions of the Essential Services (Maintenance) Act, 1952 (LIII of 1952), an officer, other than an officer against whom a departmental proceeding is pending, has the right to retire from service after completing twenty-five years' qualifying service; provided that an officer who intends so to retire shall, at least three months before the date on which he intends to retire, submits a written intimation to the authority competent to fill the appointment held by him at the time of submitting that intimation indicating the date on which he intends to retire. Such an intimation, once submitted, shall be final and shall not be allowed to be modified or withdrawn.

Note 2.—Government has the right to retire any officer after he has completed twenty five years' qualifying service.]

466. (See Article 509-A)

⁶¹Substituted vide SRO.239(K)/66 [Fin. Div. Notification No.F.3(1)-RS/66], dt:-1-3-1966, Gaz. Of Pak. Part-I, P.No.128, dt:-11-03-1966.

⁶²Omitted vide SRO.239(K)/66 [Fin. Div. Notification No.F.3(1)-RS/66], dt:-1-3-1966, Gaz. Of Pak. Part-I, P.No.128, dt:-11-03-1966.

⁶³Inserted vide Fin. Div. Notification of F. 4(4)-RS/68, dated:- 30-1-1971.

Combined Appointments

467. An officer holding two or more separate appointments may not, save with the express sanction of the Government of Pakistan, Ministry of Finance, or if pensions are a Provincial charge, of the Provincial Government, resign one or more of such appointments on a pension, without retiring from the public service altogether. There is no objection to his being relieved from one or more of such appointments at any time without being compelled to leave the service altogether; but in such case, any pension admissible to him for service in the office or offices from which he is relieved, will be deferred until he finally retires.

Note.—[The Government of Pakistan may delegate its power under this Article to Minor Local Government and Heads of Departments. A Provincial Government also may delegate its power to Heads of Departments.]

CHAPTER XIX.—AMOUNT OF PENSIONS

SECTION I. —GENERAL RULES

468. The amount of pension that may be granted is determined by length of service as set forth in Articles 474 to 485. Fractions of a year are not taken into account in the calculation of any pension admissible to an officer under this part of these Regulations.

468-A. Pensions fixed in rupees should be calculated to the nearest anna, that is, where the exact amount works out to six pies or more, it should be taken to the next higher Anna, amounts below six pies being disregarded.

Note. — [This rule applies to all pensions granted under these Regulations.]

Currency

469. A pension is fixed in rupees, and not in sterling money, even though it is to be paid in England.

Award of Full Pension

470. (a) The full pension admissible under the rules is not to be given as a matter of course, or unless the service rendered has been really approved (see Appendix-9.

(b) If the service has not been thoroughly satisfactory, the authority sanctioning the pension should make such reduction in the amount as it thinks proper.

⁶⁴Note 1.—[The amount of any pension shall not be reduced under this Article without affording to the person entitled to it, by means of a notice in writing, an opportunity to show cause against the proposed reduction.]

⁶⁵Note 2.—[A Government servant compulsorily retired under the Government Servants (Efficiency and Discipline) Rules, 1973, shall be entitled to pension or gratuity as admissible under normal rules and the certificate of 'thoroughly satisfactory service' will not be required in his case.]

Limitations

471. An officer entitled to pension may not take a gratuity instead of pension.

Note.—[See Note 2 under Article 807.]

472. In the case of an officer who has any service under the Imperial (British) Government, pension from Pakistan Revenues should not be fixed until it has been ascertained whether any pension is payable from Imperial funds in respect service under the British Government.

473 and 473-A. Deleted.

SECTION II —AMOUNT OF SUPERIOR PENSION

Note.- [The rules in this Section are to be read as superseded by Rules 13 and 14 of the 'Superior Civil Services (Revision of Pay, Passage and Pension) Rules, 1924,' to the extent indicated in those rules.]

474. The amount of a pension is regulated as follows:—

- (a) After a service of less than ten years, a gratuity not exceeding (except in special cases, and under the orders of the Government of Pakistan up to a maximum of 12 months emoluments) one month's emoluments for each completed year of service. If the emoluments of the officer have been reduced during the last three years of his service, otherwise than as a penalty, average emoluments may, at the discretion of the authority which has power to sanction the gratuity, be substituted for emoluments.
- (b) After a service of not less than ten years a pension not exceeding the following amounts:—

⁶⁴ Inserted vide Fin. Div. Notification No.10(7)R-6/72, dt:-30-3-1972.

⁶⁵ Inserted vide Fin. Div. Notification No.1(21)R-6/70, dt:-1-1-1981.

Years of Completed Service	Scale of pension				Maximum limit of pension		
					Rs.	Rs.	
10	10	sixtieths	of	average	2,000 a year	166/	² / ₃ a month.
11	11	„	„	„	2,200	„	183/ ¹ / ₃ „
12	12	„	„	„	2,400	„	200 „
13	13	„	„	„	2,600	„	216/ ² / ₃ „
14	14	„	„	„	2,800	„	233/ ¹ / ₃ „
15	15	„	„	„	3,000	„	250 „
16	16	„	„	„	3,200	„	266/ ² / ₃ „
17	17	„	„	„	3,400	„	283/ ¹ / ₃ „
18	18	„	„	„	3,600	„	300 „
19	19	„	„	„	3,800	„	316/ ² / ₃ „
20	20	„	„	„	4,000	„	333/ ¹ / ₃ „
21	21	„	„	„	4,200	„	350 „
22	22	„	„	„	4,400	„	366/ ² / ₃ „
23	23	„	„	„	4,600	„	383/ ¹ / ₃ „
24	24	„	„	„	4,800	„	400 „
25 and above	30	„	„	„	5,000	„	416 ² / ₃ „

Note.—[For the precise meaning of average emoluments, see Article 486 and 487.]

474-A. For officers mentioned in Article 349-A, the amount of pension is regulated as follows:—

(i) Officers of the Central Services of the Forests, Geological Survey, Public Works, Railway and Telegraph Departments and any others covered by Article 635 who entered service before the 6th day of December, 1932.

(a) For invalid ⁶⁶(superannuation and compensation) pensions—

⁶⁶The words within brackets in sub-clause (a) under clause (i) of Article 474-A, were inserted with effect from 22nd April, 1939.

Up to 24 years of completed service, — as in Article 474; thereafter:

Years of Completed Service	Scale of pension	Maximum limit of pension	
		Rs.	Rs.
25	30 sixtieths of average emoluments	5,000 a year, or	416/ ² / ₃ a month.
26	30 ”	” 5,200 ”	433/ ¹ / ₃ ”
27	30 ”	” 5,400 ”	450 ”
28	30 ”	” 5,600 ”	466/ ² / ₃ ”
29	30 ”	” 5,800 ”	483/ ¹ / ₃ ”
30 and above 30	”	” 6,000 ”	500 ”

(b) For ⁶⁷(retiring) pensions —

Up to 19 years of completed service – as in Article 474; thereafter:-

Years of Completed Service	Scale of pension	Maximum limit of pension	
		Rs.	Rs.
20-24	30 sixtieths of average emoluments	4,000 a year, or	333/ ¹ / ₃ a month
25	30 ”	” 5,000 ”	416 / ² / ₃ ”
26	30 ”	” 5,200 ”	433 / ¹ / ₃ ”
27	30 ”	” 5,400 ”	450 ”
28	30 ”	” 5,600 ”	466 / ² / ₃ ”

⁶⁷The words within brackets in sub-clause (b) under clause (i) of Article 474-A, was substituted for the word other with effect from 22nd April 1939.

Years of Completed Service	Scale of pension		Maximum limit of pension				
29	30	”	”	5,800	”	483/ ¹ / ₃	”
30 and above	30	”	”	6,000	”	500	”

* Note.— [In the case of an officer with 20—24 years of completed service who enters service before the 22nd April 1939, the amount of superannuation or compensation pension will be 30/60ths of average emoluments, subject to a maximum limit of Rs.4,000 a year this rate is more advantageous than that admissible under sub-clause (a).]

(ii) Other Officers:—

(a) For retiring pensions—

Up to 24 years of completed service—as in Article 474; thereafter:

Years of Completed Service	Scale of pension		Maximum limit of pension				
				Rs.		Rs.	
25	25	sixtieths of average emoluments		5,000 a year, or		416 / ² / ₃ a month	
26	26	”	”	5,200	”	433 / ¹ / ₃	”
27	27	”	”	5,400	”	450	”
28	28	”	”	5,600	”	466 / ² / ₃	”
29	29	”	”	5,800	”	483/ ¹ / ₃	”
30 and above	30	”	”	6,000	”	500	”

(b) For other pensions—

Up to 25 years of completed service, as in Article 474; thereafter

* The note under sub-clause (b) of clause (i) of Article 474-A, take effect from 22nd April 1939.

Years of Completed Service	Scale of pension	Maximum limit of pension			
		Rs.	Rs.		
26	30	” 5,200	” 433 / 1/3	”	”
27	30	” 5,400	” 450	”	”
28	30	” 5,600	” 466 / ² /3	”	”
29	30	” 5,800	” 483 / ¹ /3	”	”
30 and above 30	”	” 6,000	” 500	”	”

474-AA. For Officers referred to in Article 349AA the amount of gratuity and pension is regulated as follows:—

(a) After a service of less than ten years, a gratuity not exceeding one month's emoluments for each completed year of service. If the emoluments of the officer having been reduced during the last three years of his service otherwise than as a penalty, average emoluments may, at the discretion of the authority which has power to sanction the gratuity, be substituted for emoluments.

(b) After a service of not less than ten years a pension not exceeding the following amounts:—

(i) For superannuation, invalid and compensation pensions —

Years of Completed Service	Scale of pension	Maximum limit of pension			
		Table A Central Service Class I		Table B Other Officers	
		Rs.	Rs.	Rs.	Rs.
10	10 sixtieths of average emoluments	2,000	a 166 10 8 a	2,000	a 166 10 8 a
11	11 “	2,200	“ 183 5 4	2,150	“ 179 2 8
12	12 “	2,400	“ 200 0 0	2,300	“ 191 10 8
13	13 “	2,600	“ 216 10 8	2,450	“ 204 2 8 “

Years of Completed Service	Scale of pension		Maximum limit of pension				
14	14	“	“ 2,800	“ 233	5 4	2,600	“ 216 10 8 “
15	15	“	“ 3,000	“ 250	0 0	2,750	“ 229 2 8 “
16	16	“	“ 3,200	“ 266	10 8	2,900	“ 241 10 8 “
17	17	“	“ 3,400	“ 283	5 4	3,050	“ 254 2 8 “
18	18	“	“ 3,600	“ 300	0 0	3,200	“ 266 10 8 “
19	19	“	“ 3,800	“ 316	10 8	3,350	“ 279 2 8 “
20	20	“	“ 4,000	“ 333	5 4	3,500	“ 291 10 8 “
21	21	“	“ 4,200	“ 350	0 0	3,650	“ 304 2 8 “
22	22	“	“ 4,400	“ 366	10 8	3,800	“ 316 10 8 “
23	23	“	“ 4,600	“ 383	5 4	3,950	“ 329 2 8 “
24	24	“	“ 4,800	“ 400	0 0	4,100	“ 341 10 8 “
25	30	“	“ 5,000	“ 416	10 8	4,250	“ 354 2 8 “
26	30	“	“ 5,200	“ 433	5 4	4,400	“ 336 10 8 “
27	30	“	“ 5,400	“ 450	0 0	4,550	“ 379 2 8 “
28	30	“	“ 5,600	“ 466	10 8	4,700	“ 391 10 8 “
29	30	“	“ 5,800	“ 483	5 4	4,850	“ 404 2 8 “
30	30	“	“ 6,000	“ 500	0 0	5,000	“ 416 10 8 “
And above							

(ii) For retiring Pension

Years of Completed Service	Scale of pension	Maximum limit of pension							
		Table A Central Service Class I				Table B Other Officers			
		Rs.		Rs.		Rs.		Rs.	
25	25 sixtieths of average emoluments	5,000	a	416	10 8 a	4,250	a	354	2 8 a
26	"	5,200	"	433	5 4	4,400	"	336	10 8
27	"	5,400	"	450	0 0	4,550	"	379	2 8
28	"	5,600	"	466	10 8	4,700	"	391	10 8
29	"	5,800	"	483	5 4	4,850	"	404	2 8
30	"	6,000	"	500	0 0	5,000	"	416	10 8

And above

Superior Civil Service Rules:—The relevant extracts relating to pension, gratuity etc., of the officers who are governed by the Superior Civil Services. (Revision of Pay, Passage and Pension) Rules are reproduced below:—

13. (a) In the case of members of the services and holders of posts specified in *Schedule V whose pensions are regulated under the Civil Rules and who retire on or after 1st April, 1924, the maximum limits for retiring a superannuation pensions, excluding amounts earned for special additional pensions shall be as follows:—

					Rs.
After	25 year's	qualifying	service.		6,000
"	26	"	"	"	6,200
"	27	"	"	"	6,400
"	28	"	"	"	6,600
"	29	"	"	"	6,800
"	30	"	"	"	7,000

Note.—[The provisions of this rule do not apply to officers referred to in Article 349AA of the Civil Service Regulations.

- (b) For members of the late Indian Educational Service (Women's Branch) who retire on or after 1st April, 1924, the maximum limits for retiring and superannuation pensions shall be as follows:—

					Rs.
After	20 year's	qualifying	service.		4,750
"	21	"	"	"	4,950
"	22	"	"	"	5,150
"	23	"	"	"	5,350
"	24	"	"	"	5,550
"	25	"	"	"	5,750

14. The rates of compensation and invalid gratuity and of invalid or compensation pension admissible to officers to whom Rule 13 applies shall be as follows:—

Completed Years of Qualifying Service	Rates of gratuity or pensions				Subject to a maximum in respect of officers to whom	
					13(a) refers of Rs.	13(b) refers of Rs.
1 to 6	Gratuity of 1 month's pay for each completed year of service					
7	Pension of 7 sixtieths of average emoluments				2,000	1,750
8	"	8	"	"	2,350	2,100
9	"	9	"	"	2,700	2,450
10	"	10	"	"	3,000	2,750
11	"	11	"	"	3,200	2,950
12	"	12	"	"	3,400	3,150
13	"	13	"	"	3,600	3,350
14	"	14	"	"	3,800	3,550
15	"	15	"	"	4,000	3,750
16	"	16	"	"	4,200	3,950
17	"	17	"	"	4,400	4,150
18	"	18	"	"	4,600	4,350
19	"	19	"	"	4,800	4,550
20	"	20	"	"	5,000	4,750
21	"	21	"	"	5,200	4,950
22	"	22	"	"	5,400	5,150
23	"	23	"	"	5,600	5,350
24	"	24	"	"	5,800	5,550
25	}	Pension of 30-sixtieths of average emoluments			6,000	}
26					6,200	
27					6,400	
28					6,600	
29					6,800	
30 & over					7,000	
					5,750	

Note:- [The provisions of this rule do not apply to officers referred to in Article 349AA of the Civil Service Regulation.]

***SCHEDULE V (See Rule 13)**

All Pakistan Services —

Pakistan Police.
Pakistan Educational Service.
Pakistan Agricultural Service.
Pakistan Forest Service.
Pakistan Forest Engineering Service.
Pakistan Service of Engineers.
Pakistan Veterinary Service

Central Services —

Pakistan Audit and Accounts.
Military Accounts.
Mint and Assay Departments.
Customs Service.
Superior Telegraph Engineering and Wireless Branch Geological Survey.
Meteorological Service
Mines Department.
Pakistan Railway Service of Engineers.
Archaeological Department.
Zoological Survey.
Class I survey of Pakistan.

Officers who, though not members of one of the services mentioned above, hold posts borne on the cadres of any of those services or of the Civil Service, Pakistan

Central Engineering Service (Class I)

Pakistan Posts and Telegraphs Department, the following:—

Director General.
Deputy Director General,
Postmaster General
Deputy Postmaster General.
Assistant Director General.
Telegraph Traffic Service, Class I
Controller, Telegraph Stores.
Assistant Controller, Telegraph Stores.
Superintendent, Telegraph Workshops.
Assistant Superintendent, Telegraph Workshop.

Income Tax Department the following:—

Commissioners.
Assistant Commissioners.

Printing and Stationery Department the following:-

Controller of Printing and Stationery.
Deputy Controller of Printing and Stationery.

Western Pakistan Salt Revenue Department, the following:-

Assistant Commissioner (Selection Grade) while held by Mr. C. S. Haygarth),
Central Excise Department
Collectors.
Deputy Collectors.
Salt Controller.
Deputy Salt Controller.

Miscellaneous Posts (Central):—

Director-General of Commercial Intelligence and Statistics (When not held by a member of the Civil Service, Pakistan).

Two Deputy Directors of Commercial Intelligence and Statistics (When not held by a member of the Civil Service, Pakistan).

Imperial Dairy Expert.

Superintendent, Watch and Ward, (when held by an officer)

Eastern Bengal Railway. (declared pensionable.)

Secretary Central Board of Revenue.

Chief Inspector of Explosives.

Government Examiner of questioned Documents, Home Division

Government of Pakistan

Assistant Government Examiner of Questioned Documents,

Home Division, Government of Pakistan.

Assistant Director Intelligence Bureau at the headquarters of the Government of Pakistan.

Assistant Secretaries to the Government of Pakistan (including Assistant Financial Advisers, Military Finance).

Establishment Officer, Army Department, Government of Pakistan.

Actuary to the Government of Pakistan.

Controller of Patents and Designs.

Administrative Officer, Civil Aviation Director (while held by Mr. E. W. F. Rodgers.)

Miscellaneous Posts (Provincial) :—

Quarantologist, Bengal (while held by Mr. G. E. Shaw),
 Director of Public Health Bengal (while held by Dr. C. A. Bentley).
 Director General of Health Services
 Deputy Director General of Health Services.
 Additional Deputy Director General of Health Services. Deputy Assistant Directors (Pay and Pensions) General Headquarters Pakistan.

Printing and Stationery Departments:—

Superintendent, Government Printing, Punjab (while held by Mr. T. Tyson.)
 Factory and Boiler Inspection Departments: -

Chief Inspector of Steam Boilers, Bengal (while held by Mr. J. Cowar)
 Industries Department:-

Director of Industries, Bengal (while held by Dr. D. B. Meek or Mr. A. T. Weston)

Deputy Director of Industries, Bengal (while held by Mr. A. T. Weston)

Salt and Excise Departments:-

Deputy Commissioner of Excise and Salt, Bengal (while held by Mr. S. Kumar Raha) admitted Specialist Officers who were before the 1st April 1924, to the scale of pay appended to the Government of India's Public works Department. Circular No. I-P.W, dated 29th March, 1921 and granted pensioner privileges.

Judges of Chief Courts
Judicial Commissioners and Additional
Judicial Commissioners,



If not pensionable under
Article 549 of the Civil
Service Regulations.

Judges of High Courts [if not pensionable under the High Court Judges (India) Rules, 1922, or under Article 549 of the Civil Service Regulations.]

Railway Department:—

Pakistan Railway Accounts Service.
Pensionable members of this service.

Miscellaneous Posts (Provincial)

Assistant Secretary, Legislative Department, Government of Bengal and
Assistant Secretary, to the Bengal Legislative Council (while held by Mr. A.
M. Hutchison).

⁶⁸**[474-B.** For officers referred to in Article 349 AAA, the amounts of gratuity and pension are regulated as follows:—

⁶⁹{(a) After a service of five years or more but less than ten years, a gratuity not exceeding one month's emoluments for each completed year of service. If a civil servant dies in service, the rate shall be one and a half month's emoluments for each completed year of service. If the emoluments of a civil servant have been reduced during the last twelve months or thirty six months of his service, as the case may be, otherwise than as a penalty, average emoluments may, at the discretion of the authority which has the power to sanction gratuity, be substituted for emoluments.

(aa) If the civil servants are unable to work and retire on account of invalidation due to illness, accident, earthquake or terrorism will get complete pension benefits, and the condition of ten years service shall not apply to such cases.}

(b) After a service of ten years or more, pension shall be calculated at the rate of 70 percent of average emoluments on completion of thirty years qualifying service in accordance with the scale shown in the table below⁷⁰[**]. If qualifying service is less than thirty years but not less than ten years, proportionate reduction in percentage shall be made. ⁷¹[***].

⁶⁸ Substituted by S.R.O. 227(1)/83, dt:- 17-2-1983, Gaz. of Pak. Extra, Pt. II, P. No, 326, dt:- 8-3-1983.

⁶⁹ Substituted vide Fin. Div. Notification No. 1(1)-Reg. 6/2008, dated:-24-06-2008.

⁷⁰ Omitted by S.R.O. 280(1)/84 [No.F.12(2)Reg.(6)/84], dt:- 9-2-1984, Gaz. of Pak., Extra., Pt.II, P. No,635, dt:- 1-4-1984

⁷¹ Omitted by S.R.O. 1074(1)/85 [No.F.12(2)-Reg.(6)/84] dt:- 13-10-1985, Gaz. of Pak., Extra., Pt.II, P. No,1938, dt:- 2-11-1985

Completed years of qualifying service	Scale of pension expressed as fractions of average emoluments
1	2
10	70/300
11	77/300
12	84/300
13	91/300
14	98/300
15	105/300
16	112/300
17	119/300
18	126/300
19	133/300
20	140/300
21	147/300
22	154/300
23	161/300
24	168/300
25	175/300
26	182/300
27	189/300
28	196/300
29	203/300
30 and above	210/300

(c) If, for a pensioner with qualifying service of thirty years or more, the amount of pension calculated under sub-paragraph (b) falls short of the amount of pension (inclusive of dearness increases) that would have been admissible under the rules existing prior to the 7th January, 1977, or exceeds it by less than Rs.45, the amount under the liberalized formula shall be so increased as to make such difference one of Rs.45. If qualifying service is less than thirty years but not less than ten years, proportionate reduction at the rate of Rs.1.50 for each year short of thirty years shall be made while working out the amount of minimum increase mentioned above.

(d) If the enhancement of the cut-off point to Rs.2,000 results in no increase of less than Rs.40 in the pension, it shall be so determined that a minimum benefit of Rs.40 per month is ensured. Similarly, if employees in grade 11-16 and 17-18 get an increase of less than Rs.70 per month and Rs.100 per month, respectively, by the enhancement of the cut-off point to Rs.2000, the increase shall be so determined that a minimum benefit of Rs.70 or Rs.100 per month, as the case may be, is ensured if the aforesaid increases result in an increase of less than the following amounts, namely:—

N.P.S.	Rs. P.M.
1-10	40
11-16	70

N.P.S.	Rs. P.M.
17-18	100
19-20	150
21-22	200

In Family Pension, Extraordinary Family Pension, Disability Pension and Compassionate Allowance accruing on or after the 1st July, 1980, they shall be so determined that a minimum benefit equal to the above amounts is ensured.

(e) A pensioner shall be allowed to draw full gross pension, that is, one-fourth of the pension under Pension-cum-Gratuity Scheme, 1954, need not compulsorily be paid in the form of gratuity. But if a pensioner so wishes, he may, at any time before the expiry of one month from the date of his retirement, ask for gratuity equal to 25 per cent of his gross pension together with the remaining net amount of pension. The gratuity be paid at the rates fixed from time to time.

(f) A pensioner who draws gratuity equal to 25 percent of his gross pension may opt to commute 25 percent of the gross pension. The commuted value shall be calculated at the rates fixed from time to time.

(g) If a pensioner does not opt to draw gratuity equal to 25 per cent of his gross pension, he shall be allowed to commute up to 50 per cent of the gross pension.

⁷²(h) Commutation shall be paid according to date of birth mentioned in the Form-25 irrespective of date of claim and with effect from the date of retirement (the requirement of Form-C in vogue at present shall no more be required). In case of premature retirement on medical grounds for invalid pension, the requirement of central medical board examination shall not, however, be waived.

Explanation.—Invalid pension shall be granted on medical examination of Central Health Services Medical Board only and medical examination by any other hospital or committee shall not be considered for invalid pension;”.

⁷³ **[474-C.** Article 474 B does not apply to an officer in pensionable service who is not employed in a substantive and permanent capacity and who is discharged from service owing to the abolition of his post or on replacement by a qualified person. In the case of such officers, the amounts of gratuity and pension are regulated as follows:—

- (a) After a service of 10 years or more but less than 25 years, a gratuity not exceeding one month's emoluments for each completed year of service subject to a maximum of Rs. 25,000 ⁷⁴{in the case of officers who retired before 1st April 1992)

⁷² Article 474-B, clause (h) substituted by the S.R.O. 1423(I)/2018 [No. F. 9(3)-R-6/2015-1262], dt:-15-11-2018, Gaz. Of Pak., Extra., Pt. II, pages. No. 3006-3007, dt:- 20-11-2018.

⁷³ Inserted vide Fin. Div. Notification No. F. 4(4)-RS/68, dt:-30-1-1971.

⁷⁴ Inserted vide SRO No. 1030(I)/84 [No. F. 3(1)-Reg.(6)/84], dt:-20-11-1984, Gaz., Of Pak. Extra Pt:-II, P.No. 2053, dt:-3-12-1984.

⁷⁵{and ⁷⁶(Rs.1,75,000) in the case of officers who retired or retire on or after the 1st July, 2003}.

- (b) After a service of 25 years or more, a pension at the rates and subject to the conditions laid down in Article 474-B (b).]

⁷⁷[**474-D.**Family pension shall be allowed at the following rates:—

(a) In the case of death of a civil servant while in service on or after the 1st July, 1983, gratuity in lieu of one-fourth of the gross pension shall be allowed at the existing rates. In addition, family pension shall be admissible for life or until remarriage of the widow, at 50 per cent of the gross pension.

(b) In the case of death of a pensioner who retired or retires on or after the 1st July, 1983, family pension shall be admissible for life or until remarriage of the widow, at 50 per cent of the pension (net or gross, as the case may be.)

(c) In the case of a widow who, on the 1st July 1983, was entitled to a family pension which was admissible for a period of ten years under the previous rules, the family pension shall be admissible to her for life or until her remarriage.]

475. Officers holding any of the appointments enumerated below and belonging to what was formerly termed the Unconvenated Service, may be allowed by the Local Government an additional pension of Rs.1,000 a year, provided that they have rendered not less than three years of effective service (that is, service of the same nature as that which, under the provisions of Article 644, counts for the special pensions admissible under Article 642) in such appointment, and provided also that in each case during such service the officer has shown such special energy and efficiency as may be considered deserving of the concession. In the case of officers entering Government service after the 31st December 1909, the grant of the additional pension is subject to the further condition that they must, in the event of voluntary retirement, have completed twenty-eight years of qualifying service. Voluntary retirement for the purpose this rule should be taken as retirement under Article 465.

Registration Department — Inspector-General under Local Government, but not under Chief Commissionerships.

Police Department — Inspectors-General and Deputy Inspectors-General under Local Governments and Administrations.

Jail Department — Inspector-General under Local Government but not under Chief Commissionerships.

⁷⁵ Added vide Fin. Div. Notification SRO No.F.8(1)-R.7/96(Vol.II)-446/03, dt:-24-07-2003.

⁷⁶ Substituted vide Fin. Div. Notification SRO No.F.8(1)-R.7/96(Vol.II)-831/03, dt:-10-12-2003.

⁷⁷ Substituted vide SRO No.280(I)/84 [No.F.12(2)Reg.(6)/84], dt:-9-2-1984, Gaz. Of Pak. Extra.Pt:-II, P.No.636, dt:-1-4-1984.

Education Department — Directors of Public Instruction under Local Governments and Administrations.

Account Department (Civil).—

- (a) Auditor General and Accountants General.
- (b) In these case of other officers of the Pakistan Audit Department - Appointments in class I of the Department (including those in class I of the late Enrolled List and in class I of the late Superior Accounts Branch of the Public Works Department).

Accounts Department (Military).—Military Accountant General and Controllers of Military Accounts.

Pakistan Posts and Telegraph Department.—Posts included in the Schedule of appointments carrying additional pensions below Article 475-A.

Agricultural Department.—Agricultural Adviser to the Government of Pakistan.

Forest Department.—Inspector General of Forests, and Conservators.

Archaeological Department.—Director.

Geological Survey Department.—Director.

Survey Department.—Director General and Superintendents of Circles.

Meteorological Department.—Director-General of Meteorology.

Political Department.—Officers of the rank of Resident in the Ministry of States and Frontier Regions.

General Administration.—Commissioners of Divisions.

Criminal Intelligence Department.—Deputy Director of Criminal Intelligence.

Centre Customs Department.—Collectors.

Printing and Stationery Department.—Controller.

Note 1. [See special addition to the form of certificate in Form No.26 Pension]

Note 2. The provisions of this Article apply to Telegraph officers appointed on or Frontier Regions.

Note 3. – Cancelled.

475-A. The grant of special additional pensions to officers specified in Article 349-A is regulated as follows:—

(1) The special additional pension admissible under this Article is not to be given as a matter of course but only where the service rendered is approved as satisfying the standard of work and conduct required in the special conditions of the post or duty here-in-after mentioned.

(2) Officers who have held posts listed in the Schedule to this Article may be granted an additional pension (a) the rate of Rs.300 for each completed year of effective service in any post included in the lower grade, and (b) at the rate of Rs.500 for each completed year of effective service in any post included in the upper grade, upto a maximum of Rs.1,500 per annum for service in lower grade appointments and Rs.2,500 per annum for service in lower and upper grade appointments combined or in upper grade appointments alone: Provided that in the case of an officer who has earned an additional pension by service in appointments in both upper and lower grades, service for any broken period of a year in the upper grade may count as service in the lower grade if his pension would be thereby increased.

(3) An officer who has held a temporary post which has been declared by the authority competent to create post as carrying similar duties and responsibilities, and which carries the same rate of pay as a post listed in Schedule, may be granted an additional pension in respect of that post at the rate and subject to the conditions prescribed in clause (2) of this Article.

(4) For the purpose of clauses (2) and (3) of this Article “effective service” includes, besides periods of duty in a post mentioned in the said clauses,—

(i) Duty performed—

- (a) in a post of corresponding rank and reasonability in foreign service, or
- (b) on deputation on special duty, or
- (c) in a temporary post, or
- (d) in a permanent post in an officiating capacity,

to which an officer is transferred or appointed whilst holding the post mentioned in clause (2) or (3), if, in the case of an officer who held a post mentioned in clause (2) in an officiating capacity, or of an officer who held a post mentioned in clause (3), Government certifies that he would, if he had not been so transferred, or appointed, have continued to officiate in or hold the post concerned.

- (ii) Privilege leave or leave under the Fundamental Rules corresponding to privilege leave for the purpose of calculating service for pension taken by the officer during his service in a post mentioned in clauses (2) and (3) or during the period of duty covered by sub-clause (i) of this clause, if in the case of an officer who has held a post mentioned in clause (2) in an officiating capacity, or who has held a post mentioned in clause (3) Government certifies that he would, if he had not proceeded on leave, have continued to officiate in the post mentioned in clause (2), or have held a post mentioned in clause (3).

For the purpose of this sub-clause privilege leave or leave under the Fundamental Rules corresponding to privilege leave, taken by an officer immediately on vacating any of the posts mentioned in sub-rules (2) and (3) of Fundamental Rule 97 during which he is left without a lien on any permanent post, shall be regarded as leave taken during his service in such a post.

(5) An officer of pensionable status who has held a post in foreign service with a State-Owned Railway worked by a Company, which is certified by Government to correspond in rank and responsibility with a State Railway post listed in the Schedule may be granted an additional pension in respect of that post at the rates and subject to the conditions prescribed in clause (2) of this article, provided that, for the purposes of this clause "effective service" means duty (including privilege leave or leave under the Fundamental Rules corresponding to privilege leave for the purpose of calculating service for pension) in a foreign service post.

(6) An officer who has received under the second proviso to Fundamental Rule 30(1) or under Fundamental Rule 113, officiating promotion to one of the posts listed in the Schedule, or in whose case Government certifies that he would have received such promotion had he not been on special duty or held a temporary post, may be granted an additional pension at the rates and subject the conditions prescribed in clause (2), as though he had held during the period for which he officiated or would have officiated, a post listed in the Schedule.

For the purpose of this clause the period of officiating promotion includes any privilege leave or leave under the Fundamental Rules corresponding to privilege leave for the purpose of calculating service for pension taken during the period, if Government certifies that, had the officer not been on leave, he would have continued in the same capacity.

(7) In the case of officers entering Government service after the 31st Dec, 1909, other than officers of the late Indian Forest Service who were appointed on probation on or before that date, the grant of the additional pension is subject to the condition that they must in the event of voluntary retirement have

completed 28 years of qualifying service. Voluntary retirement for the purpose of this rule should be taken as retirement under Articles 464 and 465 (i).

SCHEDULE OF APPOINTMENTS CARRYING ADDITIONAL PENSIONS

A—Upper Grade

Directors of Public Instructions in East Bengal and Punjab.

Vice-Chancellors of Universities (if in Pensionable service).

Director General Archaeology.

Director General of Meteorology,

State Railway Members of the

Railway Board up to 14th August 1947. } If in Pensionable service.

General Managers of State Railways.

Secretary Railway Board up to 30th May 1940.

Chief Engineers, Railways.

Chief Government Inspector of Railways.

Director of Civil Engineering, Director of Mechanical Engineering.

Director of Traffic and Establishment,

Director of Finance Railway Board up to 14th August 1947,

Chief Operating Superintendent.

Controller of Stores, State Railways.

Controller of Railway Accounts up to 14th August 1947.

Director Clearing Accounts Office up to 31st May 1938.

Chief Accounts Officer.

} if in Pensionable
service

Chief Controller, Standardization, if in Pensionable service,

All officers (other than Military Officers and members of the Civil Service Pakistan) holding Civil Service Pakistan posts of the rank of, or higher in rank than that of, a Commissioner of a Division or a District and Sessions Judge in the selection grade.

Inspectors General of Police.

Director, Central Intelligence Department.

Inspectors General of Prisons.

East Bengal and Punjab.

Director General Survey of Pakistan

Directors of Agriculture, East Bengal and the Punjab, when the posts are held by members of the late Indian Agricultural service.

Agricultural Commissioner with the Government of Pakistan when the post is held by an officer in Pensionable service.

Inspector General of Forests.

Animal Husbandry Commissioner with the Government of Pakistan.

Chief Conservators of Forest.

Chief Engineers, Public Works Department.

Director General of Posts and Telegraphs.

Chief Engineer, Posts and Telegraphs.

Senior and other Deputy Directors-General in the Pakistan Posts and Telegraphs Department.

*Postmaster General

Director Geological Survey.

Auditor General.

Appointments in the Pakistan Audit and Accounts Service of Accountant General's grade (with effect from 23rd October 1933).

Mint Master.

Military Accountant General.

Command Controller of Military account.

Secretary to the Government of Pakistan (Ministry of Commerce and Education) and Ministry of Health and Works.

High Court and Chief Court Judges, Judicial Commissioners and Additional Judicial Commissioners, who may take a pension under the rules in this Part of the Regulations.

* Take effect from 1st March 1930 previous to which date there was an entry Director General & Deputy Director General of Post Office in the Lower Grade.

Officers of the Provincial Civil Service holding the post of Resident of the 1st class or of the 2nd class in the Political Department of the Government of India up to 14th August 1947.

Members, Central Board of Revenue.

Commissioners of Income-Tax from 1st April 1942.

Collectors Customs Service.

Collectors of the Central Excise.

Chief Inspectors of Mines in Pakistan.

Director of Civil Aviation in Pakistan.

Officers of the Indian Political Service recruited from Indian Police reaching a basic pay of Rs.2,250 in the Indian Political Service up to 14 August 1947.

B.— Lower Grade

* Educational Commissioner, Government of Pakistan.

Officers of the late Indian Education Service holding appointments, the minimum substantive pay of which is not less than Rs.1,250 a month exclusive of overseas pay.

Officers of the late Indian Agricultural Service, the Indian Meteorological Service and the Civil Veterinary Department holding appointments the' minimum substantive pay of which is not less than Rs.1,250 a month) exclusive of overseas pay.

Director, Zoological Survey.

Directors of Public Instruction, North- West Frontier Province.

Deputy Chief Engineers, Pakistan Railway Service of Engineers.

Deputy General Managers of State Railways.

Deputy Director of Finance, Railway Board up to 14th August 1947.

Deputy Controller of Stores, State Railways

⁷⁸Deputy Chief Accounts Officer Railways if in Pensionable service.

Chief Commercial Managers, State Railways

*The entry "Educational Commissioner, Government of Pakistan under Schedule takes effect from the 29th March 1932, previous to which date the post included in A-Grade.

⁷⁸Take effect from the 23rd October 1933.

Deputy Chief Commercial Manager, State Railways.
 Deputy Chief Operating Superintendents, State Railways.
 Divisional Superintendents Junior and Senior Railways.
 Deputy Director, Civil Engineering.
 Deputy Chief Controller, Mechanical Engineering.
 Deputy Chief Controller, Civil Engineering
 Assistant Chief Controller, Equipment
 Deputy Inspectors-General of Police.
 Superintendents of Police in the selection grade.
 All officers (other than Military Officers and members of the Civil Service Pakistan) holding superior Civil Service
 Pakistan posts lower in rank than that of a Commissioner of a Division or a District and Sessions Judge in the selection grade
 Deputy Director, Intelligence Bureau
⁷⁹Deputy Director, Intelligence Government of Pakistan Peshawar.
 Inspectors-General of Registration.
⁸⁰Directors, Survey of Pakistan.
 Conservators of Forests.
 Superintending Engineers, Public Works Department.
 Deputy Secretary to the Government of Pakistan, Works Division.
⁸¹Deputy Director-General Finance, Pakistan Posts and Telegraphs Department.
 Director of Telegraph Engineering.
 Director of Wireless,
 Controller of Telegraph Stores, if appointed to this post before 5th February 1932.
⁸²Electrical Engineer-in-Chief in the Pakistan Post and Telegraph Department.
 Superintendents, Geological Survey
 Deputy Commissioner, Western Pakistan Salt Department
 Controller Printing and Stationery

⁷⁹Takes effect from the 13th November 1935.

⁸⁰Takes effect from the 1st January 1926.

⁸¹Takes effect from the 2nd January 1934.

⁸²Takes effect from the 11th November 1929

Appointments in Class I of the Pakistan Audit and Accounts Service.

Deputy Secretary Budget in the Government of Pakistan, Ministry of Finance.

⁸³Financial Adviser Communication

⁸⁴Civilian Assay Masters.

Appointments in Class I of the Superior Staff of the Military Accounts Department

Senior Deputy Military Accountant General

Deputy Financial Adviser, Military Finance

⁸⁵Controller of Accounts, Royal Pakistan Air Force and Deputy Financial Adviser, Royal Pakistan Air Force.

Deputy Chief Engineer, Telegraphs.

Officers of the Provincial Civil Services holding superior posts in the cadre of the Political Department of the Government of India, lower in rank than that of Resident, 2nd class up to 14th August 1947.

Director Indo-Europe Telegraph Department, Persian Section up to 14th August 1947.

Collectors Central Excise and Salt.

Chief Chemist Central Revenues.

Deputy Superintendent and Remembrancer of Legal Affairs East Bengal

Director Regulations and Forms, Army Department

Government Examiner of Questioned Documents in respect of service after the date on which he passed the efficiency bar at Rs.1,620.

Secretary Railway Board from 31st May 1940 to 14th August 1947.

Deputy Director of Finance Railway Board up to 2nd June 1941.

Director Railway Clearing Accounts office from 1st June 1938 to 14th August, 1947.

Director, Indo-European Telegraph Department, Persian Section, and any pensionable appointment in a Department other than those to which the appointments included in this Schedule appertain, the minimum pay

⁸³made by the Governor General with effect from the 1st June 1949 prior to this is stood in the form of Financial Officer, Communications between the dates 13th April 1939 and 31st May 1940.

⁸⁴now styled Assay Master.

⁸⁵take effect from 28th January 1930.

of which, excluding overseas pay, is not less than Rs.1,250 a month, or, if no overseas pay is attached to it, Rs.1,500 a month. An officer holding an appointment carrying overseas pay who is not himself entitled to overseas pay is, nevertheless, qualified under this entry.

Note.—[The Government of Pakistan may include in Schedule B any pensionable appointment which fulfils the conditions regarding minimum substantive pay contained in the last entry.]

475AA. For officers referred to in Article 349AA the rule for the grant of special additional pensions is as follows:—

(1) The special additional pension admissible under this Article is not to be given as a matter of course but only where the service rendered is approved as satisfying the standard of work and conduct required in the special conditions of the post or duty hereinafter mentioned.

(2) Officers who have held posts listed in the Schedule to this Article may be granted an additional pension (a) at the rate of Rs.250 for each completed year of effective service in any post included in the lower grade, and (b) at the rate of Rs.400 for each completed year of effective service in any post included in the upper grade, up to a maximum of Rs.1,250 per annum for service in lower grade appointments and Rs.2,000 per annum for service in lower and upper grade appointments combined or in upper grade appointments alone. Provided that in the case of an officer who has earned an additional pension by service in appointments in both the upper and lower grades service for any broken period of a year in the upper grade may count as service in the lower grade if his pension would be thereby increased.

(3) An officer who has held a temporary post which has been declared by the authority competent to create the post as carrying similar duties and responsibilities and which carries the same rate of pay as a post listed in the Schedule, may he granted an additional pension in respect of that post at the rate and subject to the conditions prescribed in the clause (2) of this Article.

(4) For the purpose of clauses (2) and (3) of this Article 'effective service' includes, besides periods of duty in a post mentioned in the said clauses:—

- (i) duty performed—
 - (a) In a post of corresponding rank, and responsibility in Foreign Service, or
 - (b) On deputation on special duty, or

- (c) In a temporary post or
 - (d) In a permanent post in an officiating capacity, to which an officer is transferred or appointed whilst holding the post mentioned in clause (2) or (3), if, in the case of an officer who held post mentioned in clause (2) in an officiating capacity, or of an officer who held a post mentioned in clause (3), Government certifies that he would, if he had not been so transferred or appointed, have continued to officiate in or hold the post concerned.
- (ii) Earned leave for the purpose of calculating service for pension taken by the officer during his service in a post mentioned in clauses (2) and (3) or during the period of duty covered by sub-clause (i) of this clause, if in the case of an officer who has held a post mentioned in clause (2) in an officiating capacity, or who has held a post mentioned in clause (3), Government certifies that he would, if he had not proceeded on leave, have continued to officiate in the post mentioned in clause (2), or have held a post mentioned in clause (3).

For the purpose of this sub-clause earned leave taken by an officer immediately on vacating any of the posts mentioned in sub-rules (2) and (3) of Fundamental Rule 97 during which he is left without a lien on any permanent post, shall be regarded as leave taken during his service in such a post.

(5) An officer of pensionable status who has held a post in foreign service with a State-Owned Railway worked by a Company, which is certified by Government to correspond in rank and responsibility with a State Railway post to which special additional pension is attached may be granted an additional pension in respect of that post at the rates and subject to the conditions, prescribed in clause (2) of this Article, provided that, for the purposes of this clause “effective service” means duty (including earned leave for the purpose of calculating service for pension) in a foreign service post.

(6) An Officer who has received under the second proviso to Fundamental Rule 30 (1) or under Fundamental Rule 113, officiating promotion to one of the posts listed in the Schedule, or in whose case Government certifies that he would have received such promotion had he not been on special duty or held a temporary post, may be granted an additional pension at the rates and subject to the conditions prescribed in clause (2), as though he had held during the period for which he officiated or would have officiated, a post listed in the Schedule.

For the purpose of this clause the period of officiating promotion includes any earned leave for the purpose of calculating service for pension taken during

the period, if Government certifies that, had the officer not been on leave, he would have continued in the same capacity.

(7) The grant of additional pension to officers is subject to condition that they must in the event of voluntary retirement have completed 28 years of qualifying service. Voluntary retirement for the purpose of this rule should be taken as retirement under Article 464.

SCHEDULE OF APPOINTMENTS CARRYING ADDITIONAL PENSIONS

A.—Upper Grade

Director General of Posts and Telegraphs.

Chief Engineer, Posts and Telegraphs.

Senior Deputy Director General, Posts and Telegraphs.

Postmasters General (If pay is not less than Rs.2,000)

Surveyor General.

Vice Chairman, Imperial Council of Agricultural Research.

Inspector General of Forests.

Chief Engineer, Pakistan Public Works Department.

Secretary, Commerce Department.

Joint Secretary. Commerce Department.

Accountants General-ships and other major charges in the Pakistan Audit Department (If pay is not less than Rs.2,000)

Mint Masters.

Members, Central Board of Revenue

Collectors of Customs (If pay is not less than Rs.2,000).

Collectors of Central Excise (if pay is not less than Rs,2,000),

Secretary Finance Department.

Joint Secretary, Finance Department.

Financial Adviser, Military Finance.

Military Accountant General

Command Controllers of Military Accounts,

B.—Lower Grade

Director General of Observatories.
Deputy Directors General, Posts and Telegraph.
Deputy Chief Engineer, Posts and Telegraphs.
Directors of Telegraphs.
Postmasters General (If pay is not less than Rs.1,600).
Director General of Archaeology.
Director, Imperial Veterinary Research Institute.
Director Zoological Survey.
Director, Survey of Pakistan.
Chief Inspector of Mines.
Director, Zoological Survey.
Superintending Engineers, Public Works Department.
Controller, Printing and Stationery.
Deputy Secretary, Commerce Department.
Deputy Economic Adviser to the Government of Pakistan.
Financial Adviser, Communications,
Deputy Secretary (Budget) Finance Department.
Accountant General-ships and other major charges in the Pakistan Audit
Department (If pay is less than Rs.2,000).
Deputy Financial Advisers, Military Finance.
Appointments in Class I of the Superior Service of Military Accounts
Department.
Collectors of Customs (If pay is less than Rs.2,000).
Collectors of Central Excise (If pay is less than Rs.2,000).
Chief Chemist, Central Revenues (If pay is not less than Rs.1,600).
Commissioners of Income Tax.
First and Second Secretaries to the Central Board of Revenue.

*** 475-AAA.** (1) This Article shall apply to those members of the Central Services (hereinafter referred to as Pool Officers) who, having been in permanent pensionable service on the 30th September 1938, are appointed to the Finance and Commerce cadre.

(2) Pool Officers shall not be entitled to additional pension otherwise than in accordance with this Article.

(3) No Pool Officer shall be allowed an additional pension exceeding Rs.2,500 a year.

(4) A Pool Officer who, for any period—

- (i) has held any of the posts listed in the Schedule below, or
- (ii) has held any of the appointments listed in Part A of the Schedule to Article 475-A, but not included in the Finance and Commerce cadre, or
- (iii) has held any other appointment declared by the authority competent to create that appointment to be equivalent for purposes of this Article to the appointments listed in Part A of the Schedule to Article 475-A, or
- (iv) but for his appointment as a Pool Officer would have held any of the appointments listed in Part A of Schedule to Article 475-A, may be allowed in respect any such period an additional pension at the rate of Rs.500 a year for each completed year of effective service [effective service in the post actually held during such period being taken in cases falling under sub-clause (iv)].

Provided that no additional pension shall be allowed in respect of any period under sub-clause (iv) for which additional pension is allowed under sub-clause (i), (ii) or (iii) of this clause.

(5) A Pool Officer who, for any period—

*Inserted by the Governor-General and takes effect from 10/11th Feb., 1947,

- (i) has held any of the appointments listed in Part B of the Schedule to Article 475-A, but not included in Finance and Commerce cadre, or
- (ii) has held any other appointment declared by the authority competent to create that appointment to be equivalent for purposes of this Article to the appointments listed in Part B of the Schedule to Article 475-A, or
- (iii) but for his appointment as a Pool Officer would have held any of the appointments listed in Part B of the Schedule to Article 475-A,

may be allowed in respect of any such period an additional pension at the rate of Rs.300 a year for each completed year of effective service [effective service in the post actually held during such period being taken in cases falling under sub-clause (iii)].

Provided that no additional pension shall be allowed in respect of any period under sub-clause (iii) for which additional pension is allowed under sub-clause (i) or (ii) of this clause;

Provided further that no Pool Officer shall be allowed under this clause an additional pension exceeding Rs.1,500 a year.

(6) The general provisions contained in Article 475-A, shall apply mutatis mutandis for the purpose of allowing additional pension under this Article.

Schedule

Secretary, Ministry of Finance.
 Secretary, Commerce Division.
 Members, Central Board of Revenue.
 Financial Adviser, Military Finance
 Joint Secretary, Ministry of Finance
 Joint Secretary, Commerce Division.

475-B. Special additional pensions may be granted by a Local Government to military officers on the supernumerary list who have rendered approved service in certain high civil posts, on the following conditions:-

- (1) Additional pensions may be granted at the following rates:—

- (i) At the rate of £66 13s. 4d a year, for each completed year, not exceeding three, of effective service in any civil post or posts carrying pay not less than Rs.4,000 a month;
- (ii) At the rate of £33 6s. 8d., for each year, not exceeding three, of effective service in any civil post or posts carrying pay not less than Rs.3,000 a month.

Provided that the additional pension admissible under this rule shall not exceed £200 and that the total pension of an officer in receipt of pension under this rule shall not exceed £1,000, or, if the additional pension be wholly at the lower rate, £900.

(2) In the case of an officer serving in a qualifying post carrying progressive or time-scale pay with a maximum of Rs.3,000 or Rs.4,000, that portion only of his service during which he has drawn the maximum pay of the post shall qualify for additional pension at the lower or higher rate, respectively.

(3) Service in a post qualifying for the higher rate of additional pension may count for the lower rate, provided that no period of service shall count for both lower and higher rate of pension.

(4) For the purpose of clause (1) of this Article the expression 'effective service' includes, besides periods of duty in a post referred to in that clause,

- (i) duty performed—
 - (a) in a post of corresponding rank and responsibility in foreign service, or
 - (b) on deputation on special duty, or
 - (c) in a temporary post, or
 - (d) in a permanent post in an officiating capacity to which an officer is transferred or appointed while holding the post mentioned in clause (1).

if, in the case of an officer who held the post mentioned in clause (1) in an officiating capacity, the local Government certifies that he would, if he had not been so transferred or appointed, have continued to officiate in that post.

- (ii) privilege leave or leave under the Fundamental Rules corresponding to privilege leave for purpose of calculating service for pension taken by the officer during his service in the post mentioned in clause (1) or during the period of duty covered by sub-clause (i) of this clause.

if, in the case of an officer who has held the post mentioned in clause (1) in an officiating capacity, the local Government certifies that he would, if he had not proceeded on leave, have continued to officiate in that post.

* (5) An officer who has received under Fundamental rules 113, officiating promotion to a post covered by clause (1) of this Article, or in whose case the local Government certifies that he would have received such promotion had he not been on special duty or holding a temporary post, may be allowed by the local Government an additional pension at the rates and subject to the conditions prescribed in clauses (1), (2) and (3) of this Article, as though he had held, during the period for which he officiated or would have officiated, a post covered by clause (1).

Note 1.—[For the purpose of this clause the period of officiating promotion includes any privilege leave or leave under the Fundamental Rules corresponding to privilege leave for the purpose of calculating service for pension, taken during the period but no other leave if the local Government certifies that had the officer not been on leave, he would have continued in the same capacity.]

86475-C [* * * * * * * *]

476. The following special scale of pension is admissible to officers appointed in England to the Late Imperial Services of the Forest and Geological Survey Departments before the 6th December, 1932, and who did not elect the Rules mentioned in Article 349-A.

- (a) After a service of less than ten years, an invalid gratuity on the scale laid down in Article 474 (a).
- (b) After a service of not less than ten years but less than twenty-five years, an invalid pension on the scale laid down in Article 474 (b).
- (c) After a service of not less than twenty years, a retiring pension not exceeding the following amounts:—

Years of Completed Service	Scale of pension	Maximum limit of pension	
		Rs.	Rs.
20 to 24	30 sixtieths of average emoluments	4,000 a year or 333 1/2 a month	5,000 a year or 416 2/3 a month
25 & above			

*Clauses (4) and (5) of Article 475-B were inserted in their present form with effect from the 26th January 1938.

⁸⁶Omitted vide SRO.227(I)/83 [No.F.6(4)-REG(6)/81], dt:-17-2-1983, Gaz. Of Pak. Extra Pt.II, P.No.329, dt:-8-3-1983.

Note:—[The rule in this article do not apply to the following offices who have elected to remain under the rules in articles 518 and 520 of the second addition of their regulations:—]

Forest Department.—Messers. T. A. Hnuxwell and H. S. Ker. Edie.

Geological Survey Department—Mr. C. S. Middlemiss.

Note 2. — [The corresponding rule applicable to officers mentioned in 349A is contained in Article 474 A.]

477—480. Not Available.

Section III. - Amount of Class IV Pension

⁸⁷**481-485.** Omitted.

Age of Retirement

485-A. A Government Servant shall retire when he has attained the age of 60 years.

Premature Invaliding

485-B. An officer should not, without urgent necessity, be invalided when he has nearly completed thirty years' service; the Government cannot undertake to overlook a deficiency of service resulting from an officer being prematurely invalided. The principle of this rule applies to all analogous cases.

Military Artificers

485-C. A Military Artificer whose qualifying service, on pay exceeding ten rupees, excluding interruptions of, and absence from duty, of every kind, amounts to not less than twenty-five years, may be granted a Compensation or Invalid Pension not exceeding three-fourths of the pension to which he would be entitled if his service on pay exceeding ten rupees were reckoned as Superior.

Section VI - Allowances Reckoned for Pension

Emoluments and Average Emoluments.

⁸⁸**[486.** The term "emoluments" means the emoluments which the officer was receiving immediately before his retirement and shall include—

⁸⁷ Omitted vide SRO.1241(K)/69 [Fin. Div.No.D.203-RS.II/69], dt:-21-4-69, Gaz. Of Pak. Extra.Part-I,P.No.491,dt:-2-5-69.

⁸⁸ Substituted vide SRO.227(I)/83 [No.F.6(4)-REG(6)/81], dt:-17-2-83, Gaz. Of Pak., Extra.,Pt.II, P.No.329, dt:-8-3-83.

- (a) Pay as defined in FR 9(21) (a) (i);
- (b) Senior Post Allowance;
- (c) Special Pay of all types and nature;
- (d) Personal Pay;
- (e) Technical Pay;
- ⁸⁹(f) Indexed Pay;
- (g) Increments accrued during leave preparatory to retirement;
- (h) Any other emoluments which may be specially classed as Pay.

Note 1.—The President has been pleased to declare with reference to clause (h) of this Article that the emoluments or pay drawn by an officer who is transferred on foreign service in an autonomous or semi-autonomous body, in a post appointment to which is, by Law, required to be made, and the salary of which is required to be fixed, by the Federal Government or a Provincial Government, shall be treated as emoluments or pay drawn in a post in Government service.

⁹⁰([Note 2.—*****]

487. The term "Average Emoluments" means the average calculated upon [*] the last three years of service.

1. If during the last three years of his service an officer has been absent from duty on leave with allowances, or having been suspended, has been reinstated without forfeiture of service, his Emoluments, for the purpose of ascertaining the average, should be taken at what they would have been had he not been absent from duty or suspended:

Provided always (a) that his pension must not be increased on account of increase in pay not actually drawn and (b) that an officer will not during leave be allowed to count as emoluments the sub. Pro-tem. allowances which he would have been entitled to so count under Article 486 (h) had he remained on duty, if another officer has been appointed sub. Pro-tem. to the same appointment during the period of such leave. But if his absence on Departmental or Recess leave is reckoned as service under Article 409, only the allowances, if any, actually received during such leave should be taken into account.

⁸⁹ Substituted vide SRO.1074(I)/85 [No.F.12(2)-Reg.(6)/84], dt:-13-10-85, Gaz. Of Pak., Extra.,Pt.II, P.No.1938, dt:-2-11-85.

⁹⁰ Omitted vide SRO.1074(I)/85 [No.F.12(2)-Reg.(6)/84], dt:-13-10-85, Gaz. Of Pak., Extra.,Pt.II, P.No.1938, dt:-2-11-85.

⁹¹[1-A. If during the last three years of his service an officer's pay has been re-fixed as a result of revision or up-gradation of the scale of pay of the post held by him with retrospective effect but arrears have not been allowed nor recoveries made in respect of the past period, his emoluments, for the purpose of calculating the average, shall be taken at what they would have been if the arrears had not been disallowed or the recoveries had been made.]

2. If, during the last three years of his service, an officer has been absent from duty on leave without allowances (not counting for pension), or in Class IV service, or suspended under such circumstances that the period of suspension does not count as service, the periods so passed should be disregarded in the calculation of the average, an equal period before the three years being included.

2-A. In the case of a military officer, departmental officer, warrant or non-commissioned officer or soldier who was in civil employ on 7th June 1937 and was or may be granted a pension under military rules on or after the 30th May 1933 and whose pay has been reduced under Clause (b) of Article 526, emoluments for the purpose of ascertaining the average shall be taken at what they would have been had the pay not been reduced.

3. Excepting as provided in [rules 1,⁹²(1-A), 2 and 2-A] only emoluments actually received can be included in the calculation. For example, when an officer is allowed to count time retrospectively towards increase of pay, but does not receive retrospectively the intermediate periodical increments, these intermediate increments are not reckoned in the calculations.

4. In the case of Section-writers whose service has been allowed to count for pension under special orders of the Government of Pakistan, and of Press servants whose service qualifies under Article 380, "Average Emoluments" means the average earnings of the last seventy-two months in Superior service.

Note 1.—[This rule applies in a case of a Press servant remunerated by a fixed rate of pay if his pay is met from the grant for piece-work.]

Note 2.—[Overtime earnings of Press servants paid at piece-work rate may be taken into account in calculating Average Emoluments under this rule, but such earnings must be excluded in reckoning the Average Emoluments of Press employees who draw at fixed rate.]

Note 3.—[If during the last 72 months of service a Press servant has been for some period on fixed pay and for other periods a piece-work employees

⁹¹ Inserted vide Fin. Div. Notification SRO No.4(4)-Reg(6)/72, dt:-8-12-1972.

⁹² Inserted vide Fin. Div. Notification SRO No.4(4)-Reg(6)/72, dt:-8-12-1972.

overtime earnings may be taken into account in calculating pension only for the periods during which he was remunerated at piecework rate.]

487-A. In the case of a Government servant who quits service on superannuation, retiring, invalid or compensation pension, or invalid or compensation gratuity and who during the period 3rd September, 1939, to 31st September 1947, holds or has held before retirement a permanent post in a provisionally substantive or officiating capacity, or a temporary post in a substantive or officiating capacity, where such post carries a rate of pay higher than his substantive pay, but the increase over substantive pay does not count for pension or gratuity under Article 486 (h), Civil Service Regulations :-

- (i) His average emoluments for pension as calculated with reference to Article 486 and 487 of the Civil Service Regulations shall be increased :-

Either (a) by one-half of the difference between the average emoluments so calculated and the average emoluments which would result if such post or posts were permanent and he had held them substantively for the period of service rendered in the higher post or posts between the dates 3rd September, 1939 and 31st December of 1947; or

- (b) thirty-three and one-third per cent; whichever is less.

- (i) If he is eligible only for a gratuity calculated with reference to the provisions of Article 474 (a) of the Civil Service Regulations, the amount of gratuity shall be increased:-

Either (a) by one-half of the difference between the amount so calculated and that which would have been taken into account if such post or posts were permanent and he had held them substantively for the period of service rendered in the higher post or posts between the dates 3rd September 1939 and 31st December, 1947; or

- (b) by thirty-three and one-third per cent; whichever is less.

- (iii) During periods of leave with allowances taken by a Government servant while holding a temporary post substantively or while holding a permanent post in a provisionally substantive capacity, the emoluments which he would have drawn had he not proceeded on leave will be taken into account for the purpose of sub-paragraphs (i) and (ii) above. In all other cases the concession will not be applicable during the periods of leave.

In the case, however, of an officer governed by the Civil Service Regulations who held or will hold a lien, under Article 210, Civil Service

Regulations, during the period of privilege leave on a post, permanent or temporary, in which he was officiating, the emoluments which he would have drawn had he not gone on such leave will be taken into account for this purpose.

- (iv) The pension of Government servants who have already retired after the 3rd September, 1939, shall be revised in accordance with the above formula, but the increased pension shall have effect-only from 24th March, 1947, the date of promulgation of this amendment.
- (v) Nothing contained in the formula set out above shall have the effect of modifying any of the existing rules which govern the counting of service qualifying for pension or the several maxima of pensions prescribed in the rules nor shall it affect any of the existing rules or orders relating to the special pay attached to temporary or permanent posts counting as emoluments for pension.

Allowances which do not count

488. An officer cannot count the following allowances:—

- (1) Local allowances and deputation (local) allowances;
- (2) Messing allowances, Working allowances, and Provision allowances to officers in the Navy Department.
- (3) House-rent allowance, or estimated value of free quarters;
- (4) Tour and other allowances (to officers who accompany any Government);
- (5) Compensation for dearness of provisions.

Net Emoluments taken

489. Any part of an officer's pay or emoluments which is specially intended to provide for expenses incidental to his duty, must be excluded. The following are examples of the operation of this Article:—

- (1) When an officer's pay is intended partly to cover the expense of his providing or keeping a horse, his pay must be taken only at what it would be if it was not intended to cover such expense. When a water-carrier's pay includes provision for a bullock, his pay must be taken at what it would be if he were not required to keep a bullock.
- (2) When a consolidated pay specially, includes tentage, travelling allowance, or house allowance, these must be deducted.

- (3) When an officer's pay is fixed at two rates, a smaller rate during stationary duty and a higher rate during period passed on tour or travelling, the former rate alone should be the basis of the calculation.

490. When service on temporary duty counts for pension under Article 376, the pay of the permanent appointment held by the officer, and not that drawn in respect of the temporary duty, is taken into consideration in determining the amount of pension, unless the officer draws a deputation (duty) allowance under the provisions of Article 76-C or Article 81.

491. The preceding Article does not apply to an officer deputed temporarily to service in the Income-Tax Department, or to an officer deputed on abolition of his appointment to special duty (Article 397), or to an officer who, when his appointment was abolished, was on special duty. In these cases the full allowances are counted.

Combination of Appointments

492. If an officer has held more than one appointment, in respect of each of which, if he had held it separately and alone, pension would have been admissible to him, the pension admissible to him is the sum of the several pensions which would have been admissible to him if he had held each office separately and alone. The consolidated pension thus admissible is subject to the limitations prescribed in Articles 474 to 480 and 481.

493. An officer is not entitled, for service in an office conjointly with another office, to any pension which would not have been admissible to him if he had held the office separately and alone.

CHAPTER XX.—SPECIAL RULES FOR THE POLICE

Section I – Extent of Application

Government Police

- 494.** The rules in this Chapter apply to —
- (1) The Trans-Indus Police Force, which was not organised under Act V of 1861 until the 4th August 1873, and never possessed a Superannuating Fund.
 - (2) Members of the Salt Preventive Force employed on Northern Frontier line, though the Forces to which they belong are not constituted under any Act of the Legislature, and never possessed a Superannuating Fund.

- (3) Members of the Police Force serving in the Baluchistan Agency and sowars of the Somali Coast Mounted Police Force, although the Forces are not constituted under any Act of the Legislature.

Municipal Police

495. (a) If the Police of a town are wholly supported by, and under the control of, a Municipality, the Government has no concern with their pensions.

(b) But if the Government, being interested in the efficiency of Police Force, paid, wholly or partly, by a Municipality, or from Cantonment Funds, or from the General Revenues subsidized by a contribution from a Municipality, or from Cantonment Funds, undertakes the organization and control of the Force, as connected with and auxiliary to the Civil Constabulary, service in such a Force qualifies, the contributions of Municipalities, or of Cantonment Funds towards the cost of the pensions of such Forces are, for the present, undetermined.

496. The Police Force in the Municipalities in Lower Bengal, come under clause (b) of the preceding Article.

497. Omitted.

Railway Police

498. The service of members of the Railway Police, appointed and controlled by Government, qualifies, though they may be either wholly or partly paid by the Railway Companies.

Section II – Qualifying Service

499. Service in any of the Police Forces mentioned in Article 494, after the establishment of a Superannuation Fund in the Force, qualifies.

Service before Enlistment

500. Deleted.

501. In the following cases service rendered before enlistment in present Police Constabulary qualifies:-

- (a) Service in superior grades in any other Department qualifies.
- (b) A Subedar or Jemadar of the East Bengal Military Police recruited from the Army or from a local corps, and Pakistani Officers and men of the Dera Ghazi Khan Border Military Police recruited from the Army count service as follows :-

- (i) A man recruited from the Army will be eligible for pension under the civil rules (counting both his past Military and Police service) on completion of ten years' service in the Military Police. If he retires with less than ten years' service in the Police, he will be granted pension on the Military scale according to his rank for the whole period of his service including service in the Police.
- (ii) A man recruited from a local corps may count half his service in such corps towards civil pension.

Note.—[Pensions granted to men who count Army service under the foregoing rules are, if their Military service was sufficient to entitle them to pension if discharge without fault, a Military charge; otherwise they are a Civil charge.]

502. Cancelled.

Section III – Amount of Pension

503. The pension admissible to police constables will be determined according to the rules contained in Chapters XVII to XIX for the calculation of pensions for Superior Service; except that their service in the Police Force after the age of 18 years qualifies.

504 & 505. Deleted.

506. The pension admissible to an officer, is determined by rules which apply to ordinary service, except that service rendered after the completion of twenty years of age, and declared by this Chapter to be qualifying, is treated as Superior service.

1. If the officer was promoted from the rank of Police constable and loses by promotion any benefit as to pension which he would have enjoyed had his pay remained unchanged, his pension may be regulated as if he had not received the promotion.

Previous Class IV Service

507. If part of an officer's continuous service qualifies for pension under the general rules, but does not qualify under the rule in this Chapter he may elect to receive, in lieu of the pension admissible under this Chapter, such pension as is admissible to him under Article 398 and 481 to 483 for the whole of his service, both class IV and Superior (see Article 460).

508. Deleted

Calculation of Pension

509. Pension is to be calculated upon the net pay, i.e., the pay actually received by the officer, and not upon the gross pay, i.e., the pay from which were deducted the subscriptions to Superannuation Funds [see concluding sentence of Note 1 to Article 499].

CHAPTER XXI.—RE-EMPLOYMENT OF PENSIONERS

SECTION I.—GENERAL

509-A. No officer, Civil or Military, may retire with the view of being re-employed, and drawing pension in addition to pay, whether in the general service or in the service of any Local Fund.

510. When a person who was formerly in the civil or military employment of any Government in Pakistan obtains re-employment, whether temporarily or permanently, in Government service or in the service of a local Fund, it shall be incumbent on him to declare to the appointing authority the amount of any gratuity, bonus or pension granted to him in respect of the previous employment. The authority re-appointing him shall specifically state in the order of re-appointment whether any deduction is to be made from pension or salary required by the rules of this Chapter and shall communicate a copy of the order to the Audit Officer.

Note.—[The principle of this article applies in the case of continued employment on retirement from Government service. The amount of the pension to be declared is that sanctioned originally, i. e. it shall be inclusive of any amount that may have been commuted (vide Articles 524- B and 524-C.)]

510-A. The attention of every officer who is re-employed should be specially called to the provisions of this Chapter by the authority re-employing him, and, whether he becomes aware of such an appointment, by the Audit Officer; but the failure of such authority to do this will not be admitted as a ground for condoning any breach of the regulations contained in this Chapter.

510-B. Notwithstanding anything contained in the rules in this chapter, a wound or other extraordinary pension sanctioned under Chapter XXXVIII of these Regulations and a wound or injury or disability pension or a disability addition to pension awarded under the military rules shall continue to be drawn by a retired Government servant, civil or military, during re-employment or continued employment, and shall be subject only to the conditions of its award. The amount of such pension or addition to pension or continued employment.

Note.—[Where the military pension is consolidated and service and disability elements are not explicitly differentiated, the total pension may be split up in the following manner. The service portion of the pension will be represented by the service pension earned or, if no service pension has been earned, by the proportionate service pension calculated with reference to the minimum ordinary pension admissible for the rank and the actual length of service rendered. In calculating this service element, an amount of 8 annas and over shall be taken as a whole rupee, amount of less than 8 annas being ignored. The disability portion of the pension will be the balance.]

SECTION II.—CIVIL PENSIONERS

Re-employment after Compensation Gratuity

511. An officer who has obtained a Compensation gratuity, if re-employed in qualifying service, may either retain his gratuity, in which case his former service will not count for future pension, or refund it and count his former service.

512. The intention to refund must be stated immediately on re-employment: but the refund may be made by monthly instalments of not less than one-third of the officer's salary, and also not less than the whole gratuity divided by the number of months which have elapsed since the end of the service for which the gratuity was given. The right to count previous service does not revive till the whole amount is refunded.

Note.—[The equity of this rule is based upon the consideration that so long as the refund of the gratuity is postponed, the officer avoids the risks and the State losses to possibility of the gratuity lapsing absolutely to the public treasury by the death or dismissal of the officer. A subsequent refund of a gratuity, even with compound interest does not compensate the State for the loss of this possibility meanwhile].

513. (See Article 510-A.)

After Compensation Pension

514. (a)⁹³ An officer who obtained a compensation pension, if re-employed, may retain his pension in addition to his pay, provided that if he is re-employed in a post-paid from general revenues, the pension shall remain wholly or partly in abeyance if the sum of the pension and the initial pay on re-employment exceeds his substantive pay at the time of his discharge that is, an officer can draw so much of pension only as will make his initial pay plus pension equal to his substantive pay at the time of his discharge. Once the amount of pension has been fixed in conformity with the above condition the officer shall be entitled

⁹³This revised clause applied to officers under the rule-making control of the late Secretary of State and takes effect from the 9th June 1937.

to receive the benefits of increments in his new scale or promotion to another scale or post without a further corresponding reduction in pension nor shall the amount of pension so fixed be varied during leave. In the case, however, of a pensioner re-employed in either a permanent or a temporary appointment, for bona-fide temporary duty lasting for not more than a year, the Local Government may allow the pension to be drawn in whole or in part even though the sum total of pay and pension exceeds his substantive pay at the time of his discharge.

(a)⁹⁴ An officer who obtained a compensation pension, if re-employed, may retain his pension in addition to his pay, provided that if he is re-employed in a post-paid from general revenues, the pension shall remain wholly or partly in abeyance if the sum of the pension and the initial pay on re-employment exceeds his substantive pay at the time of his discharge that is, an officer can draw so much of pension only as will make his initial pay plus pension equal to his substantive pay at the time of his discharge. Once the amount of pension has been fixed in conformity with the above condition the officer shall be entitled to receive the benefits of increments in his new scale or promotion to another scale or post without a further corresponding reduction in pension nor shall the amount of pension so fixed be varied during leave. In the case, however, of a pensioner re-employed in either a permanent or a temporary appointment, for bona-fide temporary duty lasting for not more than a year, the Local Government or, in cases where the pension does not exceed ⁹⁵[Rs.200] a month, the officer who controls the establishment on which the pensioner is to be employed, may allow the pension to be drawn in whole or in part even though the sum total of pay and pension exceeds his substantive pay at the time of his discharge.

Note 1.—[This rule applies to the re-employment on all establishments paid from the General Revenues, whether paid by fixed salary or by fluctuating monthly allowances; but it does not apply to pensioners employed on work as coolies and paid daily hire.]

Note 2.—[In the case of re-employment under a Local Fund, no deduction is made from a Compensation pension.]

Note 3.—[The Government of Pakistan may permit an officer who has obtained a compensation pension and is afterwards re-employed in a permanent or temporary appointment duly sanctioned by competent authority, to draw his full pension in addition to the pay and allowances of the appointments, irrespective of the period of such re-employment.]

⁹⁴This revised clause applies to officer under the rule making Control of the Governor-General and takes effect from the 9th June 1937.

⁹⁵Substituted vide SRO.860(1)/82 [Fin. Div. notification No.F.4(3)-R.7/82], dt:-31-8-1982, Gaz. Of Pak. Part-II, P.No.1431, dt:-9-9-1982.

Note 4—[The Local Government may delegate its power under this Article to Heads of Departments in respect of pensioners whose re-employment they are authorized to order.]

Note 5.—[The restrictions in this Article do not apply to ex-policemen whose pension does not exceed Rs.200 a month or to ex-Class-IV servants.]

(b) If his re-employment is in qualifying service, he may either retain his pension (subject to the proviso above stated), in which case his former service will not count for future pension, or cease to draw any part of his pension and count his previous service. Pension intermediately drawn need not be refunded.

Note.—[An officer counts his previous service under clause (b) if on re-employment his pension remains wholly in abeyance under the proviso to clause (a).]

515. In the case of a Section-writer whose service has been allowed to qualify for pension under special orders of the Government of Pakistan, or of a press servant (see Article 380) re-employed, *[the substantive pay at the time of discharge] is taken at the average earnings of the last six months of employment.

516. If an officer does not, within three months from the date of his re-employment, exercise the option conceded by Article 514, of ceasing to draw pension and counting his former service, he may not thereafter do so without the permission of the Local Government.

517. Cancelled (with effect from the 9th June 1937).

518. Cancelled.

After Invalid Pension

519. There is no bar to the re-employment of an officer who has regained health after obtaining Invalid pension, or if an officer is invalidated as being incapacitated for employment in a particular branch of the service, to his re-employment in some other branch of the Service. The rules in such a case as to refunding gratuity, drawing pension, and counting service, are the same as in the case of re-employment after Compensation pension.

After Superannuation or Retiring Pension

520. An officer who is in receipt of a superannuation or retiring pension shall not be re-employed or continue to be employed in service paid from general revenues or from a local fund, except on public grounds, Sanction to re-employment or extension of the term of employment may be given as follows:—

- (i) By the Government of Pakistan in the Administrative Ministry or Division concerned, when the pensioner served before retirement in a gazetted appointment directly under the Government of Pakistan or belonged to an Imperial Service or Imperial Branch of any Service, or was [an officer] who, before retirement, held a post usually filled by officers of an Imperial Service or Branch;
- (ii) In other cases, by the Local Government under whose administration the pensioner is re-employed;
- (iii) By any authority subordinate to a Local Government to whom the Local Government may delegate its powers under this Article in respect of pensioners re-employed in establishments under the control of such authority.

Note.—(A Local Government may declare that the restrictions contained in this Article shall not apply to any particular local fund or to local funds of any particular class in its territories or that they shall apply subject to such modifications as it may direct.)

521. The authority competent to fix the pay and allowances of the appointment in which the pensioner is employed shall determine whether his pension shall be held wholly or partly in abeyance. If the pension is drawn wholly or in part, such authority shall take the fact into account in fixing the pay to be allowed to him; provided that (i) where a Local Government has delegated its power under clause (iii) of Article 520 to the Head of a Department the latter may not allow the pensioner to draw full pension in addition to the full pay of the post except when the re-employment or continued employment is for bona-fide temporary duty lasting for not more than a year or the pension does not exceed ⁹⁶[Rs.200] a month, and (ii) where the Local Government has delegated its power to any other authority subordinate to itself, such authority may not allow the pensioner to draw in full a pension of more than [Rs.200] a month in addition to the full pay of the post.

Note 1.—[Where the employment is in service paid from a local fund, the authority determining whether the pension shall be wholly or partly held in abeyance shall be either—

- (i) the authority administering the local fund, if so empowered by the Local Government by special or general orders in this behalf; or,
- (ii) in any other case, the Local Government or such other authority as the Local Government may prescribe.]

⁹⁶Substituted vide SRO.860(1)/82 [Fin. Div. notification No.F.4(3)-R.7/82], dt:-31-8-1982, Gaz. Of Pak. Part-II, P.No.1431, dt:-9-9-1982.

Note 2.—[The restrictions in this Article do not apply to ex-policemen whose pension does not exceed Rs.200 a month or to inferior servants.]

Exceptions

522. The foregoing rules do not apply to pensioners re-employed under the Court of Wards.

523. A pensioner of any class may be employed as an Extra Departmental Agent in the Post Office or as a Sub-Registrar under the law for the registration of documents remunerated by fees only.

524. Cancelled.

524-A. Deleted

In Case of Commutation of Pension

524-B In the case of a pensioner who is re-employed in Government service or in the service of a Local Fund and who commutes a portion of his pension after such re-employment, the amount of pension which the pensioner is entitled to draw under the rules in this Section shall be the amount to which he would have been entitled had there been no commutation, less the amount commuted.

524-C. In the case of a pensioner a portion of whose pension has been commuted before re-employment, the original amount of the pension should be taken into consideration in fixing the total receipts during re-employment or continued employment and not merely the uncommuted pension.

SECTION III.—MILITARY PENSIONERS

525. Except where it is otherwise expressly provided, the rules in section II of this chapter do not apply to a military officer, departmental officer, warrant or non-commissioned officer or soldier who is taken into or allowed to continue in civil employ [after he has been granted a pension under military rules]. The claims of such an officer to salary in the Civil Department are governed by Articles 526 to 528. His pension for service in the Civil Department will not be affected by his military pension.

526. (a) When a person formerly in military service obtains employment in the civil department after having been granted a military pension, he shall continue to draw his military pension, but the authority competent to fix the pay and allowances of the post in which he is re-employed shall have power to take into

account the amount of pension, including such portion of it as may have been commuted.

(b) A military officer, departmental officer, warrant or non-commissioned officer or soldier who is granted a pension under military rules while he is in civil employ, shall draw such pension while he is in civil employ, but the authority competent to fix the pay and allowances of the post in civil employ, may, with effect from the date from which the pension is granted, reduce such pay and allowances with reference to such officer or soldier by any amount not exceeding the amount of such pension.

Note 1.—If the military pension of a person does not exceed ⁹⁷Rs.200 a month, it shall not be taken into account in fixing his pay and allowances in the Civil Department, and, in the case of Junior Commissioned Officers and other Ranks, where the amount of pension exceeds Rs.200 a month, only so much as is in excess of Rs.200 shall be deducted from his pay and allowances in the Civil Department. Where such pay and allowances have been fixed after taking such pension into account, they shall be re-fixed with effect from ⁹⁸(1st September, 1982), as if the person is not in receipt of any military pension or, in the case of Junior Commissioned Officers and other Ranks, is in receipt of only such amount of military pension as is in excess of Rs.200.

527, 528 & 528-A. Cancelled.

⁹⁹[**528-B.** The pension of the widow or dependent of an officer or member of the Armed Forces, including an honorary commissioned officer, junior commissioned officer and an enrolled non-combatant of such Forces shall not be taken into account while fixing their salary on employment in any Civil Department.]

SECTION IV. —PENSION FOR NEW SERVICE

529. Except as provided in Articles 525 to 528-B, an officer who, having been discharged with a pension, is subsequently re-employed, may not count his new service for a separate pension. Pension (if any) is admissible only for the new service combined with the old, the whole being counted as one service.

530. If an officer who has obtained a Compensation or Invalid pension is re-employed in pensionable service and retains the pension (see Article 514), the pension or gratuity admissible for his subsequent service is subject to the following limitation, namely, that the gratuity or the capital value of the pension shall not be greater than the difference between the value of the pension that would be admissible at the time of the officer's final retirement, if the two periods

⁹⁷ Substituted vide SRO.860(1)/82 [No.F.4(3)-R.7/82], dt:-31-08-1982, Gaz. Of Pak., Extra. Pt-II,P.No.1431, dt:-9-9-1982.

⁹⁸ Substituted vide SRO.860(1)/82 [No.F.4(3)-R.7/82], dt:-31-08-1982, Gaz. Of Pak., Extra. Pt-II,P.No.1431, dt:-9-9-1982.

⁹⁹ Substituted vide SRO.1014(1)/79 [No.F.1(3)-Reg.7/78], dt:-6-11-1979, Gaz. Of Pak. Extra, Pt.II, P.No.1808, dt:-10-11-1979.

of service were combined, and the value of the pension already granted for the previous service.

531. (a) If a gratuity received for the earlier service has not been refunded, gratuity or pension (as the case may be) may be allowed for the subsequent service, on condition that the amount of such gratuity or the present value of such pension plus the amount of the previous gratuity shall not exceed the amount of gratuity or the present value of the pension that would have been admissible had the gratuity received for the earlier service been refunded.

(b) If the amount of such gratuity or the present value of such pension, plus the amount of the previous gratuity, exceeds the amount of gratuity or the present value of the pension that would have been admissible if the gratuity received for the earlier service had been refunded, the excess must be disallowed.

531-A. For the purposes of Articles 530 and 531, the capital or present value of a pension shall be calculated in accordance with the table prescribed by the President under the "Civil Pensions (Commutation) Rules".

¹⁰⁰**SECTION V.—COMMERCIAL EMPLOYMENT AFTER RETIREMENT**

531-B. (a) If a pensioner to whom this Article applies wishes to accept any commercial employment before the expiry of two years from the date of his retirement, he should obtain the previous sanction of the President to such acceptance. No pension shall be payable to a pensioner who accepts commercial employment without such sanction, in respect of any period for which he is so employed or such longer period as the President may direct:

Provided that a Government servant permitted by the appropriate authority to take up a particular form of commercial employment during his leave preparatory to retirement shall not be required to obtain subsequent permission for his continuance in such employment after retirement.

(b) This Article shall apply to every pensioner (other than a person mentioned in the Note below this Article) who immediately before retirement was a member of any of the All Pakistan certified Grade including the Foreign Service, or whether before or after the 15th August, 1947, of any Central Superior Civil Service or a Central Service in grade 16 and above but shall not apply in relation to any commercial employment accepted by such pensioner before the 5th December, 1953.

"Note.—This Article shall not apply to a person who having been appointed by the late Secretary of State or Secretary of State in Council to a Civil Service in India continued on or after the 15th August, 1947 to serve under the Government of Pakistan or any Province or part thereof."

¹⁰⁰ Added vide Fin. Div. Notification No.F.9(15)R1(I)/51, dt: 5-12-1953 as amended vide Fin. Div. Notification No.F.9(15)R1(I)/51, dt: 22-08-1957

(c) In this Article "Commercial employment" means employment in any capacity including that of an Agent under a Company, firm or individual engaged in trading or in a commercial, industrial, agricultural, financial, or professional business, and includes also a directorship of such company and a partnership of such firm.

¹⁰¹SECTION VI.—EMPLOYMENT UNDER A GOVERNMENT OUTSIDE PAKISTAN AFTER RETIREMENT

531-C. (a) If a pensioner to whom this Article applies wishes to accept any employment under a Government outside Pakistan, he should obtain the previous sanction of the President to such acceptance. No pension shall be payable to a pensioner who accepts such employment without prior permission, in respect of any period for which he is so employed or such longer period as the President may direct:

Provided that a Government servant permitted by the appropriate authority to take up a particular form of employment under a Government outside Pakistan during leave preparatory to retirement shall not be required to obtain subsequent permission for his continuance in such employment after retirement.

(b) This Article shall apply to every pensioner (other than) a person mentioned in the Note below Article 531-B) who immediately before retirement was a member of any of the All- Pakistan (uncertified) grade including the Foreign service, or whether before or after the 15th August, 1947, of any Central Superior Civil Service or a Central Service in grades 17 and above but shall not apply in relation to any employment referred to in clause (a) above accepted by such pensioner before the 5th December, 1953.

(c) For the purpose of this Article "employment under a Government outside Pakistan" shall include employment under a local authority or corporation or any other institution or organisation which functions under the supervision or control of a Government outside Pakistan.

Part V.—Rules Applicable to Special Departments or Special Officers

CHAPTER XXII.—THE PRESIDENT AND GOVERNORS

SECTION I.—EXISTING PENSIONS HOW AFFECTED

532. The following is the Statute Law applicable to the President and Governors, who hold or enjoy pensions:—

¹⁰¹ Added vide Fin. Div. Notification No.F.9(15)R1(I)/51, dt: 5-12-1953 as amended vide Fin. Div. Notification No.F.9(15)R1(I)/51, dt: 22-08-1957

“Provided - if any person to whom this section applies holds or enjoys any pension or salary or any office or profit under the Government or under any public office, his salary under this section shall be reduced by the amount of the pension, salary or profits of office so held or enjoyed by him.”—[5 and 6 Geo. 5, Cap. 61, s. 85, (2) (b)].

Note 1.—[A good service pension enjoyed by a Military Officer comes within the meaning of pension under the Act cited above.]

Note 2.—[The audit officer concerned, should, in each case, obtain from each of the officials mentioned in the above rule, when he assumes charge of his post, a statement as to whether he is in receipt of any pensions, or other payment, on account of which his salary is required to be reduced under this Article.]

533-542. Cancelled.

CHAPTER XXIII.—JUDGES OF THE HIGH COURTS

Statutory Rules

543. The following are the rules fixing the salaries, allowances, furloughs, retiring pensions and (where necessary) expenses for equipment and voyage of the Chief Justices and other Judges of the several High Courts, which have been made by the late Secretary of State in council under Statute 5 and 6 Geo. V., Cap. 61, s. 104.

1. (1) These rules may be called the High Court Judges Rules, 1922.
- (2) In these rules, unless there is something repugnant in the subject or context,—

“Acting Chief Justice” means a judge appointed under section 105 of Statute 5 and 6 Geo. V., Cap, 61, now section 222 of the Government of India Act 1935 to perform the duties of Chief Justice of a High Court.

“Acting Judge” means a person appointed under the said section 105 now section 222 of the Government of India Act 1935 to act as a judge of a High Court.

“Additional Judge” means a person appointed by under section 101, sub-section 2(1), of Statute 5 and 6 Geo: V., Cap. 61, now section 222 of the Government of India Act 1935, to act as Additional Judge of a High Court.

“Judge” includes a Chief Justice and Acting Chief Justice, and an Acting Judge and an Additional Judge, except where the contrary is expressed.

“Actual Service” includes—

- (a) time spent by a Judge on duty as Judge or in the performance of such other functions as he may be directed to discharge by the President;
- (b) duly authorised vacations (provided that the Judge is not absent on furlough or on leave granted under Rule 20);
- (c) joining time for a Judge on transfer from one High Court to another.

“Service for pension” Includes—

- (a) actual service;
- (b) time spent by a judge on privilege leave under the rules in force prior to the date on which these rules came into force, plus one month or the period actually taken, whichever is less, of each period of leave on full allowances taken under these rules, plus all time spent on subsidiary leave.

“Passage” means accommodation for a journey by sea, land, or air partly by one of these elements and partly by one or both of the others, between a port in Pakistan and a port outside Asia, provided that the cost payable under these rules for such accommodation shall not exceed the listed price as published by the Company from time to time of one first class fare at “B” rate by the Peninsular and Oriental Steam Navigation Company between Karachi and London by the all sea route.

Section 1—Salaries

2. Deleted.

3. The Chief justice, or Acting Chief justice of the High Courts of Lahore shall be paid a salary at the rate of Rs.60,000 per annum for the period spent on actual service.

3-A. Deleted.

4. A Judge, or Acting Judge of the High Courts at Lahore shall be paid a salary at the rate of Rs.48,000 per annum for the period spent on actual service.

4-A. Deleted.

NOTE TO RULES 3 & 4.—A person who as Chief Justice or judge drew exchange compensation allowance before such allowance was withdrawn from public service generally will be granted when and for so long as he holds the same post or a similar post on the same salary compensatory allowance equal in amount to the exchange compensation allowance for which he would from time to time have been eligible had the allowance not been withdrawn.

Section IA—Joining time

4—B. A Judge transferred from one High Court to another may be allowed joining time to the extent admissible to a Government servant under the administrative control of the President.

Section II. — Leave

5. Subject to the conditions prescribed in Rule 10, furlough granted to a Judge may be at the judge's option, either—

- (a) leave on full allowances, or
- (b) leave on half allowances, or
- (c) partly leave on full allowances and partly leave on half allowances

6. A furlough account shall be maintained for each judge.

7. (a) In the furlough account of a Judge who is already serving as a Judge when these rules come into force shall be credited:-

- (i) A period equal to double the period of privilege leave during which he would, if he had taken privilege leave on the date on which these rules come into force, have been eligible under the rules previously in force to draw salary; plus.
- (ii) the furlough standing at his credit on that date under those rules; plus
- (iii) one-fourth of the period spent by him on actual service subsequent to that date, plus:
- (iv) a period equal to double the period by which the vacation enjoyed by him in any year subsequent to that date falls short of one month by reason of his having been detained on duty as Vacation Judge, or in the performance of such other function as he may have been directed to discharge by the

President, provided that no credit shall be given under this Clause for any such period by reason of the performance of functions other than those of Vacation Judge unless the functions were performed after the 1st April 1924.

Note 1—[To Rule 7(a) (i).— [For the purpose of this rule furlough shall be credited proportionately in respect of fractions of four years actual service.]

Note 2.—[To Rule 7 (a) (ii)— [In the case of any Judge who was already in the service of the Government at the time of his appointment to the High Court, leave on half average pay or furlough without medical certificate which he had at his credit, when so appointed, under the rules applicable to the branch of the service to which he belonged, may up to a maximum of one year be treated as furlough standing at his credit for the purpose of clause (ii).]

- (b) In the furlough account of a judge who when he is appointed to the Court becomes subject to these rules shall be credited —
- (i) *[subject to the provisions of clause (iii) of this sub-rule] one-fourth of the period spent by him on actual service; plus
 - (ii) a period equal to double the period by which the vacation enjoyed by him in any year falls short of one month by reason of his having been detained on duty as Vacation Judge or in the performance of such other functions as he may have been directed to discharge by the President: Provided that no credit shall be given under this Clause for any such period by reason of the performance of functions other than those of Vacation Judge unless the functions were performed after 1st April 1924; plus
 - (iii) if he was already in the service of Government at the time being so appointed and had due to him at that time, under rules applicable to the branch of the service to which he belonged, leave, on half average pay, a period not exceeding the amount of leave so due to him and also not exceeding one year [any period of temporary service as Judge which may have been included in calculation under this clause being excluded from calculations under clause (i) of this sub-rule.]

8. The amount of furlough debited against a Judge's furlough account shall be the actual period of furlough taken subsequent to the date on which these rules come into force. In computing this period, leave on full allowances shall be treated as equivalent to double the amount of furlough.

* Takes effect from the 9th October, 1929.

9. The amount of furlough due to a Judge is the balance of furlough at the credit in his furlough account.

10. Furlough due to a Judge may be granted to him subject to the following restrictions:—

- (a) The aggregate amount of furlough granted to him during whole period of service as Judge shall not exceed three years plus the aggregate of the periods, if any, credited to his account under Rule 7, sub-rule (a), clauses (i) and (iv) or Rule 7, sub-rule (b), clause (ii). In computing the amount of furlough taken, leave on full allowances shall be treated as equivalent to double the amount of furlough.
- (b) The aggregate amount of leave on full allowances granted to him, including the furlough on double allowances granted under the rule previously in force, during his whole period of service as a Judge shall not exceed either—
 - (i) one-half of the period, if any, credited to his account under Rule 7, sub-rule (a) clauses (i) and (iv), or Rule 7 sub-rule (b), clause (ii); plus one year; minus the aggregate of the periods, if any, of commuted furlough or of leave on average pay subject to a maximum taken by him under the rules applicable to the branch of the service to which he belonged prior to his appointment as a Judge.
 - (ii) (A) One-twenty-fourth of the period spent by him on actual service, plus (B) one-half of the period allowed to be treated as at credit by Note 2 under Rule 7, sub-rule (a), clause (ii) plus (C) one-half of the periods, if any, credited to his account under Rule 7, sub-rule (a), clause (i) and (iv) or rule 7 sub-rule (b) clauses (ii) and (iii) whichever is less.

Note.—[The total of (A) and (B) is subject to the limit of one year.]

- (c) The maximum period of leave on full allowances granted at any one time shall be five months.
- (d) The maximum period of furlough granted at any one time shall be 16 months. In computing this period, leave on full allowances shall be treated as equivalent to an equal amount of furlough.

- * (e) In the case of a Judge who was already in the service of Government at the time of being so appointed, any period of temporary service as Judge which may have been included in the calculations under Rule 7, sub-rule (b) clause (iii) and therefore, under sub-rule (b) clause (iii) (C) of this Rule also, shall be excluded from the calculations under sub-rule (b), clause (ii) (A) of this Rule.

11. On condition that the maximum limit prescribed in Rule 10, clause (a), is not exceeded leave on half allowances may be granted to a Judge to whom it is not due—

- (a) on medical certificate, or
- (b) otherwise than on medical certificate, for not more than six months and not more than once during the whole period of his service as a Judge.

12. A Judge on Leave in Europe must, if the leave was granted or has been extended on a medical certificate, satisfy the Medical Board at the office of the High Commissioner for Pakistan in the U. K. as to his fitness to return his duty. Ordinarily he must attend at London residing at a distance for examination by the Board, but, special cases particularly if he be of more than 60 miles from London, a certificate from two medical practitioners, in a form to be obtained from the High Commissioner may be accepted. On the required evidence of fitness being furnished, the judge will receive from the High Commissioner permission to return to Pakistan. The authority granting the leave may require a similar certificate in the case of any Judge who takes leave any locality for reasons of health, even though such leave is full-actually granted on a medical certificate.

13. Furlough taken in Pakistan shall be reckoned from the date on which Judge quits his office to the date of his resuming duty. Furlough taken out Pakistan shall be reckoned from the date of embarkation at the port of departure from Pakistan to the date of debarkation on return to Pakistan, except in a case falling under Rule 17.

14. If furlough be taken partly in Pakistan and partly out of Pakistan, the commencement and termination of the furlough shall be respectively determined under the provisions of Rule 13 according as the furlough begins or ends in or out of Pakistan.

15. For the interval between the date of quitting his office and the commencement of furlough out of Pakistan and between the termination of furlough out of Pakistan and resuming his office, a Judge may be allowed a

* Takes effect from the 9th October, 1929.

subsidiary leave not ordinarily exceeding 30 days, which in special cases may be extended.

16. A Judge, when on furlough or subsidiary leave, shall receive allowances or the monthly rates shown in the following table:—

	When resident in Asia during furlough	When resident outside Asia during furlough.
	Rs.	£
Leave on half allowances	1,110	111
Leave on full allowances	2,220	222
Subsidiary leave	1,100	...

Note.—[For the first month, of any period of leave on full allowances in lieu the allowance in the above table a judge may draw his salary.]

17. Subject to the condition that no judge is appointed to act in his place during the vacation, a Judge may take furlough in combination with vacations on full salary:—

- (a) when the vacation consists of one continuous period, either at the beginning or end thereof, but not both, or
- (b) when the vacation is divided into two separate periods, for the interval, or any part thereof, between the two periods of the same vacation, or between the second part of one vacation and the commencement of the next ensuing vacation.

18. Except under medical certificate, the number of furloughs to be granted at any one time and the grant of furlough to individual Judges shall be subject to and limited by the exigencies of the service, which exigencies shall be determined exclusively by the authority with whom rests the question of granting the furlough.

19. Application for furlough not supported by medical certificate shall be granted usually in the following order:—

The Judge who has the greatest amount of furlough due to him under Rule 9 shall have the preference. If two or more applicants are on an equality in this respect, preference shall be given to the applicant whose actual service in a High Court is longest, reckoning in the case of a Judge who has not

taken furlough or leave granted under Rule 20 from the date of the commencement of his service in the High Court, and in the case of a Judge who has taken furlough, subsidiary leave or leave granted under Rule 20 from the date of his last return from such furlough or leave. If two, or more applicants are equal in both the above-mentioned respects, the preference shall be given to the senior in the Court.

20. If the Government in its discretion deems it necessary, in any special instance, to grant to any Judge leave of absence for which no express provision is made in the foregoing rules, the judge shall be entitled to draw no salary or allowances during such leave. Such leave shall in no case exceed six months and shall not be granted more than once during the whole period of the Judge's service as a Judge.

21. Applications for leave shall in all cases be submitted and returns to duty, whether from leave or vacation, shall in all cases be reported in such manner as the Government shall from time to time prescribe.

22. No substantive appointment shall be vacated merely by the reason of leave being granted under these rules.

22-A. When the day immediately preceding the day on which a Judge's leave or vacation begins or immediately following the day on which his leave, vacation or joining time expires is an authorised holiday, or one of a number of consecutive authorised holidays, the Judge may leave his station at the close of the day before, or return to it on the day following such holiday or holidays provided that no Judge is appointed to act in his place during the period.

23. If a Judge overstays any leave or any vacation whether combined with furlough or not he shall forfeit all salary during the time of his remain so absent; and if he over-stays his leave or vacation for more than one week, his office shall be liable to be declared vacant; Provided that if the overstayal is due to circumstances beyond his control the period of overstayal may, at the discretion of the authority with whom rests the question of granting furlough, be treated as furlough and be debited to his furlough account under rule 8. A Judge on leave or vacation is not obliged to return to duty, on an authorised holiday, unless another officer is officiating as Judge in consequence of his absence.

Section III—Pensions

24. Subject to the proviso hereinafter set out, a Judge of a High Court shall receive, according to the length of his service for pension, a pension corresponding to the rates specified in the table that follows:—

	If service includes service as chief justice		Judge who is not a member of the Civil Service Pakistan	Judge who is a member of the Civil Service Pakistan
	Not less than 5 $\frac{3}{4}$ years	Not less than 2 $\frac{1}{2}$ years but less than 5 $\frac{3}{4}$ years		
Length of service for pension	As Chief Justice in any High Court	As Chief Justice in any High Court	Any High Court	Any High Court
	2	3	4	5
	£	£	£	£
6 $\frac{1}{2}$ year but less than 8 $\frac{1}{2}$ years.	750	650	600	170
8 $\frac{1}{4}$ year but less than 10 years.	900	780	720	120
10 year but less than 11 $\frac{1}{2}$ years.	1,200	1,040	960	160
11 $\frac{1}{2}$ year and over.....	1,500	1,300	1,200	200

Provided that no Judge shall receive such pension who has not attained the age of 60 years unless he either retires on medical certificate or has had service for pension of at least 11 $\frac{1}{2}$ years.

25. Except in the case of a member of the Civil Service, Pakistan who may draw the pension shown in column 5 of the table in Rule 24 in addition to the pension for which he is eligible under the ordinary rules relating to that service, a Judge receiving a pension under Rule 24 will not be entitled to any other pension or retiring allowance.

25-A. (1) If a Judge of a High Court who is not a member of the Civil Service Pakistan is permitted to retire before completing one of the periods of service for pension specified in column 1 of the annexed table in a High Court but after completing that period of service in a High Court and a Chief Court combined or in a High Court and of the Judicial Commissioner's Court Sind, and if under the rules applicable to him he might receive the pension specified in column 2 of the annexed table if his total combined service had been in the Chief Court, or in the Judicial Commissioner's Court he shall receive a pension according to the length of his combined service for pension calculated in accordance with the following rule:—

Subject to the proviso hereinafter set out he shall receive a pension at rate specified in column 3 if his previous service was in a Chief Court or at rate specified in column 4 if his previous service was in a Judicial Commissioner's

Court to which shall be added the amount obtained by multiplying by the number of his completed years of service for pension in a High Court, the difference between the amount in column 2 of the table for the same total period of service and the amount in column 3 or in column 4 as the case may be, and dividing the result by the lower limit of years for the same period of service in column 1.

Length of service for pension	Any High Court	Chief Court	Judicial Commissioners Court
1	2	3	4
	£	£	£
(a) 6 $\frac{3}{4}$ year but less than 8 $\frac{1}{2}$ years.	600	500	370
(b) 8 year but less than 10 years.	720	600	450
(c) 10 year but less than 11 $\frac{1}{2}$ years.	960	800	600
(d) 12 year and over.....	1200	1000	750

Provided that no Judge shall receive a pension calculated in accordance this rule who has not attained the age of 60 years unless he either retires medical certificate or has had a service for pension of at least 11 $\frac{1}{2}$ years in a High Court and Chief Court combined, or in a High Court and a Judicial Commissioner's Court combined.

(2) If a Judge of a High Court, who has completed not less than 2 $\frac{1}{2}$ years' service for pension as a Chief Justice of a High Court, is permitted to retire with a pension calculated under sub-rule (1), he shall receive an additional pension of the difference between the amounts for his combined service for pension as a Judge shown in columns 2 and 4 or in columns 3 and 4 or the table in rule 24, according as his service for pension as a Chief Justice was not less than 5 $\frac{3}{4}$ years or not less than 2 $\frac{1}{2}$ years, respectively.

(3) If a Judge of a High Court, who is a member of the Civil Service, Pakistan, is permitted to retire before completing 6 $\frac{3}{4}$ years' service for pension in a High Court but after completing that period of service in a High Court and a Chief Court combined or in a High Court and one of the Judicial Commissioner's Courts of Sind, he shall receive in addition to the pension for which he is eligible under the ordinary rules relating to that service a pension of £100 divided by 6 $\frac{3}{4}$ for each completed year of service for pension as a Judge of a High Court. Provided that no Judge shall receive an additional pension calculated in accordance with this rule who has not attained the age of 60 years, unless, he either retires on medical certificate or has had a service for pension of at last 11 $\frac{1}{2}$ years in a High Court and Chief Court combined, or in a High Court and a Judicial Commissioner's Court combined.

(4) If a Judge of a High Court, who has rendered previous service both in a Chief Court and in one of the specified Judicial Commissioners Courts is permitted to retire the above provisions may be applied by either—

- (a) Omitting service in Judicial Commissioner's Court, or
- (b) Treating service in a Chief Court as service in a Judicial Commissioner's Court.

25-AA. The President may, for special reasons, direct that any period not exceeding three months shall be added to a Judge's service for pension.

25-B. Pensions paid in Pakistan shall be issued in rupees and converted at such rate or exchange as the President may by order prescribe
Provided that pensioners of the following classes may, at their option, convert their pensions into rupees at the rate of 1s. 4d. to the rupee as long as they are in Pakistan and continue to have their permanent residence there:—

- (1) Pensioners resident in Pakistan who were on 1st February 1921 in receipt of pensions converted at that rate;
- (2) Pensioners of Pakistan domicile who were on 1st February 1921 temporarily drawing their pensions in sterling;
- (3) Pensioners who were in Government service on 1st February 1921, and who at that date were of Pakistan domicile.

Provided further that the pension of any pensioner referred to in clause (1), (2) or (3) who has commuted any part of his pension after the 10th day of October 1928, shall be converted at the rate of exchange prescribed by the President as hereinbefore provided and to the resulting pension shall be added, so long as he is in Pakistan and continues to have his permanent residence there, the difference between the values of the full sterling pension * [less any portion commuted before the 11th October 1928] converted at the rate of 1s. 4d. respectively.

26. When a Judge, who at the time of his appointment to a High Court was a member of one of the Government Services in Pakistan is permitted to retire without a pension under the preceding rules, he shall receive such a pension as he might receive under the rules applicable to the branch of the Service to which he belonged when so appointed, reckoning the period of his service as a Judge of a High Court towards service for that pension.

* Takes effect from the 29th April, 1930.

27. If a Judge, who at the time of his appointment to a High Court was a member of one of the Government Services in Pakistan is permitted to retire after six years and nine months of service for pension as Judge, he shall have the option of taking his pension or retiring allowance either under these rules or under the rules applicable to the Branch of the Service to which he belonged when appointed, reckoning in the latter case, the period of his service as Judge of a High Court towards his service for pension under those rules.

28. The words “a member of one of the Government Services in Pakistan” in Rules 26 and 27 include an acting member, and for the purpose of these rules acting service in the appointment held at the time of appointment as a Judge of the High Court shall be regarded as substantive.

29. In the event of the appointment, to be a Judge of a High Court of a retired Judge who is in receipt of a pension under preceding rules, the President shall decide in each case whether his salary shall be reduced by the amount of such pension, or by any part of such amount.

30. No Judge, selected from the Civil Service, Pakistan shall receive any pension under these rules unless he shall have fully complied with all the rules and regulations in force for the time being so to payments to be made by him as a member of the Indian Civil Service on account of the provision for pension to his wife and children...

31. If a Judge is transferred from one High Court to another, the period he has served in each Court shall count towards his qualification for pension.

32. A Judge appointed under Statute 5 and 6 Geo. V, Chapter 61, section 105, to perform the duties of Chief Justice is, not a Chief Justice within the meaning of these rules as to pension: provided that, if such Judge be afterwards appointed to be a Chief Justice, the period during which he performed duties of Chief Justice as aforesaid shall count as service for pension according to the table in Rule 24;

32-A. The Civil Pensions (Commutation) Rules shall, as far as possible, apply to the Judges.

33. The above rules shall apply to every Judge now holding office, as well as to those who may be hereafter appointed.

Section IV.—Expenses for Equipment and Voyage

34. For the purpose of defraying the expenses of equipment and voyage from Europe on first appointment there shall be allowed—

To a Chief Justice or other Judge of one of the several High Courts in Pakistan 500 pound, if permanently resident in Europe at the time of appointment, provided that the allowance is not payable to a Chief Justice or Judge who was a member of the Government services in Pakistan at the time of his retirement.

SECTION V.—TRAVELLING ALLOWANCES

- 35.** (1) A Judge is entitled when travelling on duty —
- (i) when travelling by railway, to a reserved first class compartment, and to fares (if actually paid) for four servants at lowest class rates;
 - (ii) when travelling by steamer, to a reserved cabin (if one is available) and to fares (if actually paid) for four servants at lowest class rates, subject to the usual deduction on account of messing charges; and
 - (iii) when travelling by road, to mileage of one rupee. He is also entitled to draw daily allowance at the rate of 15 rupees for each day on which he has been engaged on inspection work:

Provided that if any persons (other than four servants) accompany him in his reserved accommodation, fares shall be payable by him on their account, and if full tariff rates have been paid for the accommodation shall be credited to Government.

(2) For the purposes of this rule, a Judge shall be deemed to be travelling on duty if, not being a Vacation Judge, he travels:—

- (a) from any place in Pakistan for the purpose of doing duty during the vacation in the High Court of which he is a Judge, or
- (b) during the vacation for the purpose of returning to any such place after completion of such duty.

35-A. A Judge is entitled, in addition to allowances admissible under Rule 35, to recover the actual cost incurred by him while travelling on inspection or circuit duty on the transport of a conveyance and two horses or of a motor car, including the fares of one syce for each horse or one driver or cleaner for the car.

35-B. Deleted.

36. Deleted.

37. When a Government servant, appointed to be a Judge, travels by railway to join his post, he may, at his option and in lieu of drawing travelling allowance under the ordinary rules governing a journey on transfer applicable to him, travel in reserved first class compartment.

The Government servant, when he avails himself of this concession, must pay to Government, the fare which he would have paid if no accommodation had been reserved, and must in addition, pay in cash to the station master of the station from which the journey commences, the fares for any members of his family accompanying him, whether they share his reserved accommodation or not. When Government pays full tariff rates for the accommodation all such fares will be credited to Government.

38. When a person not already in Government service is appointed to be a Judge, he may, when travelling by railway to join his post, travel in a reserved first class compartment on the condition described in rule 37.

39. When a Judge travels by railway—

- (i) when proceeding on or returning from leave (including vacation spent outside Pakistan), or
- (ii) when retiring from the service or proceeding to join another post after resigning office, he may travel in a reserved first class compartment on the condition described in rule 37.

40. When a Judge is transferred from one High Court to another there shall be paid to him the expenditure actually incurred by him on his journey by railway or by steamer to the place of the sitting of the other High Court for the transport of the following persons and goods:—

- (i) The Judge himself by a reserved first class compartment or a reserved first class cabin (if one is available);
- (ii) any members of the family of the Judge normally resident with him do not travel in the reserved compartment or cabin by passenger train or steamer at first class rates; for the purpose of this rule the family of the Judge means his wife, his legitimate children and his step-children residing with him;
- (iii) personal servants not exceeding eight in number by passenger train or steamer at lowest class rates;
- (iv) personal effects, not exceeding the expenditure which would be incurred in the transport of 60 maunds of goods by road and by

goods train or steamer, and the expenditure incurred in embarking and dis-embarking such personal effects; and

- (v) conveyance and two horses or a motor car by passenger train or by steamer at owner's risk.

Section VI.—Passages during term of office

41. (1) A member of the Civil Service Pakistan appointed to be a Judge on or the 1st April 1924, shall be entitled to the benefits of Rule 12 of the Superior Civil Services Rules.

(2) A member of the Civil Service Pakistan appointed to be a Judge after the 1st April 1924, shall be entitled, to the benefits of Rule 12 of the Superior Civil Services Rules to the extent of the balances standing to his credit in his passage account and in the passage accounts of his wife and children at the date of his appointment as Judge.

***42.** A Judge who is not a member of the Civil Service Pakistan but whose domicile at the date of his appointment was elsewhere than in Asia shall be entitled to the benefits of Rule 12 of the Superior Civil Service Rules to the same extent and under same conditions as if on the date of his appointment as Judge he had been appointed to one of the posts specified in Appendix A to Schedule IV to the Superior Civil Services Rules:—

Provided that such a Judge shall not be entitled to the concession admissible under Regulation 7 of that Schedule; and further that if he has received an allowance under Rule 34, he shall not be entitled to a passage for himself or for his wife until the completion of five years, or to a second passage until the completion of ten years' total service as a Judge of a High Court.

SECTION VII.—RESIDENTIAL ACCOMMODATION

43. If a Judge is provided with residential accommodation, either leased or owned by Government, it shall be on such conditions in regard to the payment of rent and otherwise as are for the time being applicable to members of the Civil Services Pakistan serving under the administrative control of the President in the town in which the headquarters of the Court to which the Judge belongs is situated.

* There revised rules take effect from the 1st April, 1924.

SECTION VIII.—PROVIDENT FUND

44. A Judge who is not a member of the Civil Service Pakistan shall be entitled to subscribe to the General Provident (Superior Civil Services) Fund in according with the rules of that Fund:

Provided that nothing in this rule shall have effect so as to give to a Judge who is a member of a Civil Service of Government less favourable terms in regard to General Provident Fund benefits than those to which he would be entitled as a member of the Civil Service if he had not been appointed a Judge.

Reversion to the General Service

544. (a) An officer subject to the rules of any of the other Chapters of these Regulations, who has for a time been removed from the operation of such rules by reason of officiating as Judge of the High Court, shall, on return to general service, have to his credit the same amount of service towards Privilege leave as was at his credit when he began to officiate as High Court Judge.

(b) In addition to this, he is entitled to count towards Privilege leave, under the rules to which he is subject, any period that elapsed since he last obtained Privilege leave or enjoyed vacation as High Court Judge, which he could have counted for Privilege leave as a High Court Judge if his officiating service had been prolonged until leave became admissible under the rules applicable to Judges of the High Court.

545. If a Judge, who is a member of the Civil Service Pakistan or a Statutory Civil Servant, shall be permitted to resign his office and remain in the service, all leave which he may have taken as a Judge of the High Court shall be reckoned as if it had been taken under the rules for the leave of absence of members of the Civil Service Pakistan or Statutory, Civil Servants, as the case may be.

545-A. A Chief Judge of a Chief Court who before his appointment as such was a permanent Judge of a High Court in Pakistan shall be entitled on retirement from the Chief Court to a pension equal to that which he would have received had the period of his service as Chief Judge of a Chief Court been rendered as a Judge of a High Court.

CHAPTER XXIV.—BARRISTER, VAKIL, PLEADER, SOLICITOR OR ATTORNEY APPOINTMENTS

546. No Civil officer, whether a member of the Civil Service Pakistan or otherwise is entitled to any special privileges by reason his being a Barrister, Vakil, Pleader, Solicitor or Attorney, unless on his first admission to the service he is appointed to some office in which the Local Government, with the sanction of

the Government Pakistan, has declared it to be necessary on public grounds to employ a Barrister, Vakil, Pleader Solicitor or Attorney.

Note.—[This Article is intended to debar from the benefits of this Chapter (1) a Barrister, Vakil, Pleader, Solicitor or Attorney who first enters Government service in an appointment to which it is not certified to be necessary to appoint such an officer, and (2) a member of an ordinary Government service who happens also to be a Barrister, Vakil, Pleader, Solicitor or Attorney.

If, however, there are special circumstances which appear to justify a departure from the general rule in the case of any individual officer, as; for example, when a permanent appointment to which the subsequent provisions of this Chapter ordinarily apply, follows a purely temporary incumbency in one which would ordinarily disqualify from the benefits of those provisions, the case should, if it is desired to grant any concession, be referred to the Government of Pakistan before the officer is confirmed in the later appointment.]

547. (a) The following officers, not being members of the Civil Service Pakistan are entitled to the special privileges detailed in this Chapter:—

Barrister and Pleader Judges of Chief Court, the Administrator—General and Official Trustee, East Bengal, Additional Judicial Commissioner of Sind, and of the North-West Frontier Province, Legal Remembrancer and Secretary to the Legislative Assembly, Punjab,

If Barristers

(b) The following officers, not being members of the Civil Service Pakistan; enjoy the special pensionary concessions mentioned in Article 549:—

Additional Judicial Commissioner of Sind and of the North-West Frontier Province.

If Vakil or Pleader

Leave Rules

548. (a) Except in the case of the Legal Remembrancer and Secretary to the Legislative Assembly, Punjab, the Rules which regulate the furlough and leaves of absence of High Court Judges (Article 543, Rules 6 to 26) are also applicable to the officers in the preceding Article.

(b) The allowances of these officers while on Furlough or Subsidiary leave must not exceed half their salaries at the time proceeding on leave, and are limited also to the rate prescribed in Rule No.15, Article 543.

(c) Deleted. [With effect from the 27th May, 1930.]

Special Pensions

549. (a) Special pensions are admissible on the following scale, by the officers named in Article 547 are otherwise subject to "Ordinary Pension" Regulations in Part IV:—

Length of actual Service.	Pension Admissible		
	Barrister and Pleader Judges of Chief Court	Additional judicial Commissioner of Sind and of the North West Frontier Province	Barrister Incumbents Of the other Appointments enumerated in Article 547
	£	£	£
6 ¾ year but less than 8 ½ year.	500	375	375
8 ½ years but less than 10 year.	600	450	450
10 years but less than 11 ½ years.	800	600	600
11 ½ years and over	1,000	750	750

No officer who has not attained the age of 60 years shall receive a pension under this Article unless he either retires on medical certificate or has had an actual service of at least 11 1/2 years.

Note.—[A Chief Court Judge who renders officiating actual service as a High Court Judge is entitled to count such service as actual service for a pension as a Chief Court Judge. A Legal Remembrancer and Secretary to the Legislative Assembly Punjab, who is appointed a Judge of the High Court and does not complete 11 1/2 years actual service in either of the appointments is entitled to count his actual service in the High Court towards the maximum pension of 750 pound a year admissible under this Article.]

(b) The actual service of the officers referred to in Article 547 includes, besides time spent on duty, whether in substantive or acting service, Privilege leave, Subsidiary leave, and periods of vacation during which the officer is not on Furlough or Extraordinary leave:

Provided that in the case of officers, who are entitled to leave under the High Court Judges Rules, 1922, 'actual service' shall have the same meaning as 'service for pension' as defined in those Rules.

Compulsory Retirement

550. Officers to whom the rules of this Chapter applied on the 25th June, 1901 are exempt from the rule in Article 459 regarding retirement at 55 years of

age. Officers who after that date become subject to the rules in this Chapter are required to retire on attaining the age of 60 years.

Note.—[The rule in the second sentence of this Article applies to officers, not being members of the Civil Service Pakistan who hold the appointments enumerated in Article 547, but do not fulfil the conditions of Article 546.]

CHAPTER XXV — MEMBERS OF THE CIVIL SERVICE PAKISTAN

Date of Arrival in Pakistan

551. The date of an officer's first arrival in Indo Pakistan Subcontinent is held to be the date on which he reports his arrival at the capital town of the Presidency or province to which he has been posted by the Government of India or Pakistan or at any other station to which he may proceed under the orders of the Local Government.

552. Article 187 in Chapter IX (joining time) provides for the case of an officer being unable from illness to proceed to the seat of Government.

Rules regarding Pay and Allowances

553. Unless there be something repugnant in the subject or context, pay and allowances are governed by the rules in Part II. Acting allowances are calculated in accordance with the rules in Articles 104 & 108.

Leave Rules

554. The leave rules applicable are the European Service Leave rules in Part III.

1. The rules applicable to a member of the Pakistan Civil Service occupying the position of a High Court Judge are laid down in Chapter XXIII.

2. The grant to a member of the Civil Service Pakistan occupying the position of a Chief Court Judge of privilege leave, and the conditions under which leave may be combined with vacation on full pay, are regulated by Rules 17 and 24(A), Article 543.

555. Except in the case of Judges of Chief Courts, no leave but Privilege leave may be granted to an officer who has completed thirty-five years' service. Any leave other than Privilege leave granted before such date ceases to have effect on the date the officer completes thirty-five years' service.

Four Per Cent. Deductions

556. Four per cent. shall be deducted at the time of payment from every officer's pay, and from such of his other public emoluments as are mentioned below:

Every allowance excepting—

- (1) Minimum furlough allowance,
- (2) Subsistence allowance while on furlough,
- (3) Establishment allowance,
- (4) Sumptuary allowance,
- (5) Travelling allowance,
- (6) Tentage.

The amounts so deducted shall be funded for the benefit of officer himself with effect from the 1st April, 1919. They shall be returned to him on retirement, or his legal representative in case of death, with the same interest as is allowed on subscriptions to General Provident Fund.

Note 1.—[Fees or honoraria paid by Government to Examiners for conducting examinations and rewards for passing examinations in languages are not liable to the deduction prescribed in this Article.]

Civil Fund Deductions

557. Deductions on account of subscriptions to Civil Funds shall be made at the time of payment from the emoluments of officers according to the rules of the Fund to which the officer belongs. The Funds are –

- A.— Bengal Civil Fund
- B.— Madras Civil Fund
- C.— Bombay Civil Fund
- D.— Indian Civil Service Family Pension Regulations.

Note.—[The rates of subscriptions to the several Funds are given in Appendix II.]

558 & 559.—Cancelled.

560. (a) The recovery of subscriptions due on the absentee allowances of subscribers to the Bengal, Madras, and Bombay Civil Funds, is made under the following rules:

(1) If the officer is on leave out of Pakistan and draws his allowances in England and has not paid his subscription in advance, or made arrangements for its payment in Pakistan as it falls due, recovery will be made at London by the High Commissioner for Pakistan in the U.K. by deduction from his absentee allowances, unless he is a member of the Bengal or Madras Civil Fund, and has exercised the option allowed to members of those funds of postponing the payment of his subscriptions until after return to duty.

N.B.— [The option allowed to subscribers to the Bengal Civil Fund of postponing payment of subscriptions on absentee allowance is limited to a period of one year.]

(2) For payment of leave allowances in any of His Majesty's colonies, warrants will be issued only on condition that the subscriptions shall be either paid in advance or taken by deduction; in the latter case the warrant to the colony should show only the net allowance payable after such deduction.

(b) The recovery of subscriptions due on the absentee allowances of subscribers to the Indian Civil Service Family Pension Regulations is made under the following rules:—

(1) If the subscriber is in Europe, the rules require his subscription to be paid in England in sterling and recovery of it will therefore be made at London by deduction from his absentee allowances.

(2) For the payment of leave allowances in the colonies, the warrants issued will show the gross allowances payable, with instructions to recover the amount of monthly subscription due in sterling.

Retirement and Annuity

561. An officer who has been twenty-five years in the service, counting from the date of his covenant [or from the date of the dispatch of the Late Secretary of State announcing his appointment (whichever may have been earlier)]*and who has rendered twenty-one years' active service, is entitled, on his resignation of the service being accepted, to an annuity of Rs.10,666-10-8. This annuity is subject to a minimum of £.1,000.

¹⁰²**[561-A.** The pension of an officer of the former Indian Civil Service who retires from service after the 30th June, 1966, and who has not elected to be

¹⁰²Inserted vide Fin. Div. notification No.F.4(4)-RS/68, dt:-30-1-1971.

governed by Article 561, shall be regulated under Article¹⁰³{474B}; provided that an officer who has been twenty-five years in service and has rendered twenty-one years' active service shall, on his resignation from service being accepted, be entitled to an ordinary pension of Rs.13,333.34per annum.]

562. An officer who resigns the service will, by such resignation, vacate any office under the Government which he may then be holding. But this rule does not apply to the offices of President and Governor of East Bangal.

563. Deleted.

564. An officer who, having arrived in India/Pakistan, is declared by a medical certificate in due form to be incapacitated for further service, and is thereupon permitted to resign the service before he is entitled to an annuity under Article 561, is entitled to a gratuity or annuity as follows:—

(a) If invalided on or after the 1st April 1919—

For total active service of less than 4 years-a gratuity of Rs.5,333 $\frac{1}{3}$ subject to a minimum of £.500.

For total active service of not less than 4 years but less than 5 years-an annuity of Rs. 1,600 subject to a minimum of £.150.

For total active service of not less than 5 years but less than 6 years-an annuity of Rs.1,813 $\frac{1}{3}$ subject to a minimum of £.170.

For total active service of not less than 6 years but less than 7 years-an annuity of Rs.2,133 $\frac{1}{3}$ subject to a minimum of £.200.

For total active service of not less than 7 years but less than 8 years - an annuity of Rs.2,453 $\frac{1}{3}$ subject to a minimum of £.230.

For total active service of not less than 8 years but less than 9 years - an annuity of Rs.2,773 $\frac{1}{3}$ subject to a minimum of £.260.

For total active service of not less than 9 years but less than 10 years- an annuity of Rs.3,093 $\frac{1}{3}$ subject to a minimum of £.290.

For total active service of not less than 10 years but less than 11 years- an annuity of Rs.3,413 $\frac{1}{3}$ subject to a minimum of £.320.

For total active service of not less than 11 years but less than 12 years- an annuity of Rs.3,840 subject to a minimum of £.360.

For total active service of not less than 12 years but less than 13 years-an annuity of Rs.4,266 $\frac{2}{3}$ subject to a minimum of £.400.

For total active service of not less than 13 years but less than 14 years-an annuity of Rs.4,693 $\frac{1}{2}$ subject to a minimum of £.440.

For total active service of not less than 14 years but less than 15 years-an annuity of Rs.5,120 subject to a minimum of £.480.

For total active service of not less than 15 years but less than 16 years-an annuity of Rs.5,760 subject to a minimum of £.540.

¹⁰³Substituted vide SRO.227(I)/83 [No.F.6(4)-REG(6)/81], dt:-17-2-1983, Gaz. Of Pak., Extra.Pt.II, P.No.329, dt:-8-3-1983.

For total active service of not less than 16 years but less than 17 years-an annuity of Rs.6,400 subject to a minimum of £.600.

For total active service of not less than 17 years but less than 18 years-an annuity of Rs.7,040 subject to a minimum of £.660.

For total active service of not less than 18 years but less than 19 years-an annuity of Rs.7,680 subject to a minimum of £.720.

For total active service of not less than 19 years but less than 20 years-an annuity of Rs.8,320 subject to a minimum of £.780.

For total active service of not less than 20 years but less than 21 years-an annuity of Rs.8,960 subject to a minimum of £.840.

For total active service of not less than 21 years-an annuity of Rs.9,600 subject to minimum of £.900.

(b) If the officer was in service on the 5th November 1919, he may, at his option obtain a gratuity or annuity according to the following scale:—

For less than 5 years' service-as gratuity of Rs.5,335 $\frac{1}{3}$ subject to a minimum of £.500,

For 5 years' completed service an annuity of Rs.1,600 subject to a minimum of £.150.

For 6 years' completed service an annuity of Rs.1,813 $\frac{1}{3}$ subject to a minimum of £.170.

For 7 years' completed service an annuity of Rs.2,026 $\frac{2}{3}$ subject to a minimum of £.190.

For 8 years' completed service an annuity of Rs.2,240 subject to a minimum of £.210.

For 9 years' completed service an annuity of Rs.2,453 $\frac{1}{3}$ subject to a minimum of £.230.

For 10 years' completed service an annuity of Rs.2,666 $\frac{2}{3}$ subject to a minimum of £.250.

For 11 years' completed service an annuity of Rs.2,880 subject to a minimum of £.270.

For 12 years' completed service an annuity of Rs.3,093 $\frac{1}{3}$ subject to a minimum of £.290.

For 13 years' completed service an annuity of Rs.3,413 $\frac{1}{3}$ subject to a minimum of £.320.

For 14 years' completed service an annuity of Rs.3,733 $\frac{1}{3}$ subject to a minimum of £.350.

For 15 years' completed service an annuity of Rs.4,053 $\frac{1}{3}$ subject to a minimum of £.380.

For 16 years' completed service an annuity of Rs.4,373 $\frac{1}{3}$ subject to a minimum of £.410.

For 17 years' completed service an annuity of Rs.4,693 $\frac{1}{3}$ subject to a minimum of £.440.

For 18 years' completed service an annuity of Rs.5,013 $\frac{1}{3}$ subject to a minimum of £.470.

For 19 years' completed service an annuity of Rs.5,333 $\frac{1}{3}$ subject to a minimum of £.500.

For 20 years' completed service an annuity of Rs.5,653 $\frac{1}{3}$ subject to a minimum of £.530.

For 21 years' completed service an annuity of Rs.5,973 $\frac{1}{3}$ subject to a minimum of £.560.

For 22 years' completed service an annuity of Rs.6,293 $\frac{1}{4}$ subject to a minimum of £.590.

For 23 years' completed service an annuity of Rs.6,613 $\frac{1}{3}$ subject to a minimum of £.620.

For 24 years' completed service an annuity of Rs.7,040 subject to a minimum of £.660
 For 25 years' service (of which less than 21 years have been active service) Rs.7,466 2/3
 subject to a minimum of £.700.

564-A. Officers who, prior to their civil employment, have rendered whole-time enlisted or commissioned service between the 4th August, 1914, and the 31st August 1921, in His Majesty's Military, Naval or Air Forces, British or Indian, which, did not earn a service pension under the Military, Naval or Air Forces Rules, shall count completed years of such service, including sick leave taken during such service, up to a maximum of four years, for the purposes of Articles 561 and 564 subject to the following conditions:—

- (1) Only service rendered after the attainment of age of 23 years shall be allowed to count.
- (2) Save as stated in Note 2, no refund of bonus or gratuity received in respect of such service shall be required from the officer.

Note 1.—Members of the service (excluding Surplus Officers of the Army) shall be entitled to the concession allowed by the substantive portion of this Article or to the following concession whichever is more favourable:—

Service in His Majesty's Forces will count for active and total service for annuity, including invalid annuity, as follows:—

Candidates who had attained the age of 25 but were under the age of 27 years on the 1st August preceding their arrival in India or Pakistan, may count a period not exceeding one year, provided that such period was spent on whole-time enlisted or commissioned service (including sick leave) between the 4th August, 1914, and the 31st August 1921. Candidates of 27 years and over on the 1st August preceding their arrival in India or Pakistan may similarly count a period not exceeding two years subject to the same proviso.

Note 2.—Officers of the Indian Army retired as surplus under the terms of the Royal Warrant of 25th April, 1922, shall be entitled to the concession allowed by the substantive portion of this Article or to the following concession whichever is more favourable:—

They shall be allowed to count as active and total service for annuity including invalid annuity, all service in the Indian Army (excluding service in the British Army which would have counted for Indian Army pension) rendered after attaining the age of 23 years, and subject to a maximum period on all four years, but the gratuity, if any, received by them under that Royal Warrant shall be refunded to Government.

564-B. The power of withholding or withdrawing the whole or any part of an annuity under Article 351 shall be exercised only by the President.

Unfitness for Further Advancement

564-C. The grant of an annuity to an officer of the Civil Service Pakistan who is proved to be unfit for further advancement and is removed from service by the President on the recommendation of the Local Government and the Government of Pakistan, is regulated by Article 352-A.

565. (a) After thirty-five years' service, counting from the date of his arrival in India or Pakistan an officer shall not, except for special reasons, and with the sanction of the President, retain his office or be appointed to any new office: Provided that if such an officer has held his office for less than five years, he may, for special reasons, with the sanction of the Government of Pakistan, be permitted to retain his office until he has held it for five years. The term "office" in this Article includes an officiating appointment.

Note.—[This rule does not apply to an officer holding the appointment of a Judge of a Chief Court. Such an officer is required to vacate his appointment on attaining the age of 60 years.]

(b) The period of five years begins to run from the date on which the officer first takes up the office, whether substantively or temporarily, provided that, if temporary, he is confirmed without reverting to his substantive appointment; but the currency of the period is not interrupted by any subsequent temporary promotion to a higher appointment.

CHAPTER XXVI. Cancelled.

CHAPTER XXVII. Cancelled.

CHAPTER XXVIII - MILITARY OFFICERS

SECTION I.—PAY, ALLOWANCE, AND LEAVE RULES

604. The acting allowances of Military Officers in Civil employ are governed by the rules in Articles 104 to 108, and the leave of Military Officers subject to the Civil Leave Rules is granted under the European Service Leave Rules in Chapter XIII.

605. The Local Government may grant Furlough or leave under Military Rules, or Special leave under Article 316 as it stood prior to 29th July 1920, to a Military Officer subject to the Military Leave Rules.

Exception.—[A Local Government cannot grant furlough or leave under the Military Leave Rules to a Military Officer, who has no substantive appointment in the Civil Department but is holding only a temporary or officiating appointment

in that Department, unless it is prepared to re-employ him immediately on the expiry of his furlough or leave.]

Note 1.—[The grant of furlough other than on medical certificate to a Military Officer in Civil employ is subject to the condition that a period of not less than eighteen months has elapsed since his last return from Privilege leave of over six weeks' duration. This condition may, however, be relaxed by the Government of Pakistan and Provincial Governments in cases in which its enforcement would, in their opinion, cause special hardship to the officer concerned individually or be of material disadvantage to the State.]

Note 2.—[The grant of furlough or leave, other than Privilege leave, out of Pakistan to a Military Officer subject to the Military leave Rules carries with it the grant of subsidiary leave under the provisions of Article 322 as it stood prior to 29th July, 1920.]

606. A Local Government may also grant Short Leave (under Civil or Military rules, as the case may be) to a Military Officer subject to the Military Leave Rules.

Note 1.—[This Article also applies to officers of the British Service employed in a Civil Department in Pakistan.]

Note 2.—[Privilege leave in combination with other leave is admissible to a Military Officer in Civil employ under the conditions and limitations in Article 233, as it stood prior to 26th July 1920, but not under the military rules promulgated with India Army Order No. 64, dated 1st February, 1904.]

Note 3.—[A Military Officer employed in the Ministry of Defence of the Government of Pakistan, or as an A. D.C. appointed from Military employment, is not entitled to privilege leave under Chapter XII of these Regulations.]

Note 4.—[This Article also applies to Non-Commissioned Officers.]

(1) The following is the rule of the Military Department for regulating the treatment of regimental officers selected for temporary in certain civil Departments:—

Clause 129.—it is notified that a regiments officer selected for temporary employment with a Ministry or Division of the Government of Pakistan in an appointment other than those whose Army or personal staff seconding is regulated by the provisions of paragraph 4 appointment enable for of G. G. O. No. 811 of 1877, will on the expiration of fixed periods a year of such temporary duty, be seconded, provided that the department employing him certifies that there is a fair likelihood of his being brought on the permanent establishment of that

department; otherwise he must immediately be returned to his regiment.

An officer so seconded must either return to his regiment at the end of five years, or be struck off its strength on retention in a department for any period beyond that term.—

(Indian Army Circular, Military Department, No.1451, dated 20th October, 1880)

607. No other leave of absence may be granted under the Regulations in Part III to a Military Officer subject to the Military Leave Rules.

1. An officer proceeding on furlough or leave under Military Leave Rules forfeits, ipso facto, his lien on any acting appointment. Consequently, a Military Officer in civil employ, with no substantive appointment in the Civil department losses, on proceeding on such furlough or leave, his lien on any temporary or officiating appointment in the Civil Department that he may have held if he has to revert to Military employ in order to obtain the leave.

2. An officer does not lose his lien during subsidiary leave preparatory to furlough taken under Military Leave Rules.

608. No leave can be granted, under the rules in Part III, to a Departmental Officer or Warrant Officer, except under Article 606.

609. The allowances of a Military Officer subject to the Military Leave Rules during subsidiary leave are regulated as if he were subject to the rules relating to Long Leave contained in Part III as it stood prior to 29th July, 1920: Provided that—

- (i) if under the action of the Leave rules such an officer has lost his lien on his appointment, he draws allowances under Military Leave Rules during his Subsidiary leave.
- (ii) his allowances on Subsidiary leave must not be less than his allowances during the Furlough to which the leave is subsidiary.

Note.—[The subsistence allowance of a Military Officer subject to the Military Leave Rules is that prescribed in Article 68-B (b).]

610. Subsidiary leave preparatory to his retirement from the service may be granted to a Military Officer subject to the Military Leave Rules, provided such leave does not vitiate his claim to retire on the date fixed.

611. Whenever the Furlough of a Military Officer subject to the Military Leave Rules begins before embarkation or ends after dis-embarkation, the Audit Officer should inform the Government of Pakistan, Ministry of Defence and the

Account Officer in charge of the officer's record of pension service of the date on which it begins or ends.

SECTION II.—COMPULSORY RETIREMENT FROM CIVIL EMPLOY. ORDINARY RULES

612. (a) A Military or Naval Officer in Civil employ, after attaining the age of fifty five years, shall not, except for special reasons, with the sanction of the President retain his office or be appointed to any new office: Provided that, if such an officer has held his office for less than five years, he may, for special reasons, with the sanction of the Government of Pakistan, be permitted to retain his office until he has held it for five years. The term "office" in this Article includes an officiating appointment, and the currency of the period of five years is not interrupted by any subsequent temporary promotion to a higher appointment.

Note.—[When the sanction of the President is required to the extension of the return of service of a Military Officer in Civil employ after attaining the age of 55 years, it should be obtained previous to the event. Sufficient notice must therefore always be given to the Government of Pakistan in such cases.]

(b) The period of five years begins from the date on which the officer first takes up the office, whether substantively or temporarily: Provided that if temporary, he is confirmed without reverting to his substantive appointment; but the currency of the period is not interrupted by any subsequent temporary promotion to a higher appointment.

Exception.—[Medical Officer of the administrative grades-namely, Surgeon Generals and Colonels-are not compelled to retire from the service, until they attain the age of 60 years.]

613. The under-mentioned officers cease to be in Civil employ on attaining the age of 55 years:—

- (a) Military Officers in the Survey of Pakistan, unless specially permitted by the President in the interests of the public service, to remain in the department for a further definite period;
- (b) Officers of the Pakistan Medical Service below the rank of Colonel, except Lieutenant-Colonels who are granted extensions of service beyond the age of 55 years until they complete 30 years' service;
- (c) Departmental Officers and Warrant Officers.

614. On succession to the Colonel's allowance, a Military Officer (not holding an appointment the tenure of which is limited to five years) must vacate

any Civil appointment which he then holds. But, with the sanction of the President he is eligible for re-appointment or for employment in the same or any other appointment, at the discretion of the Government of Pakistan, Ministry of Defence. In such a case, his Civil pay will be reduced by the amount of his Colonel's allowance, which will be included in, and not given in addition to, his consolidated salary.

Public Works Department

615. The compulsory retirement of military officers in the Public Works Department or in the Engineering Department of State Railways, who are proved to be unfit for further advancement is regulated by Article 353-A and Note 3 thereunder. But any such officer, who on reaching the age of 50 years has not attained the rank of Superintending Engineer, will be liable to be called upon to vacate his appointment by the Government of Pakistan.

616. Military Officers in the Public Works, Railway and Telegraph Departments cease to be in civil employ on attaining the age of 55 years.

617. A Military Officer serving in the Public Works or Railway Department must vacate absolutely any appointment he may hold in that Department on succession to the Colonel's allowance.

618. Omitted

619. (a) Article 616 applies to officers of Royal Engineers serving in the Public Works and Railway Departments.

(b) Officers of the Royal Engineers, who have attained or hereinafter may attain the rank of General Officers, must vacate their appointments in the Public Works and Railway Departments. But if an officer at the time of so vacating office is a Chief Engineer, 1st class, or holds a post carrying that rank, he may be continued in the position which he had been required to vacate, for the remainder of the term of five years referred to in clause (c), unless in the meantime he must vacate office by some other Regulations. Officers of the Royal Engineers holding rank below that of Chief Engineer, 1st class, vacating office under this rule are not ordinarily eligible for re-appointment to the Public Works or Railway Department, but exceptions to this rule may, at the discretion of the Government of Pakistan, be made in the case of officers who, on account of specially accelerated Military promotion for distinguished service in the field, have reached the rank of Major-General without attaining the departmental rank of Chief Engineer, 1st class.

(c) No Chief Engineer of the Corps of Royal Engineers shall, without re-appointment, hold the same post for more than five years.

(d) The foregoing rules are applicable to officers of Royal Engineers who hold the post of Secretary or of Deputy Secretary to the Government of Pakistan in the Works Division.

Note.—[The period of five years referred to in clause (c) begins to run from the date on which the officer first becomes entitled to draw the full pay of the appointment whether holding the appointment substantively or only in an officiating capacity: provided that, if officiating, he is confirmed in the appointment without a break of service.]

Leave after Completion of Period of Civil Employ.

620. (a) No leave but privilege leave may be granted to a Military Officer in Civil employ, whether subject to the Civil or Military Leave Rules or to any Naval Officer who is more than 55 years old. Any leave, other than privilege leave, granted in the Civil Department to a Military or Naval Officer in Civil employ before he is 55 years old ceases to have effect on his fifty-fifth birthday, on which date he reverts to Military employ. The absentee allowances of a Military Officer in Civil employ on leave other than privilege leave becomes a Military charge, and he becomes subject to Military Rules on his fifty-fifth birthday, whether his leave was granted in the Military or the Civil Department.

Note:- [In the case of a Military or Naval Officer in Civil employ, who reverts to Military employ under the operation of the rules in the Section (Privilege leave cannot be granted at the end of the service in the Civil Department for any period which will expire within the three months previous to his reversion.)]

(b) In applying clause (a) to Medical Officers of the administrative grades namely, Surgeon-General and Colonels, "sixty" or "sixtieth", as the case may be should be substituted for "fifty-five" or "fifty-fifth".

CHAPTER XXIX.— CIVIL VETERINARY DEPARTMENT

Note.—[The rules contained in this Chapter apply only to those officers of the Civil Veterinary Department who were transferred to it from the Army Veterinary Department.]

Acting Allowance and Leave Rules

621. Officers officiating in the Department draw the pay of their Military rank plus half the Civil allowance attached to that rank.

622. The leave and leave allowances of Civil Veterinary Officers are regulated by the rules in Chapter XIII applicable to Military Officers subject to the Civil Leave Rules, with the following special conditions:-

(a) While on furlough during which half average salary is admissible under the rules in Chapter XIII, Civil Veterinary Officers draw half the pay of their military rank plus half their civil allowances, subject to the limits laid down in Article 316 for Military Officers subject to the Civil Leave Rules.

(b) Civil Veterinary Officers are treated, in applying the rules mentioned, as if they had, before entering Civil Department, been subject to the leave rules for Army (1886) from the date of their arrival in Indo-Pakistan Sub-Continent.

Note 1.—[For the purposes of this rule, the date of arrival in Indo-Pakistan sub-continent must be held to be the date of arrival on the last tour of service.]

Note 2.—[An officer must be substantively appointed to the Department or have officiated continuously in it for three years, before he can become subject to the Civil Leave Rules; but an officer subject to Civil Leave Rules at the time of joining the Department counts all service rendered under those rules as service for Civil furlough.]

Note 3.—[Previous service in an appointment which has been absorbed into Civil Veterinary Department counts, for the purpose of these rules, as service (substantive or officiating, as the case may be) in that Department.]

Pension Rules

623. The pension rules of the Civil Veterinary Department are follows:-

- (a) No officer becomes qualified for pension under scale fixed for the Department until he has rendered ten years' service in it.
- (b) Pensions are granted at the rates prescribed for Army Veterinary Department by the Army Regulations in force for the time being plus an addition made on following scale:—

After 10 years, service In the Civil Veterinary Department ...	72 a year.
After 15 years, service in the Civil Veterinary Department ...	96 “ “
After 20 years, service in the Civil Veterinary Department ...	120 “ “

- (c) Leave, apart from privilege leave, counts as service qualifying towards pension to the extent of two months for every year of actual service.

- (d) Retirement is optional after twenty years' service and allowed on medical certificate after fifteen years' service. An officer, who resigns the Civil Veterinary Department before retirement, forfeits all claims to pension under the scale fixed for the Department.

Officers retiring before having completed ten years' service in Civil employ are dealt with under Military rules for pension or gratuity. In the case of an officer invalided before completing ten years' service in the Civil Veterinary Department, the gratuity or pension earned by him under Military rules is increased in the same proportion as the total Civil allowances bear to the total Military allowances earned by him during his period of service in India and Pakistan.

Note 1.—[Previous service in an appointment absorbed in the Civil Veterinary Department counts as service rendered in that Department for the purposes of this rule.]

Note 2.—[This Article does not apply to officers of and above the rank of Deputy Superintendent who come under Article 349-A.]

624. The rules in Chapter XXVIII relating to the retirement of Military officers in Civil employ upon attaining the age of 55 years apply to Army Veterinary Officers in the Civil Veterinary Department.

625. Cancelled.

Family Pensions

626. The family of a Civil Veterinary Officer recruited from the Veterinary Staff of the Army is eligible for pension under the provisions of the Royal Warrant, "Pay and Non-effective Pay", applicable to the families of Army Veterinary Officers.

CHAPTER XXX.—CIVIL ENGINEERS AND TELEGRAPH OFFICERS

SECTION I. PAY AND LEAVE ALLOWANCES

627. The rules in this Chapter apply, to the extent stated in the several Articles, to the following officers:—

- (a) Officers of the Public Works, Railway and Telegraph Departments appointed from the Royal Indian Engineering College at Coopers Hill.
- (b) Stanley Engineers.

- (c) Other Civil Engineers and Telegraph Officers appointed by the late Secretary of State.
- (d) Pakistan College Engineers appointed in Pakistan.
- (e) Other Civil Engineers not of purely Asiatic descent appointed in Pakistan.

Note.—[Section III of the Chapter applies not only to the Civil Engineers and Telegraph Officers enumerated in the Article, but also to the following classes:—

- (a) Superior Civil officers of the Telegraph Department not included clauses (a) and (c).
- (b) Civil Engineers of the class described in clause (e) who are of pure Asiatic descent.]

Commencement of Service

628. If a Coopers Hill Engineer lands in India or Pakistan on or before the 1st December of the year in which he passes out of College, his service counts from the preceding 1st October, unless another date should be specified in his letter of appointment.

629. If a Coopers Hill Engineer is, after completing his three years' residence at College required to go through a course of practical engineering in England under a Civil or Mechanical Engineer, his service, unless another date should be specified in his letter appointment, will reckon from the commencement of the practical course, or from such later date as will be consistent with the regulation that he may count as service towards pension the time spent on such practical course to the extent of one year only.

630. The service of a Coopers Hill Engineer, whose case is not provided for in Article 628 or 629, and who does not land in India or Pakistan by the 1st December, and that of any other Civil Engineer appointed by the late Secretary of State counts from the date on which he lands in India or Pakistan.

631. The service of an officer appointed to the Telegraph Department after training or competitive examination, by the late Secretary of State, begins as follows:-

- (i) If appointed after competitive examination, from date of covenant.
- (ii) If appointed after training at Coopers Hill, from date of sailing of vessel selected by the late Secretary of State, or 1st October in the

year of passing out of the College, whichever is named in his letter of appointment, provided that he reaches India or Pakistan within two months of that date or other approximate date named in his letter of appointment; otherwise from date of arrival in Indian or Pakistan.

632. The service of an officer appointed in Pakistan begins ordinarily from the date on which he takes charge of the office to which he is first appointed.

Rules regarding Pay and Allowances and Leave

633. Unless there be something repugnant in the subject or context, the rules in part II govern the pay and allowances of officers to whom the rules in this Chapter apply, the acting allowance rules applicable to them being those in Chapter VI.

634. The Civil Engineers and Telegraph Officers whose leave is regulated by the European Service leave Rules (Chapter XIII) are determined by Article 310. The leave of all other officers is regulated by the Pakistan Service Leave Rules (Chapter XIV).

SECTION II.—PENSION RULES

635. The rules in this Section apply to all officers of the classes described in clauses (a) to (c) of Article 627, with the exception, save as provided below, of officers of the Pakistan Railway Service of Engineers and of the Provincial Engineering Service, State Railways, who joined their appointments on or after the 17th September 1925, and of officers included in clause (c) of Article 627 appointed on or after the 6th day of December 1932.

Note 1.—[The rules in this Section apply to Mr. J. H. C. Kelly, of the Indo-Europeans Telegraph Department. They apply also to Messrs. R. C. Harvey and Q. F. Rahman of the Indian Railway Service of Engineers, who joined their appointments after the 17th September 1925, and to officers in pensionable service who were or may be promoted to the Indian or Pakistan Railway Service of Engineers or Provincial Engineering Service, State Railways, on or after the 17th September, 1925.]

Note 2.—[Except as provided in this Article the rules in Article 643 apply to all classes of officers in pensionable service of the Public Works, Railway and Telegraph Departments.]

636. The pensionary claims of officers of the classes described in Article 627 and the Note under it whose cases have not been provided for in the preceding Article will be governed by the ordinarily Rules in Part IV. But in the case of officers of this class who may rise to the rank of Superintending Engineer,

the Government of Pakistan will be prepared to consider favourably their admission to the pension rules, including those contained in Article 642, applicable to officers specified in Article 635:

Provided that Civil Engineers and Telegraph Officers who are members of the Provincial Services of the Public Works, Railway and Telegraph Departments are not eligible for the concession described in this Article.

1. The Works Division of the Government of Pakistan exercises the power of the Government of Pakistan under this Article in respect of engineer officers of that Department.

2. The concession made under this Article does not affect the operation of the rules which determine the age from which qualifying service begins.

637. The Government of Pakistan may, on special grounds, sanction the grant of an invalid pension on the scale below to an off belonging to the classes referred to as appointed in India or Pakistan in Article 627, provided that he be not of purely Asiatic descent. This Article does not apply to officers of the Provincial Service,

Not less than Rs.1,000 or more than Rs.2,000 a year.

If the qualifying service of the officer be not less than -	Forty-fifth part of the Officer's Average Emoluments
10 years 	10
11 ,, 	11
12 ,, 	12
13 ,, 	13
... 	
14 ,, 	14

638. Unless there is something repugnant in the subject or context, the rules of Part IV apply to officers defined in Article 635, but are modified in the points noted in the following Article.

639. The rule which excludes service under the age of twenty years does not apply to the officers defined in Article 635 or to Pakistan College Engineers.

640. Privilege leave, and Subsidiary leave taken under the rules in force prior to 29th July 1920, count as service. Other leave counts to the extent stated in Article 408.

641. The following special scale of pensions is admissible to the officers defined in Article 635, who entered service before the 6th day of December 1932 and did not elect the pension rules mentioned in Article 349-A:—

- (a) After a service of less than ten years, an invalid gratuity on the scale laid down in Article 474 (a).
- (b) After a service of not less than 10 years but less than 25 years, an invalid pension on the scale laid down in Article 474 (b).
- (c) After a service of not less than twenty years, a retiring pension not exceeding the following amounts

20 to 24	}	30–sixtieths of	Average	4000 a year or	}	333 1/3 a month
25 & above	}	Emoluments.	5000 a year or	}	416 2/3 a month	

Note.—[The corresponding rule applicable to officers mentioned in Article 349- A is Contained in Article 474-A]

Special Additional Pensions

642. One or other but not both of the following special additional pensions, over and above those allowed in Article 641, may be granted by the Local Government to officers of the classes specified Article 635, as rewards of approved service in the responsible positions mentioned below:—

- (a) Additional pensions of Rs.2,000 per annum to those who served three years as—
 - (i) Secretary to the Government of Pakistan in the Works Division.
 - (ii) Chief Engineers or officers who may have been graded as such.
 - (iii) Chief Engineer, Telegraphs, or in any capacity in Telegraph Department on the Rs.2,250 grade.
 - (iv) Agents, North Western and Eastern Bengal State Railways.

Note.—[If an officer to whom this clause applies is compelled to retire under the 55 years rule, or on medical certificate, before he has served the full period of three years, he may, with the special sanction of the Local Government receive a special pension, which bears the same ratio to the full pension of Rs.2,000, as the number of complete months' service in the grades referred to in this clause bears to the full period of three years.]

- (b) Additional pensions of Rs.1,000 per annum to those have served three years as —
- (i) Superintending Engineers.
 - (ii) Officers of the Pakistan Telegraph Department in the grades of Rs.2,000 and Rs.1,750 or as either of the two senior officers in the grade of Rs.1,500.
 - (iii) Directors of the Persian and Persian Gulf Telegraph in the Indo-European Telegraph Department.

Notes 1,2& 3. — Not available.

Note 4.—[As regards the Officers of the Pakistan Telegraph Department mentioned above, no officer who has been passed over for promotion from the Rs.1,750 grade and no officer in that grade at the end of his service who is not declared fitted for promotion will be considered entitled to the special additional pension.]

Note 5.—[Clauses (a) (iii) and (b) (ii) of this Article apply to services rendered in the specified appointment from 1st April 1914. As regards services rendered before that date the appointment qualifying for additional pensions are:—

- (a) For Rs.2,000 under clause (a) (iii)—

Director-General and next senior officer in the Telegraph Department.

- (b) For Rs.1,000 under clause (b) (ii)—

Directors of Telegraphs, 1st, 2nd and 3rd classes, senior Director of Telegraphs, 4th class and the Electrical Engineer-in-Chief.

Note 6.—[It is important to bear in mind that these additional pensions cannot be claimed as a matter of right, but will be granted at the discretion of the Local Government as rewards of “approved service”. See special addition to certificate in Form No.26 (Pension).]

Note 7.—[The corresponding rule applicable to officers mentioned in Article 349-A contained in Article 475-A.]

643. For officers to whom special additional pensions under Article 642 are not admissible, the following special additional pension may be allowed by the Local Governments:—

Additional pensions of Rs.1,000 per annum to those who have rendered not less than three years of effective service in the following appointments, provided that in each case during such service the officer has shown such special energy and efficiency as may be considered deserving of the concession. In the case of officers entering Government service after the 31st December, 1909, the grant of the additional pension is subject to the further condition that they must, in the event of voluntary retirement, have completed twenty-eight of qualifying service. Voluntary retirement for the purpose of this rule should be taken as retirement under Article 465 and 641 (c).

Secretary to the Government of Pakistan, Works Division.

Chief Engineers in the Public Works and Railway Departments.

* Post in the Superior Telegraph Engineering Branch of the Pakistan Posts and Telegraph Department included in the Schedule of appointments carrying additional pensions below Article 475-A (including the posts of Director-General of Posts Senior Deputy Director-General, Posts and Telegraphs; Postmaster-General and Deputy Director-General, Telegraphs; if held by officers of the Superior Telegraph Engineering Branch), provided that only service rendered in those posts after the 24th years of service shall count for additional pension.

Superintending Engineers of the Public Works and Railway Departments on pay of not less than Rs.2,050 a month.

Deputy Secretary to the Government of Pakistan, Works Division.

Director-in-Chief of the late Indo-European Telegraph Department, up to 14th August 1947 when the office was held by a member of either the Indian or the Indo-European Telegraph Department.

Deputy Managers, Traffic Superintendents, Locomotive Superintendents, and Carriage and Wagon Superintendents in class I of the State Railway Revenue Establishment on pay exceeding Rs.1,500 a month.

Note 1.—[The provisions of this Article apply to officers employed in the Telegraph Department on the 31st March 1914. Those appointed thereafter "Posts and Telegraphs" Department come wholly under Article 475.]

* Note 2.—[The corresponding rule applicable to officers mentioned in Article 349-A is contained in Article 475-A.]

* This revised takes effect from the 11th March, 1931.

* Formerly Note 3. Old Note 2, deleted with effect from the 11th March 1931

644. (a) An officer who holds as qualifying appointment substantively counts all active service, whether in the appointment, or in an appointment of corresponding rank and responsibility in foreign service, or on deputation, on special duty or in a temporary appointment or while officiating in another permanent post. He also counts periods of privilege leave taken by him during such service, but periods of leave other than privilege leave do not count.

(b) All officiating and temporary service in a qualifying appointment falling within any of the classes mentioned in clause (a), including periods of such service passed on privilege leave, counts.

645. Cancelled.

SECTION III.—COMPULSORY RETIREMENT

646. Cancelled.

647. Cancelled. (With effect from the 3rd June, 1930.)

648. Cancelled.

649. The compulsory retirement of Civil Engineers of the Public Works Department or the Engineering Department of State Railways who are proved to be unfit for further advancement, is regulated by Article 353-A. But any Civil Engineer of these Departments, who on reaching the age of 50 years has not attained the rank of Superintending Engineer, is liable to be called on to retire by the Government of Pakistan.

650. All Civil Engineers in the Public Works and Railway Departments, Civilian Under Secretaries in the Works Division of the Government of Pakistan or of a Local Government or Administration, and Civilians in the Superior Railway Revenue Establishment, and in the Superior Establishment of the Telegraph Department, are required to retire on attaining the age of 55 years.

Note 1.—[The above rule is applicable to all Civilians of the several establishments named whatever the source of their appointment may be.]

Note 2.—[The Government of Pakistan is empowered in special cases to extend the services of Chief Engineers of the Public Works Department for a period not exceeding three months.]

CHAPTER XXXI. — LAW OFFICERS

651. The following law officers are entitled to the special privileges detailed in this Chapter:—

An Advocate-General; a Standing Counsel; an Official Trustee; an Official Assignee.

A Receiver of a High Court; an Officer of a High Court who holds an appointment which by law can be held only by a Barrister.

A Secretary or an Assistant Secretary in the Legislative Department to a Local Government.

A Remembrancer; Deputy Remembrancer or an Assistant Remembrancer of Legal Affairs.

A Government Advocate and an Assistant Government Advocate.

A Clerk of the Crown; a Government Solicitor; a Government Pleader and a Government Prosecutor.

652. The leave of absence and acting allowances of a Law Officer who is a member of the Civil Service Pakistan or of the Provincial Civil Service, or a Statutory Civil Servant, are regulated by the rules applicable to the service to which the officer belongs.

653. A Government Pleader or Government Prosecutor is entitled to such leave of absence and allowances when on leave, and to such acting allowances as the authority who appoints him may think fit to grant, provided that no extra expense be caused to the Government.

Officers on full-time Salaries

654. The leave of absence and acting allowances of a Law Officer who is not a member of the Civil Service, Pakistan or a Statutory Civil Servant, or a Government Pleader, or a Government Prosecutor, but whose pay is fixed, and whose time is retained for the service of Government, are regulated as if he were a member of the Civil Service, Pakistan.

Officers retained on fixed Allowances

655. The Leave of absence and acting allowances of a Law Officer who is not a member of the Civil Service Pakistan or of Provincial Civil Service, or a Statutory Civil Servant, or Government Pleader, or a Government Prosecutor, whose pay is fixed, but whose whole time is not retained for the public service, are regulated by the following rules:—

Active Service

1. "Active Service" includes, besides time spent on duty, leave of absence taken under Rule 3, and Subsidiary leave of absence taken under Rule 8.

Application

2. An Application for leave of absence must be submitted through the officer who passes his pay to the authority to whom the officer is directly subordinate.

Leave during Vacation

3. Leave of absence during the vacation of the High or Chief Court within whose jurisdiction the officer serves may be granted without deduction of pay, provided that no expense be caused by the grant of such leave.

Medical Certificate

4. Leave may be granted on medical certificate for a period not exceeding one year and leave so granted may, on medical certificate, be extended to twenty months.

5. Leave of absence on medical certificate may not be granted again after three years' "Active Service".

Private Affairs

6. Leave of absence on private affairs for a period not exceeding six months may be granted once only to an officer who has rendered six years' "Active Service".

Furlough

7. After four years' "Active Service", Furlough without pay, but with retention of appointment, may be granted for a period not exceeding one year.

Subsidiary Leave

8. In very urgent cases, Subsidiary leave of absence may be granted under Chapter XIII, as it stood prior to 29th July, 1920, provided that no expense be caused by the grant of such leave.

Commutation of leave

9. Excepting Subsidiary leave, no kind of leave may be granted in continuation of any other kind of leave; but any leave granted under these rules may be retrospectively changed for any other kind or amount of leave which might at first have been granted.

Commencement and Termination of Leave

10. If an officer who has obtained leave of absence makes over charge of his office before noon, his leave begins on, and includes, the day on which he makes over charge; otherwise, it begins on, and includes, the following day.

11. If an officer resumes charge of his office afternoon, his leave of absence ends on and includes, the day on which he resumes charge; otherwise, it ends on and includes, the day before he resumes charge.

Leave Allowances

12. An officer while on leave under Rule 4, 5 or 6 is entitled to half-pay; provided that his maximum leave allowance shall be, if paid in Pakistan, Rs.1,111 1/9 a month, and if paid at the Home Treasury £.250 a quarter.

Note.—[An officer compelled to take leave out of Pakistan under rule 4, 5 or 6 owing to ill-health is entitled to the benefits of Article 342 as it stood prior to 29th July 1920, in applying that Article the word “pay” should be substituted for the word “salary”.]

Acting Officers

13. (a) An officer officiating for an officer on leave under these rules is entitled to the pay of the appointment, less the fraction of it drawn by the absentee, in addition to the same fraction of the pay of his own substantive office, if any, in calculating this fraction the maximum leave allowance of 250 pound a quarter, payable from the Home Treasury, is held to be equal to Rs.2,500.

Illustration.— A, the Remembrancer of Legal Affairs (pay Rs,1,000 a month), officiates for B, the Advocate-General (pay Rs.2,000 a month), who is on leave with an absentee allowance of £.1,000 a year = Rs.833 1/3 a month, or 5/12ths of the pay of the Advocate-General. A is entitled to 7/12ths of the pay of the Advocate General equal Rs.1,166 2/3, and 5/12ths of that of Legal Remembrancer equal Rs.416 2/3, i.e., to a total of Rs.1,583 1/3 a month.

(b) Provided that—

- (i) The minimum salary of Assistant Legal Remembrancer, Punjab, is Rs.450 a month.
- (ii) The minimum salary of a Government Advocate at Lahore, is three quarters of the pay of the appointment.

Deputation Vacancy

14. An officer officiating for an officer deputed to act in another appointment or on special duty is entitled to two-thirds of the pay of the appointment in which he officiates, plus one-third of the pay of his own substantive appointment, if any.

Note.—[The Government of Pakistan may, in special cases, increase allowance under this rule to an amount not exceeding the full pay of the appointment.]

Combination of Offices

15. If an officer holds more than one appointment, his salary is regulated by Chapter VIII.

Officers paid by Fees

656. Leave may be granted under the rules in the preceding Article to a Law Officer who is paid by fees, whether his whole time be retained for the service of Government or not, on condition that he makes such arrangements for the performance of his duties as satisfactory to the authority by which he is appointed, and on condition that, in case of his obtaining leave on private affairs under Rule 6, the officiating officer shall receive the whole of the fees attached to the office.

Other Officers

657. An officiating Law Officer who is not subject to the foregoing rules, draws, as acting allowance, the difference between the allowance attached to the appointment and the portion of it drawn by the absentee for whom he officiates: Provided the maximum salary (see Article 96) is not exceeded.

Extraordinary Leave

658. Extraordinary leave may be granted to the officers in this Chapter under Article 332 as it stood prior to 29th July, 1920.

CHAPTER XXXII. — STATE RAILWAY ESTABLISHMENT

SECTION 1. — REVENUE ESTABLISHMENTS

Classification of Service

659. In the State Railway Revenue Establishment the different classes of service are as follows:—

(a) Permanent pensionable,—that is, service in all permanent appointments made before 1st September 1881, and service of officers, such as Civil Engineers and members of the Engineer and Upper Subordinate Establishment, who may be transferred to the Revenue Establishment, as Agents, etc., even after 31st August 1881.

The service of an officer in the Traffic Department (appointed before 1st September 1881), before he passed the test examination, does not qualify.

Note 1.—[If, after 1st September 1881, it is considered advisable to employ on a State Railway any permanent servant of the State, whose transfer is not covered by this clause, the case must be specially referred to the Government of Pakistan. This Note applies to all cases of permanent transfer of an officer in pensionable service to an appointment on a State Railway. Cases of purely temporary deputation may be dealt with under Article 376 of these Regulations if the conditions of that Article are fulfilled.]

Note 2.—[A pensionable servant transferred in the interests of the public service and by competent authority, from one Railway to another, in the same capacity, or on analogous work in the same Department of the Railway Establishments, and on a salary which does not exceed by more than 25 per cent, his pay in the pensionable appointment, retains his pensionable status.

(b) Permanent non-pensionable,—that is, service in all permanent appointments made after 31st August 1881, except as allowed for in clause (a).

(c) Temporary,—that is, service in appointments made from time to time for periods not exceeding twelve months according to the requirements of traffic.

(d) Special service, —that is, service of engine-drivers, firemen and mechanics, etc., under covenant with the late Secretary of State, or who, on the expiry of the term of their covenant, have renewed their engagement under a covenant with the Government of Pakistan.

660. Cancelled.

Ordinary Leave Rules

661. (a) Leave on medical certificate with half-pay to the extent sixty days in any calendar year may, in addition to any leave admissible under the Pakistan Service Leave Rules in Part III, be granted, at the discretion of the Agent, to drivers and other subordinate employees of the State Railway Revenue Establishment, whose service is classed as Permanent “pensionable” or “non-pensionable” under clauses (a) and (b) of Article 659, and who are not employed

exclusively on in-door work, provided the illness has not be caused by the man's misconduct.

(b) It may be granted without prejudice to Privilege leave and in continuation of Privilege leave, or vice versa.

(c) The leave thus granted is included in the leave to which limit of five years prescribed in Article 322 applies.

662. Leave to members of superior and subordinate State Railway Revenue Establishments classed as "pensionable" or "non-pensionable" under clauses (a) and (b), Article 659, other than those referred to in preceding Article, is governed by the ordinary leave rules for European or Pakistan Services (as the case may be) laid down in Part III.

Special Service Leave Rules

663. Members of subordinate State Railway Revenue Establishments whose service is classed as "special" under clause (d) in Article 659, may be allowed leave as follows, at the discretion of the Agent:—

(a) Privilege leave on full pay to the extent of one month in twelve. Any subordinate may, however, be permitted to exercise the option of allowing his privilege leave to accumulate up to three months under the usual conditions.

1. Privilege leave may, under the provisions of Article 232, be combined with furlough under Article 664, subject to the condition that the period of furlough admissible under the latter article is reduced by the amount of privilege leave which it is combined.
2. The period by which the furlough is thus reduced should be considered as foregone by the officer in consideration of the concession of prefixing privilege leave to his furlough and should not be included in the balance to his credit for the purpose of Article 664 (f).

(b) Leave on medical certificate on half-pay to the extent of sixty days in one calendar year, provided that the illness has not been caused by misconduct. This leave maybe granted without prejudice to privilege leave, and in continuation of privilege leave, or vice versa.

(c) In the case of deserving men, the Agent may extend the leave on medical certificate admissible under clause (b) to a maximum of six months in one calendar year.

Note.—[The Government of Pakistan may delegate the powers of an Agent of State Railways under this Article to the Heads of Departments of State Railways.]

664. The Agent may grant furlough according to the following scale to any of the officers mentioned in the preceding Article who can be conveniently spared:—

(a) A first furlough for a period not exceeding—

12 months, after 7 years' service,			
14	ditto	8	ditto,
16	ditto	9	ditto,
18	ditto	10 or more years' service.	

(b) A second or subsequent furlough for a period not exceeding—

6 months, after 3 years' further service,				
8	ditto	4	ditto	} dating from the expiration of the previous furlough or sick leave.
10	ditto	5	ditto	
12	ditto	6	ditto	
14	ditto	7	ditto	
16	ditto	8	ditto	
18	ditto	9	ditto	

(c) The period of service upon which furlough may be granted is to be exclusive of time spent on leave of absence of any kind whatever except privilege leave. No second or subsequent furlough shall be granted till after a further actual service of three years, commencing from the date of the expiration of the previous furlough; and no single furlough shall be granted for a longer period than eighteen months.

(d) An officer on furlough is entitled to half the substantive pay of his appointment, excluding all allowances except personal allowances.

Note.—[An officer compelled to take furlough, or leave on medical certificate, out of Pakistan owing to ill-health is entitled to the benefits of Article 342 as it stood prior to 29th July 1920. In applying that Article the term "pay" should be substituted for "salary".]

(e) The service towards first or subsequent furlough is not cancelled by the grant of sick leave; but an interval of three years of service must elapse between the return of an officer from sick leave lasting more than sixty and the grant of any furlough that may be due to him.

Note.—[The Government of Pakistan may relax the condition requiring an interval of 3 years to elapse since last return from sick leave, before furlough can be granted under this Article, in cases in which its enforcement would, in their opinion, cause special hardship to the officer concerned individually or be of material disadvantage to the State.]

(f) When an officer has earned either first or subsequent furlough, if from any cause it may be found inconvenient to grant him the whole of the furlough earned, an instalment may be granted, leaving the balance at his credit to be taken when convenient, subject, however, to the maximum limit of eighteen months prescribed above.

Leave in consequence of Accidents

665. To all non-pensionable servants other than gazetted officers, leave in Pakistan on full pay may be granted by Agents of State Railways in addition to any leave otherwise admissible for the period during which they may be absent from duty for medical treatment, in consequence of accidents met with in the execution of duty, subject to a limit of six months and to record in the minutes of official meetings. The period of absence is treated entirely as duty and does not interrupt privilege leave or deprive the absentee of any allowance of the character of salary or local allowance.

Note.—[Heads of Departments of State Railway may grant leave under this Article to non-pensionable subordinates on salaries not exceeding Rs.250 a month.]

Labourers

666. Labourers in State Railway workshops employed upon daily wages when temporarily absent from work in consequence of injuries sustained while on duty in workshops etc., may, under authority of the Agent of the State Railway concerned, be granted full pay up to a maximum of 6 months. Heads of Departments of State Railways may, in similar circumstances, sanction the grant of allowances not exceeding —

(i) fifty rupees (ii) one month's pay, (iii) in cases where the absence is less than a month, the pay which the absentee would have earned during the period of leave if he were present on duty.

Recovery of Advances

667. (a) Advances whether made in Pakistan (see Articles 64 to 66) or by the High Commissioner for Pakistan in the U. K. should be recovered by monthly instalments of one-third salary except in the case of Covenanted Mechanics,

Boiler Makers, etc., from whom the recoveries shall be in monthly instalments of one-sixth salary.

(b) In the case of Covenanted Engine-Drivers the recovery should be made in such a manner as will ensure their receiving in any month not less than Rs.25, exclusive of overtime or other allowances.

SECTION II.—LOWER SUBORDINATES AND OFFICE AND PETTY ESTABLISHMENTS ON LINES UNDER CONSTRUCTION OR SURVEY

668. Subject to the exception noted below, the service of all Lower subordinates, Sub-Storekeepers, and members of the Office and Petty Establishment, appointed to or engaged for lines under construction or survey on or after the 21st July 1880, is non-pensionable.

SECTION III.—OTHER OFFICES

669. The services of all clerks appointed after the 31st January 1889 to all Consulting Engineers, and Port Storekeepers' Offices, and of all Accountants and clerks appointed after the 16th July 1889 to any of the Offices of Government Examiners of Railway Accounts; do not qualify for pension unless transferred from a permanent pensionable post.

Chapter XXXIII Deleted.

Chapter XXXIV Deleted.

670—702-A Deleted.

CHAPTER XXXV.—DACCA MILITARY POLICE

703. Pensions are granted to Policemen and, in the exceptional cases specified in the rules, to their heirs in accordance with Part IV and VI.

704. Furlough on private affairs on half Dacca pay for not more than six months, from date of departure from headquarters to date of return thereto, may be granted by Battalion Commandants on condition that the number of absent on furlough and sick leave at any one time does not exceed 5 per cent. of the strength of the Battalion from 15th October to 15th April, and 10 per cent. from 16th April to 14th October.

705. Leave on medical certificate for not more than six months, from date of departure from headquarters to date of return hereto, may be granted by Battalion Commandants to all ranks. Extension of such leave on medical certificate beyond this period may be sanctioned by the Commandant; but the amount of leave which may be granted with pay at one time is limited to two years.

Note.—[A man taking leave on medical certificate forfeits his turn for furlough and his name is placed at the bottom of the Furlough roster]

706. Allowances on leave on medical certificate are full pay for as long a time as the man is entitled to privilege leave, and half pay for the remainder of the first six months; and, in case of extension being granted, half pay. The leave allowance of a man on leave on medical certificate taken in extension of furlough is half Dacca pay.

707. Sick leave is granted under the following rules:—

(a) Cancelled.

(b) Dacca Military Police—Sick leave on full pay for a period not exceeding one month may be granted by Battalion Commandants to all ranks while in hospital. In exceptional cases, e.g. in consequence of wounds received in action or for other special reasons, this privilege may be extended to two months under the special sanction of the Local Government. After this period, such leave may be granted on half pay. Leave granted under this rule shall not interfere with the grant of ordinary leave on medical certificate.

708. The Battalion Commandants may grant privilege leave on urgent private affairs under the rule in Chapter XII to men whose conduct has been good.

709. The Inspector-General of Police may frame subsidiary rules not inconsistent with these rules for the guidance of Battalion Commandants in granting furlough and leave.

710. Pakistan Commissioned officers are entitled to travelling allowance as second class officers for journeys by rail and by river steamer.

710-A. Officers and men proceeding to or returning from outpost duty are allowed free passages by rail, river and road for their families. In the case of journeys by road, where carts cannot be used, the cost of one coolly for wife and one coolly for children may be allowed.

711. Free passages by steamer and rail are allowed.

- (a) to and from their homes, to men proceeding on or returning from furlough on private affairs or leave on medical certificate, but not to men proceeding on or returning from privilege leave;
- (b) to their homes, to men who are not natives of the Province when retiring on Invalid pensions, but not to men granted Retiring or Superannuation pensions;

who may be recruited outside the Province, may, with the written permission.

712. Any member of the force belonging to races, foreign to Dacca of the Battalion Commandant, and if quarters are available in the Police Lines, bring his children, one wife and one relative to Dacca.

For the conveyance of families, third class passages will be granted by railway and deck passages by steamer, in the case of all Pakistani officers, on payment of one-third of the passage money and fare; in the case of 20 per cent. of the Non-Commissioned officers of each Battalion, free of charge; in the case of 5 per cent. of the privates of each Battalion, free of charge. The percentage must be reckoned on the number of foreigners only.

Return passages to their homes will be granted to the families of such officers and men dying in Dacca.

CHAPTERS XXXVI & XXXVII.

713—727. Cancelled.

¹⁰⁴[PART VI.—WOUND AND OTHER EXTRA ORDINARY PENSIONS

CHAPTER XXXVIII.—WOUND AND OTHER EXTRAORDINARY PENSIONS

728 – 749. Omitted.]

PART VII.—FOREIGN SERVICE; REGULAR ESTABLISHMENTS THE COST OF WHICH IS RECOVERED BY GOVERNMENT; SERVICE UNDER LOCAL FUNDS

CHAPTER XXXIX.—FOREIGN SERVICE

Extent of Application

749-A. The revised rules in this Part will apply only to cases in which officers are transferred to Foreign Service after the 1st August 1913. In the case of officers transferred to Foreign Service before this date, the old rules contained in the original fifth edition of these Regulations should continue to be applied.

749-B. It is to be understood that, unless the Local Government is expressly given authority to make exceptions all deviations from the Foreign Service Rules require the sanction of the Government of Pakistan, whose powers in this respect remain unaltered.

¹⁰⁴Omitted vide Fin. Div. notification No.F.6(2)-Reg(6)/85, dt:-7-7-1985.

Definition

750. Foreign Service is of two kinds, viz –

First.—The service of an Officer transferred to service under an employer who is not under the orders of Government and is allowed, while in such service to maintain his claim to pension or to leave and pension in the same way as if he were still in the service of Government.

Examples.—Officers lent to a State, which has acceded to Pakistan, a Port Trust, a municipality, a District Board or other Local Fund.

Second.—The service of an Officer employed in connection with the management by Government of estates or funds which they have taken under their control or received in trust, and paid from the revenue of such estates or from such funds. The service must be strictly connected with the management by Government and appointments existing apart from, or continuing after relinquishment of, Government control can be made only under the conditions of Foreign Service of the first kind.

Examples.—Administrators of States which have acceded to Pakistan underdirect managers of Courts of Wards' Estates.

General Conditions applicable to Foreign Service

751. An Officer transferred to Foreign Service remains subject to general and disciplinary rules which have applied to him as a servant of Government had he not been so transferred.

752. An Officer who belongs to a graded service is allowed the substantive promotion which he would have received had he not been transferred. One who does not belong to a graded service shall not be given substantive promotion in Government service without the specific sanction of the authority who would have been competent to grant the promotion if he had remained in Government service. Nor shall he at the time of his reversion be promoted to a higher appointment than he held at the time of his transfer without the specific sanction of the authority who would have been competent to promote him to that appointment had he continued in Government service. And such promotion shall not be given unless the nature of officer's duties and the manner in which he has discharged them qualify him for it. An Officer whose appointment under Government is one on progressive or a time-scale of pay counts time spent in Foreign Service for increments.

Note.—[An Officer who belongs to a graded service may also be allowed any officiating or temporary promotion, which he would have received had he not been transferred, which counts towards additional pension under Articles 644 (b) and 475, Civil Service Regulations.]

753. An Officer in Foreign Service may not elect to withhold contribution and forfeit the right to count as Government service the time spent in foreign employ. The contribution paid by or for him maintains his claim to pension or, if contribution is paid for leave allowance also, to pension and leave allowance in accordance with the rules of the service to which he belongs. Neither he, nor any body which has paid contribution on his behalf, has any right of property in such contribution nor can any claim for refund be entertained.

754. An Officer of Government, who is lent on Foreign Service conditions, may not, except with the sanction of the Government of Pakistan accept a pension or gratuity from his foreign employer in respect of such service.

755. (a) An Officer retains while on foreign service a lien upon substantive office under Government, and when he reverts to Government service either temporarily or permanently, he resumes substantively the position in his service or establishment which he held when he was transferred, or to which he may have attained accordance with the rule in Article 752.

(b) If an Officer proceeds on leave from his Foreign Service appointment he shall not ordinarily be considered to revert to Government service unless and until he re-joins his appointment in Government service.

Where, however, the Foreign Service is under the control of the Local Government, to service under which an Officer reverts on relinquishing such Foreign Service, that Government may determine the date on which the Officer may be treated as reverting to Government service.

Where the Foreign Service is under the control of the Government of Pakistan, the Officer shall be held to revert to Government service from the date on which his services are re-plead at the service of the Local Government or Central Government departments to which he belongs.

756. The salary of an Officer appointed to act in a sanctioned appointment in foreign service and the joining time and transit pay of an Officer proceeding to, or returning from foreign service, are regulated in accordance with the rules in Part II of these Regulations.

Note.—[The Local Government may, in special circumstances allow an officer salary in excess of the limits prescribed in this Article but not exceeding the full pay of the appointment, provided that the pay of the appointment does not exceed the limits up to which the local Government can sanction transfers to foreign service, i.e., Rs.2,500 or Rs.1,250 a month, according as the officiating Officer does or does not belong to an Imperial service.]

757. An Officer in Foreign Service who is appointed to act in an appointment under Government draws as salary the pay of his appointment under

Government on which he has a lien and acting allowance on the pay of the appointment in which he acts. His pay in Foreign Service is not taken into account in fixing his salary in a Government appointment.

758. When an Officer is transferred to Foreign Service he draws salary from his foreign employer, and contribution is paid to Government, either by or for him, from the date on which he relinquishes charge of his appointment under Government. An Officer reverting to duty under Government ceases to draw pay from the foreign employer and contribution is discontinued from the date on which he resumes charge of his appointment under Government. The travelling allowances of an Officer both when proceeding on transfer to Foreign Service and when reverting to duty under Government shall be borne by the foreign employer.

759. An Officer lent on Foreign Service conditions to a State which has acceded to Pakistan or Local Fund will not be allowed to retire voluntarily from Government service on pension while remaining in that of the State which has acceded to Pakistan or Local Fund.

Note.—[For the purpose of this Article, retirement may be assumed to be voluntary unless under the rules in Parts IV and V of these Regulations, an Officer(l) retires on medical certificate, or (2) is discharged on the abolition of his appointment in Government service, or (3) is required to retire on attaining a certain age or on completing a certain period of service, or (4) in cases where he is not so required to retire compulsorily, retires on reaching the age of 55 years.]

760. When any Officer lent on foreign service conditions retires from Government service (see Article 759) without, at the same time, retiring from the service of his foreign employer, the audit Officer shall communicate to the foreign employer through the usual authorities a statement showing the date of retirement, and the amount of pension drawn from the Pakistan Government with a view of enabling the foreign employer, if so inclined, to revise the existing terms of employment.

761. (a) An Officer who during leave desires to take up employment in Pakistan must obtain the previous sanction of competent authority thereto. If the post is one which should in the opinion of such authority be filled by a servant of Government he must be transferred in accordance with the rules of this Chapter.

(b) An Officer who during leave out of Pakistan desires to enter Foreign Service out of Pakistan must obtain the previous sanction of President who will decide whether the Officer shall be transferred to Foreign Service and, if so, will prescribe the terms of salary and contribution.

(c) From the date on which an Officer enters Foreign Service he ceases to be on leave and to draw leave allowances from Government.

Note 1.—[The authority referred to in clause (a) of this Article is, in the case of a non-gazetted officer, the Officer empowered to appoint such officer, and, in the case of a gazetted officer, the Local Government.]

Note 2.—[If it be decided to allow the Officer to take up employment without entering Foreign Service he shall be permitted to draw his leave allowances in addition to any emoluments paid to him by the employer.]

Sanction to Transfer to, and pay in, Foreign Service

762. Transfer to Foreign Service is not permissible—

- (i) unless the transfer is in the public interest, that is, the service is such as should, for public reasons, be rendered by a servant of Government ;
- (ii) unless the Officer holds, when his transfer is effected, an appointment in qualifying service on an establishment paid from General Revenues.

Note.—[Service under a landholder who retains the management of his estate or under such a body as the Society for Prevention of Cruelty to Animals, or under societies for the encouragement of agricultural or veterinary development, has at times been sanctioned on foreign service conditions. Service of this character, however, is properly private employment; the loan of a Government Officer for such purposes should be wholly exceptional and should not be allowed unless in the opinion of the Local Government a public advantage is secured which would otherwise be unattainable.]

763. Transfers and appointments may be sanctioned by the Local Government under which the officer is serving, provided (a) the transfer is to foreign service in Pakistan, (b) the officer's pay in foreign service does not exceed Rs.2,500 a month if he belongs to a central service (Article 29-B), and in other cases Rs.1,250 a month, and (c) the Officer has rendered five years' service qualifying for pension; Condition (c) may be relaxed by the Local Government* under which the Officer is serving at the time of the transfer; it does not apply to the following officers:

- (i) Officers subject to the leave rules in Chapter XIII and officers of the Army and the Navy.

* See Note below this article.

- (ii) Employees in the Survey, Forest, Medical, Veterinary and Agricultural Departments with technical qualifications.
- (iii) Officers transferred to Foreign Service of the second kind.
- (iv) Officers transferred to temporary appointments.

Note.—[Local Governments should be on their guard against endeavours to use service of Government merely as a means of entrance with pensionable status into Foreign Service.]

1. Temporary appointments are those which last not more than six months. In judging whether an appointment falls within this class, the duration of the appointment should be considered, not the duration of the particular Officer's employment.

2. The Local Government may by general or special order—

(a) Delegate to any authority subordinate to it power to transfer to Foreign Service within the Province any Officer whom such authority can, without reference to higher authority, appoint or transfer in the ordinary course of administration.

(b) Delegate power to sanction transfers to temporary appointments outside the Province.

764. Pay and allowances in Foreign Service in Pakistan may be fixed within the limits specified in Article 763 by the authority sanctioning the transfer. The latter should in doing so be guided by the following general principles which should only be departed from for very special reasons, to be duly recorded:—

I.—The pay of an Officer transferred to a post, the duties of which are similar to those of the appointment which he held when transferred, should be fixed at a sum which does not exceed by more than 25 per cent. his last pay in Government service, or, if he is acting in a grade or appointment from which he is unlikely to revert, his last salary.

II.—An Officer transferred to an unusually responsible or difficult post or to one the duties of which differ from those of his appointment under Government, should receive pay specially fixed with reference to his status and pay in the service of Government, and the nature of the work for which he is transferred.

III.—When the transfer is to a State, which acceded to Pakistan the Local Government may allow the Officer concessions not exceeding those specified in Rule II of Appendix 31. This rule is absolute and Local Governments are not empowered to allow greater concessions. In other

cases, officers may be allowed travelling and conveyance allowance on such scale as the Local Government considers adequate; no other kind allowances should ordinarily be sanctioned as they should be allowed for in fixing the pay of the officers in Foreign Service. In special cases in which the Local Government consider them necessary, exchange compensation and local allowances may be sanctioned, subject in the former case to the provisions of Article 41-G of the Civil Accounts Code, as also the payment of leave and pension contributions by the foreign employer, the value of these concessions being taken into account in fixing the pay of the officers in foreign service.

IV. —Increases of pay should be regulated as follows:—

- (a) An officer, whose pay is fixed under rule I and who belongs to a graded service or who is on progressive pay or in a service in which pay is regulated by a time-scale may on the occasion of each substantive promotion on his departmental list, or accrual of a periodical increment, be granted an increase equal to that which such promotion or increment would have given him in Government service plus a sum not exceeding 20 percent. there-on.

Note.—[When an officer in foreign service would have obtained, had he remained In Government service, acting promotion from which he would not have been likely to revert his salary may be raised, with the consent of the foreign employer, to the amount which he would have drawn if he had remained in Government employ]

- (b) In all other cases in which pay is fixed under rule I, and in all cases in which it is fixed under rule II, no increase should ordinarily be allowed until the Officer has been for three years in Foreign Service. After that period, and subsequently at intervals of not less than three years, increments of not more than 20 per cent. of the original pay may be allowed, if proposed by the foreign employer and if, in the opinion of the authority by whom transfer was sanctioned, they are justified with reference to the work of the Officer and the nature of his duties.
- (c) In the event of a material change in the nature of the duties of an Officer in Foreign Service his pay may be revised within the limits of its powers of sanction by the authority who sanctioned the transfer.

Contributions required for Leave and Pension

765. (a) An Officer transferred to Foreign Service in Pakistan contributes for both leave allowance and pension; if the transfer to be to service out of Pakistan contribution is made for pension only.

(b) Contribution is payable during leave on account of an Officer who contributes for pension only. When contribution is paid for both pension and, leave allowances it is payable during privilege leave taken in Foreign Service but not during other kinds of leave.

766. In the case of an officer in foreign service of the first kind contributions for leave allowance and pension are levied on an assumed pay, in return for which the Government accepts the charge for the officer's leave allowances of all kinds and pension (or, in the case of foreign service out of Pakistan, pension only), calculated on such pay. (As regards privilege leave allowances, see Article 779 below.)

767. In the case of an Officer of any of the classes mentioned in Article 763 (i) pay is assumed to be as follows whatever the actual and allowances drawn by him in foreign service may be:—

(a) If the Officer is on a time-scale of pay, the pay which he would have drawn from time to time had he remained in Government service.

(b) For officers who are not on a time-scale of pay:

	Indian Civil Service Rs.	Other Service Rs.
(i) For two years reckoning from the 1st of April following arrival in Pakistan, or in the case of an Officer appointed in Pakistan, following date of appointment	400	350
(ii) For every subsequent year	100	50

Assumed pay whether calculated according to clause (a) or (b) of this Article is subject to the following maxima: Rs.2,500 a month in case of a member of the Civil Service Pakistan, or a Military Officer subject to the Civil Leave Rules; Rs.1,750 in the case of a Military officer subject to the Army Leave Rules, and Rs.2,000 a month in the case of any other Officer subject to the rules in Chapter XIII: Provided that except in the case of members of the Civil Service Pakistan, Military officers, any other officers whose pensions are fixed in sterling, and officers who may become eligible for a special additional pension under Articles 475, 642 and 643, assumed pay shall not exceed Rs.1,500 a month.

Exception.—In the case of an Officer promoted from a subordinate grade to service which is subject to the leave rules in Chapter XIII assumed pay is the pay he would draw from time to time on the Government list to which he belongs.

Note.—[In the case of Royal Engineer officers, the date to be taken for purposes of calculating assumed pay under this Article as the date of arrival in Pakistan, will be the date following the completion of two years from date of first commission. In making the calculation, service, both at home and abroad, is to be taken into account.]

768. In the case of officers other than those mentioned in Article 763 (i) assumed pay is either the pay last drawn in Government service, or, if the Officer belongs to a graded service, or is on a progressive or time-scale of pay, that to which he has attained or been promoted in accordance with the rule in Article 752 up to a maximum of Rs.1,250 a month.

769. In the case of an Officer in Foreign Service of the second kind contributions for leave allowance and pension are levied on actual sanctioned salary [including a duty allowance or deputation (duty) allowance], subject to the maxima prescribed in the case of assumed pay in Articles 767 and 768. In return for these contributions the Government accepts the charge for the officer's leave allowances of all kinds and for his pension calculated on sanctioned salary [including a duty allowance or deputation (duty) allowance].

770. Contribution is levied at the following rates:—

	for pension and leave allowance	for pension only
(a) In the case of the officers of the classes mentioned in Article 763 (i)	5/16	1/6
(b) In the case of other gazetted and non-gazetted officers	1/3	1/3
(c) In case of inferior servants		1/16

Note 1.—[Percentage deductions (e.g., Civil Fund in the case a member of the Indian Civil Service) are calculated upon "assumed pay" in foreign service of the first kind and upon actual sanctioned salary in foreign service of the second kind.]

Note 2.—[In the case of a Military Officer the contribution covers the liability of Pakistan Revenues for temporary half-pay or half-pay pension when an Officer losses his health during foreign service and of Pakistan before becoming entitled to ordinary so-called full pay pension.]

Note 3.—[The Government of Pakistan pay on leave allowance to Class IV servant transferred to Foreign Service.]

Note 4.—[Contributions in respect of Pakistan troops, warrant and non-commissioned officers and men of the Army departments, etc., lent for service out of Pakistan are regulated by separate orders.]

771. Cancelled.

Remission of, and Exemption from, Contribution

772. (a) The Local Government may remit contribution for any period for which an Officer in foreign service is temporarily employed under Government, on duties additional to or distinct from his duties in foreign service.

(b) The following classes of officers are exempted from the payment of contribution under the above rules, and their pensions [and in cases (ii) to (v) leave allowances] are calculated according to the rules applicable to Government servants.

- (i) Officers lent to Government of the United Kingdom or to British Colonies, Protectorates, etc. In such cases, if the loan is to the War Office, a share of the pension ultimately granted to the Officer is paid by the War Office under separate arrangements, but if it is to a British Colony or Protectorate, pension contribution is paid during the period of the loan by the employing Government either to the Government of Pakistan, or to the United Kingdom. When, however, an Officer is allowed to take up duties under the War Office, he may in certain circumstances be required to pay a pension contribution in respect of the period of the loan.
- (ii) Subordinates in the Revenue Survey temporarily lent to Municipalities for duty which, though paid for by them, also promotes Government interests.
- (iii) Medical Officer lent to charitable dispensaries or hospitals in Pakistan. In any province, however, in which changes in the conditions of service of Assistant Surgeons authorized by the orders in Home Department Resolution No.1148-50, dated 22nd August, 1898, have been brought into operation, contribution must be under the ordinary rules.
- (iv) Officers of the Royal Navy lent to Port Trusts.
- (v) Any other Officer or class of officers, who, by the specific orders of the Government of Pakistan, has been exempted from the payment of contribution.

Procedure for Payment of Contribution

773. A copy of the orders sanctioning an officer's transfer Foreign Service must always be communicated to the Account Officer (referred to in Article 774) by the authority by whom the transfer is sanctioned. The Officer himself should, without delay, communicate a copy to the Officer who audits his pay, and take his instruction 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 salary in foreign service, leave taken by him, his postal address any other information which that Officer may require.

774. (a) In the case of Foreign Service out of Pakistan, the "Account Officer" is the Accountant General Pakistan Revenues.

(b) In the case of Foreign Service in Pakistan.

(1) If salary in Foreign Service is paid from a Government Treasury, and is subject to audit by an audit officer of the Government, the Account Officer is such audit officer.

(2) Otherwise, the Account Officer is the Accountant General of the Province in which the Municipality, Port Trust or other body concerned is situated, or in the case of service under a State which has acceded to Pakistan the Accountant-General of the Government under whose administration the State is.

775. Ordinarily, contribution is payable directly to Government by the transferred Officer himself, Government does not enter into arrangement with foreign employers or make direct demands upon them. Exceptions to this rule are:—

(a) Cases in which officers are lent to Government of the United Kingdom or to British Colonies, Protectorates, etc., and in which the contribution is payable by the borrowing Government [see Article 772 (b) (i)].

(b) Cases in which salary is payable at a Government treasury under the orders of the Accountant-General, and contribution is deducted from salary;

(c) Cases of members of clerical establishments in Foreign Service of the second kind, in which responsibility for payment of contributions and compliance with the rules vests with the Officer who controls the fund or administers the trust;

- (d) Cases in which, by special order or arrangement, contribution is recovered collectively on account of several officers employed under one foreign employer through an agent or officer who represents the employer.

776. Not later than 15 days after the end of each quarter for which salary in Foreign Service is earned, the officer must remit in such manner as may be arranged with the Account Officer, the contribution payable by him for the quarter.

In any case in which contribution falls into arrear, the Account Officer, should bring the fact to the officer's notice and claim interest at the rate of 4 pies a day per 100 rupees upon the amount due, from the date of expiry of the 15 days to the date on which contribution is paid up.

If any amount due, including interest, is not paid within 12 months of its accrual, the Account Officer should intimate to the officer the amount due up to date, and inform him that in consequence of the default he has forfeited his claim to pension or pension and leave allowance, as the case may be. In order to revive his claim the officer must at once pay the amount due and represent his case to the Local Government who will deal finally with it.

Interest on overdue contributions should not be remitted save in exceptional circumstances. The Local Government may remit amount not exceeding Rs.10. The remission of amounts exceeding Rs.10 requires the sanction of the Government of Pakistan.

Rules regarding Leave, and the Grant of Leave

777. An officer holding an appointment in Foreign Service in Pakistan may not take leave or obtain leave allowances from Government unless he actually quits duty and proceeds on Leave.

778. An officer on Foreign Service in Pakistan may not be granted leave otherwise than in accordance with the rules of the Government service to which he belongs. If such leave is granted to an Officer the Account Officer shall on the fact coming to his notice require the leave so granted to be commuted to the leave for which the officer is eligible under rule, and call upon him to refund any allowances in excess of the amount admissible. The Officer himself is personally responsible for the observance of the rule contained in this Article; by accepting leave to which he is not entitled under the rules he renders himself liable to refund allowances irregularly drawn, and in the event of his refusing to refund, to forfeit his previous service under Government, and to cease to have any claim on Government in respect of either pension or leave allowances.

779. An Officer in Foreign Service of the first kind in Pakistan draws leave allowances calculated on assumed pay, save that in case of privilege leave he is

entitled to his actual pay in Foreign Service, the difference between such pay and assumed pay being paid by the foreign employer. In the case of Foreign Service of the second kind all leave allowances are calculated on actual sanctioned salary and paid in full by Government.

780. (a) Privilege leave which is certified by the Account Officer(Article 774) to be admissible may, when taken by itself, be granted to an Officer in foreign service in Pakistan by his employer.

(b) Leave other than privilege leave taken by itself, may, in cases where the transfer has been sanctioned by the Government of Pakistan or a Local Government, be granted to an officer in foreign service in Pakistan by the Local Government under whom he was serving before his transfer; in other cases it may be granted by the authority who sanctioned the transfer.

(c) An Officer who is in Foreign Service in Pakistan should submit all applications for leave, other than privilege leave taken by himself, with the report of the Account Officer, through his employer or to the authority competent to sanction the leave.

781. To an Officer who is in foreign service out of Pakistan Leave in respect of his foreign service may, unless special arrangements as to leave have been made on his behalf by the Government of Pakistan, be granted by his employer on such conditions as to leave and absentee allowances as the employer may determine. The Officer should make himself acquainted with the rules or arrangements which are to regulate his leave before accepting foreign employment, and the Account Officer will be responsible for obtaining from him at the time of transfer a declaration showing that he has read and understood this rule. Time spent by the Officer in Foreign Service out of Pakistan, though not consisting an interruption of service for leave under the Civil Service Regulations, does not count for such leave. Leave earned in respect of service under Government before transfer cannot ordinarily be granted to such an Officer so long as he continues to be on Foreign Service.

Special Cases

782. An Officer of the Education Department, who is transferred by the Local Government in the public interest to a non-departmental College or School managed by a Board on which the Local Government is represented, or which is administered under a constitution and regulations approved, and of which the scale of superior appointments is sanctioned by the Government may contribute for leave allowances and pension under these Regulations.

CHAPTER XL.—Cancelled.

CHAPTER XLI.—REGULAR ESTABLISHMENTS THE COST OF WHICH IS RECOVERED BY GOVERNMENT

783. When an addition is made to a regular establishment on the condition that the cost shall be recovered from the persons for whose benefit the establishment is created, recoveries should be made under the following rules:—

I.—The amount to be recovered should be the gross sanctioned cost of the service, and should not vary with actual expenditure of any month.

II.—The cost of the service should include the amounts required under Articles 769, 770 to provide for pension and leave allowances; these amounts being calculated on the sanctioned rates of pay [including duty and deputation (duty) allowances] of the members of the establishment. The remission of recovery on this account requires the sanction of the Government of Pakistan if the cost of the service exceeds Rs.250 per month.

III.—If for any period the expenditure incurred, or to be incurred, should be considerably less than the sanctioned cost, the Local Government may reduce the amount of the recovery, the reduction being roughly proportionate to the difference.

Note 1.—[In the case of permanent establishments (as also temporary establishments which are filled by men already in permanent Government employ) a part of the cost of which is recovered from persons or bodies benefited by their service a demand for leave and pensions establishments sanction after the 1st August 1913, the rates in the old rules contained in the original the limit of Rs.250 a month prescribed in clause II above applying only to such portion.]

Note 2.—[The contribution for pension and leave allowances referred to in clause II above should be levied at the rates prescribed in Articles 769 and 770 only in the case of establishments sanction after the 1st August 1913, the rates in the old rules contained in the original fifth edition of these Regulations continuing to apply in the case of establishments that existed before that date even though the incumbents may change or additions be made to these establishments.]

784 to 795.—Omitted.

CHAPTER XLII.—SERVICE UNDER LOCAL FUNDS

SECTION I. — PENSIONS

796. Apart from any special provisions made under the following rule, service paid for from a Local Fund does not qualify for pension.

797. In the case of the Local Funds which up to the 1st April 1908, were treated as Incorporated, the Local Government may, subject to any provisions of law applicable to the case, allow the Trustees, Committee, or Managers to treat the service as qualifying, and may itself do so in the case of Funds under its own direct administration.

798. The same procedure should be observed in the calculation, grant and payment of pensions for service treated as qualifying under Article 797, as is prescribed for pensions payable from General Revenues, but the pensions must be paid from and charged against the Local Fund.
(See notes under Article 807.)

799. When the part of the pensionable service of an Officer qualifies for pension from the General Revenues and part from the Local Funds which up to 1st April 1908 were treated as incorporated, his pension is paid and charged according to the Rule of Proportions: It is not admissible to disregard the pensionable Local Fund service, and award a pension only for the service paid from General Revenues: Provided that if, under this rule, less than one-fourth of the pension would be payable from either source, no distribution shall be made; in such case the other source shall bear the whole charge.

800. In the case of other Local Funds, the rule that service does qualify does not prohibit the grant and payment of pensions in conformity with the general terms of the pension rules by the authorized administrators of the funds. But Government is in no way responsible for the sanction or continuance of such pensions and no standing order for their payment may be issued to or received by, any Government Treasury and the procedure rules in Part X do not apply to them.

801. Service in the following establishments paid from Local Funds is treated as qualifying, provided that pension for service under the Fund is paid from the Fund, the Rule of Proportions being applied in the case of service paid partly from the Fund and partly from other sources:—

- (i) Establishments paid from Port Funds managed by Government.

Note.—[The rule regarding officers of the Royal Pakistan Navy lent to Port Trust is given in Article 772 (b) (iv).]

1. The transfer of Government servants to service under Local Funds should ordinarily be dealt with under the rules regarding Foreign Service. The application of the rules of Proportions to service partly under a Local Fund (other than those mentioned in this Article and in Article 799) requires the special sanction of the Local Government who before giving such sanction should satisfy itself that the fund in question is not of a merely temporary character that it is solvent and able to bear the charge and that the pension can legally be charged to it.

Pensions from the General Revenues

802. The administrators of a Local Fund may, with the permission of the Local Government, make a permanent arrangement for contributing for pensions from the general revenues for its permanent employees or for any specified classes of them by paying to Government a contribution of one-ninth of the sanctioned salaries of the several appointments: Provided that—

- (a) the contribution must be paid in full at the beginning each month by cash or cheque to the nearest Government Treasury. Any default in the payment of the contribution entails forfeiture of the claim against Government;
- (b) the bills for establishment charges must be subject to audit by Government with a view to ensuring that health certificates have been obtained for new entrants, that the contributions are recovered in respect of whole establishment sanctioned, and that no employ in any month draws more than the amount sanctioned for the appointment held by him.

Arrear contributions in respect either of individual officers or classes of officers, proposed with a view to render past service qualifying, cannot be accepted.

(b) Also teachers, fulfilling either of the conditions (i) and (ii) above who are transferred under orders of the Local Government and in the interests of the public service, and not for private reasons, between the local Fund and Municipal Schools, continue to render service pensionable from the General Revenues: Provided that contributions are paid in all cases under the rules in this chapter.

(c) In case (i) any pension granted is charged to the Local Fund Pension Fund and to the General Revenues according to the Rule of Proportions.

Note.—[Under the rules in force prior to January 1889, an officer paid from a Local Fund was allowed on first appointment with the permission of the Local Government, and upon production of the health certificate prescribed in Article 49 to subscribe for a pension from the General Revenues, the contribution being calculated at one-eleventh of the gross salary received from his foreign employers subject to a maximum of Rs.100 a month. This permission in so far as it relates to individual officers (apart from the regular system of contribution under the above article) is withdrawn, but officers who have already been permitted to subscribe may continue to do so subject to the conditions prescribed in Article 756 (a) of the old Foreign Service Rules. These Regulations will then apply to such officers so long as they continue to subscribe for pension as if they were paid from the General Revenues.]

803. An Officer who is in qualifying service under Government may be transferred by the Local Government to service under a Local Fund under the same limitations and conditions as are applicable to transfers to foreign service. If the establishments are fixed and controlled by Government in the same way as Government establishments, the limitations and conditions are those applicable to Foreign Service of the second kind; otherwise they are those of Foreign Service of the first kind.

804. Teachers and other members of the pensionable establishments of Government Schools, who are transferred with the schools to which they belong to service under Local Boards, continue to render service qualifying for pension from the General Revenues, and are entitled to the concession even though they may be moved from school with which they are transferred to another school which was formerly under Government management.

Teachers appointed to schools transferred to the management of Local Boards are entitled to pension from the General Revenues if the Local Government makes a part of its contribution to the school in the form of free pensions.

805. If an officer, whose service is reckoned as pensionable under provisions of Article 802, is transferred to the similarly pensionable establishment of another Local Fund, the transfer will not interrupt the continuity of service for pension. Transfers may also be made between such service under Local Funds and service in Government establishments.

806. Article 755 (a) does not apply to an officer transferred to service under a Local Fund under the conditions and limitations of Foreign Service of the second kind otherwise than as a merely temporary arrangement; but it does refer to transfers to service under a Local Fund under the conditions and limitations of Foreign Service of the first kind.

Pensions payable partly by Government and partly by a Local Fund

807. When a pension is payable partly by Government and partly by a Local Fund, the Local Fund concerned may pay the capitalized value (calculated on the basis of the Table of commutation values for pensions applicable to the pensioner, increased by 10 per cent.) of its share of the pension to Government which will thereupon accept liability for the payment of the entire pension.

Note 1.—[When a pension is payable partly by Government and partly by a Local Fund, the Local Fund concerned may pay the capitalized value (calculated according to the post office Annuity table) of its share of the pension into the Government Treasury instead of purchasing an annuity from the Post Office.]

Note 2.—[A District Board or Municipality may, with the previous sanction of the Commissioner of the Division grant a gratuity as such, to any of its

servants in lieu of the annuity purchase-able under this Article, if the gratuity proposed is not large enough to purchase an annuity of Rs.2 a month or more.]

Local Fund Pension Funds

808. The Government does not guarantee the solvency of Fund formed by the subscriptions of Local Fund officers, and established to provide pensions for the subscribers thereto.

809. Deleted.

SECTION II.—LEAVE, ACTING AND TRAVELLING ALLOWANCE RULES

810. Service under the Local Funds which up to 1st April 1908 were treated as Incorporated may qualify for leave under Part III; but the allowances given during such leave must be disbursed from the Local Funds and General Revenues according to the Rule of Proportions: Provided that, if less than one-fourth of the said allowances would be payable from either source, the whole of the allowances shall be charged to the other source.

811. Except in the case of employees of Local Funds which under legal enactment, or under rules framed under such enactment, have special rules regulating all or any of such matters, no leave, or allowances during leave or acting allowances to an Officer paid from a Local Fund, or from any other sources under the control of Government officer, shall, without the express sanction of the Local Government, exceed what would be admissible under the rule which apply to an Officer paid from General Revenues.

Note.—[A Local Government may delegate its power under this Article to Heads of Departments.]

812. The salary of an Officer whose substantive office is paid from a Local Fund appointed to act in an office paid from the General Revenues is calculated as it would be if his substantive office also were paid from the General Revenues.

813. Applications for leave are ordinarily made to the Managers of the Local Fund concerned; but when the Officer contributes for pension and leave, or pension only, Article 780 should be complied with.

814. The travelling allowance rules in Part XI do not apply to officers paid from a Local Fund or from any sources other than General Revenues under the control of any Government officer; but the travelling allowance paid to such officers shall not, without the express sanction of the Local Government, exceed what would be admissible to similar officers under Part XI.

Note.—[A Local Government may delegate its power under this Article to Heads of Departments.]

PART VIII.—RECORD OF SERVICE
CHAPTER XLIII.—RECORD OF SERVICE
SECTION 1.—GAZETTED OFFICERS

815. The general arrangement to be observed is that the Service Registers should be kept by the Audit Officer who audits the salaries, and that, when an Officer passes from one audit circle to another, a record of his past service should be passed on from the Audit Officer whose circle he leaves to the Audit Officer to whose circle he is transferred.

1. When a gazetted Officer is transferred to Foreign Service, a copy of his Service Register will be sent by the Audit Officer whose duty it was to keep it, to the Accountant-General who will account for the contribution and the latter will return the register (or an extract from it), duly written up to date, when the Officer is re-transferred to Government Service.

SECTION II.—NON-GAZETTED OFFICERS

816. With the exceptions noted below, a service book (Form 23) should be kept for every non-gazetted Officer holding a substantive appointment on a permanent establishment, in which every step in his official life should be recorded each entry being attested by the head of his office. If the Officer is himself the head of an office (e.g., Postmaster or a Sub-Inspector of Police), the attestation should be made by his immediate superior. The following are the exceptions referred to:-

(1) Non-gazetted officers the particulars of whose service are recorded in the "History of services of gazetted and other officers" or in Service Registers maintained by the Accountant-General. (2) Sub-Registrars in East Bengal whose record of service is maintained by the Inspector General of Registration in the form of Service Registers. (3) Members of the Salt Preventive Force mentioned in item (3) under Article 494 of these Regulations; Police Officers of rank not higher than head constable (3A), (4) postmen and village postmen (excluding head postmen, overseer post-man and sorting or reader postmen), and mail guards in the Railway Mail Service and linemen or line riders in the Telegraph Engineering Branch recruited after the 15th November 1933, (5) Permanent subordinate non-pensionable employees on State Railways for whom a special form of record has been prescribed (6) Class IV servants of all sorts (7) Enrolled clerks, storekeepers and checkers of the Pakistan Army Service Corps and Pakistan corps of Clerks Pakistan Wing).

817. Service rolls such as those prescribed for the Police in Article 823 should be maintained for all officers holding substantive appointments on a permanent establishment for whom service books are not kept except runners,

boatmen and coolies in the Post Office, and the officers referred to in exceptions (1), (2) and (5) under Article 816. Service rolls should invariably be submitted with pension papers to the Audit Office.

818. A Service Book is supplied at his own cost to every Officer on his first appointment. It is kept in the custody of the head of the office in which he is serving, and transferred with him from office to office. It may be given up to the Officer if he resigns or is discharged without fault, an entry being first made therein to this effect. The head of the office should see that all entries in the service book are duly made and attested. There should be no erasure or over-writing, all corrections being neatly made and properly attested.

819. It is the duty of every officer to see that his Service Book is properly kept up, in accordance with the previous Article. If the book is not carefully kept up, difficulties may arise as to verification of service, when the officer applies for pension. The head of the office will, therefore, allow the Officer to examine the service book, should the officer at any time desire to do so. Ordinarily there should be no occasion for this as the examination should be made whenever the officer is required to sign against an entry in his service book.

820. Personal certificates of character should not, unless the Local Government so directs, be entered in column (14), but if an officer is reduced to a lower substantive appointment, the cause of the reduction should always be briefly stated thus—"Reduced for inefficiency," "Reduced owing to revision of establishment," etc.

821. Every period of suspension from employment, and every other interruption in service; should be noted, with full details of its duration, by an entry written across the page, and attested by the head of the office or other attesting officer.

1. The head of the office should take efficient measures to see that these entries are made with regularity. The duty should not be left to the non-gazetted officers concerned.

822. (a) If the Officer is transferred to Foreign Service, the head the office or department should send his Service Book to the Accountant General, who will return it after noting therein, under his signature, the orders of Government sanctioning the transfer, the effect of the transfer in regard to leave admissible during Foreign Service, and any other particulars which the Accountant-General may consider to be necessary in connection with the transfer. On the officer's re-transfer to the Government Service, his Service Book should again be sent to the Accountant-General, who will then note therein, under his signature, all necessary particulars connected with the officer's Foreign Service.

1. No entries made in the Service hook of an Officer on Foreign Service of the first kind can be attested by any Officer except the Accountant-General.

(b) In cases in which the salaries are audited by an Accountant-General, this Article does not apply to Foreign Service of the second kind.

SECTION III.—NON-GAZETTED POLICE SERVICE

823. In the case of Police officers of rank not higher than head constable, there shall be kept up for each district by the District Superintendent of Police a Service Roll in English, in which shall be recorded the date of the enrolment of each man in the Constabulary; his caste, tribe, village, age, height, and marks of identification when enrolled; his rank, promotion, reduction or other punishment; his absences from duty, on leave or without leave; the interruptions in his service; and every other incident in his service which may involve forfeiture of portions of his service, or affect the amount of his pension. The roll shall be checked by the Vernacular Roll and Order Book and the Punishment Register, and every entry in it shall be signed by the District Superintendent of Police.

824. From this Roll the necessary statement of service of every applicant for pension shall be prepared, additional proofs being collected, as prescribed in Article 908, in respect of any service rendered before enrolment in the Constabulary which the applicant may be entitled to count.

PART IX.—PROCEDURE RELATING TO LEAVE

CHAPTER XLIV.—APPLICATIONS FOR THE GRANT OF LEAVE

SECTION 1.—APPLICATIONS

825. Except as provided in Articles 841 to 845 and 848, an application for leave should be submitted to the Local Government, or other authority whose duty it would be to fill up the appointment of the applicant if it were vacant.

1. When a gazetted officer applies for leave, he should quote the Article or Section of these Regulations under which he considers himself entitled to the leave.

826 & 827. Cancelled.

Medical Certificates—General Rules

827-A. Medical Officers are debarred from recommending the grant of sick leave in any case in which there appears to be no reasonable prospect that the Officer concerned will ever be fit to return to duty. In such a case, the opinion that,

the officer is permanently unfit for service under Government should be recorded in the Medical Certificate.

Note.—[Leave should not necessarily be refused to an officer, when a Medical Board in Pakistan has reported that there is no reasonable prospect of his ever being fit to return to duty, but may be granted after careful and special consideration of the case by the Local Government under which the Officer is serving. The following procedure should be carefully observed by the Local Government in dealing with such cases. If the Medical Board are unable to say with certainty that the Officer will never be fit for service in Pakistan again, it would be reasonable to grant him a short period of leave not exceeding twelve months in the first instance, if admissible under the rule, applicable to him. If, however, the Officer is declared to be completely and permanently incapacitated for further service in Pakistan [see Article 447 (a)], there is ordinarily no alternative but to invalid him from the service, either at the expiration of the leave already granted to him, if he is on leave at the date of his appearance before the Medical Board, or if he is not on leave, then from the date of the Board's report. In special cases, as for example where the officer's breakdown in health has been caused in and by the service, or where he has had a comparatively small proportion of leave during his service, or will complete at an early date an additional year's service for pension, the Local Government may at its discretion, after due consideration of the merits of the case, grant him leave (if he is not on leave) or extension of leave (if he is already on leave) for a short period, if it is admissible under the rules applicable to him, provided the grant of leave, or extension, as the case may be, does not exceed six months. This rule should be regarded as applicable to all officers serving under civil rules.]

827-B. All certificates of medical boards or medical officers granted under the provisions of Article 829 or 831 of the Civil Service Regulations (or under any similar rules applicable to Particular classes of officers) should contain a proviso that no recommendation in them shall be evidence of a claim to any leave which may not be admissible to an Officer under the terms of his contract or the rules to which he is subject.

Medical Certificate for Gazetted Officers

828. An application from an Officer in Pakistan for leave, or extension or commutation of leave, on medical certificate, must be accompanied by a certificate in the following form:—

Medical Certificates for Gazetted Officers Statement of the case of

Name (To be filled in by the applicant in the presence of the Staff Surgeon or authorized medical attendant.)

Appointment

Age

Total Service

Service in Pakistan

Previous periods of leave of absence on medical certificate

Habits

Disease

I, Staff Surgeon
Medical Officer attending the case

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

Dated

The Staff Surgeon,
or Authorized Medical Attendant

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

829. With the cognizance of the head of his office, or if he is himself the head of his office, of the head of his department, the applicant must, except in the cases provided for in Article 831, present himself with two copies of the statement of his case at the seat of the Government under which he is serving, or at such other place as may be appointed by that Government where a Committee of Medical Officers can be assembled under the orders of the Administrative Medical Officer of the Province, and when practicable, prescribed over by him. From this Committee the Officer should obtain a certificate as follows:—

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

829-A. When a Gazetted Officer is recommended for leave on medical certificate in Asia for more than 3 months or leave for 3 months or less is extended beyond 3 months, the Medical Committee shall state, at the time of granting this certificate whether the Officer should, or need not, appear before another Medical Committee for obtaining the certificate of fitness for return to duty, vide Article 225.

830. Before deciding whether to grant or refuse the certificate, Committee may, in a doubtful case, detain the applicant under professional observation during a period not exceeding fourteen days.

831. If the state of the applicant's health be certified by a Medical Officer, Commissioned or in-charge of a Civil Station, to be such to make it inconvenient for him to repair to the seat of Government under which he is serving, or to any other place, the authority by whom the leave is granted may accept either—

- (1) a certificate signed by any two Medical Officers, Commissioned or in-charge of a Civil Station, who need not belong to the same province as the applicant; or
- (2) if the authority concerned considers it unnecessary to insist upon the production of two medical opinions, a certificate signed by an Officer in medical charge of a Civil Station and countersigned by either the District Officer or the Commissioner of the Division.

832. The certificate obtained should then be submitted to Government for orders. The grant in Article 829 of the option of undergoing medical examination at the seat of the Government under which he is serving, or at any other place, does not confer on the applicant a right to proceed on leave without the sanction of the Government to which he is subordinate.

Medical Certificates—Non-Gazetted Officers

833. Deleted [with effect from the 26th July 1941.]

834. (a) Every application for leave on medical certificate made by a non-gazetted Government servant in superior or inferior service shall irrespective of the fact whether he is liable for general service or not to be accompanied by a medical certificate in the form prescribed below this Article given by a registered medical practitioner defining as clearly as possible the nature and probable duration of the illness, or by a request for the issue of a requisition for examination by a medical Officer of Government.

(b) The authority competent to sanction leave may, at its discretion, secure a second medical opinion by requesting the Agency, or Civil Surgeon to have the applicant medically examined. Should it decide to do so, it must arrange

for the second examination to be made on the earliest possible date after the date on which the first medical opinion was given.

(c) It will be the duty of the Agency or Civil Surgeon to express an opinion both as regards the facts of the illness and as regards the necessity for the amount of leave recommended, and for this purpose he may either require the applicant for leave to appear before himself or require the applicant for leave to appear before a medical officer nominated by himself.

Note.—[The possession of a certificate as prescribed in this rule does not in itself confer upon the Government servant concerned any right to leave.]
Medical certificate for non-gazetted officers and Government servants in the inferior service recommended for leave or extension or commutation of leave.

I,after careful personal examination of the case hereby certify that (whose signature or left hand thumb and finger impressions are given below), is suffering from.....and I consider that a period of absence from duty of.....is absolutely necessary for the restoration of his health with effect from

Dated
The

Signature and Designation of
Government Medical Attendant.

Signature with degree or diploma of the private practitioner or if he is a registered practitioner his Register No

Signature or left hand thumb and finger impressions of the sick.

Note 1.—[The nature and probable duration of the illness should be specified.]

Note 2.—[This form should be adhered to as closely as possible, and should filled in after the signature or left hand thumb and finger impressions of the applicant have been taken. The certifying officer is not at liberty to certify that the applicant requires a change to (or from) a particular locality, or that he is not fit to a particular locality. Such certificates should only be given at the explicit desire of the administrative authority concerned, to whom it is open to decide, when an application on such grounds has been made to him, whether the applicant should

go before a Medical Board to decide the question of his fitness for service (vide paragraph 100, Regulations for the Medical Services of the Army in Pakistan.)]

Note 3.—[In the case of female officers the local Government may either dispense with the countersignature referred to in this Article or authorize such countersignature by doctors of their own sex.]

Second medical opinion (if called for by the authority competent to sanction leave).

Agency or Civil Surgeon

Note.—[Should a second medical opinion be required the leave sanctioning authority should arrange for the second medical examination to be made at the earliest possible date. The Agency or Civil Surgeon's opinion both as to the facts of illness, and the necessity for the amount of leave applied for, should be record. He may require the applicant to appear before him or before a medical Officer nominated by him vide clauses (b) and (c).]

835. Cancelled.

Medical Certificates—Gazetted and Non-gazetted officers

836. If the officer is going on leave out of Pakistan, he should take with him one copy of the medical report upon his case.

837. A duplicate of the medical report of an officer going on furlough on medical certificate or leave on medical certificate to Europe, North Africa, America, or the West Indies should be forwarded without delay direct to the High Commissioner for Pakistan in the U. K by the Local Government under which the Officer is employed, for the information of the Medical Board attached to his office, so as to arrive as soon as the Officer reaches his destination.

838. (a) An applicant for an extension or commutation of leave on medical certificate who is residing in Europe, North Africa, America, or the West Indies, must satisfy the Medical Board in England as to the necessity for the extension or commutation.

Ordinarily he must attend at the Office of the High Commissioner for Pakistan in the U. K. for examination at the Board; but, in special cases, particularly if he be residing at a distance of more than sixty miles from London, a certificate in a form to be obtained from his Office and signed by two medical practitioners may be accepted. A certificate obtained outside England and signed by foreigners must be attested by Consular or other authority as bearing the signature or qualified medical practitioners.

(b) An applicant for an extension or commutation of leave on medical certificate who is residing in any place out of Pakistan not mentioned in clause (a) of this Article, must submit with his application (which is to be submitted to the proper authority in Pakistan under Article 300) certificates from two medical practitioners in the following form:—

We hereby certify that we have carefully examined Mr. A. B. of the who is suffering from (the nature of the disease and the present condition of the Officer must be fully detailed), and we declare upon our honour that according to the best of our judgment and belief, he is at present unfit for duty in Pakistan, and that it is absolutely necessary for the recovery of his health that his present leave which will expire in Pakistan on.....should be extended by..... Months.....weeks.

Date

Place

The certificate must be attested by the Principal Medical or other authority where the officer resides.

SECTION II. — GRANT OF LEAVE

839. Leave may be granted with retrospective effect from the date on which it is admissible.

840. Unless specially otherwise ordered, leave must begin within thirty-five days of the date on which it is granted.

841. (a) After obtaining a report from the Audit Officer upon the title of an applicant who is a gazetted Officer to the leave applied for, the Local Government may grant any leave admissible under the Regulations.

(b) In the case of an Officer who is not gazetted, leave may be granted by the authority whose duty it would be to fill his appointment, if vacant. The report of an Audit Officer is not required on the title to leave of an applicant who is not a gazetted officer.

(c) The Local Government may, with or without restrictions, delegate the power of granting leave to any Officer who, in its opinion, can judge of the expediency of granting the leave and who can, without reference to higher authority, make the necessary arrangements for carrying on the absentee's duties during the leave. The Local Government may at any time withdraw powers delegated under this clause.

(d) An Officer acting under clause (c) must, in the case of a gazetted officer, first obtain a report from the Audit Officer that the leave is admissible. If he

grants the leave, he must communicate orders to the Audit Officer by insertion in the Gazette or otherwise. In delegating its powers of granting leave in accordance with clause (c), the Local Government will decide whether in the case of gazetted officers, either the grant or the refusal of the leave should be reported to it.

842. A Local Government granting leave to a member of Civil Service Pakistan on the East Bengal Establishment serving out of his own Province should inform the Government of Pakistan.

843. Leave to an officer appointed by a High Court is granted by the Chief Justice, subject, in the case of gazetted officers, to the report of the Accountant-General that the Officer is entitled to the leave.

844 to 854. Cancelled.

SECTION IV.—* RULES REGARDING MILITARY OFFICERS

855. (a) When Furlough or Leave or an extension of furlough or leave is granted to a Military Officer in Civil employ, whether subject to the Civil or the Military Leave Rules, the Civil Audit Officer should intimate to the Account Officer in-charge of the officer's record of pension service the date of the beginning and ending of the furlough or leave.

(b) After the Furlough or Leave has appeared in orders, the Account Officer in-charge of the officer's record of pension service will, in the case of furlough to Europe, North Africa, America or the West Indies, forward to the High Commissioner for Pakistan in the U K. a statement of the officer's service in the prescribed form. The statement is not required in the case of officers proceeding on furlough under the Staff or British Leave Rules.

855-A. Applications from Military officers in Civil employ who are subject to Military Leave Rules for privilege leave combined with furlough or other leave under the provisions of Note 2 to Article 606 of these Regulations should be submitted through the Civil Account Officer who audits the officer's salary, and the Civil Account Officer when forwarding the application to the Local Government should report on the applicant's title to the combined leave, after consultation with the Controller of Military Accounts in-charge of the officers record of pension service.

856. (a) An application for Furlough or Leave in or out of Pakistan under Pakistan Military Furlough or Leave Rules from an officer in permanent Civil employ or an Officer holding an appointment in the Civil Department, the tenure of

* Officers in Civil employ who are subject to the Military Leave Rules are eligible for Privilege leave under the rules in Chapter XII of these Regulations.

which is limited, should be submitted through the Account Officer** in-charge of the officer's record of pension service, who will forward it to the Local Government, stating the Furlough or Leave Regulations to which the Officer is subject; and in addition—

- (i) if the applicant is subject to the Military Furlough Regulations of 1868 or 1875—the particular rule or rules of the Regulations under which the furlough is admissible;
- (ii) if the applicant is subject to the Leave Rules for the Pakistan Army—the year of service for pension he has entered upon and the date on which that year commenced;
- (iii) if the application is for leave in Pakistan—the particular rule of the Regulations under which the leave is admissible.

(b) In the case of officers subject to the leave rules applicable to Regimental officers of the British Army serving in Pakistan and holding Civil appointments, applications for leave should be submitted direct to the Local Government. The Controller of Military Accounts will, on application, furnish the civil auditors concerned with a certificate showing the rate of pay admissible during leave and how the leave may be extended or commuted.

(c) In the case of an Officer in Civil employ proceeding on furlough under the Military Furlough Regulations of 1868 or 1875, the Account Officer in-charge of the officer's record of pension service will furnish the Civil auditor concerned with the necessary certificate as in Form 1.

857. (a) After the Furlough or Leave has appeared in orders, the Local Government will, in the case of furlough on medical certificate or leave on medical certificate to Europe, North Africa, America, or the West Indies forward the medical statement of the officer's case to the High Commissioner for Pakistan in the U. K.

(b) All reports of officers' arrival from, and departure on, furlough or leave in or out of Pakistan with dates of embarkation and debarkation, as well as those of being struck off or of resuming duty, should be forwarded to the Account Officer in-charge of the Officer's record of pension service.

(c) On the return of an Officer from furlough or leave, it will be the duty of the Account Officer in-charge of his record of pension service to satisfy himself

**The Account Officer is defined in paragraphs 2,3,4 and 5 of the General Order in the Military Department No. 134, dated 8th February 1895, as modified by the General Order in that Department, No. 1080 of 1895.

that he has returned within his leave; and, if not, to report the case to the sanctioning authority.

858. When a Military Officer subject to the Military Leave Rules applies for leave of absence on medical certificate, or proceeds to a seaport for the purpose of appearing before a Medical Board, he should communicate his intention to his immediate departmental superior when he sends in his application, or before he leaves his station, as the case may be.

859. An application from a Military Officer subject to the Military Leave Rules for Special leave under Article 316, as it stood prior to 29th July 1920, should be submitted to the Local Government for sanction with a certificate from the officer in-charge of the officer's record of pension service that he is entitled to it.

860. A Military Officer subject to the Military Leave Rules proceeding on Furlough or Special leave, cannot obtain in last-pay certificate or a warrant, as the case may be, until he submits to the Audit Officer a certificate in Form 1 by the Account Officer in-charge of his record of pension service.

Commissioned Medical Officers

861. (a) An application for any leave except Privilege leave and leave on medical certificate from a Commissioned Medical Officer in permanent or temporary Civil employment, should be submitted by the applicant, together with the Audit Officer's certificate, to the Local Administrative Medical Officer, by whom it will be forwarded to the Director-General Medical Service.

The Director-General will countersign the application if the state of the public service admits of leave being granted, and forward it to the Local Government. If the state of the public service does not admit of leave being granted, he will abstain from countersigning the application. On the application so countersigned, or from which countersignature has been withheld, the Local Government will be in a position to pass orders. The same procedure will be followed in case of medical officers applying for extension of furlough on private affairs.

(b) An application for any leave except Privilege leave and leave on medical certificate from a Medical Officer appointed by the Government of Pakistan should be forwarded, with the Audit Officer's certificate, through the Administrative Medical Officer and Local Government to the Department of the Government of Pakistan concerned, who, after consultation with the Director-General, Medical Service, will pass the necessary orders.

Note.—[A Local Government granting leave or extension of leave to a Commissioned Medical Officer in temporary Civil employ should communicate a copy of the order to the Director of Medical Services in Pakistan.]

CHAPTER XLV.—PAYMENT OF LEAVE ALLOWANCES

862. (1) That portion of leave allowances which represents overseas pay drawn in sterling shall be paid in all cases in sterling ¹⁰⁵[and unless the Government servant exercises the option under sub-rule (2) of drawing it in a Colony along with the balance of his leave allowance, the payment shall be made by the High Commissioner for Pakistan in the United Kingdom.

(2) Subject to the provisions of sub-rule (1), the payment of leave allowances shall be regulated as follows:—

Leave allowances are payable in Pakistan after the end of each calendar month; but an Officer on leave out of Pakistan may at his option take payment in England from the date of quitting Pakistan, or in the case of an Officer who has quitted Pakistan during the Privilege leave portion of combined leave under Article 232 or during Privilege leave taken by itself, from the date of commencement of such Privilege leave; or if he proceeds to a Colony named in Appendix 15, he can take payment in such Colony. Any balance of leave allowances undrawn at the time that an Officer returns to duty in Pakistan should be drawn there in rupees. In case, however, where the non-drawl of leave allowances at sterling rates outside Pakistan is due to no fault of the Officer concerned, the Government of Pakistan may authorize the undrawn allowances to be paid in Pakistan at such sterling rates, converted into rupees at such rate of exchange as the President may by order prescribe.

An Officer having selected the country in which he desires to draw his leave allowances is permitted to change only once during any one period of leave.

Note.—[Not withstanding anything in this Article, an Officer who becomes entitled to the sterling maximum or minimum prescribed in Chapter XIII or XIV, but does not exercise the option to take payment outside Asia or having exercised the option does not actually take payment outside Asia, will draw the leave allowance in Pakistan at the sterling rate, converted into rupees at such rate of exchange as the President may by order prescribe.]

¹⁰⁶(3) Any leave salary drawn outside Pakistan shall be subject to deduction of Pakistan income-tax and super-tax at the rate which would have been applicable if that leave salary had been drawn in Pakistan.

¹⁰⁵ This amendment takes effect from the 12th January, 1937.

¹⁰⁶ This sub-rule takes effect from the 1st April, 1939.

Payment in Pakistan

863. Except in the Military Works, Railway and Telegraph Department a gazetted Officer on leave may draw his allowance at any treasury in Pakistan.

864. If a gazetted Officer signs his bill himself, he must either appear in person at the place of payment, or furnish a life certificate signed by a responsible Officer of Government, or some other well-known and trust-worthy person. If he draws his allowances through an authorized agent, the agent, whether he has or has not a power-of-attorney, must either furnish a life certificate as aforesaid, or execute a bond to refund overpayments. A life certificate may be given periodically, a bond being given to cover intermediate payments not supported by the life certificate.

Note.—[The proper stamp-duty upon bonds executed under this Article is that chargeable upon Indemnity Bonds according to the First Schedule of the Pakistan Stamp Act. II of 1899.]

865. The leave allowances of a non-gazetted officer on leave in Pakistan or on leave out of Pakistan when he desires to draw his allowances in Pakistan can be drawn only at the treasury where his salary is paid, and under the signature of the head of his office, who is responsible for any overcharges; no other security is required.

866. The payment of the leave allowances of officers and subordinates of the Railway Department and of officers of the Military Works Service and the Telegraph Department during leave in Pakistan is regulated by special Departmental rules.

867. Missing in the original.

868. Leave allowances expressed in rupees, if paid by the High Commissioner for Pakistan in the U.K. or in a Colony where the standard of currency is gold, shall be converted into sterling at such rate of exchange as the President may by order prescribe.

869. The leave allowances of all officers are issued by the High Commissioner for Pakistan in the U.K. monthly in arrears on the first day of each calendar month.

They are made up to the following quarterly dates, 31st March, 30th June, 30th September and 31st December, and they are paid in Monthly instalments, the first two instalments in each quarter being the net amounts accrued, omitting shillings and pence, and the third instalment being the balance due for the quarter.

Payments is made—

- (i) to the officer on his personal application; or
- (ii) to his banker or other agent, duly authorised under power of attorney, on production of a life certificate, filled up and executed in the manner directed thereon (except in cases where proof of existence is not required owing to the banker having guaranteed the High Commissioner for Pakistan in the U.K. against loss consequent on his dispensing with the production of such proof); or
- (iii) on presentation of a draft, duly filled up and signed by the Officer in a form which, the requisite form of life certificate attached, may be obtained from the office of the High Commissioner for Pakistan in the U.K. on the officer's written application.

Certificate of Leave

870. Cancelled.

871. (a) An Officer proceeding on leave to Europe, who does not intend to draw allowances from England should take with him a Certificate of Leave in Form 9 or 10, as the case may be, from the Audit Officer in whose circle of audit his appointment is held. If he visits England, this certificate is to be presented at the Office of High Commissioner for Pakistan in the U.K.

1. A Military Officer subject to the Military Leave Rules proceeding on leave cannot obtain the certificate in this Article until he submits to the Audit Officer a certificate in Form 1 by the Account Officer in charge of his record of pension service.

(b) If the Officer afterwards desires to draw his leave allowances in England or at some Colonial treasury, he must obtain a last-pay certificate from the Audit Officer in whose circle of audit he was employed when he proceeded on leave.

872. An Officer proceeding on Long Leave to North Africa, America, or the West Indies must take with him a certificate in the form prescribed in the preceding Article. If he visits England, or has some occasion to apply for an extension of leave, the certificate should be presented at the office of the High Commissioner for Pakistan in the U.K. If not previously presented, it must be forwarded to the office of the High Commissioner for Pakistan in the U.K. when permission to return to duty is applied for.

873. An Officer proceeding on Extraordinary leave without allowances to Europe, North Africa, America, or the West Indies must take with him a certificate of leave in Form II from the Audit Officer in whose circle of audit his appointment is held. If the officer visits England or has occasion to apply for an extension of

leave, the certificate should be presented at the Office of the High Commissioner for Pakistan in the U.K. If not previously presented, it must be forwarded to the Office of the High Commissioner for Pakistan in the U.K. when permission to return to duty is applied for. The Audit Officer should, when he issues this certificate, send a duplicate to the Office of the High Commissioner for Pakistan in the U.K.

CHAPTER XLVI.-LAST-PAY CERTIFICATES AND WARRANTS

SECTION I.-LAST PAY CERTIFICATES

874. Except as provided in Article 879, no officer can begin to draw his leave allowance at any treasury in Pakistan, or in England without producing a last-pay certificate from the Accountant-General of the Province to which belongs.

Note.—[In cases of doubt as to the authority that is to issue the last-pay certificate, the Account Officer from whom the officer receives his pay when he goes on leave will issue the certificate after obtaining all necessary information from any other Account Officer that may be concerned.]

1. No demand certificates are not required by an Officer going on leave.

875. Last-pay certificate (and warrants) cannot be issued to Military officers subject to the Military Leave Rules, until Article 860 has been complied with.

876. Except in respect to Colonial Warrants (Articles 888 to 891), this Section does not apply to Military Works and Railway officers whose last-pay certificates are issued under departmental rules.

Extensions and Commutations

877. If the leave of an officer, whether in or out of Pakistan, is extended or commuted, the Audit Officer within whose jurisdiction the Officer is employed must, on receiving advice of such extension or commutation, forthwith communicate it to the Audit Officer within whose jurisdiction his leave allowance are drawn. He should also communicate any other circumstances connected with the leave which may be required to be known to the Audit Officer who passes the officer's leave allowances.

Leave in Pakistan

878. When an Officer proceeds on leave from one place to another in Pakistan, he should obtain a certificate in Form 16 from the Accountant-General of

his Province. If during leave the Officer desires to change the treasury at which he receives payment of his allowances, he must obtain a new last-pay certificate.

879. An officer on leave, who does not leave his district does not require a last-pay certificate: nor does an officer who leaves his district on leave in Pakistan without allowances.

Leave out of Pakistan

880. When an officer proceeds out of Pakistan on leave with allowances, the Accountant-General who audits his pay bill, as soon as the leave is granted or otherwise notified, send him a letter in Form 12 or 13 with enclosure in Form 14 or 15 as the case may be, requiring him to call at his office, or give the necessary information.

881. If the officer calls at the Accountant-General's office, he will be paid up to the day before he leaves Pakistan, and will be given a last-pay certificate in Form 16 if he intends to draw his leave allowance in England and in Form 17 if he is proceeding to a Colony and intends to draw his leave allowance there.

Note.—[An Officer who proceeds out of Pakistan during the Privilege leave portion of combined leave under Article 232 or during Privilege leave taken by itself may be granted a last-pay certificate in view to the payment of his allowances at the office of High Commissioner for Pakistan in the U.K. or in a Colony from the commencement of his Privilege leave. In that event, he must draw in Pakistan allowances due up to the date of giving up charge of his office.]

882. If the officer is unable to call at the Accountant-General's office the Accountant-General will prepare a bill for his allowances from the end of the month preceding that of his making over charge, to the day before he sails, and will (if the officer intends to draw leave allowances in England or in a Colony) forward it with the certificate in Form 16 or 17 as the case may be, to the Treasury Officer, for delivery to the Officer according to the instructions in Form 18.

Note.—[See Note under Article 881.]

883. With every such last-pay certificate a blank Form 19 will be given on which the officer will report to the Accountant-General, from the first port at which the vessel touches, the day of his departure from Pakistan.

884. When the Audit Officer delivers, or receives from the Treasury Officer a report in Form 20 that he has delivered, a last-pay certificate to the Officer concerned, he will, if the certificate is in Form 16, forward a duplicate of the certificate to the Office of the High Commissioner for Pakistan in the U.K.

885. When the Officer proceeding to England is compelled to leave without a last-pay certificate, the necessary document should be forwarded to him

and a duplicate to the Office of the High Commissioner for Pakistan in the U.K. at the earliest possible date.

886. An officer proceeding to Europe should present his last-pay certificate at the Office of the High Commissioner for Pakistan in the U.K. When he returns to Pakistan, he should obtain a last-pay certificate from the High Commissioner.

887. A last-pay certificate in Form 16—the 11th and 13th columns and the Notes below it being omitted—is required in the case of an officer proceeding on leave out of Pakistan whose leave allowances, payable in Pakistan, are required to be paid in a circle of audit other than that under which the officer's appointment is held. If change of treasury is at any subsequent time desired, a new last-pay certificate in the same form must be issued by the Accountant-General who last paid the allowances.

Colonial Warrants

888. (a) An officer, including an officer of the Military Works or Railway Department (See Article 876), proceeding to a Colony should submit his last-pay certificate to the Accountant-General Pakistan Revenues, Karachi.

(b) Accountant-General will retain the last-pay certificate, and, in lieu thereof, issue a Warrant in Form 21 upon the Colonial authority concerned.

889. Every Warrant shall be issued in triplicate. The original, bearing the payee's signature, should be forwarded to the Colonial authority concerned, the duplicate to the High Commissioner for Pakistan in the U.K. and the triplicate should be made over to the payee. Each payment should be endorsed on the back of both the original and the triplicate Warrant, an acknowledgement of receipt of money being rendered by the payee. When no space for such entries remains, or when a Warrant is lost or destroyed, a fresh Warrant shall be issued by the officer who issued the original Warrant on application being made through the Colonial disbursing officer.

890. Upon his return to Pakistan an officer should deliver up his copy of the Warrant, which will serve the purpose of a last-pay certificate.

891. The Government of Pakistan recognises the proceeding of the Colonial authorities sanctioning the transfer of the payment of leave allowances from one Colony to another, but such transfer should be reported separately by the absentee to the Government of Pakistan and to the High Commissioner for Pakistan in the U.K.

Note.—[Article 888 to 891 apply to Military officers subject to the Military Leave Rules.]

Copy of Rules to be furnished

892. Every Officer going on leave out of Pakistan should procure from the Account Office and take with him a copy of the "Memorandum of information" issued for the guidance of officers proceeding on leave (other than Privilege leave taken by itself), out of Pakistan.

SECTION II.—RULES FOR PREPARING LAST-PAY CERTIFICATES

893. In Forms 16 and 17 it should be stated to which Province an officer belongs, in which Province he is employed, and whether the absentee allowance is chargeable to the Civil or the Military Department.

894. Cancelled.

895. Allowances should be stated in rupees and not in pounds; and in entering "the rate of absentee allowances", it should be stated, in the first place, without reference to the maximum or minimum applicable, and then, if a maximum or minimum applies or if the allowance is such that a future change in the rate of exchange may render a maximum (or minimum) applicable, the words should be added, "subject to a maximum (or minimum) of....., etc."

896. In Form 16 it must be shown whether an Officer is entitled to the full amount of Furlough permitted by the rules.

897. In column II in Forms 16 and 17, the Articles of these Regulations or of the Military Furlough Regulations under which the advance is made should be mentioned.

Amended Certificates

898. (a) Every corrected last-pay certificate whether original or duplicate should be marked "Amended Certificate". If it becomes necessary to amend a last-pay certificate in Form 16, it should be done by the use of a short corrigendum worded so as to show only the particular item or items in which alternations have been made; this corrigendum should be forwarded by the Accounts Officer at the earliest possible date direct to the Office of the High Commissioner for Pakistan in the U.K.

(b) The last-pay certificate is issued on the assumption of the correctness of the intended dates of making over charge and of leaving Pakistan. If these dates are changed, the required adjustment of allowances will be made when the Officer returns to Pakistan, or, if necessary, sooner. No alteration may be made in the certificate as issued by the Accountant-General unless there is time to send it to him for alteration.

(c) In all cases of leave exceeding four months in duration in which an officer elects to draw his leave allowances in England an amended last-pay certificate should be sent to the Office of the High Commissioner for Pakistan in the U.K. whenever the amount of leave allowances entered in the original last-pay certificate requires correction, unless the officer is known to have started on his return to Pakistan. If the amended last-pay certificate arrives too late at the Office of the High Commissioner for Pakistan in the U.K. it will be returned to the issuing officer in Pakistan.

Source form which Absentee Allowance is payable

899. In making entries against the heading "Source from which", etc., the term "Pakistan Revenues" should be used in all certificates intended to be sent to England. If the allowance is not chargeable finally to the Government of Pakistan, the Local Administration or Fund from which it is recoverable must be expressly stated.

900. When leave allowances are chargeable according to the Rule of proportions, the following is the service to be thus taken into account.

(a) Privilege Leave, under Article 246 to 278:—

Privilege leave; duty without interruption for a period eleven times as long as the Privilege leave.

(b) Long Leave, European and Indian Service under Chapter XIII and XIV:—

Furlough on Medical certificate; the whole continuous service..
Furlough without Medical certificate; the whole continuous active service.

(c) Military Furlough Regulations of 1868:—

Furlough without medical certificate:—
First two years (Rule IX): actual service in Pakistan for eight years.
The rest; actual service in Pakistan for six years.

(d) Military Furlough Regulations 1875:—

Furlough without medical certificate (Rule 1); proportion of service in Pakistan or under the Government of Pakistan taken into calculation in the grant of furlough.

(e) Leave Rules for the Pakistan Army:—

All leave; the whole pensionable service, but in this case, in calculating the charge to be borne by a Foreign and the Pakistan Government, the period of service, and not the aggregate salary drawn is taken into account.

- (f) Long Leave, Statutory Civil Servants, under Chapter XXVI:—
Leave on private affairs, service for six years.
Furlough—

First year; service for ten years.

Second year, service for eight years.

More than one year; service for eighteen years.

- (g) Other cases:—

In un-enumerated cases the whole service in Pakistan is counted.

Arrears of Pakistan Pay and Allowances

901. No entries in regard to arrears of Pakistan pay and allowances due to an officer proceeding on leave or on retirement to Europe should be made in his last-pay certificate. Such allowances are not paid in England.

Completion of Service

902. The date on which any Officer will, during the currency of leave complete the term of service, or attain the age after which by any rule he is required to retire from the service, should be shown.

Civil Fund Deductions

903. (a) The High Commissioner for Pakistan in the U.K. recovers subscriptions on account of the different Civil Funds from subscribers absent from Pakistan on leave who draw their leave allowances in England, who either are required by the rules of their Fund to pay their subscriptions in that country during leave; or elect or do so. Particulars of the Fund deductions to be made from the absentee allowances of officers on leave drawing their leave allowances in England should be noted on the last-pay certificates; and where a subscriber elects to make payments of his subscriptions in Pakistan while on leave, or to postpone such payments until his return to Pakistan, the fact should also be noted on the last-pay certificate. The rules under which the deductions are made, and the method by which they are calculated in the cases of the different Funds will be found in Articles 557 to 560.

(b) The four per cent. deductions to which the allowances of a member of the Civil Service Pakistan are subject while he is on leave should invariably be stated in his last-pay certificate (see Article 556.)

904. Cancelled.

PART X.—PROCEDURE RELATING TO PENSION

CHAPTER XLVII.—APPLICATIONS FOR AND GRANT OF PENSIONS

SECTION I.—GENERAL

905. The rules in this Chapter apply to all officers applying for pension under these Regulations except—

- (a) Members of the Pakistan Civil Service (Chapter XLIX).
- (b) Judges of the High Courts for whom no special procedure is laid down.

¹⁰⁷ **906.** For the purpose of initiating cases of pension-

(a) all authorities dealing with applications for pension under these Regulations should bear in mind that delay in payment of pensions involves peculiar hardship. It is, therefore, essential to ensure that an employee begins to receive his pension on the date on which it becomes due;

(b) the Secretary or Principal Accounting Officer (PAO) or Head of Department shall notify or issue office order of retirement of employee fifteen months prior to attaining the age of superannuation, even if the employee does not take leave preparatory to retirement and even if the employee is on deputation or on leave;

(c) prior to initiating the case for retirement notification, the dealing staff in Administrative Department shall ensure that-

- (i) outstanding government dues, if any, have been recovered; and
- (ii) the dealing staff shall certify the case on file submitted for notification or office order of retirement to competent authority that there are no dues and advances recoverable from the retiree otherwise, the staff processing the case shall mention the correct amount recoverable from employee.

¹⁰⁷ Article 906 substituted by the S.R.O.1423(I)/2018 [No.F.9(3)-R.6/2015-1262], dt:-15-11-2018, Gaz. Of Pak., Extra.. Pt. II, page. No.3007-3008. dt:-20-11-2018.

Explanation.- *Staff means officers and officials dealing with the case of retirement;*

(d) processing staff shall certify and record that dues of the Estate Office (or departmental dues in case the administrative control of residential facility rests with department concerned) were deducted correctly, otherwise he shall mention the details of recoveries to be made or, if the recoverable amount has been deposited by employee concerned through treasury challan, the department shall certify that the amount has been deposited and shall maintain original record for audit purpose;

(e) while submitting application, the employee proceeding on retirement or in case of family pension the beneficiary shall mention in the application that any recovery pointed out subsequently shall be recoverable from his pensionary benefits at any stage. These certificates and undertakings shall be retained by the administrative department and will no more be required on Form-25 to be submitted in Accounts Offices;

(f) the processing staff shall process the case for invalid pension only if the invalid certificate is issued by Central Medical Board on the request of department concerned (for example Federal Government Services Hospital Islamabad).

Note.- If the medical examination of the applicant was not conducted on the date on which he ceased to perform duty, the authority competent to sanction the pension may accept a medical certificate bearing a later date.";

¹⁰⁸ **907.** For the purpose of processing pension case promptly-

(a) every employee shall submit a formal application for pension in Part I of Form-25. An employee should, in his own interest, submit his formal application for pension to the authority specified in Article 911 or 914, as the case may be, six months in advance of the date of his actual or anticipated retirement:

Provided that –

- (i) *in cases in which the date of retirement cannot be foreseen six months in advance, the application shall be submitted immediately after the date of retirement is settled; and*
- (ii) an employee proceeding on leave preparatory to retirement in excess of six months, shall submit the application at the time of proceeding on such leave;

¹⁰⁸ Article 907 substituted by the S.R.O.1423(1)/2018[No.F.9(3)-R.6/2015-1262], dt:-15-11-2018, Gaz. Of Pak., Extra, Pt. II, page. No.3007-3008, dt:- 20-11-2018.

(b) by submitting and signing application for pension, an employee undertakes that he will not indulge in politics for a period of two years and that any recoveries pointed out in future shall be recoverable from him.

Note.-This rule is intended to obviate delay in the settlement of claims for pension and to ensure that an employee may not retire under the misapprehension that he has earned a pension which is subsequently found to be inadmissible. There is indeed no limitation on the period after retirement within which an application for pension or gratuity must be submitted, but in the absence of special orders, a pension applied for after the employee has retired begins from the date of application (See also Article 930.)”

¹⁰⁹ “**908.** (a) the Accounts Office concerned shall send to every Secretary or PAO or Head of Department concerned a list in the first week of each quarter showing the particulars of employees going to attain the age of superannuation within fifteen months prompting them for completion of their service history or service book for service, leave, pay fixation etc., pension and provident fund contributions, recoveries to be made, details of family members and sending the same in original through department concerned to Accounts Office concerned for vetting. In case of employee who submits application for early retirement due to any reason or going on compulsory retirement, the same should be initiated by department concerned with the approval of Secretary or PAO or Head of Department as soon as such a case is initiated; and

(b) in case, the administrative department or Accounts Office concerned points out incorrect pay and allowances, causing overpayment or underpayment or any other recoveries, the revised pay slip or LPC shall be issued by the Accounts Office on the request of the department concerned, as the case may be, showing the recoverable amounts or payables.”

909. Questions affecting the pension or pensionable service of an officer which for their decision depend on circumstances known at the time shall be considered as soon as they arise.

Any question which for its decision depends on possible circumstances that may arise in future or on hypothetical conditions may be raised or discussed as soon as the permissible period for submission of formal application for pension under Article 907 begins.

910. Except in cases covered by the first sentence of the preceding Article or in individual cases under specific orders of the Government of Pakistan or the Local Government, an Audit Officer may not give advice upon any question

¹⁰⁹ Article 908 substituted by the S.R.O.1423(1)/2018[No.F.9(3)-R.6/2015-1262], dt:-15-11-2018, Gaz. Of Pak., Extra., Pt. page. No.3009-3010, dt:- 20-11-2018.

connected with the claim of an officer to pension until the permissible period prescribed in Article 907 for the submission of formal application for pension beings.

SECTION II.—APPLICATIONS

A.—GAZETTED OFFICERS

¹¹⁰**911.** A Gazetted Officer shall submit the formal application for pension referred to in Article 907 to the Head of the Department or, if the officer is himself the Head of the Department, to the Head of the Administrative Ministry or Division concerned.]

Note.—[The following certificate shall be recorded by the applicant on the application:—

I hereby declare that I have neither applied for not received any pension or gratuity in respect of any portion of the service included in this application and in respect of which pension or gratuity is claimed herein, nor shall I submit an application hereafter without quoting a reference to this application and to the orders which may be passed thereon.]

912. (i) The authority receiving the formal application shall immediately draw up the application in Form 25 (Revised).

(ii) He shall certify ¹¹¹[in section ¹¹²(6) of part II] of the form whether the character, conduct and past services of the applicant are such as to entitle him to the favourable consideration of Government. He shall also record there his own opinion whether the service claimed has been established and should be admitted or not.

(iii) All periods of ¹¹³[extraordinary] leave, suspension, etc., which are not reckoned as service should be carefully recorded on the form.

(iv) If the application is for an invalid pension, the requisite medical certificate shall be attached to the application.

Note.—If the medical examination of the applicant was not conducted on the date on which he ceased to perform duty the authority competent to sanction the pension may accept a medical certificate bearing a later date.

¹¹⁰Substituted *vide* SRO.127(K)/65 [Fin. Div. No F.2(1)-RS/65], dated 22-02-1965, Gaz. Of Pak. Part-I,P.No.107, dt:-5-3-1965.

¹¹¹Substituted *vide* SRO.127(K)/65 [Fin. Div. No F.2(1)-RS/65], dated 22-02-1965, Gaz. Of Pak. Part-I,P.No.107, dt:-5-3-1965.

¹¹²Substituted *vide* SRO.278(K)/68 [Fin. Div. No.F.3(1)-RS-II/67], dated 15-2-1968, Gaz. Of Pak. Part-I,P.No.253, dt:-1-3-1968.

¹¹³Inserted *vide* SRO.127(K)/65 [Fin. Div. No F.2(1)-RS/65], dated 22-02-1965, Gaz. Of Pak. Part-I, P.No.107, dt:-5-3-1965.

913. (a) After completing the application in the manner prescribed in the preceding article it shall be forwarded along-with the necessary documents to the Audit Officer through the authority empowered to sanction the pension.

(b) If the applicant for pension (not gratuity) is no longer in active service, a last pay certificate shall be attached to the application except when he retires from service while on leave out of Pakistan and draw his leave salary at or through the High Commissioner for Pakistan in United Kingdom and also desires to draw his pension from the same source.

¹¹⁴[(c) The authority competent to sanction the pension shall, after due consideration of the facts of the case and having regard to the provisions of Article 470, accord his sanction in section (7) of part II of Form 25 (Revised) to the grant of full or reduced pension or gratuity or both which may be found by the Audit Officer to be admissible under the rules.]

(d) In the case of an Officer part of whose service has been rendered in non-gazetted posts, the service book ¹¹⁵ [***] shall also accompany the pension papers sent to the Audit Officer.

B.—NON-GAZETTED OFFICERS

Verification of service,

914. A Non-Gazetted Officer shall submit a formal application for pension to the Head of the Office.

¹¹⁶**915.** The Head of the Office shall ¹¹⁷[calculate the officer's qualifying service] in section (2) of part II of Form 25 (Revised) and arrange for its verification according to the following procedure:—

- (a) (i) In the case of an Officer for whom a service book is maintained, all the information procurable shall be gathered from official records, like the service book, pay bills and acquaintance rolls, ¹¹⁸[and service verified with reference to these official records.]
- (ii) If the service cannot be wholly verified from the records of any one office, reference shall be made to the Heads of the other offices in which the officer had served.
- (iii) If, in any particular case, it is not possible to verify the service of an officer from official records in the manner aforesaid, a statement of the officer in writing as to the particulars of his service, statements in

¹¹⁴ Substituted vide SRO.278(K)/68 [Fin. Div. No.F.3(1)-RS-II/67], dated 15-2-1968, Gaz. Of Pak. Part-I,P.No.253, dt:-1-3-1968.

¹¹⁵ Omitted vide SRO.278(K)/68 [Fin. Div. No.F.3(1)-RS-II/67], dated 15-2-1968, Gaz. Of Pak. Part-I,P.No.253, dt:-1-3-1968.

¹¹⁶ Substituted vide SRO.127(K)/65 [Fin. Div. No.F.2(1)-RS/65], dated 22-02-1965, Gaz. Of Pak. Part-I,P.No.107, dt:-5-3-1965.

¹¹⁷ Substituted vide SRO.278(K)/68 [Fin. Div. No.F.3(1)-RS-II/67], dated 15-2-1968, Gaz. Of Pak. Part-I,P.No.253, dt:-1-3-1968.

¹¹⁸ Amended vide SRO.278(K)/68 [Fin. Div. No.F.3(1)-RS-II/67], dated 15-2-1968, Gaz. Of Pak. Part-I,P.No.253, dt:-1-3-1968.

writing of other officers who served contemporaneously with him, and documents and letters not forming part of official records may be received in evidence and the ¹¹⁹[****] officer's service, verified on their basis.

- (iv) The power to admit service under the last preceding sub-clause shall be exercisable by the authority empowered to sanction pension under these Regulations.

(b) In the case of an officer for whom a service roll is maintained ¹²⁰[****](unless a certificate of verification is already recorded thereon), the service shall be verified from the pay bills, acquaintance rolls and other official records, or where necessary, on the basis of such evidence as is mentioned in sub-clause (iii) of clause (a).

(c) The service of ¹²¹[the officers] for whom neither service book nor service roll is maintained shall be verified, as far as possible in the manner specified in clause (b).

(d) In the case of police officers of rank not higher than Head Constables, the procedure laid down in entry No.40 in Part III of Appendix I of these Regulations in regard to verification of service and grant of pension shall be followed.

916. The ¹²²[calculation of qualifying service] and the verification of service in the manner set out in the preceding Article shall be undertaken by the Head of the office as soon as it becomes known that an officer will retire within a period of ¹²³[one year] or has proceeded on leave preparatory to retirement and shall not be delayed till the officer has actually submitted the formal application for pension.

917. (a) (i) After completing the verification in the manner indicated in Article 915 the Head of the office shall draw up the application in Form 25 (Revised).

- (ii) He shall also follow the directions contained in clause (ii) to (iv) of Article 912 ¹²⁴[****].

¹¹⁹ Omitted vide SRO.278(K)/68 [Fin. Div. No.F.3(1)-RS-II/67], dated 15-2-1968, Gaz. Of Pak. Part-I,P.No.253, dt:-1-3-1968.

¹²⁰ Omitted vide SRO.278(K)/68 [Fin. Div. No.F.3(1)-RS-II/67], dated 15-2-1968, Gaz. Of Pak. Part-I,P.No.253, dt:-1-3-1968.

¹²¹ Substituted vide SRO.278(K)/68 [Fin. Div. No.F.3(1)-RS-II/67], dated 15-2-1968, Gaz. Of Pak. Part-I,P.No.253, dt:-1-3-1968.

¹²² Substituted vide SRO.278(K)/68 [Fin. Div. No.F.3(1)-RS-II/67], dated 15-2-1968, Gaz. Of Pak. Part-I,P.No.253, dt:-1-3-1968.

¹²³ Substituted vide SRO.127(K)/65 [Fin. Div. No F.2(1)-RS/65], dated 22-02-1965, Gaz. Of Pak. Part-I, P.No.107, dt:-5-3-1965.

¹²⁴ Omitted vide SRO.127(K)/65 [Fin. Div. No F.2(1)-RS/65], dated 22-02-1965, Gaz. Of Pak. Part-I, P.No.107, dt:-5-3-1965.

(iii) In any case in which it becomes necessary to resort to the procedure prescribed in ¹²⁵[sub-clause (iii)] of clause (a) of Article 915 he shall record on the application the exact nature of the investigation made and the conclusions arrived at.

(b) He shall then arrange, with the application, all the documents relied upon for the verification of the service claimed in such manner that they can be conveniently consulted, and forward them together with the officer's service book, or service roll, as the case may be ¹²⁶[****] [and the last pay certificate if necessary-see Article 913 (b)] through the authority empowered to sanction the pension to the Audit Officer.

(c) The authority competent to sanction the pension shall follow the procedure indicated in clause (c) of Article 913.

SECTION III.—SANCTION

918. ¹²⁷[(1) On receipt of the pension papers passed on to him under the provisions of Article 913 or 917, the Audit Officer shall apply the requisite checks and, if he finds that all the necessary documents and information are available in the pension papers, he shall prepare the Payment Order for the full or reduced amount of pension depending upon the orders of the sanctioning authority but shall not issue it more than a fortnight in advance of the date on which the Government servant is due to retire, intimating the fact of issue to the sanctioning authority.

(2) If the Audit Officer finds that the pension papers are incomplete, he shall return those promptly to the sanctioning authority for completion.]

(3) (i) in case, pension papers are not received and there is no intimation from department concerned regarding permissibility or non-permissibility of pension, stoppage of salary or disciplinary action, then Accounts Office concerned shall continue the payment of salary till the date of superannuation and shall start payment of anticipatory pension through next pension roll (inclusive of broken period pension and next month pension), presuming that the same has been submitted by the Pension Sanctioning Authority (PSA); and

(ii) the Accounts Office concerned shall send list of such anticipatory pension cases to Finance Division and concerned PAOs, PSAs and Head of Departments (HoDs) and a copy of the same to Secretary to the Prime Minister (SPM) for information of the Prime Minister.

¹²⁵Substituted *vide* SRO.127(K)/65 [Fin. Div. No.F.2(1)-RS/65], dated 22-02-1965, Gaz. Of Pak. Part-I, P.No.107, dt:-5-3-1965.

¹²⁶Omitted *vide* SRO.278(K)/68 [Fin. Div. No.F.3(1)-RS-II/67], dated 15-2-1968, Gaz. Of Pak. Part-I,P.No.253, dt:-1-3-1968.

¹²⁷Article 918 substituted by the S.R.O.1423(I)/2018 [No.F.9(3)-R.6/2015-1262], dt:-15-11-2018, Gaz. Of Pak., Extra, Pt. II, page. No. 3010-3011, dt:-20-11-2018.

Explanation.—(1) The department concerned shall submit a computer change to stop salary of the employee for retiring month. The Accounts Office concerned shall pay pension for retiring month through pension roll and credit the commutation through next off-cycle provided the pension papers were found complete in all respects. The payment of salary for broken period shall be made through manual bill submitted on the counter of Accounts Office concerned by the department concerned.

(2) Off-Cycle is a process other than regular pension roll, through which payments can be processed any time during a month. (Arrangement given in Article 918 (3) shall continue till other arrangement is made part of the computer system under the administrative control of Controller General of Accounts)".

919. (1) A pension ¹²⁸[****] shall be sanctioned:—

- (a) In any case, by the Local Government,
- (b) In the case of non-Gazetted officers, by the officer who has the authority to fill the appointment vacated by the retiring officer.

Note.—[A local Government may delegate its powers under this Article to Heads of Departments and other subordinate officers who are authorised to fill the appointment vacated by the retiring officer.]

¹²⁹(2) Omitted.

¹³⁰(3) Omitted.

920. (1) Should the amount of pension granted to an officer be afterwards found to be in excess of that to which he is entitled under the Regulations, he shall be called upon to refund such excess.

(2) ¹³¹[If after the pension papers are sent to the Audit Officer] any event occurs which necessitates recalculation of the amount of pension, the fact shall be promptly reported to the Audit Officer by the Head of the Department or the Head of the Office, as the case may be. If no such event has occurred the fact shall nevertheless be reported to the Audit Officer within a week from the date on which the Officer retires.

¹²⁸ Omitted vide SRO.278(K)/68 [Fin. Div. No.F.3(1)-RS-II/67], dated 15-2-1968, Gaz. Of Pak. Part-I,P.No.253, dt:-1-3-1968.

¹²⁹ Omitted vide SRO.278(K)/68 [Fin. Div. No.F.3(1)-RS-II/67], dated 15-2-1968, Gaz. Of Pak. Part-I,P.No.253, dt:-1-3-1968.

¹³⁰ Omitted vide SRO.278(K)/68 [Fin. Div. No.F.3(1)-RS-II/67], dated 15-2-1968, Gaz. Of Pak. Part-I,P.No.253, dt:-1-3-1968.

¹³¹ Substituted vide SRO.278(K)/68 [Fin. Div. No.F.3(1)-RS-II/67], dated 15-2-1968, Gaz. Of Pak. Part-I,P.No.253, dt:-1-3-1968.

921. (a) If any interpretation of the rules is involved, or if any indulgence not provided for by the rules is proposed, the Local Government shall, unless they are competent to dispose of the matter, submit the case with their opinion and recommendation, to the Government of Pakistan in the Administrative Ministry concerned.

Note.-In respect of such recommendations, see orders printed as appendix 9.

(b) Until the orders of the Government of Pakistan are received a recommendation for any special indulgence shall never be communicated, directly or indirectly, to the officer concerned.

¹³²[(c) An application in Form C.S.R. 25 (Revised) shall accompany every special recommendation made under this Article.]

921-A. ¹³³[If the pension sanctioned to an officer falls in arrears it shall be allowed to be paid to him by the disbursing officer or bank without any reference to the audit office or the pension sanctioning authority]:

¹³⁴[Provided that the civil pension remaining undrawn for three years or more and political pension remaining undrawn for six years or more shall not be paid without the authority of the audit Office.]

¹³⁵**921-B.** On the death of a pensioner, the payment of any arrears due may be made by the disbursing Officer or the bank to the heirs of the deceased without any reference to the audit office or the pension sanctioning authority provided that they apply for such payment within one year of the pensioner's death.]

¹³⁶Note.—[The heirs of the deceased pensioners will be as prescribed in Section II of the Annexure to the Pension-cum Gratuity scheme, 1954, as amended from time to time.]

SECTION IV.—ANTICIPATORY

Pensions

¹³⁷**922.** Anticipatory pension.- (1) When an employee whose pension is payable in Pakistan is likely to retire before his pension can be finally assessed

¹³²Substituted vide SRO.278(K)/68 [Fin. Div. No.F.3(1)-RS-II/67], dated 15-2-1968, Gaz. Of Pak. Part-I,P.No.253, dt:-1-3-1968.

¹³³ Inserted vide SRO.227(I)/83, dt:-17-2-1983, Gaz. Of Pak. Extra, Pt.II, P.No.329, dt:-8-3-1983.

¹³⁴ Added vide Fin. Div. Notification No.12(18)-Reg(6)/83, dt:-22-2-1984.

¹³⁵ Added vide Fin. Div. Notification No.12(18)-Reg(6)/83, dt:-22-2-1984.

¹³⁶ Added vide Fin. Div. Notification No.12(18)-Reg(6)/83, dt:-13-5-1984

¹³⁷ Article 922 substituted by the S.R.O.1423(1)/2018 [No.F.9(3)-R.6/2015-1262]. dt:-15-11-2018. Gar. Of Pak., Extra.. Pt. II. page. No.3011-3013, dt- 20-11-2018.

and settled in accordance with the provisions of the preceding Article of this Chapter, the Audit Officer shall sanction the disbursement of pension to which, after the most careful summary investigation that he can make without delay, he believes the officer to be entitled, provided that such disbursement shall be made only after the declaration specified below has been signed by the retiring employee:-

Whereas the (here state the designation of the officer sanctioning the advance) has consented provisionally, to advance to me a pension of Rs. per month and a lump sum gratuity in anticipation of the completion of the enquiries necessary to enable the Government to fix the amount of my pension and gratuity, I hereby acknowledge that, in accepting this advance, I fully understand that my pension and gratuity is subject to revision on the completion of necessary formal enquiries and I undertake to base no objection to such revision on the ground that the provisional pension and gratuity and now to be paid to me exceeds the pension to which I may be eventually found entitled. I further undertake to repay any amount advanced to me in excess of the pension and gratuity which I may be eventually found entitled.

Note.—If the sanction to pension under this clause is given by an Audit Officer, other than the Accountant General, he shall send a copy of his order to the Accountant General for issue of the requisite orders for disbursement from the treasury concerned.

(2) when an officer whose pension is payable in England is likely to retire before his pension can be finally assessed and settled, the Audit Officer shall, after the most careful summary investigation that he can make without delay, report to Embassy of Pakistan in the United Kingdom through the authority competent to sanction the pension and the Local Government, the minimum amount to which he believes the officer to be entitled. He shall then, on receiving from the officer a declaration similar to that referred to in clause (1), at discretion, sanction the immediate disbursement of the amount reported or such smaller amount as may be deemed proper.

(3) delayed preparation and submission of pension papers results into delay of pension payment to the pensioners. To avoid it an anticipatory monthly pension facility may be executed as under-

(a) for the purpose of uninterrupted pension payment, the Accounts Offices are authorized to make anticipatory monthly pension payment till finalization of formal pension, @ 65% of basic pay as per last pay drawn and having length of qualifying service available as per Accounts Office record provided that the pensioner is a regular government employee, is on the payroll of the Accounts Office concerned and that no disciplinary action or inquiry is reported by the department concerned against him, unless the department concerned decides to forfeit or withhold the right to pensions.

- (b) anticipatory monthly pension shall be credited to the same bank account from where the employee was drawing his salary. The anticipatory pension shall be paid for maximum one year following the retirement;
- (c) in case of death of a government employee, the widow, widower or dependents available on parent department's record shall open a bank account for the purpose;
- (d) in case of a disciplinary action against the employee who is about to retire, the parent office concerned and, in case of deputation, the borrowing department shall immediately intimate the Accounts Office concerned so that his anticipatory monthly pension may be disallowed;
- (e) the Welfare Officer or Administrative Department shall confirm through a letter regarding the credentials of the claimants of anticipatory monthly pension in respect of a deceased employee. In case of in service death, even on the day of superannuation, if the family of deceased government employee is getting salary under the Prime Minister's Special Package, he shall not be eligible for pensionary benefits until the salary is stopped;
- (f) the anticipatory pension shall be released on behalf of Pension Sanctioning Authority, Principle Accounting Officer or Head of Department. In case of excess, undue or irregular payment on this account, the same shall be recovered from the pensioner or beneficiaries concerned;
- (g) the facility of anticipatory monthly pension shall be available to all entitled beneficiaries including superannuation, retiring, compulsory retirement, voluntary retirement, invalid pension, family pension etc. at the prescribed rate; and
- (h) the anticipatory pension shall continue until the regular pension starts with requisite adjustments, if any".

923. If the Audit Officer considers it likely that in a case contemplated by clause (a) or (b) of the preceding Article, the officer would be entitled to a gratuity only, one sixth of the amount of such probable gratuity should, upon a similar declaration, be disbursed to him monthly until the amount is finally settled.

924. The payment of the anticipatory pension should be so arranged that it is not delayed beyond the first day of the month following the month in which the officer is due to retire.

925. If, upon the completion of regular investigation, it be founds that pension thus summarily assigned differs from the pension finely settled; the difference must be adjusted in the first subsequent payment.

Provided that, if a gratuity summarily assigned, under Article 923 proves to be larger than the amount found actually due upon completion of the enquiries, the officer shall not be required to refund any excess actually paid to him, except as provided in Chapter XXI.

926. To enable the Audit Officer to exercise the Jurisdiction entrusted to him under Article 922, the authority whose duty it is to sanction the pension, if he sees reason to believe that the pension cannot possibly be sanctioned by the date on which the officer is due to retire, shall furnish to the Audit Officer without delay the fullest information regarding the officer's service, the probable amount of pension, etc., unless the pension papers containing such information are already in the possession of the Audit Officer.

927-929. Cancelled.

CHAPTER XLVIII.—PAYMENT OF PENSIONS

SECTION I.—GENERAL RULES

¹³⁸**930.** Apart from special orders, a pension, other than a wound or Extraordinary pension under part VI, is payable from the date on which the pensioner ceased to be borne on the establishment.]

1. The pension of an officer who, under Article 436, has received a gratuity in lieu of notice is not payable for the period in respect of which the gratuity is paid.

931. The preceding Article applies to ordinary, not to special cases. If, under special circumstances, a pension is granted long after an officer has retired, retrospective effect should not to be given to it without the special orders of the Government which granted it; in the absence of special orders such a pension takes effect only from the date of sanction.

932. In cases where considerable delay has occurred in making application for a Wound or Injury pension, it will be granted only from the date of the report by the Medical Board, and no application for gratuity or pension will be entertained unless submitted within five years of the date of the wound or injury.

933. Cancelled.

¹³⁸Substituted vide SRO.413(I)/79 [No.F.6(7)-Reg(6)/78], dt:-26-4-1979, Gaz. Of Pak. Extra, Pt.II, P.No.691, dt:-16-5-1979.

933-A. When a pension is stated in sterling, it is payable in England, or, at the option of the pensioner, if he be residing in Pakistan, at any treasury in Pakistan, converted into rupees at such rate of exchange as the President may order prescribe:

Provided that pensioners of the following classes may, at their option, convert their pensions into rupees at the rate of 1s. 4d. to the rupee as long as they are in Pakistan and continue to have their permanent residence there:-

- (i) Pensioners resident in Pakistan, who were on the 1st February, 1921 in receipt of pensions converted at that rate.
- (ii) Pensioners of Pakistan domicile who were, on the 1st February, 1921 temporarily drawing their pensions in sterling.
- (iii) Pensioners who were in Government service on 1st February, 1921, and who at that date were of Pakistan domicile:

Provided further that the pension of any pensioner referred to in clauses (i), (ii) or (iii), who has commuted any portion of his pension after the 10th day of October 1928, shall be converted at the rate of exchange prescribed by the President as hereinbefore provided, and to the resulting pension shall be added, so long as he is in Pakistan and continues to have his permanent residence there, the difference between the values of the full sterling pension * (less any portion commuted before the 11th October, 1928) converted at that rate and at the rate of 1s. 4d. respectively.

934. A pension stated in rupees is payable at any Pakistan Government treasury in or out of Pakistan, or at the option of the pensioners,

- (i) in England, or
- (ii) elsewhere by any of the authorities mentioned in Appendix 15.

Pensions drawn from source (i) or (ii) above are converted into sterling at such rate as the President may prescribe.

Provided that save where a pensioner resides in Pakistan, the minimum rate of conversion shall be 1s. 9d. per rupee.

934-A. A pensioner who has been residing in Pakistan and who proceeds to a place outside Pakistan with the object of taking residence there, shall be entitled to convert his pension at the minimum rate only from the date when he quits Pakistan.

934-B. A pensioner who within six months of his retirement leaves Pakistan with the object of taking up residence elsewhere shall be entitled to convert his pension at the minimum rate from the date to which it has been paid in Pakistan or, if no payment has been made there, from the date of its commencement.

934-C. A pensioner who has been allowed to convert his pension at the minimum rate and who returns to Pakistan and continues draw his pension in England or from any of the authorities mentioned in Appendix 15, shall be allowed the benefit of the minimum rate for six months from the date of such return.

934-D. The pension of any pensioner who is entitled to the minimum rate and who has commuted any portion of his pension after the 4th December 1928, shall be converted at the rate of exchange prescribed by the President and to the resulting pension shall be added, so long as he remains entitled to the minimum rate, the difference between the values of the full pension (less any portion commuted before the 5th December, 1928) converted at that rate and at the rate of exchange prescribed by the President respectively.

¹³⁹**934-E.** Notwithstanding anything contained in Articles 934, 934-A, 934-B, 934-C & 934-D, the pension of an officer appointed after the 1st January, 1959 shall not be payable, otherwise than in rupees in Pakistan.]

934-F. Omitted.

¹⁴⁰**934-G.** Pensions granted under Articles 474B, 474C, ¹⁴¹[****] and 561A shall, when payable in countries outside Pakistan (other than India, Burma, Ceylon and Nepal), be converted into sterling at the official rate of exchange for the time being in force.]

935. The minimum rate shall apply to gratuities paid to persons outside Pakistan, but where the service of an officer to whom a gratuity is granted terminates in Pakistan, his gratuity shall be paid in Pakistan.

Transfers between England and Pakistan

936. Transfer of a pension from a Pakistan treasury to the England and vice versa is permitted within reasonable limits whenever desired.

Note.—[Frequent transfers of a pension to and from are not permissible, and the Accountant General concerned should report to the Government of Pakistan, for special orders, any case in which it appears to him that undue advantage is being taken of the rule.]

¹³⁹ Deleted vide SRO. 131 (KE)/2010 (No.F.2(1)R-7/2007], dt:-1-7-2010, Gaz. Of Pak. Extra., Pt.II, P.No.823, dt:-26-11-2010 and then the same SRO was withdrawn ab-initio vide Fin. Div. Notification SRO Case No.F.2(1)R-7/2007-03, dt:-08-03-2011 restoring original text.

¹⁴⁰ Inserted vide Fin. Div. Notification No.F.4(4)-RS/68, dt:-30-1-1971.

¹⁴¹ Omitted vide SRO.227(I)/83 [No.F.6(4)-REG(6)/81], dt:-17-2-1983, Gaz. Of Pak., Extra.Pt.II, P.No.329, dt:-8-3-1983.

937. Application for transfer of payment from Pakistan to England should be made to the Accountant-General within whose jurisdiction the treasury of payment is, who will grant a last-pay certificate, forwarding a duplicate, with a copy of the first page of the application upon which the pension was originally granted, to the High Commissioner for Pakistan in the United Kingdom.

SECTION II.—PAYMENT IN PAKISTAN

938. (a) The order granting a pension to be paid in Pakistan should be forwarded with a copy of the first page of the application in Forms 25 (Revised), or of the whole application if in Form 22, to the Audit Officer who submitted the application. He should compare the order with his report and then forward a copy thereof to the Accountant-General of the province in which payment is to be made.

(b) In the case of persons for whom the forms referred to in clause (a) are not used, the information required for the Pension Payment Order should be communicated in a separate letter to the Accountant-General of the province where payment is to be made.

(c) In the case of pensions to Police officers of rank not higher than head-constable, sanctioned under entry No. 40 of Appendix I, Part III, the order should be forwarded to the Audit Officer who would have reported on the claim had his certificate not been dispensed with. He will exercise the necessary check with reference to Article 920 (i) and endorse it as in clause (a) above.

939. The Accountant-General of the province in which payment is to be made will then communicate to the officer who is to pay the pension authority to make the payment: in the case of a pension, such authority will be a Pension Payment Order in form 27 or 28.

Note 1.—[Form 27 may not be used for pensions chargeable to Local Funds other than those which upto 1st April 1908 were treated as incorporated (see Article 800) or Indian States. The following extract from a letter from the Central Government indicates the form of Pension Payment Order to be used and procedure to be followed when a treasury is authorised to pay a pension on behalf of State which has acceded to Pakistan.

“I am directed to say that if a State desires a periodical payment to be made from a Government Treasury, the amount being recovered from the State there is no objection to the request being granted with the sanction of the Local Government, provided the amount of each payment is not less than Rs.100, and provided that the treasury at which payment is desired is under the Government. Such payments will be made by Government merely as an agent for the State concerned. ”

“When such payments on account of pensions are arranged for, the form of payment order should not be the same as that used for pensions payable from Pakistan Revenues. The order should be of the same kind as the ordinary Pension Payment Order, but should be clearly distinguished in form. ”]

Note. 2—[Each Pension Payment Order will be accompanied by Form 27-A intended to be delivered by the Disbursing Officer to the pensioner concerned for use as a wallet for the pensioner’s half of the Pension Payment Orders.]

Procedure in paying

940. A gratuity is paid in a single sum, and not by instalments, on receipt of the Accountant-General’s authority.

941. (a) A gratuity may, at the discretion of the Government of Pakistan, or with the sanction of the Government of Pakistan on the application of the recipient, be converted either into a life annuity, or into a temporary life annuity or into an annuity payable for a fixed number of years with remainder to the annuitant’s heir in case of his death. The amount of the life annuity will be determined by the table prescribed by the President under the ‘Civil Pensions (Commutation) Rules’, while that of the temporary life annuity will be determined in each case in consultation with the Actuary to the Government of Pakistan on the assumption of the same rates of interest and mortality on which the table prescribed by the President under the ‘Civil Pensions (Commutation) Rules’ is based.

(b) A Local Government may exercise the power of the Government of Pakistan under clause (a) of this Article in respect of gratuities sanctioned by it or by an authority subordinate to it.

942. The Government of Pakistan or a Local Government will never insist on the conversion of a gratuity into an annuity, unless the expectation of life of the officer be reported by competent medical authority to be equal to the average.

943. A pension is payable in Pakistan monthly on and after the first day of the following month under the following rules:-

1. On receipt of the Pension Payment Order, the disbursing officer will deliver one-half to the pensioner, and keep the other half carefully in such manner that the pensioner shall not have access thereto.
2. Each payment made is to be entered on the reverse both of the pensioner’s half and of the disbursing officers half of the Pension

Payment Order, both entries being attested at the time of payment by the signature of the disbursing officer.

3. ¹⁴²Omitted.

Note.—[The Local Government may delegate its powers under this rule to Commissioners of Divisions and to such other officers as it may desire.]

4. A pension is payable for the day on which the pensioner dies.

5. In regard to the liability of pensions to attachment by a Civil Court, see section II of Act XXIII of 1871, which runs as follows :-

Section II.—“No pension granted or continued by Government on political considerations, or on account of past services or present infirmities or as a compassionate or allowance, shall be liable to seizure, attachment or sequestration by process of any Court in Pakistan at the instance of a creditor, for any demand against the pensioner, or in satisfaction of a decree or order of any such Court.”

944. As a rule a pensioner must take payment in person after identification by comparison with the Pension Payment Order.

Note.—[Officers of the classes mentioned in Article 297 (c), (d) and (e), as it stood prior to 6th July 1920, and in Articles 654 and 678 are, when pensioned, paid on payment orders in Form 28 which do not contain a full description of the payee. In case of doubt, if such a pensioner is not known to the paying officer, he may be required to produce a life certificate or other evidence of identity.]

945. A pensioner specially exempted by the Local Government from personal appearance, a female pensioner not accustomed to appear in public, or a male pensioner who is unable to appear in consequence of bodily illness or infirmity, may receive his or her pension upon the production of a life certificate signed by a responsible officer of Government or by some other well-known and trust worthy person.

Note.—[The power to grant exemption under this Article from personal appearance to draw pension may be delegated by a Local Government to any officer of not lower rank than Collector of a District.]

946. A pensioner of any description, who produces a life certificate signed by some person exercising the powers of a Magistrate under the Criminal Procedure Code, or by any Registrar or Sub-Registrar under the Registration Act,

¹⁴²Omitted vide Fin. Div. Notification No.F.12(18)-Reg(6)/83, dt:-22-2-1984.

or by any pensioned officer who before retirement ¹⁴³[held a gazetted appointment or exercised the powers of a Magistrate, or by any Gazetted officer of Government], or by a Munsiff, or by any person holding a Government title, is also exempted from personal appearance.

947. (a) In all cases referred to in Articles 945 and 946, the disbursing officer must take precautions to prevent impositions, and must, at least once a year, require proof independent of that furnished by the life certificate of the continued existence of the pensioner.

(b) For this purpose he should (save in cases of exemption from personal appearance granted by the Local Government) require the personal attendance and due identification of all male pensioners who are not incapacitated by bodily illness or infirmity from so attending, and in all cases where such inability may be alleged, he should require proof thereof in addition to the proof submitted of the pensioner's existence.

1. A disbursing officer is personally responsible for any payment wrongly made. In case of doubt, he should consult the Accountant-General.

2. A pensioner of rank may be privately identified by the disbursing officer and need not be required to appear at a public office.

948. Payment of pensions to Police pensioners are made in accordance with the rules in this Section, but if the disbursing officer entertains any doubt as to the identity of such a pensioner, he may require the local Inspector of Police to identify him. The Inspector would then be responsible for the correct identification of the pensioner.

Payment to Agents

949. (a) A pensioner not resident in Pakistan may draw his pension at any treasury in Pakistan through a duly authorised agent, who must either produce a certificate by a Magistrate, a Notary or a Banker ¹⁴⁴[or the Head of a Pakistan Mission abroad or a gazetted officer duly authorised by him], on each occasion that the pensioner was alive on the date to which his pension is claimed, or execute a bond to refund overpayments and produce such a certificate as aforesaid at least once a year.

(b) A pensioner of any description resident in Pakistan is exempted from personal appearance if he draws his pension through a duly authorised agent approved by the Local Government, who must execute a bond to refund overpayments and produce at least once a year a life certificate signed by any of the persons authorised by Article 946 to sign such certificate.

¹⁴³ Inserted vide SRO.869(K) [Fin. Div. notification No.F.8(10)-R1(I)/59], dt:-4-7-1960, Gaz. Of Pak. Part-I, P.No.309, dt:-22-7-1960.

¹⁴⁴ Inserted vide SRO.638(K)/63 [Fin. Div. Notification No.F.8(13)-R1/63], dt:-26-8-1963, Gaz. Of Pak. Part-I, dt:-6-9-1963.

(c) The pension of an officer drawing his pension through an agent who has executed a bond to refund overpayments should not be paid on account of a period of more than a year after the date of the life certificate last received and the Accountant-General and the disbursing officer should be on the watch for authentic information of the decease of any such pensioner, and on receipt thereof, should promptly stop further payments.

Transfer in Pakistan

950. A Local Government or an Accountant-General may, on application and on sufficient cause being shown, permit transfer of payment from one treasury in Pakistan to another. This jurisdiction may be delegated by the Local Government to any Executive authority not lower than the Collector or other District officer.

951. (a) A copy of any order issued by a Local Government or other Executive authority under the preceding Article should be forwarded to the Accountant-General, and the Collector of the district from which the payment is to be transferred should be instructed to return his half of the Pension Payment Order.

(b) The Accountant-General will then either issue a new payment order, or enface the payment order for payment at the new treasury and forward it to the Treasury Officer who will in future pay the pension, or, if the treasury is in another province, will move the Accountant-General of that province to do so.

952. A Treasury Officer may authorise payment in any of the outlying treasuries subordinate to his district treasury of a pension payable under proper authority at his head-quarters, and may transfer the payment of a pension from such subordinate treasury to the district treasury or from one subordinate treasury to another in the same district.

Certificate of Non-Employment

953. ¹⁴⁵[(a) A pensioner drawing pension in Pakistan or through Pakistan Embassy abroad shall sign the certificate of re-employment set out in Form T.R. 37 of the Treasury Rules of the Federal Government.

(b) A widow drawing pension in Pakistan or through Pakistan Embassy abroad shall sign the certificate of non-marriage set out in Form T.R. 37A of the Treasury Rules of the Federal Government.]

(c) In the case of a pensioner drawing his pension through an agent, who has executed a bond of indemnity, as required by Article 42 of the Civil

¹⁴⁵Substituted vide Fin. Div. notification No.F.28(7)Reg(6)/86, dt:-23-6-1986.

Account Code, the certificate modified accordingly may be signed by the agent, provided that the pensioner shall himself furnish, once a year, a certificate covering the period for which pension has been drawn on the basis of the agent's certificates.

Renewal of Pension Payment Order

954. When the reverse of a Pension Payment Order is filled up, or when the pensioner's half is found to be worn or torn, both halves may be renewed by the Treasury Officer.

955. If a pensioner loses his half of the Pension Payment Order, a new Order may be issued by the Treasury Officer, who should see that no payment is made on the half alleged to be lost by a strict observance of Rule 2 under Article 943. The necessary note should be made in the remarks column of the register.

¹⁴⁶**956 to 961.** Omitted.

¹⁴⁷[SECTION III PAYMENT TO PENSIONERS OF NON-ASIATIC DOMICILE SETTLED IN THE UNITED KINGDOM

962. Disbursement of pensions payable to pensioners of non-Asiatic domicile who were, immediately before the 2nd January, 1959, in the service of Pakistan and are settled in the United Kingdom, shall be made by the Government of Pakistan through the Ministry of Overseas Development of the Government of the United Kingdom, and an imprest shall be placed at the disposal of the said Ministry of Overseas Development for that purpose.

963. The Accounts Division of the Pakistan Embassy in the United Kingdom shall scrutinize the monthly account of disbursements sent to it by the said Ministry of Overseas Development and shall recoup the amount disbursed to that Ministry out of its main imprest.

964. The Accounts Division of the Pakistan Embassy shall incorporate the expenditure on account of the recouperations made in its monthly Cash Account, charging the expenditure to the Accounts Officers concerned in Pakistan on whose authorities payments were made, and shall submit the monthly Cash Account to the Chief Accounts Officer, Ministry of Foreign Affairs, Islamabad, in the SECTION and in SECTION IV referred to as the "Chief Accounts Officer". In the Monthly Cash Account, the allocation portions recoverable from each Provincial Government, in respect of pensions paid to the pensioners of the Provincial Government, and from each Department, in respect of pensions paid to the pensioners of that Department, shall be shown distinctly on each voucher sent

¹⁴⁶ Omitted *vide* Fin. Div. notification NO.F.12 (18)-Regs.(6)/83, dated 25-06-1983.

¹⁴⁷ Substituted *vide* Fin. Div. Notification No.F.12(1)-Reg(6)/82, dt:-29-12-1983.

with the certificate of payment in support thereof along-with the Monthly Cash Account.

965. On receipt of the Monthly Account, the Chief Accounts Officer shall incorporate the debits in relations to payments of pensions in the Deposit Account, and shall pass on the Deposit Account, along-with the supporting vouchers to the Accountant General, Pakistan Revenues, Islamabad, who shall adjust the debits relating to Federal payments in the books maintained in his Office and pass on the debits relating to Provincial payments to the Accounts Officers concerned through Exchange Account for final adjustment in their respective books.

SECTION IV—PAYMENT OF PENSIONS TO PAKISTANI PENSIONERS THROUGH PAKISTAN MISSIONS ABROAD

966. (a) If a pensioner ¹⁴⁸[appointed before 2nd January, 1959] desires to reside or is residing in a country other than Pakistan and wishes to draw his pension in that country he shall make an application to this effect to the Account Officer concerned.

(b) The Accounts Officer shall forward both halves of the P.P.O of the pensioner to the Chief Accounts Officer with a sealed letter of authority for arranging payment of pension to the pensioner through the Pakistan Embassy / Mission concerned, clearly specifying therein the date from which such payment is to be made.

(c) The Chief Accounts Officer shall record on the P.P.O an endorsement showing the name of the Pakistan Embassy/Mission at which pension shall be paid, and shall forward both halves of the P.P.O to the Embassy/ Mission, advising the pensioner to obtain his copy of the P.P.O from that Embassy/Mission for receiving monthly payment of pension in that country.

967. In case of any revision of pension payable to a pensioner in a foreign country, the Accounts Officer concerned shall inform the Chief Accounts Officer by a sealed letter of authority for arranging payment of pension to the pensioner at the revised rate.

968. On receipt of the letter of authority in relation to the revision of pension, the Chief Accounts Officer shall inform the pensioner and the Pakistan Embassy/ Mission of such revision, but pension at the revised rate shall not be paid to the pensioner unless the Embassy/Mission has received intimation to that effect from the Chief Accounts Officer.

¹⁴⁸ Deleted vide SRO.131(KE)/2010 (No.F.2(1)/R-7/2007], dt:-1-7-2010, Gaz. Of Pak. Extra., Pt.II, P.No.823, dt:-26-11-2010 and then the same SRO was withdrawn ab-initio vide Fin. Div. Notification SRO Case No.F.2(1)R-7/2007-03, dt:-08-03-2011 restoring original text.

969. When a pension is transferred for payment to a pensioner in a foreign country, the Audit Officer concerned shall provide the requisite funds in the Assignment Account of the Ministry of Foreign Affairs together with the necessary foreign exchange component, and the Chief Accounts Officer, on receipt of the requisite funds in the Assignment Account, shall arrange for the payment of pension through the Pakistan Embassy/Mission concerned.

970. If a pensioner to whom pension is paid in a foreign country desires to draw his pension in any other foreign country, he shall make such request to the Chief Accounts Officer through the Pakistan Embassy/Mission in the country in which he is drawing his pension.

971. On receipt of the Monthly Cash Account from the Pakistan Embassy/Mission in a foreign country, the Chief Accounts Officer shall incorporate the debits relating to payment of pensions in the Deposit Accounts, and shall pass on, along-with supporting vouchers, the Deposit Account,

(a) in case of pension paid to civil pensioners, to the Accountant General, Pakistan Revenues, Islamabad; and

¹⁴⁹(b) in case of pensions, paid to pensioners of the Armed Services, to the Controller of Accounts, Defence Production Projects and Inter-Services Organisation, Rawalpindi.]

972. On receipt of the Deposit Account, the Accountant General, Pakistan Revenues, Islamabad shall adjust the debits relating to Federal payments in the books maintained in his office, and shall pass on the debits relating to Provincial payments to the Accounts Officers concerned through the Exchange Account for final adjustment in their respective books.

973. If any pensioner drawing his pension in a foreign country desires to draw his pension in Pakistan, he shall, on his return to Pakistan, deliver his copy of the P.P.O to the Audit Officer concerned, and the copy of the P.P.O so delivered shall serve the purpose of a Last Pay Certificate, and payment of pension in Pakistan to the pensioner in Pakistan rupees shall resume.]

CHAPTER XLIX.—PENSIONS TO MEMBERS OF THE CIVIL SERVICE, PAKISTAN

SECTION I. — APPLICATIONS

Retirement while on duty in Pakistan

¹⁵⁰**974.** A retiring officer of the former Indian Civil Service shall submit his application for permission to resign the service and for a pension to the

¹⁴⁹Substituted by the SRO. 831(1)/84 [No.F.12(1)-Reg(6)/82(A)], dt: -26⁶-1984, Gaz. of Pak., Extra., Part II, P.No.1729, dt:-27-9-1984.

¹⁵⁰Substituted vide Fin. Div. Notification No.F.4(4)-RS/68 dated, 30-1-1971.

Government of Pakistan through the Provincial Government under which he is employed at the time if he is employed under a Division of the Government of Pakistan, the application should be sent through such Division. The Government of Pakistan shall, on receipt of the application and after scrutiny, sanction pension and send the application together with the sanction to the Accountant General, Pakistan Revenues, who will issue Pension Payment Order.

Note.—[As soon as an officer gives over charge of his office, the Accountant General, Pakistan Revenues, should furnish the following information to the Government of Pakistan:-

- (1) Name of the officer.
- (2) Date on which he made over charge of his office.
- (3) The amount of leave granted, if any.
- (4) Date up to (and including) which leave allowances have been drawn.
- (5) What demands, if any, are outstanding against the officer?

The pension or gratuity should be sanctioned subject to the recovery of these out-standings.]

975 & 976. Cancelled.

Retirement during leave to Europe

¹⁵¹**977.** Omitted.

Grant of Pension

¹⁵²**978.** Omitted.

SECTION II.—PAYMENT

979. Cancelled.

¹⁵³**980.** Omitted

¹⁵⁴**981.** Omitted.

982. ¹⁵⁵[Pensions] are payable in arrear, monthly, and to date of decease.

¹⁵¹Omitted vide Fin. Div. Notification No.F.4(4)-RS/68 dated, 30-1-1971.

¹⁵²Omitted vide Fin. Div. Notification No.F.4(4)-RS/68 dated, 30-1-1971.

¹⁵³Omitted vide Fin. Div. Notification No.F.4(4)-RS/68 dated, 30-1-1971.

¹⁵⁴Omitted vide Fin. Div. Notification No.F.4(4)-RS/68 dated, 30-1-1971.

¹⁵⁵Substituted vide Fin. Div. Notification No.F.4(4)-RS/68 dated, 30-1-1971.

¹⁵⁶**983 to 986.** Omitted.

987. Payment of ¹⁵⁷[pensions] may be made in any ¹⁵⁸[Country] named in Appendix 15 in accordance with the procedure laid down in Article 966 to 973.

988 to 994. Cancelled.

PART XI.—REGULATIONS RELATING TO TRAVELLING ALLOWANCES

CHAPTER LI.—DEFINITIONS AND GENERAL RULES

SECTION I.—PRINCIPLES OF CALCULATION

995. Travelling allowance is given to an officer to cover the actual travelling expenses incurred by him in travelling in the interests of the public service. It is a fundamental principle that the allowance is not to be a source of profit, and, save as specially provided in these Regulations, no allowances are granted to meet the expenses of the families of officers accompanying them when travelling on duty.

Route for Calculating of Travelling Allowance

996. (a) For the purpose of calculating travelling allowance, a journey between two stations is held to be performed by the shortest of two or more practicable routes, or by the cheapest of such routes as may be equally short.

Note.—[Where there are alternative railway routes, and the difference between them in point of time and cost is not great, travelling allowance should be allowed for the route actually used.]

(b) The shortest route is that by which the traveller can most speedily reach his destination by the ordinary modes of travelling. In case of doubt the head of the department concerned will, in respect of journeys within his jurisdiction performed by officers under his control, declare which shall be regarded as the shortest of two or more routes.

If an officer travels by a route which is not the shortest, but which is cheaper than the shortest, his travelling allowance is calculated by the route by which he makes the journey.

997. The Local Government, or the Head of the Department in the case of journeys within his jurisdiction performed by officers under his control, for special recorded reasons, may permit travelling allowance to be calculated by a route

¹⁵⁶Omitted vide Fin. Div. Notification No.F.4(4)-RS/68 dated, 30-1-1971.

¹⁵⁷Substituted vide Fin. Div. Notification No.F.4(4)-RS/68 dated, 30-1-1971.

¹⁵⁸Substituted vide Fin. Div. Notification No.F.4(4)-RS/68 dated, 30-1-1971.

other than the shortest or cheapest, provided that the journey is actually performed by such route.

Note.—[In the case of journeys between stations which are in the jurisdiction of different Local Governments, Heads of departments under whose orders transfers are made from one province to another may exercise the powers of a Local Government under Articles 996 and 997.]

998. The point in any station from which a journey is held to commence or at which it is held to end, is the chief public office or any other point fixed for the purpose by the Local Government.

Note.—[See Note under Article 1065 (iii) (I)]

When means of locomotion are supplied

999. (1) An officer who is provided with and avails himself of means of locomotion at the expense of Government, a Local fund or a State, which has acceded to Pakistan and does not pay the expenses of its use or propulsion, draws travelling allowances as follows:—

- (a) If he has not to provide separate conveyance at his own expense for his servants or luggage, he draws the daily allowance ordinarily admissible to him and is not entitled to exchange the daily rate for mileage under Article 1065. But if part of the journey is performed by other means of locomotion he may at his option draw in lieu of daily allowance the travelling allowance admissible for that part.
- (b) If he has to provide separate conveyance at his own expense for his servants or luggage, he may, under Article 1065, exchange his daily allowance for half the mileage ordinarily admissible to him and may draw in addition the travelling allowance admissible for any part of the journey performed by other means of locomotion.

Note.—[Chauffeurs of motor cars supplied by Government (either under the rules promulgated in the Resolutions of the 15th July 1912 or otherwise) or by a local fund, when performing road journeys on motor cars in their charge, draw travelling allowance as above only if the journey involves an absence of at least one night from headquarter. Otherwise they are not entitled to any travelling allowance for such journey.]

(2) An officer provided with the means of locomotion as in clause (1), who pays all expenses of its use or propulsion, is entitled to travelling allowance under the ordinary rules, subject to the deduction there-from of such fixed hire or charge as the Local Government, or the Head of an Imperial Department in

respect journeys within his jurisdiction performed by officers appointed by him and under his control, may fix.

999-A. The above Article does not apply to—

- (a) Officers using motor cars supplied at the public expense under the rules promulgated in the Resolution in the Finance Department, No.250-E.A., dated the 15th July 1912. The travelling allowance of such an officer is regulated by the ordinary rules, subject to the following conditions:-
 - (1) If he travels more than twenty miles by the motor car in a day, he will draw for the first twenty miles the mileage allowance ordinarily admissible under these Regulations, and for the remainder three- fourths of the mileage allowance so admissible.
 - (2) If a journey by the motor car is combined with a road journey by ordinary conveyance, the officer will draw the mileage allowance ordinarily admissible for the first twenty miles or for the portion of the journey performed by ordinary conveyance, whichever is greater, and for the remainder three-fourth of the mileage allowance so admissible.
 - (3) If journey by road, wholly or partly by the motor car, is combined with a journey by rail or steamer, the officer will draw the allowance admissible under Article 1065 (iii) modified in respect of the road journey, whether made by the motor car or otherwise, with reference to clauses (1) and (2) of this rule.
- (b) Officers of the fourth class.
- (c) Officers who are entitled to or are allowed free transit by railway whether under a free pass (see Appendix 30) or otherwise.
- (d) Officers who are provided with elephants required for the conduct of professional operation and not for their private use.
- (e) Officers mentioned in Appendix 16-A.

Camp Equipment and Horses

1000. When the Local Government is satisfied that it is in the interests of the public service that an officer required to tour should send his horses. Camels, motor cars, motor cycles including side-car bicycles or camp equipment by railway

or steamer, or by country craft when no steamer service exists or is capable of conveying the goods or animals or when such means of carriage is cheaper or more expeditious, it may, by special order in each case, permit him to recover, in addition to his authorised travelling allowance, the actual cost of their carriage including, whether separately charged for or not, the cost of conveyance of one syce and one grass-cutter for each horse and a chauffeur or cleaner for a motor car.

Note.—[An officer in receipt of a permanent monthly travelling allowance is not entitled to the privilege of this Article.]

1001. The Local Government may prescribe such limitation as it thinks fit regarding the maximum weight of camp equipment, and number of horses to be carried by an Officer or any class or department, and may, subject to such limitations, delegate its power of sanction under Article 1000 to any head of a department or controlling or inspecting officer.

SECTION II.—CLASSIFICATION OF OFFICERS

1002. For the purposes of this Part of the Regulations officers are divided into four classes:—

First.—The first class includes members of the Civil Service, Pakistan, members of the Provincial Civil Services holding “listed” appointments, Military Commissioned and Departmental officer, the officers mentioned in part I of Appendix 18, and any other officer who holds an appointment the pay or maximum pay of which exceeds Rs.500.

Second.—The second class includes Warrant officers, None-Commissioned officers, the officers mentioned in Part II of Appendix 18, and any other officer, not included in the first class, who holds an appointment the pay or maximum pay of which exceeds Rs.100.

Third.—The third class includes all officers in superior service not included in the first or second class.

Fourth.—The fourth class includes all officers in class IV service.

Note 1.—[A Provincial Government may change from one travelling allowance class to another officers who are paid wholly or in part from Provincial revenues.]

Note 2.—[The classification of an officer on a time-scale of pay, who is not included in Appendix 18, is determined by the pay actually drawn by him from time to time.]

Note 3.—[Fitters and other Mechanics employed on State Railways, and drawing a higher rate of pay than Rs.12 a month, are held to be officers of the second or third class, according as their pay does or does not exceed Rs.100 a month.]

Note 4.—[The following Police subordinates are held to be in superior service if their pay exceeds Rs.10 a month:—

- (a) Of rank higher than constable, everywhere.
- (b) Mounted constables in Sind.]

Note 5.—[Forest Guards are held to be officers of the fourth class even in cases where their service is specified as superior.]

1003. Honorary Magistrates, who are not officials of Government, may, when employed on Government work under the orders of the District Magistrate or Sub-Divisional Officer at a distance exceeding five miles from their residence, or when the bench which they attend is situated at a similar distance from their homes, draw for journeys by rail double second class fare, and for journeys by road four annas a mile. They may also draw, under the usual rules, a daily allowance of Rs.3 during halts when employed, at a distance exceeding five miles from their residences, on Government work, whether judicial or extra-judicial, under the orders of the district or sub-divisional magistrate.

1004. The Local Government may grant travelling allowance under these Regulations to any person, who is not a Government official and who may be required to attend any meeting of a Commission of Enquiry or of a Board, Conference, Committee or departmental enquiry convened under (or with reference to) its orders to transact or advise upon matters of public business or to conduct examinations held under its authority, or who may be required to perform any public duties in an honorary capacity; and may for this purpose declare, by general or special order, to what class such a person belongs and to what daily allowance he is entitled, subject to the condition that the ordinary daily allowance for officers of the first and second classes, respectively, shall not exceed Rs.5 and Rs.3. It may also, at its discretion, grant such a person, in lieu of travelling allowances under these Regulations the travelling, hotel and carriage expenses actually incurred by him.

Note 1.—[The grant of travelling allowance under the Regulations is desirable as far as possible, in all cases falling under this Article, as it avoids correspondence and tends to facility of audit.]

Note 2.—[The Local Government may delegate its powers under this Article to the Head of the Department concerned, or to the Government officer presiding over the meeting of the Commission, etc.]

1005. The Local Government may declare to what class an officer, whose whole time is not retained for the public service, or who is paid partly or wholly by fees, belongs, and to what daily allowance such an officer is entitled: provided that the ordinary maximum daily allowance for officers of the first and second classes, respectively, are Rs.5 and Rs.3.

1006. An officer on special duty belongs, in the absence of a special order of the Local Government to the contrary, to the class to which he belonged immediately before he was placed on such duty.

1007. An Officer during transfer from an appointment in one class to an appointment in another class belongs to the class to which he would belong if holding the lower of the two appointments.

Temporary Employees

1008. A person employed temporarily, by competent authority, is entitled to travelling allowances under the rules applicable to officers of corresponding rank with permanent appointment.

Combination of Appointments

1009. An officer holding, either temporarily or permanently, two separate appointments is entitled only to the travelling allowance attached to one of them; but in the case of permanent allowances the Local Government may grant such allowance as may be necessary, not exceeding the aggregate of the allowances attached to both appointments, if it considers that the officer is, by reason of holding both obliged to incur additional travelling expenses beyond what he would have incurred if holding only one.

1010. An Officer placed in charge of the current duties of an office is not entitled to the travelling allowance attached to the office, except under the special order of the authority empowered to give such charge and in the following cases:—

- (a) An Assistant or a Deputy Superintendent of Police placed in charge of the office of a District Superintendent may draw the travelling allowance of a District Superintendent and an Inspector placed in charge of the office of a District Superintendent, Assistant Superintendent or Deputy Superintendent may draw the travelling allowance of a Deputy Superintendent.
- (b) An officer in the Survey of Pakistan whatever his substantive rank may be, draws when in charge of a Survey Party, the travelling allowance of a Deputy Superintendent.

- (c) A certain number of upper subordinates in the Buildings and Roads and Irrigation Branches, respectively, of the Punjab, and East Bengal, according to a scale sanctioned from time to time by the Government of Pakistan in the Works Division, when placed in charge of districts or sub-divisions, are allowed travelling allowance at the rates admissible to Assistant Engineers, or Sub Engineer, as may be ordered by the Local Government. Subordinates and Inspectors of Maintenance of the North-Western Railway when placed in charge of sub-divisions or sub-districts, also draw travelling allowance at the rates admissible to Assistant Engineers.
- (d) A lower subordinate placed in charge of a properly constituted sub-divisions in East Bengal, may be granted the same travelling allowances as an upper subordinate when the necessity for such an arrangement arises in consequence of the paucity or absence of upper subordinates.

1. The Local Government may delegate its power under this Article to the Head of the Department of Commissioner of a Division.

CHAPTER LII.—MILEAGE ALLOWANCES

Note.—[The rules in this Chapter are rules of calculation only; that is they prescribe the method of calculating travelling allowance in those cases in which they are regulated by the distance travelled. The succeeding Chapters must be referred to for a definition of the circumstances under which the title to the allowances accrues.]

SECTION I.—TRAVELLING BY RAILWAY

1011. Officers travelling by railway on duty are entitled to class accommodation according to the following scale:—

- (a) Officers of the first class.—Highest class accommodation (by whatever name called) provided on the line by which the officer is required to travel.
- (b) Officers of the second class.— Second or, where on the line by which the officer is required to travel second class accommodation is not provided on any of the trains, first class.
- (c) Officers of the third class.— Intermediate class, or if on the line by which the officer is required to travel no “intermediate” class accommodation is provided on any of the trains then-
 - (i) where there only two classes.—lower class;

- (ii) where there are three classes, -second class, if the officer's pay or maximum pay is not less than Rs.50; otherwise third class.
- (d) Officers of the fourth class.—Lowest class whether called lower, third, or fourth.

Note 1.—Deleted.

Note 2.—[If an officer of the second or third class actually travels by a train which does not provide the class of accommodation which is permissible under this Article, he may be allowed to draw the travelling allowance admissible for the next higher class, subject to any restriction which the Local Government may impose and subject to the condition that the officer who controls his travelling allowance attaches a certificate to the bill that it was necessary in the public interests for him to travel by that train. But a third class officer, whose pay or maximum pay is less than Rs.50, and who travels on a line which provides intermediate class accommodation, on one or more of its trains, but by a particular train which has no intermediate class, is not entitled to the above concession. He will be restricted to travelling allowances based on intermediate class accommodation, and can draw the travelling allowance admissible for second class accommodation only in the event of there being no third class on the train.]

Note 3.—[When through booking involve the payment, for part of a journey, or rates for a class higher than is permissible under this Article, the officer is entitled to accommodation for that part by the higher class.]

Note 4.—[Journey to stations at which no train providing inter class accommodation stop may be considered as journeys on the three-class line for purpose of clause (c) of this Article.]

Exceptions.—(a) deleted.

(b) Observers and clerks of the Meteorological Department when touring on inspection duty are entitled to second class accommodation if they actually travel by that class on account of their having valuable or delicate instruments with them.

(c) Deputy Inspectors of Schools in East Bengal, permanent or temporary, are allowed second class accommodation.

1012. The allowance admissible to an officer of the first, second, or third class is double the fare of the class in which he is entitled to accommodation and to an officer of the fourth class the fare of the lowest class.

1013. When an Officer is entitled to or is allowed free transit by rail his travelling allowance must, save as otherwise provided in Articles 1067 to 1069, be reduced by the amount of the fare which but for such free transit he would have paid.

Note 1.—[This Article applies to every case not covered by a specific rule to the contrary in which an officer is provided with a free pass, and not merely to the case of free passes granted on railways which are worked directly by Government.]

Note 2.—[The deduction made from travelling allowance under this Article shall ordinarily be for the full number of fares covered by the pass, that is, in the case of a 1st class pass, one first and two third class fares, and in the case of a second class pass, one second and one third class fare. If the deduction made on any bill is less, the officer drawing the bill must attach a certificate that he did not use the pass in respect to the fare or fares for which the deduction is not made.]

1014. When an officer is entitled to travel in a higher class at a lower fare his travelling allowance must be reduced by the amount by which the fare of the class in which he travels exceeds the fare actually paid.

Unopened Lines

1015. (a) An officer of the State Railways or the Telegraph Department travelling on an unopened line of railway by trolley, material train, or engine, draws, in addition to the actual cost of haulage (if any), the following mileage allowances, i.e.—

If any officer of the first class	...	...	1 ½ anna
Ditto second class	...	...	9 pies
Ditto third or fourth class	...	...	3 “

(b) This article is not applicable to officers of the Consulting Engineer's Department, or to officers attached to open lines of railway.

(c) An officer cannot draw any other allowance in lieu of, or addition to, this special allowance, except —

(i) When he makes a journey of less than twenty miles partly by trolley and partly by road, in which case he can only draw daily allowance for the whole journey* ; and

- (ii) When he remains absent from headquarters for a night, in which case he can draw, at his option, either daily allowance, or the allowance admissible under this Article;
- (iii) When the conditions of Article 1061 (a) are satisfied in which case he may draw also the allowances admissible under that Article.

Note.—[The special allowance admissible under this Article is not affected by Article 999.]

SECTION II.—TRAVELLING BY SEA OR RIVER

1016. Officers travelling by sea or in a river steamer on duty are entitled to class accommodation according to the following scale:—

- (a) Officers of the first class.—First class
- (b) Officers of the second or third class.—Middle or Second class.
 - (1) If there are only two classes of accommodation in a steamer an officer of the second class is entitled to accommodation by the higher and an officer of the third class by the lower of the two classes.
 - (2) If there are four classes of accommodation, an officer of the second class is entitled to second class and an officer of the third class to third class accommodation.
 - (3) The head of the office may direct that any officer whose pay does not exceed Rs.30 shall be allowed for journeys generally or particular journeys accommodation under clause (c) only.
- (c) Officers of the fourth class.—Lowest class.

1017. The allowance admissible to an officer of the first, second or third class is double the fare of the class in which he is entitled to accommodation, and to an officer of the fourth class the fare of the lowest class and in addition double the daily allowance ordinarily admissible.

Note.—[The word fare in this rule means “fare without diet” in cases where the Steamer Company has two rates, namely, one with diet and the other without diet.]

1017-A. When an officer is allowed free transit by steamer otherwise than in a Government vessel (as to which see articles 1028 to 1030), his travelling

allowance must be reduced by the amount of the fare which but for such free transit he would have paid.

Note.—[When such free transit is allowed by means of a pass, the deduction made from travelling allowance under the Article shall ordinarily be for the full number of fares including the fares of servants covered by the pass. If the deduction made on any bill is less, the officer drawing the bill must attach a certificate that he did not use the pass in respect to the fare or fares for which the deduction is not made.]

1018 & 1019. Cancelled.

1020. In cases of doubt, or in cases in which, owing to the arrangement of the classes on the steamer, the rules if construed strictly involved hardship, the Local Government, or the Head of a Department in respect of non-gazetted subordinates, has power to decide for journeys generally, or for particular journeys, what class of accommodation officers should be allowed, and whether when any concession is sanctioned the officer should be granted the full allowance admissible for the higher class in which they are permitted to travel.

1021. Except as provided in Article 1000 and 1094, no more personal, luggage can be carried at the expense of the State than the quantity of the freight on which is included in the charge for passes.

1022 to 1027-A. Cancelled.

Government vessels

1028. An officer is bound to travel in Government vessel, if suitable accommodation be offered to him.

1029. An officer travelling otherwise than on payment of passage money in a vessel, the cost of which is paid by the State or Local Funds, is entitled to draw only the daily allowance ordinarily admissible to him. In cases in which servants and luggage are not conveyed on the vessel but are sent separately at the expense of the officer, he may be given the actual expenses of transporting them.

1030. Cancelled.

Crossing River or Arm of the Sea by Steamer

1031. The rules in this section apply to an officer crossing a river or arm of the sea by steamer in the course of a journey; but when such crossing occurs in the course of a railway journey, and the charge therefore is included in the railway fare, the rules in Section I of this Chapter are applied.

1032. Cancelled.

SECTION III.—TRAVELLING BY ROAD

1033. Travelling by road includes travelling by sea or river otherwise than on a steamer (e.g., by steam launch or by boat), and travelling by canals.

Ordinary Mileage Rates

1034. For journeys by road, mileage allowance is calculated at the following rates:—

	Annas
Officers of the 1st class	8
„ „ 2nd class	4
„ „ 3rd class	2
„ „ 4th class	1

Note.—[A provincial Government may fix mileage rates not exceeding 8 annas a mile for any officer or class of officers paid wholly or in part from Provincial Revenues.]

1035. (a) In calculating travelling allowance at mileage rates, fraction of a mile should be omitted, but only in the total of a bill for any one journey and not in the various items which make up the bill.

(b) The following officers also draw mileage at the special rates shown:—

	Annas
Overseers in the Public Works, and Railway Departments.....	2
Assistant Inspector of Schools, East Bengal....	6
Deputy Inspectors of Schools, east Bengal.....	4
Superintendents and Assistant Superintendents in the West Pakistan Salt Revenue Department	8
Chief Observers at Lahore	4
Settlement and Assistant Settlement Officer in Bengal, whose pay is less than Rs.700 a month—50% extra subject to maximum of....	8
Sub-Deputy Collectors in East Bengal when engaged on land acquisition or partition work.....	4
Superintendents (Rs.250 – 500) and Probationary Superintendent acting as Superintendent (Rs.200) and Inspectors acting as Superintendents (Rs.250) of the combined Excise and Salt Department, East Bengal	6
Inspectors (Rs.100) when not acting as Superintendents and Sub- Inspector (Rs.50–100) acting as Inspectors of the combined Excise and Salt Department, Bengal	3

Special Conveyance

1037. (a) When an officer of a class lower than the first is required by superior authority to travel by special means of conveyance, the cost of which exceeds the daily allowance under Article 1063 when daily allowance only is admissible or the mileage admissible under article 1034, the actual cost of transit may be drawn in lieu of daily allowance or mileage. The bill for the actual cost of transit must be supported by a certificate signed by the superior authority and countersigned by the controlling authority, certifying that the use of the special means of conveyance was absolutely necessary, and specifying the circumstances which rendered it necessary.

(b) The Audit Officer will report, for the orders of the Local Government, any case in which the concession appears to have been improperly granted.

CHAPTER LIII.—TRAVELLING ALLOWANCES FOR JOURNEYS ON TOUR

SECTION I.—GENERAL RULES

1038. An officer other than one of those referred to in article 1039, whose duties, whether ordinary or special, necessitate his travelling within or (under proper authority) beyond the circle of his ordinary jurisdiction, is entitled to travelling allowance which may be either—

- | | | |
|--|---|---|
| <ul style="list-style-type: none"> (a) A permanent monthly allowance; (b) A daily allowance (c) A conveyance allowance or actual conveyance hire. | } | <p>These may, under certain conditions, be exchanged for mileage under Chapter LII.</p> |
|--|---|---|
- Journey to hill stations do not come within this rule.

1039. The pay of the officers named in Appendix 20 has been fixed so as to compensate them for the cost of ordinary journey (other than journeys by rail or steamer) within their respective jurisdictions, and they are not entitled to travelling allowance for such journeys. When travelling by rail or steamer within jurisdiction, they are entitled to travelling allowance under Article 1011 to 1032. When proceeding under proper authority beyond their jurisdiction, they are entitled to travelling allowance for their entire journey, including such part of it as is within their jurisdiction.

Note. 1 —[Zilladars and Veterinary Assistants serving in the Army Remount Department in Baluchistan are only entitled to actual railway fare when travelling by rail on duty.]

1040. The Local Government is empowered to add to the list of officers in Appendix 20 subject to confirmation, on report of its proceedings to the Government of Pakistan.

Note.—[A Provincial Government has full power to add to, or remove from, the list in Appendix 20 any officer or class of officers paid wholly or in part from Provincial Revenues.]

Limits of Ordinary Jurisdiction

1041. A Local Government may fix the limits of ordinary jurisdiction for, and impose restrictions upon, the duration and frequency of the journeys on any specified duty of any officer or class of officers.

Tents.

1042. (a) The Local Government, or the Head of an Imperial Department in respect of his subordinates, is empowered to lay down the scale of Government tents to be supplied for the use on tour of any particular officer or class of officers for office and, if it thinks fit, private purposes.

(b) When tents which are the property of Government are used only for office purposes by an officer on tour, they are carried at Government expense. When they are used partly for office and partly for private purposes, the officer using them must, save as provided in Article 1000, pay half the cost of carriage. When they are used wholly for private purposes, the officer using them must, unless the case is met by Article 1000, pay the whole cost of carriage.

1043. Cancelled.

SECTION II.—PERMANENT ALLOWANCES

1044. A permanent monthly travelling allowance is granted in lieu of all other travelling allowances for journeys within an officer's circle of duty, and is drawn all the year round, whether the officer entitled to it is at the time absent from his headquarters or not. Officers in receipt of such an allowance should deduct from the amount drawn each month the value of the fares for any railway journeys for which they have used a free pass during the month.

Exceptions.—The following officers who draw permanent monthly travelling allowance may draw single fare for a journey by rail in addition:—

(a) District Inspectors of Schools in the Punjab, with the special sanctions of the Post Master level..... Post Office.

(b) Officers of the fourth class.

1045. The Local Government may, either by a general order applying to a class of officers or by a special order, permit an officer whose circle of duty extends beyond the limits of a single district, to draw, whenever his actual

travelling expenses for a duly authorised journey on duty by public conveyance exceed double the amount of his permanent allowance for the period occupied in such journey, the difference between such double permanent allowance and the allowance admissible under Chapter LII in addition to his ordinary permanent allowance for such period.

1046. An officer in receipt of a permanent monthly allowance may, when proceeding, under proper authority, beyond his jurisdiction, exchange his permanent allowance for the entire journey, including such part of it as is within his jurisdiction, for the allowance admissible under Article 1065, the daily allowance being taken to be one-thirtieth of the permanent monthly allowance.

1047. A permanent monthly allowance cannot be drawn during absence on leave or during joining time, or for any period for which travelling allowance of any other kind is drawn. But save as provided in this Article a permanent allowance may, at the option of the officer receiving it, be drawn in lieu of any other travelling allowances admissible under these Regulations.

1048. Permanent monthly allowances are granted to the officers named in Appendix 22 at the rates shown therein.

Additions to this Appendix can be made only with the sanction of the Government of Pakistan.

1049. (a) The Local Government may grant to a Forest Officer, in lieu of other travelling allowance, a permanent allowance, according to the following scales:—

	Rs.
To an officer in-charge of a circle	150 a month.
To an officer in-charge of a division—	
(i) Cancelled	
(ii) If an Extra Assistant Conservator or a probationer for the Provincial Forest Service	75 a month
(iii) If below the rank of Extra Assistant Conservator.	50 a month
To an officer in-charge of a sub-division or rank —	
(i) If not below the rank of Extra Assistant Conservator or a probationer for the Provincial Forest Service.	60 a month
(ii) If below the rank of Extra Assistant Conservator.	20 a month

(b) Where a charge specially extensive, or travelling is unusually costly the above scale may be increased, with the previous sanction of the Government of Pakistan, by twenty-five or fifty per cent.

1050 & 1051. Cancelled.

SECTION III.—DAILY ALLOWANCES—CONDITIONS

1052. (a) A daily allowance is intended to cover the ordinary daily charges of an officer on tour; it is drawn only during absence from headquarters on duty, including the period of halts on duty, or on an authorized holiday, during such absence.

(b) Save where otherwise expressly provided, daily allowance is inadmissible for journey, or halts in the course of journey, under any other Chapter of these Regulations.

1053. The period of absence from headquarters begins on the day on which the officer actually leaves headquarters, and ends on the day on which he returns to them. It is not reckoned by the departure or return of his camp equipage.

1054. (a) The Local Government may apply the provisions regarding a halt at headquarters, contained in Article 1059, subject to the conditions and certificate therein specified (as far as applicable) and to such other restrictions as may seem requisite, to the period, if any, intervening between the departure from, or arrival at, headquarters of an officer and of his camp equipage.

(b) In the case of officers in Sind, the Local Government may similarly apply the provisions of Article 1059 to the period, if any, intervening between the engagement of camp equipage and the departure from headquarters on tour.

Note.—[See Note 2 under Article 1059.]

1055. No travelling allowance, other than a permanent monthly allowance is admissible for any day on which an officer does not reach a distance exceeding five miles from headquarters or return thereto from a distance exceeding five miles. But an officer travelling on duty within five miles of headquarters is entitled to draw the actual amount spent by him in payment of ferry and other tolls or railway fare.

Exceptions 1.—No travelling allowances, other than a permanent monthly allowance, is admissible to a District or Assistant District Superintendent of Police for visiting a police station otherwise than in the course of a tour, unless he travels at least twenty miles in one day. In this clause “tour” means a journey which

involves absence from headquarters for two or more consecutive nights, and the visitation of two or more police stations or posts.

2. Taluka Head Munshis in the province of Sind when deputed to carry out field inspections or other similar work ordinarily carried out by Mukhtiarkars, graduates and Munsifs deputed to the Tapedars' Training School at Hyderabad to undergo the survey course and surveyors deputed to instruct the class, such excise (Abkari), Inspectors and Sub-Inspectors as do not receive a horse allowance, Nazirs of Subordinate Civil Courts stationed in towns provided with first class Subordinate Judges' Courts, and Veterinary Assistants in-charge of stationary dispensaries, are exempted from the operation of this Article.

Halts during Tour

1056. A daily allowance may not be drawn for more than ten days of a halt at one place. But general or individual exemptions from the operation of this rule may be sanctioned by the Local Government by a general rule or order, where they are satisfied –

- (a) that prolonged halts are necessary in the interests of the public service, and
- (b) that such halts necessitate the maintenance of camp equipage or where no camp equipage is maintained entail extra expense on the officer after the first ten days.

Similar exemptions, subject to the same conditions, maybe granted in individual cases up to a limit of 30 days by Heads of Departments Commissioners of Divisions, Settlement Commissioners, and Superintendent Engineers to whom the Local Government may delegate authority for this purpose.

It is open to the authority sanctioning the exemption to lay down any limits or conditions which it may think fit to impose; for instance, when an exemption is made under this Article, the full daily allowance admissible under rule may be reduced by such an amount, and may be granted for such number of days, as the sanctioning authority may deem proper in each case.

Note 1.—[As regards officers in (a) the Geological Survey departments (b) the Cotral Criminal Intelligence Department, and (c) the, Meteorological Department, the Head of the Department exercises the powers of a Local Government under this Article.]

1057. (a) For the purpose of Article 1056 a halt is continuous unless terminated by an absence at a distance exceeding 5 miles for a period including not less than three nights.

(b) In calculating the ten days referred to in that Article any day on which the officer travels or halts outside the five miles radius is to be excluded. For such a journey or halt the officer may draw daily allowance or, if he is entitled to them, allowances under Section V, Chapter LIII.

(c) After the expiry of ten days an officer may draw travelling allowance under the ordinary rules for journeys from the halting place even though followed by a return to it.

Note.—[In Articles 1056 and 1057, the halting place for the purposes of Article 1055 should be considered to be the officer's temporary headquarters.]

1058. A list of officers and establishments, who have been exempted from the rule in Article 1056, conditionally or unconditionally, will be found in the Manuals of the local audit officers concerned.

Headquarters.

1059. (a) A Local Government may, by general or special order permit any officer or class of officers to draw, during a halt at headquarters, the actual expense (not exceeding the daily allowance) of keeping up camp equipage (when it is necessary to do so) during a halt: provided such actual expense may not be drawn for a longer period than twenty-one days in Sind and ten days in other places.

Explanation.—A halt is not interrupted for the purpose of this rule an absence on duty from the place of halting for less than three nights.

(b) An officer drawing an allowance under this Article, for a halt at headquarters, must certify that he has during such period kept up the whole or part of this camp equipage, and that the expense so incurred is not less than the halting allowance drawn. In the case of a non-gazetted or menial officer, the head of the office must also certify that it was necessary for such officer to keep up the whole or a part of his camp equipage as the case may be.

(c) Except in the case of officers to whom Exception 2 to Article 1055 applies, a halt within five miles of headquarters in the course of a tour is, for the purpose of this Article, treated as a halt at headquarters.

Note 1.—[The Local Government may delegate its power under this Article to Heads of Departments in respect of individual officers serving under them.]

Note 2.—[Riding camels and riding horses may, under the orders of the Local Government, be treated as camp equipage for the purposes of Article

1059 in the case of Munshis and clerks in the Punjab and Sind, and also for the purposes of Article 1054 (b) in the case of such officials in Sind.]

1060. The Local Government may determine, in case of doubt, what are the headquarters of any Officer serving under it. The Head of an Imperial Department may similarly decide in the case of his subordinates.

Cumulative Allowances

1061. (a) An officer compelled, on a sudden emergency, to leave his camp and proceed rapidly on duty to a place more than twenty miles distant, may, under the special order of the Local Government, draw the actual expense of maintaining such camp, not exceeding the daily allowance, in addition to the allowances admissible under Chapter LII, whether the camp be moved or not.

(b) The Local Government may delegate its power under the Article to the head of a department.

1062. An officer entitled to daily allowance, whose jurisdiction extends over a whole province, may, when making a journey of over a hundred miles to the first and from the last camp of a tour, in lieu of the daily allowance admissible for the days occupied by such journey, recover the whole necessary expenditure incurred there-upon, including the conveyance of camp equipment, servants, horses, motor cars, motor cycles, bicycles, and private baggage. The numbers of servants, horses, motor cars, motor cycles, bicycles and the quantity of private baggage to be thus charged for should be fixed by the Local Government.

SECTION IV.—DAILY ALLOWANCES—RATES

1063. Officers are entitled to daily allowance as follows:—

- (i) An officer of the first class, Rs.5.
- (ii) An officer of the second class, four annas for every Rs.25 or fraction of Rs.25 of the pay or maximum pay of his appointment, subject to a maximum of Rs.3.
- (iii) An officer of the third class, two annas for every Rs.12 ½ or fraction of Rs.12 ½ of the pay or maximum pay of his appointment, subject to a minimum of four annas.
- (iv) An officer of the fourth class, three annas if he travels over more than one province, and two annas if he travels over a single province.

Note.—[A Provincial Government may fix special rates of daily allowance for any officer or class of officers paid wholly or in part from Provincial revenues, subject to a maximum of Rs.10.]

Exceptions.—(a) The officers mentioned in Appendix 25 are entitled to daily allowance as shown therein.

(b) In the Forest Department, (1) officers of all classes below the first, including the Inspector General's peons while on tour, draw a daily allowance one-third greater than the allowance of their class, and (2) ministerial officers when on tour with the Inspector General draw a daily allowance of Rs.2 which may in special cases be increased by the Inspector General to Rs.3.

(bb) The camp clerk of the Inspector General of Irrigation draw a daily allowance of Rs.2 which may, in special cases, be increased by the Inspector General to Rs.3. The peons who accompany the latter on tour draw a daily allowance of four annas.

(c) The Vice-Consul at R. Jeddah, when travelling in their Vice-Consular capacity on the public service in the Hedjaz, Red sea, etc., are reimbursed their actual travelling expenses and receive in addition 1 pound per diem for subsistence.

(d) Clerks accompanying His Excellency the Governor General, a Secretary to the Government of Pakistan, or the Financial Adviser, Military Finance, on tour draw for the whole period of the tour extra allowance according to the following scale. Travelling allowance may not be drawn in addition when the means of locomotion are provided at the expense of the State:—

- (i) Clerks on salaries of less than Rs.100 – Full salary, provided the sum of salary and allowance does not exceed Rs.150 a month.
- (ii) Clerks on salaries of not less than Rs.100 but less than Rs.200. Half salary provided the sum of salary and allowance does not exceed Rs.266 $\frac{2}{3}$ a month.
- (iii) Clerks on salaries of Rs.200 and above—One-third salary to a maximum of Rs.200 a month.

Note.—[The Sub Assistant Surgeon and Compounders attached to the Governor-General's dispensary and the Postmaster and Postmen of the Governor-Generals camp Post Office, when accompanying His Excellency on tour, are treated for the purposes of this rule as clerks.]

(e) Permanent clerks and permanent and temporary shroffs and potdars deputed to accompany remittance to the places named below, are entitled to daily allowances at the following rates for the period of their absence on duty:—

	Clerks	Potdars and Shroffs
	Rs. A. P.	Rs. A. P.
(i) Karachi	1 4 0	1 0 0
(ii) Other places beyond their provinces.	0 12 0	0 8 0

The Accountants General (except the Accountants General, Railways and Posts and Telegraphs), may, however, when they are satisfied that rates otherwise admissible are insufficient, grant Rs.1-8-0 to clerks Rs.1-4-0 to potdars or shroffs, and annas 4 to peons.

(f) Clerks and Sub-Postmasters of the Camp Post Offices and Hospital Assistant accompanying the Governor of the Punjab on tour are granted an allowance of one-third salary; subject to a maximum of Rs.75 and a minimum of Rs.30 a month from the date on which the camp leaves headquarters to the date of its return. Class IV servants are entitled to the free carriage of their baggage. Clerk accompanying the Governor of East Bengal on tour and the Secretariat clerks attending upon the Chief or other Secretary to the Local Government who accompanies the Governor of East Bengal on tour are granted an allowance of one-third salary, subject to a maximum of Rs.50 and a minimum of Rs.20 a month, from the date on which the camp leaves headquarters to the date of its return.

Note.—[The Compounder attached to the hospital of the Governor of East Bengal, when accompanying his Excellency on tour, is treated for the purpose of this rule as a clerk.]

(g) Settlement and Assistant Settlement Officers in East Bengal, Assistant Directors of Survey and officers of the Provincial Service of the Survey of Pakistan employed in East Bengal, and Deputy Collectors and Sub-Deputy Collectors employed on survey work in East Bengal, are entitled to daily allowance at the following rates:—

- (i) Officers on pay of Rs.700 or upwards, Rs.7-8-0 a day.
- (ii) Officers on pay of less than Rs.700 a month, 50 per cent, in excess of the rate of their class, subject to a maximum of Rs.5 a day. For journeys by boat in the Chittagong and Dacca divisions, and the districts of Khulna and Jessore the officers may draw only such daily allowance as is shown in the Local Manuals of the Audit Officers concerned (see article 1040).

(h) Cash Sircars and Potdars on the Eastern Bengal State Railway, when temporarily employed in the capacity of Assistant Pay Clerks, and travelling with cash on the line, draw travelling allowance at the same rate as Assistant Pay Clerks.

(i) The peons who accompany the Auditor General, the Educational Commissioner with the Government of Pakistan, the Director General, Pakistan Medical Service, the Sanitary Commissioner with the Government of Pakistan, the Electrical Adviser to the Government of Pakistan, the Agricultural Adviser to the Government of Pakistan, and the peons and menial staff of the office of the Central Intelligence Department and those accompanying the Surveyor General of Pakistan on tour, draw a daily allowance of four annas.

Note.—[When visiting places for which a Local Government has sanctioned under article 1139 any higher rate of daily allowance for peons than four annas, the peons may draw such higher rates.]

(j) A gazetted officer of the Botanical Survey Department during the actual progress of a botanical tour is entitled to draw twice the daily allowance ordinarily admissible to him, subject to a maximum of Rs.10 a day. The clerks and peons who accompany the Director, Botanical Survey of Pakistan, or the Economic Botanist, on botanical tours also draw double rates of daily allowance and a daily rate of four annas respectively.

1064. With the following exception an officer of the Public Works Department holding an appointment in a Secretariat, or any other special appointment, draws the daily allowance of his class in the Department:—

- (1) The Secretary to the Government of Pakistan in the Works Division is entitled to a daily allowance of Rs.10.
- (2) Secretaries or Joint Secretaries to Government in the Works Division of East Bengal, Punjab, when travelling with the Governor are entitled to a daily allowance of Rs.10.

**SECTION V.—MILEAGE IN LIEU OF DAILY ALLOWANCES,
WHEN DAILY ALLOWANCE ARE EXCHANGEABLE.**

1065. An officer may for any day draw in lieu of his daily allowance—

- (i) if he travels by railway or steamer or both, the allowances admissible under Article 1011 to 1015 or Article 1016 to 1032 or both, as the case may be;
- (ii) if he travels more than twenty miles by road, or if, being non-gazetted ministerial or a class IV officer, he travels by public or hired

conveyance under a certificate from the head of the office that he was required to do so, the allowances admissible under Chapter LII;

1. In the case of a non-gazetted ministerial or a menial officer, the allowance admissible under this clause are subject to any restriction which the Local Government may prescribe, e.g., a Local Government may absolutely prohibit the exchange of daily allowance for mileage either for any class of officers or in any specified tract.

2. The Local Government may impose restriction on the application of this Article to any officer or class of officer, either in respect of the distance to be travelled in any one day in order to entitle an officer to exchange his daily allowance or otherwise, as it thinks fit.

Note.—[On the question of the advisability of laying down a scale or limit of actual expenses within the general limits of the rates for each class, the Central Government passed the following orders.—

“After a full consideration of all the reports received, the Governor General has arrived at the conclusion that it is impossible to lay down any general subsidiary scale which should have force throughout Pakistan. It must be left to each Local Government or Administration to determine whether owing to local peculiarities or special causes any such scale is practicable, either for their jurisdiction generally or for any portions of them. And the Governor General will merely rule generally that the actual expenses for which ministerial officers or class IV servants may on certain occasions exchange daily allowance, besides being subject to the general mileage limits prescribed in these Regulations, shall also be subject to any further restrictions or limits which the Local Government may from time to time think fit to prescribe. Such restrictions or limits may, if considered advisable, amount to an absolute prohibition of the exchange of daily allowance for mileage in certain cases.....or they may consist only in the prescribing of a subsidiary scale.”]

(iii) if he travels partly by road and partly by rail or steamer, or both—

(1) in respect of the road journey, the allowance admissible under Article 1033 to 1037, limited, unless the conditions of clause (ii) of this article are fulfilled, to the amount of the daily allowance;

Note.—[In determining the allowance admissible under clause (iii) (1) for a road journey either than a journey to and from an officer’s headquarters the distance actually travelled on duty shall be taken into account, without reference to the situation of any public office or other point fixed by a Local

Government under article 998, provided that the road and rail journeys are made on the same day and in continuation of each other.]

- (2) In respect of the journey by railway or steamer, the allowances admissible under article 999, or article 1011 to 1015, or article 1016 to 1032, or both, as the case may be.

1066. In the case of officers whose salary does not exceed Rs.200 a month the Local Government may, be general or special order, and subject to such conditions as it thinks fit to impose, permit any officer or class of officers to draw allowances admissible under Chapter LII for the whole period of any absence from headquarters on condition that no daily allowance is drawn for such period, if it considers that their duty is such that the daily allowance is not sufficient to cover travelling expenses.

Officers attached to Railways

1067. The following officers, whose duties require to travel constantly by railway, are not entitled to allowance under article 1011 to 1015, except in cases of transfer from one line to another, but are granted daily allowance for any day on which they are absent from their station for more than eight consecutive hours in addition to a free pass, or if they are not allowed a free pass, the fares for themselves and for the servants and baggage accompanying them which a free pass would cover:—

All officers and men of Railway Police.

All officers attached to Open Lines of State Railways except the Train Staff or Running Establishment.

Government Inspectors of Railways and their establishments.

Medical subordinates attached to Open Lines of State Railways.

Other officers to whom the concession may from time to time be extended.

1. Inspectors of maintenance on State Railways are not entitled to draw allowances under this Article, except when they are, under special circumstances, absent from headquarters for more than four hours between 9 p.m. and 5 p.m., such absence being certified by the head of their department.

Note.—[The Railway Division may grant at their discretion travelling allowance under this rule to Permanent-way Inspectors temporarily transferred from open to unopened (construction) lines.]

2. The proviso in article 23 applies to allowances drawn under this Article.

3. In cases in which any of the above mentioned officers makes a road or steamer journey in combination with a railway journey, he may, if he travels to a place distant five miles or more from the point where he leaves the railway, draw in addition allowances under article 1033 to 1035, or article 1016 to 1021.]

Note.—[The time thus spent on the road or steamer journey must be neglected by the officer in calculating the duration of absence from his station for the purpose of claiming daily allowance under this Article.]

Postal (Mail) Officers.

1068. Superintendents and Assistant Superintendents, Railway Mail Service, Inspectors General, Railway Mail Service and Sorting, and Inspectors of Sorting are entitled, for journeys by railway within the limits of the railways to which they are attached, to free conveyance, and to their daily allowance for any day on which they are absent from headquarters for not less than six consecutive hours. Inspectors of Sorting are also entitled to draw a single fare of the lowest class for a servant, if actually paid.

Superintendents and Assistant Superintendents who are employed in the Foreign Mail Division, or who are not attached to any railways or lines, or who are on deputation beyond the limits of the railways and lines to which they are attached, are entitled to special daily allowances at Rs.6 and Rs.4, respectively, for a day of not less than six consecutive hours.

Note.—[In case of transfer, the officers mentioned in the Article are entitled to travelling allowance under Article 1013.]

1. Superintendents and Assistant Superintendents, Railway Mail Service, Inspectors General, Railway Mail Service and Sorting, and Inspectors of Sorting are entitled for journeys by road, irrespective of the journeys (distance travelled to Mileage under articles 1033 to 1035, but the time spent on such) must be excluded in calculating the duration of absence from headquarters for the purpose of claiming daily allowance under this Article.

1069. Superintendents and Assistant Superintendents, Railway Mail Service, Inspectors General, Railway Mail Service and Sorting, and Inspectors of Sorting may also draw daily allowance, if they are absent from headquarters for a continuous period of six hours, forming part of one day and part of the next: provided that if further daily allowance on account of any other journeys is earned under the preceding Article on both the days, it shall be drawn for any one of two days.

Officers in the Survey of Pakistan Department

1070. (a) The following special rules apply to officers in the Survey of Pakistan:-

- (i) A Survey Officer may, for a journey in the field, exchange his daily allowance for the allowance admissible under Chapter LII only when he is specially authorized by the Surveyor General or Administrative Superintendents, and when he has to travel by public or hired conveyance or is employed on special duty.
- (ii) Whenever for a journey to or from the field or any other journey in which an officer has to travel with camp equipment, the actual travelling expenses of a Survey Officer, including charge by public or hired conveyance, the cost of carriage to and from such conveyance, for himself, his servants and baggage, not exceeding the limit named in the table below, exceed the amount admissible under Chapter LII, he may for such journey in lieu of the amount so admissible, draw such actual expenses on a bill prepared in sufficient detail and countersigned by the Surveyor General or Administrative Superintendents:—

----- Servants	When obliged to travel with camp equipment	otherwise
	No.	No.
For an officer of the Central Service of not lower rank than an officer in charge of a part or for an Extra Deputy Superintendent	6	3
For an Assistant Superintendent; or for an Extra Assistant Superintendent whose pay is not less than Rs.500	4	2
For any other officer(including probationers) of the old and new Provincial Services or for a Sub-Assistant Superintendent of the Upper Sub-ordinate Service who draws a pay of Rs. 250	3	1
For any other officer(including probationers) of the Upper Subordinate Service	2	1
For an officer of the Lower Subordinate Service or for a Sub-Assistant Surgeon	1	1
Camp Equipment and Baggage	Mds.	Mds.

For an officer of the Central Service of not lower rank than an officer in charge of a part or for an Extra Deputy Superintendent.	35	12
For an Assistant Superintendent; or for an Extra Assistant Superintendent whose pay is not less than Rs.300	25	8
For any other officer(including probationers) of the old and new Provincial Services or for a Sub-Assistant Superintendent of the Upper Subordinate Service in a selected post carrying a pay of Rs.250	15	5
For any other officer(including probationers) of the Upper Subordinate Service	10	3
For an officer of the Lower Subordinate Service (including writers on Rs.50 and over or for a Sub-Assistant Surgeon on Rs.50 or over)	8	2
For any other officer of the Lower Subordinate Service (including writers) or for a Sub-Assistant drawing less than Rs.50	5	2

Note.—[In applying this rule a journey must be treated as a whole. An officer cannot draw actual expenses under this rule for a part of a journey and ordinary rates for the remainder.]

- (iii) When the actual expenses for whole month for carriage in the field of camp equipment and baggage, limited as in the preceding clause, exceed half the daily allowance admissible for that month, a Survey Officer may appropriate half his daily allowance to pay for camp equipment and extra servants, and in lieu of the other half of the daily allowance may recover such actual expenses by bills prepared and countersigned as in the preceding clause. When coolies are employed, camp equipment and baggage must be limited to half these weights.

1071. Clause (a) (ii) of article 1070 applies to officers of the Geological Survey the detection.

Other Special Cases.

1072. (a) An Inspector of Post Office may not exchange his daily allowance for mileage on journeys by road. When travelling by rail or sea, or in a river steamer, he draws the single fare of his class and a single fare (when actually paid) of the lowest class for one servant in addition to his daily allowance.

(b) An Income-tax Assessor in the interior of East Bengal is not entitled to exchange his daily allowance for mileage.

Class IV Servants.

1073. A Class IV servant if entitled to daily allowance under Article 1038, may for a journey by railway, draw his daily allowance in addition to railway fare. A Class IV servant named in Appendix 20 may draw daily allowance in addition to the allowance admissible under Article 1039 for an authorized journey beyond jurisdiction, but not for one within jurisdiction.

Note1.—[The daily allowance admissible under this Article is not to be drawn when actual expenses or daily allowance are drawn under Article 1065 (iii) (1).]

SECTION VI.—CONVEYANCE ALLOWANCE

1074. When an officer has a large amount of travelling at or within a short distance from headquarters, for which travelling allowance is inadmissible under this Chapter, a permanent conveyance or horse allowance is granted to him which is drawn throughout the year.

1075. Conveyance allowances are granted to the officers named in Appendix 26.

Additions to this Appendix can be made only with the sanction of the Government of Pakistan. A Local Government may, grant a special daily conveyance allowance to an Assistant or Sub-Assistant Surgeon for the periods during which, on account of epidemics, he has an unusual amount of travelling to do.

How effected when on Tour or on Leave

1076. (a) Save as provided in Article 1077(b), a permanent conveyance allowance is not forfeited during absence from headquarters, and may be drawn in addition to any other travelling allowance admissible under rule.

(b) It is, however, inadmissible, except in the under-mentioned cases, during joining time and leave.

Exception 1.—Provided it is not drawn by any other officer during his absence, conveyance allowance may be drawn during privilege leave by, a line rider of the Pakistan Telegraph Department, a Military Medical Subordinate employed in the Civil Department, and a Zilladar or a Salutory in Baluchistan or Sind.

Exception 2.—Local Government may, be general or special order, authorize the continuance during joining time and privilege leave to all subordinate police officers, or to any class of them, of the conveyance allowance drawn by

them while on duty subject to the condition that no extra expense is thereby caused to the State and to any other condition which it may consider necessary to impose.

Exception 3.—Inspectors of the combined Salt, Excise and Opium Department in Sind, may draw conveyance allowance during joining time and privilege leave on condition that no extra expense is thereby caused to the State.

Public Works, Railway, Telegraph, Forest and other Departments.

1077 (a) A conveyance allowance not exceeding the amount shown in each case in the following table may be granted to a subordinate named in the first column by the authority specified in the third column if such subordinate has a large amount of travelling at or near headquarter.

(b) This allowance is forfeited whenever daily allowance or road mileage is drawn.

(c) The provisions of clause (1) of Article 1065 (iii) may be applied to such of these officers as draw no daily allowance, the limit of road mileage in these cases being the amount of horse allowance for the day.

Subordinate to whom conveyance or horse allowance may be granted.	Amount of Allowance	Authority empowered to grant allowance
Public Works Department	Rs.	
Upper Subordinate	30	} General Manager and Engineer-in-Chief State Railways Superintendent Engineer of Irrigation or building and Roads Branch Commanding Royal Engineer Military Works Services.
Sanitary Inspectors on the North Western Railway holding large charges	30	
Canal Zilladar; and Canal Darogha employed on Innudnation Canals in the Punjab	15	
Lower Subordinate	15	
Assistant Surgeons or Civil Apethecary	7 ½	
Sub-Assistant Surgeons	15	Local Government
Apprentice Overseer	15	Local Government
Cashier		

* A lower subordinate, Public Works Department, placed in charge of a regularly to start sub-division in Sind, may under the special orders of the Superintending Engineer, be allowed to draw horse allowance not exceeding the rate admissible to an Upper Subordinate.

* Upper Subordinates receive a horse allowance of Rs.35 a month in places second the external boundaries of the district of Hazara, Peshawar, Kohat, Dera Ismail Khan and Dera Ghazi Khan.

Permanent and temporary Lower Subordinate of the Public Works Department in the North West Frontier Province or the Punjab, stationed beyond the external boundaries of the Hazara, Peshawar, Kohat, Dera Ismail Khan and Dera Ghazi Khan districts, and Zilladars employed in the Upper Swat River Canal when stationed beyond the external boundaries of the Peshawar District receive a horse allowance of Rs.22-8-0 a month, with the sanction of the Superintending Engineer in each case. In the Military Works Services the allowance may be sanctioned by the Commanding Royal Engineer, Punjab Frontier District.

Lower Subordinates of the Tochi independent executive charge serving beyond the frontier; also draw a horse allowance of Rs.22-8 a month.

Lower Subordinates in the Lushai Hills generally receive a horse allowance of Rs.22-8. Surgeon employed draw a horse allowance of Rs.30 a month, for those in the Chin Hills the rate is Rs.30 a month.

Lower Subordinates of the Military Works Services serving in the Loralai District and at Dalbadin and Kacha in the Chagai District beyond Nushki draw a horse allowance of Rs.22-8 a month.

Lower Subordinates in charge of the Military Works Sub-divisions at Lebong and Jalal-pahar draw a horse allowance of Rs.30 a month.

The Railway Assistant Surgeon at Rawalpindi, North Western Railway, and the Assistant.

The senior and the second Military Assistant Surgeon at Lahore (Nowlakha), the Military Assistant Surgeon in charge of the Carriage and Wagon Department employees at Moghalpura draw a horse allowance of Rs.25 a month.

Subordinate to whom conveyance or horse allowance may be granted	Amount of allowance	Authority empowered to grant allowance
Military Works Service	Rs.	
Storekeepers	7 ½	*Director-General of Military Works.

Telegraph Department

Upper Subordinates and Inspecting Telegraph Masters and Signaller other than those sent out on casual inspection duty.	30	Director-General of Telegraph.
Sub-Inspectors at Hindubagh, Loralai, Fort Sanderman, Dehra Ismail Khan, Edwardesabad and Merui.	22 ½	Director-General of Post and Telegraph.

Forest Department

Sub-Assistant Surgeon	7 ½	Government of (East) Bengal.
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* Now styled Engineer-in-Chief, Army Headquarters.

1078. (a) General Managers of State Railways may grant a conveyance or horse allowance to subordinate employees on open lines of railway, in cases where the use of a trolley is, in their opinion, a source of danger or of inconvenience, whether with reference to the physical features of the line or to the passage of public trains.

(b) The allowance, which is not to exceed Rs.30 a month for an officer who ranks with an Upper Subordinate, and Rs.15 a month for an officer who ranks with a Lower Subordinate, should be given on the understanding that an employee who draws it is on no account to be allowed the use of a trolley on the length in question, and cannot draw ordinary travelling allowance while in receipt of this allowance.

1. Sub-inspectors of maintenance of the Bolan Railway, who are prohibited from using trolleys, may be given allowances not exceeding Rs.30 a month under this Article.

1079. Subject to the restriction contained in the Note under entry 26 in Appendix 25, a horse allowance of Rs.20 a month may be granted by the Local Government to any Income-tax Assessor employed in the Mufassal of East Bengal.

SECTION VII. –CONVEYANCE HIRE

1080. Cancelled.

1081. Cancelled.

1082. Conveyance hire is granted in the special cases shown in Appendix 27 at the rates and under the conditions therein indicated. A Provincial Government has full power to grant conveyance hire at such rates and on such conditions as it thinks fit to officers paid wholly or in part from Provincial revenues.

CHAPTER LIV.—OTHER JOURNEYS**SECTION I.—JOINING FIRST APPOINTMENT**

1083. Travelling allowance is not ordinarily granted to any person for the journey to join a first appointment in the public service but in the case of non-gazetted subordinate, whether permanent or temporary, the Local Government may, either by a special order in each individual case, or by a general order in respect of any particular class of officers, allow travelling allowance, the rate admissible being that of the class (Article 1022) to which the appointment the officer proceeds to join belongs. The Local Government may delegate its powers of sanction in individual cases to any subordinate authority.

Exception.—In the following cases travelling allowances are admissible for joining a first appointment:—

- (a) To any person appointed to the Public Works or Railway Department, the Telegraph Department, the Survey of Pakistan, the Medical or any other Department, in any capacity requiring technical skill or knowledge for which he has been specially trained.
- (b) Under the special orders of the Director-General, to a person newly appointed to the Postal Department to fill a temporary vacancy or a vacancy in another province in which no suitable person is procurable locally.
- (c) Deleted.
- (d) Under article 1094, for themselves and their families, to pupils of the Civil Sub-Assistant Surgeon class in Medical Colleges, appointed to be Sub-Assistant Surgeon, from the place at which the final examination is passed to the place to which they are appointed.
- (e) Not exceeding actual expenses and under the special orders of the Director General of Pakistan in each case to computers of Astronomical Parties and to students of the Schools of Art and other Government school who are appointed as draftsmen in the Survey of Pakistan Department.

Note.—[A Provincial Government may grant travelling allowance under this Article to any officer appointed by itself who is paid wholly or in part from Provincial revenues.]

Pensioner re-employed

1084. The authority competent to sanction the re-appointment may grant travelling allowance to a pensioner or an officer thrown out of employment by reduction of establishment or abolition of appointment, for such part of the journey to take up a new office on re-appointment to the public service as falls within Pakistan.

Journeys by sea

1085. The Local Government may grant a free passage for so much of a journey to join an appointment as is performed by sea to any person who is appointed by it or by the Government of Pakistan to an office which he cannot join except by sea.

Note.—[A Local Government may delegate its power under this Article to subordinate authorities in respect of officers appointed by them.]

1086. Cancelled.

Officers appointed in Europe

1087. The rules regarding (a) passage to Pakistan and outfit allowance (in case of appointment in Europe) and (b) return to Europe (on termination of appointment), of certain high officers, which have been framed by the Secretary of State, are given in Appendix 28.

Note.—[The rule regarding a Chief Justice or Judge of any of the High Courts is included in Statutory Rule No 34 in Article 543.]

1088 – 1093. Cancelled.

SECTION II.—JOURNEYS ON TRANSFER

1094. An officer in superior service is entitled to travelling allowance at the rates prescribed in Chapter LII for a journey on transfer from one station to another, if he is transferred for the public convenience and not at his own request or in consequence of misconduct, and if he is entitled to pay or salary during the time occupied in such journey. He is also entitled to the following concessions:—

- (A) For journeys by Railway or Steamer—
 - (i) **For self:**—One extra fare of the class to which he is entitled under Chapter LII.

- (ii) **For family:**—One extra fare for each adult member and half fare for each child where this is charged by the Railway or Steamer authorities.
- (iii) **Personal effects:**—Free transport by goods train, steamer, or other craft, up to a maximum of 40, 20 and 12 maunds (if the officer travels alone) and 60, 30 and 15 maunds (if he is accompanied by his family), respectively, for 1st, 2nd, 3rd class officers as defined in article 1002 ; or wherever tents are not supplied to touring officers by Government but have to be purchased and maintained by them, the number of tents so carried being subject of a scale to be prescribed by the Local Government as suitable to officers of a particular class.

Note.—[If an officer carries his personal affect by passenger, instead of by goods, train he may be allowed the actual expenditure incurred by him up to the maximum amount which might have been charged had he taken the full maundage permissible by goods train.]

- (iv) Free transport of conveyances and horses as shown below, provided that—
 - (1) the distance travelled exceeds 80 miles, and
 - (2) the officer holds an appointment in which the possession of a conveyance or horses is advantageous from the point of view of his efficiency—
 - (a) First class officers.—A carriage or motor car or motor cycle (with or without side car), and two horses.
 - (b) Second class officer—A carriage or motor cycle (with or without side car), and one horse.
 - (c) Third class officers.—One horse, or a motor cycle (with or without side car), or an ordinary cycle.

1. In the case of a motor car, the cost of conveyance of a chauffeur or cleaner may also be allowed, whether separately charge for or not; similarly for each horse the cost of conveyance of one syce and one grass-cutter may be allowed.

2. The conveyances or horses charged for must actually be carried by rail, steamer or other craft, and only the rates charged for carrying the same at owner's risk will be allowed.

3. Local Government will prescribe the class of officers for which the full scale of conveyances provided in sub-clause (iv) should be allowed.

4. For purposes of this Article the term "family" (vide Article 25) shall not be held to include parents, sisters or minor brothers.

5. For journeys by Government steamer, free transport is allowed of the officer himself, his family, servants, and their bona fide personal effect, also of conveyances and horses up to the limit prescribed in sub-clause (iv). An officer is also entitled to draw the daily allowance ordinarily admissible to him.

(B) For journeys by Roads—

(i) For self.—One extra mileage at the rate of which he is entitled under Chapter LII.

(ii) For family.—A single extra mileage if two members of the family are conveyed; two extra mileage if more than two members of the family are conveyed.

(iii) Free transport of goods up to the maundage limits given in (A) (iii) above according to a rate to be laid down by the Local Government. This rate will prescribe the average cost per mile of conveying a maund of goods by the cheapest method of conveyance.

(C) The term "personal effects" is not subject to definition, but controlling officer should satisfy themselves of the reasonableness of the claim for reimbursement. Where tents are supplied by Government, they will not be included in personal effects for the purpose of clause (A) (iii), in other cases they may be conveyed as personal effect.

(D) If any member of the officer's family does not travel with him, his or her journey may be charged for within the above limits, provided that he or she follows the officer within two months (if a gazetted officer) and six months (if a non-gazetted officer) of the date of his transfer or precedes him by a period not exceeding one month.

(E) For the purpose of drawing the allowances on account of a family shown as (A) (ii) and (B) (ii) or the higher maundage allowance under (A) (iii) (B) (iii), a certificate must be furnished by the officer of the number and relationship of the members of his family [as defined

in Rule 4 to clause (A) above] for whom the allowance is claimed. All allowances claimed under (A) (iii), (A) (iv) and (B) (iii) must also be supported by a certificate that the actual expense incurred was not less than the sum claimed, and the claim under (A) (iv) must give details of the conveyances or horses transported.

- (F) The above allowances do not apply to officers in inferior service who are on transfer entitled to travelling allowances under ordinary rules.

Note.—[Class IV servants should not be transferred save in exceptional cases in which there may be special reasons for transfer.]

Exception 1.—Police Officers below the rank of Assistant Superintendent transferred from one station to another in the same district are not entitled to travelling allowance except for journey by rail or steamer in which case they are also entitled according to their class to the further concession described in clause (a) (iii) and (iv) above. For journeys by road they may be allowed the actual cost of conveyance of their necessary baggage.

1095. The officers mentioned in Article 1067 draw allowances under that Article for journeys on transfers between stations within the limits of the line to which they are attached. They are not, however, entitled to daily allowance for halts made in the course of the journey, unless such halts are made in connection with their duty.

1096. The rules in Article 1070 (a) (ii) and 1070 (b) for Survey officers apply also to journeys on transfer.

Note.—[Survey Officers may, at their option, exchange the allowances admissible under this Article for those admissible under Article 1094.]

Transfer of Subordinates

1097. (a) An officer of the classes specified below is, in case of transfer, entitled to free passage or refund of passage-money for journeys by sea or in a river steamer for each member of his family actually travelling with him, at the rates admissible for himself or at half those rates, according as, by the rules of the vessel full or half passage-money is payable for such member:—

- (i) Departmental Officers and Warrant Officers;
- (ii) Non-Commissioned Military Officers;
- (iii) European Soldiers; and
- (iv) Officers of the second or third class whose pay is less than Rs.200.

(b) If, however, any member of the family of such an officer is prevented by good and sufficient cause from travelling with him, the officer who orders the transfer may sanction the grant of passage-money for such member. Provided such member follows the officer within six months of the date of his transfer or precedes him by a period not exceeding one month.

1098. Cancelled.

1098-A. Jail warders and head warders who are not in superior service when transferred from one jail to another, class IV servants of the combined Excise and Salt Department, East Bengal.

- (1) By railway or steamer.
- (2) BY road or boat.

Transfer not on Public Ground, and for Misconduct

1099. (a) When an officer is transferred otherwise than for the public convenience, a copy of order of transfer shall be sent to the Audit Officer of the circle of audit in which he is serving, with an endorsement stating the reason of the transfer. In the absence of such an endorsement the Audit Officer shall assume that the officer has been transferred for the public convenience.

(b) In the case of non-gazetted officers a certificate from the head of the office may be accepted in lieu of the copy of the order prescribed by clause (a).

1100. The authority competent to order the transfer may, if it thinks fit, by special order, permit an officer transferred for misconduct to draw travelling allowance.

Transfers from the Army

1101. A military Officer joining an appointment in the civil department may draw travelling allowance subject to the conditions laid down in this Section.

1102. A Non-Commissioned officer of the Pakistan Army, who elects at request for service in the Forest Department, under the rules in force in that Department, is entitled to travelling allowance to join his appointment for the journey from his station to the head quarters of the Forest division to which he is posted even though the conditions laid down in this Section are not fulfilled.

Appointment changed in Transit

1103. An officer whose appointment is changed while he is in transit from one appointment to another, is entitled to travelling allowance from his old station

to the place (on the route to the station to which he was proceeding) at which he receives his further orders, and thence to his new station.

When leave intervenes

1104. An officer is entitled to travelling allowance under this Section from his old station to his new station even though privilege or examination leave intervenes.

1105. Cancelled.

1106. An officer who, while in transit, obtains furlough on medical certificate, is entitled to travelling allowance calculated for the journey from the old station on the furthest place to which he has proceeded on the route to his new station.

1107. When on return from long leave an officer is posted to a station other than that at which he was posted when he proceeded on leave, the controlling officer may allow him to recover the allowances provided under clauses (A) (iii) and (iv) and (B) (iii) of Article 1094 for the carriage of personal effects and conveyances from the station from which he proceeded on leave to the station to which he is posted.

1108 & 1109. Cancelled.

SECTION III.—JOURNEYS TO HILL STATIONS

1110. Special rules – not incorporated in these Regulations – are prescribed for officers and establishments moving with the headquarters of a Government to and from a hill sanitorium.

1111. Cancelled.

1112. When an officer is permitted for his own convenience to conduct his duties at a hill station, neither he, nor any of the establishment which accompanies him, is entitled to travelling allowance for the journey to or from station.

1113. Cancelled.

Other Officers

1114. Officers other than those mentioned in the Hill Allowance Rules (see Article 1110), who requires to go to a hill station on duty, are under the ordinary rules, entitled to travelling allowances for the journey there and back and to daily allowance for the period of halt there on duty. But Local Governments and heads of departments have power to refuse; and should refuse travelling allowances to

an officer who visits a hill station on duty if he prolongs his visit beyond the period required for the performance of the duty.

Note.—[In applying the ordinary rules to halts a hill station under this Article, general exemptions from the rule laid down in Article 1056 made by Local Governments under that Article shall be held to be inapplicable. Provincial Governments may sanction specific exemptions under this Article without limit of time, and other Local Governments including authorities exercising the powers of Local Governments, may sanction specific exemption up-to 30 days.]

1115. An Audit Officer should retrench the travelling allowance, for a journey to and from a hill station, of an officer who remains at the hill station for more than ten days, unless the head of the department or where the officer is himself the head of a department, the Local Government officially intimates that the presence of the officer was required on duty throughout the period, or that he was permitted to extend his stay during authorised holidays immediately following his period of duty, the duration of which should be stated.

SECTION IV.—JOURNEY TO ATTEND EXAMINATIONS

1116. An officer is entitled to travelling allowance twice, but not more than twice, for each standard, for journeys to and from, consequent on attendance at—

- (1) An obligatory departmental examination,
- (2) In the case of Military Officer in civil employ, an examination for promotion in military rank,
- (3) An examination held under any rules in force for a reward for passing in the vernacular language of any frontier or hill tribe,
- (4) Deleted,
- (5) In the case of Civil Assistant Surgeons or Sub-Assistant Surgeons, an examination for promotion to a higher grade.

Note.—[The Local Government may extend the provisions of this Article to any departmental examination, even though it be not obligatory.]

1117. If a candidate appears to have culpably neglected the duty of preparing himself for an obligatory departmental examination during the period available for the purpose, the head of a department may disallow the travelling allowance to which he would otherwise have been entitled under Article 1116.

1118. The Local Government may disallow travelling allowance to a candidate who fails to obtain a reward for passing in the language of a frontier or

hill tribe, if such candidate does not attain to such reasonable standard as the Local Government prescribes.

1119. A civil officer or a military officer in civil employ who obtains a reward for proficiency in an Oriental language, or who for the first time obtains a Degree of Honour in any language in the Second Division, is entitled to travelling allowance to and from the place of examination.

1120. Cancelled.

SECTION V. – JOURNEYS OCCASIONED BY LEAVE OR RETIREMENT

1121. Save as provided in this section, or in Article 348-III, or by special order of the Government of Pakistan or in the case of officers paid wholly or in part from Provincial revenues of a Provincial Government, an Officer is not entitled to travelling allowance for a journey on proceeding on, on rejoining from, or during leave of any kind, or on retirement or dismissal from the public service.

Note.—[Exemption should be given only in exceptional cases. Half-yearly statements of exemptions granted by Provincial Governments must be submitted to the Government of Pakistan.]

1121.A (i) Except as provided in clauses (ii) and (iii), the grant of a free passage to or from England, in cases not provided for under the ordinary rules, requires the sanction of the President.

(ii) The Government of Pakistan may grant passage, including if necessary, travelling expenses by rail to the embarkation, in urgent cases where in their opinion it is very desirable that an officer, or the dependants of an officer, should leave Pakistan, and where the pecuniary circumstances of the individuals concerned are such that they are unable to leave without such assistance.

(iii) The Government of Pakistan may also sanction, where they think the circumstances specially warrant it, a return passage for any officer entitled to a return passage on the termination of his agreement, whose services are retained in the public interest beyond the original period of his engagement; the Government of Pakistan may also sanction an extension of an original concession in regard to free passages home for an officer's family.

Note.—[In the case of officers paid wholly or in part from Provincial revenues, a Provincial Government may exercise the powers which are conferred on the Government of Pakistan by clauses (ii) and (iii) of this Article.]

Leave on Medical Certificate

1122. A military Officer in civil employ is entitled to the same privilege when proceeding to England on furlough on medical certificate, not combined with privilege leave, or returning there from, as if he were in military employ; but this Article does not entitle a military officer in civil employ, when proceeding on or returning from leave, to use the certificate in (Military) Form E giving the right to travel in the next higher class of carriage to that for which he purchases a ticket. This can only be used by officers in military employ.

1123. Cancelled.

1124. The provisions of the Military Transport Regulations applicable to Departmental Officers and Warrant Officers proceeding on or returning from leave on medical certificate, not combined with privilege leave, apply also to such officers in civil employ.

1125. Cancelled.

1126. Non-Commissioned officers and men of the Military Police companies at Dacca, taking furlough, leave on private affairs or leave on medical certificate, are entitled to free passage by river and rail to and from their homes.

Recall from leave

1127. An officer recalled to duty before the expiry of leave is entitled, if the return to duty is compulsory (see Article 199) and if the leave is curtailed by one month or more, to travelling allowance for the journey from the place at which the order of recall reaches him, or, if such place be out of Pakistan, to free passage to Pakistan and travelling allowance from the port of debarkation to the station to which he is recalled. Of the amount of the leave curtailed is less than one month, the foregoing privileges may be given or withheld at the discretion of the authority recalling the officer, or of the President, according as the leave is in or out of Pakistan.

1. The officer in charge of a Survey Party may grant at his discretion travelling allowance to Surveyors and Subordinates who are recalled to duty from departmental leave before the expiry of that leave.

2. An officer, who on recall from leave is ordered to proceed to a station other than that from which he went on leave, may draw travelling allowance under Article 1094 for his family, if the condition of that Article are satisfied, from the place at which the order of recall reaches him to his new station; provided that the amount so drawn must not exceed the travelling allowance admissible under Article 1094 for taking his family from his original to his new station.

Survey Subordinates

1128. The Director General Survey of Pakistan may grant such rail and steamer fares as he considers necessary, to and from the place of recruitment, to khalasis and other class IV servants when proceeding on or returning from leave of any kind, including departmental leave, or on enlistment or discharge. He may also grant such travelling expenses as he considers necessary to surveyors and other subordinates when preceding on or rejoining from leave to their homes if the latter are situated in provinces other than those in which they are employed.

Note.—[Similar authority in regard to their respective subordinates may be exercised by (i) the Director of Land Records, Bengal in the three Eastern Districts of East Bengal. (ii) Committee (iii) Director of Surveys, East Bengal in the three Eastern Districts of East Bengal, (iv) the Administrative Superintendents of the Survey of Pakistan, and also in regard to the traverse Surveyors-party, Central Provinces, by the Commissioner of Settlements. In East Bengal the Director Survey may grant to menials, and also to traverse surveyors whose homes are situated in provinces other than East Bengal travelling expenses to and from the place of recruitment, who returning on the expiry of departmental leave or on enlistment or discharge.]

Retirement

1129, 1130 & 1131. Cancelled.

1131-A. Honorary Commissioned officers and Warrant officers in civil employ enjoy the same rights as similar officers in military employ in regard to free passage on retirement after service entitling them to a pension or gratuity, vide paragraph 61 (d) and (e), Army Regulations, Volume X.

Termination of Temporary Employment

1132. A person employed for a temporary purpose, who has received travelling allowance for joining his appointment, may, on the termination of his employment, be allowed, travelling allowance to the place at which he was engaged, provided the claim is preferred within three months of the termination of the temporary service, and the officer under whom the person was employed is satisfied that he intends to make the journey.

SECTION VI.—OTHER OCCASIONS

To give Evidence

1133. An officer summoned to give evidence of facts which have come to knowledge, or of matters with which he has had to deal, in his public capacity either—

- (i) in a criminal case (including a case before a court-martial), or
- (ii) in a civil case to which Government is a party, or
- (iii) in a departmental enquiry held by a properly constituted authority may draw travelling allowance under the rules for journeys on tour, attached to his bill a certificate of attendance given by the court or authority, and serving to the exceptions in Notes 1 and 2, he is not entitled to receive any payment of his expenses from the court or authority. Any fees or expenses which may be deposited for the travelling and subsistence allowance of the witness in a civil or criminal court must be credited to Government.

Note 1.—[This article does not apply to an officer whose salary does not exceed Rs.10 per mensem. Such an officer may receive his expenses from the court.]

Note 2.—[When a Government servant is summoned to give evidence at a court situated not more than 5 miles from his headquarters and is therefore not entitled to any travelling allowance under the ordinary rules, the court may, if it considers it necessary, pay him the actual travelling expenses incurred.]

Note 3.—[An officer on leave summoned to give evidence of the kind contemplated in this Article is entitled to travelling allowance under this Article from and to the place from which he is summoned as if he were on duty.]

Note 4.—[An officer summoned to give evidence before a Court of Law in a State which has acceded to Pakistan or in Foreign territory, of facts which have come to his knowledge in the discharge of his public duties, may, for the journeys to and from the place where the Foreign or State Court by which he is summoned holds its sittings, be granted the travelling allowance of his class under the Civil Service Regulations, any allowances which he may receive from the Court must be credited to Government.]

1134. (a) An officer summoned to give evidence under other circumstances is not entitled, by reason of his being an officer of Government, to any allowances, other than those admissible by the rules of the Court.

(b) But if the Court pays him any sum by way of subsistence allowance or compensation, apart from any allowance for travelling expenses, he must repay that amount to Government before drawing full pay for the day or days of absence.

1135. Cancelled.

To obtain Medical advice to accompany a sick officer

1136. An officer compelled to leave his station, whether permanent or temporary, where there is no Medical Officer, to procure medical advice, is on production of a certificate from the Medical Officer consulted that the journey was, in his opinion, absolutely necessary, entitled to travelling allowance for the journey to and from the nearest station where a Medical Officer is located.

Note.—[This Article is applicable to cases where an officer is compelled to leave his head quarters to obtain the certificates referred to in Articles 828 and 833. But no travelling allowance is admissible for journeys undertaken with a view to obtaining the certificate referred to in Articles 829 and 831 or the countersignature referred to in Article 833 and 834.]

1137. The permission of superior authority should be obtained before-hand where it is possible to obtain such permission without risk to the officer requiring advice. Controlling officers must take care that undue advantage is not taken of this privilege. If the absence of the invalid officer from his station be prolonged, he should be required to take leave on medical certificate.

1137-A. If a Government servant, under the advice of the Civil Surgeon or other Government Medical Officer whose official duty it is to attend a sick officer professionally, is required to undertake a journey either when proceeding on leave on medical certificate or to procure further medical advice, and the Civil Surgeon (or other Medical Officer as above) considers that it would not be safe for him to make the journey without attendance on the way, the Medical Officer may either himself accompany the patient to his destination, or depute or arrange with some other Government officer to do so. In such cases the attendant shall be deemed to have been travelling on duty and may draw travelling allowance at the usual rates for the journey both ways.

1137-B. Cancelled.

1138. An officer applying for an invalid pension, who is required to leave his station to appear before a Medical Board, may, if the pension is applied for under the direction of the applicant's official superior on the ground of his incapacity for work and in the interest of the public service, be granted for the journey his actual expenses not exceeding the amount he would receive if travelling allowance were admissible. If it is necessary for the officer to return to his station after appearing before the Medical Board, he may be granted travelling expenses subject to the same limit. The bill should be supported by a certificate that the applicant was directed in the interest of the public service to apply for an invalid pension, and that he did not voluntarily ask to retire.

The same concession may be granted, with the sanction of a Head of Department or Commissioner of a Division, in cases in which application is made

voluntarily, provided such authority, is satisfied that the circumstances of the applicant are such as to justify it.

Officers under training

1138-A. A Local Government may at discretion decide, in the case of an officer(including a student not already in Government service) who is selected to undergo a course of training, whether any, and if so what, travelling allowance should be allowed for journeys to and from the training headquarters either on joining or leaving such headquarters at the beginning or termination of the period of training, or in cases where the training is received at a school, college or other similar institution, on the occasion of holidays and vacations: also what travelling and halting allowances should be allowed for journeys during the course of training.

Note1.—[A Local Government may issue general orders under this Article to heads of Departments.]

Note 2.—[A Local Government may issue general orders under this Article in regard to any specified class of officers under training.]

Note 3—[Halting allowance may be allowed at the training headquarters for such periods and at such rates, not exceeding those admissible for ordinary journeys on tour, as the Local Government think fit, (a) to gazetted officers, when the training is for short period not exceeding one month, (b) to non-gazetted officers in cases in which no allowances in excess of their salary have been allowed under Article 68-A.]

To attend Durbars

1138-B. (1) Travelling and halting allowances at rates within the under-mentioned scale may be granted, at the discretion of the Local Government, to a Commissioned Military Officer of the Regular Forces, the Military Police or the Militia, whether on the active or the retired list, when invited to attend a Durbar or a Levee at a place other than that at which he is stationed or has his residence:—

- (a) For journeys from his station or place of residence to the station at which the Durbar or the Levee is held, and back-single railway and steamer fares actually incurred each way, and actual expenses or road journeys limited to the maximum amount admissible therefore to an officer of the first class.
- (b) For halts at the station at which the “Durbar or the Levee is held – Rs.2 a day.

(2) A Civil Officer in active service who is permitted to attend a Durbar or a Levee away from his headquarters is entitled to draw travelling and halting allowance as on a journey on tour.

CHAPTER LV.—SPECIAL RATES FOR SPECIAL LOCALITIES.

1139. A Local Government may prescribe that the ordinary rates or daily allowance, or mileage, or both shall be increased either in a definite ratio or in any other suitable manner for any or all persons travelling in any specified district or locality in which travelling is specially expensive, provided that—

- (i) no daily allowance shall be increased so as to exceed Rs.10;
- (ii) no mileage shall be increased so as to exceed one rupee;
- (iii) the allowance admissible under Articles 1011 to 1015 and under Articles 1067 to 1069 and 1072 (a) for journeys by railway shall not be increased.
- (iv) the Local Government may, if it thinks fit, except any officer or class of officers from a general rate of increase, and direct that either the ordinary rates or a lower rate of increase, be granted to such officer or class of officers.

Note—[Local Governments exercising territorial jurisdiction may prescribe special rates under this Article for journeys in special localities within their jurisdiction. Officers subordinate to an authority which, though not exercising territorial jurisdiction in the area concerned, possesses the powers of a Local Government under Appendix I. Civil Service Regulations, may be granted special rates by such authority when travelling in any such locality, provided that such special rates shall not exceed those prescribed for its own officers by the Local Government within whose territories the special locality lies.]

1140. In certain localities special rates of daily or mileage allowances or both have been prescribed either generally or for particular classes of officers. A list of these special rates in the various provinces is given in the Local Manual of the Audit Officer concerned.

CHAPTER LVI.—SPECIAL RULES FOR HIGH OFFICERS

Note—[The rules in this Chapter relate to journeys on duty. Rules on the subject of journey by railway otherwise than on duty are contained in Appendix 30]

President and Governors

1141. The President controls his own travelling expenses and those of his household, including the members of his personal Staff, with the exception of his Private and Military Secretaries.

1142. Governors control their own travelling expenses and those of their household, with the exception of the officers of their personal staff.

1143. Cancelled.

1144. A Local Government should report to the Government of Pakistan in the Ministry of Finance any representation made with regard to its travelling expenses by the Accountant-General and any measures taken in consequence of such representation.

1145 to 1157. Cancelled

Fares payable by officers travelling in a reserved carriage.

1158. The officers mentioned in Parts II and III of Appendix 30 should pay the usual fares for any person besides themselves travelling in the reserved accommodation provided for them. It is open to the officers to obtain the accommodation they are entitled to by requisition or by purchase of the necessary number of tickets for cash according to their convenience.

Note—[When the reserved accommodation is obtained by the purchase of a prescribed number of tickets from the Railway, no further payment should be made to the Railway in compliance with this Article for other persons travelling with the officer. The sum due from the officer on this account will be deducted in his travelling allowance bill from the amount which would otherwise be payable to him as travelling allowance. The following certificate signed by the officer should be appended to his travelling allowance bill:—

Certified that _____ persons beside myself for whom _____ full half fares were payable by me travelled with me.

When the reserved accommodation is obtained by requisition in the form prescribed in Appendix 30 the officer will purchase tickets for the persons travelling with him and get Station Master to sign in the requisition form a certificate to the effect that fares for such persons have been paid.]

CHAPTER LVII.— RULES OF PROCEDURES

Countersignature

1159. A bill for travelling allowances (other than a permanent allowance) of an officer, other than the head of a department, on tour should not be paid unless countersigned by the Controlling Officer. The Local Government may declare who shall be the Controlling Officer for all or any of the officers of any particular department.

1160. In the following cases bills for travelling allowance may be paid without countersignature:—

- (a) Deleted.
- (b) Deputy Auditor General provided that duplicate bills at the same time forwarded to the Auditor General for Countersignature and transmission to the A.G.P.R. Karachi.
- (c) Non-Gazetted Officers — provided that detailed countersigned bills are subsequently submitted to the Audit Officer for adjustment.

Duties of Controlling and Audit Officers and of officers who draw Travelling Allowance Bills

1161. (a) It is the duty of the Controlling Officer (or of the Drawing Officer when a bill when a bill does not require countersignature) to scrutinize the necessity, frequency, and duration of journeys or halts for which travelling allowance (whether permanent or other) is claimed. He may disallow the whole or a portion of the travelling allowance claimable for any journey or halt, if he considers that the journey was unnecessary, or that it was not completed with due expedition, or that the halt was of excessive duration. He should also carefully scrutinize the distance entered in travelling allowance bills and should check any tendency to abuse the option of exchanging a daily rate for mileage under Article 1065. The Audit Officer will assume that the distance, entered in travelling allowance bills whether countersigned or not are correct.

(b) The Local Government may lay down any subsidiary rules that it thinks fit for the guidance of a Controlling Officer of any department.

1162. A Controlling Officer (other than the Head of a Local Government or Administration, including the Commissioner in Sind) may not delegate the duty of countersignature to a subordinate.

1163. Countersignature does not dispense with the necessity for formal audit with reference to rates and general conditions. An Audit Officer will accept countersignature by the proper authority, or the signature of the Drawing Officer when a bill does not require countersignature, as final evidence that the facts of the journey on which the claim is founded are correct and that the claim is admissible with reference to Article 1161 (a) and to any departmental rules. It is the duty of the Controlling or the Drawing Officer as the case may be and not of the Audit Officer, to enforce departmental rules.

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This index has been compiled solely for the purpose of assisting reference. No expression used in it should be considered in any way as interpreting the rules.

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