

HIMACHAL PRADESH ● FINANCIAL CORPORATION

STAFF REGULATIONS, 2004

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HIMACHAL PRADESH FINANCIAL CORPORATION

Incorporated under State Financial Corporations Act, 1951 (LXIII of 1951)

(Staff Regulations 2004)

Himachal Pradesh Financial Corporation (established under the scheme for the Re-organisation of the Punjab Financial Corporation under the Re-organisation Act, 1966, read with the State Financial Corporations Act, 1951).

HIMACHAL PRADESH FINANCIAL CORPORATION

NEW HIMRUS BUILDING CIRCULAR ROAD SHIMLA-171001

NOTIFICATION

Dated Shimla-171001, the 15th July, 2004

In Exercise of the power conferred by section 48 of the State Financial Corporations Act, 1951 (LXIII of 1951) and after consultation with the Small Industries Development Bank of India and with the previous sanction of the Government of Himachal Pradesh, the Board of Directors of the Himachal Pradesh Financial Corporation hereby makes the following Regulations namely:—

CHAPTER I

PRELIMINARY

1. *Short Title.*—These regulations may be called the Himachal Pradesh Financial Corporation (Staff) Regulations, 2004.

2. *Applications.*—(1) Regulations, shall apply to—

- (a) Every whole time officer or employee of the Corporation; and
- (b) every officer or employee employed temporarily and every adviser or agent or any other person recruited on special contract subject to the terms of such contract:

Provided that nothing in these Regulations shall apply to the Managing Director, unless the application to him of all or any of these regulations has been approved by the State Government.

(2) The Corporation may, with the previous sanction of the State Government and in Consultation with the Small Industries Development Bank of India enter into a special contract with an employee, with terms and conditions which may vary from the provisions of these regulations.

3. *Definitions.*—In these regulations, unless there is anything repugnant in the subject or context:—

- (a) "average pay" means the average monthly pay earned while on duty during the twelve calendar months immediately preceding the month in which the employee proceeds on leave, and in the case of an employee who has not been on duty for more than a

year, the average monthly pay earned while on duty during the calendar months immediately preceding the month in which he proceeds on leave; if period of leave taken does not exceed two months, pay of an employee shall mean the pay which he would draw in the post substantively held by him at the time of taking leave, if this pay be more than his average pay ;

(b) "Board" means the Board of Directors of the Himachal Pradesh Financial Corporation and, in relation to any powers exercisable by it, includes the Executive Committee; constituted under the SFCs Act, 1951.

(c) "Compensatory allowance" means an allowance granted to meet expenditure necessitated by the special circumstances in which duty is performed ;

(d) "Corporation" means the Himachal Pradesh Financial Corporation;

(e) "duty" includes—

(i) service as a probationer ;

(ii) period during which an employee is on joining time;

(iii) period spent on casual leave duly authorised ;

(f) "family" means an employee's spouse and children as well as his or her parents, sisters and minor brothers, provided each one of them is ordinarily residing with and wholly dependent upon him or her ;

(g) "Managing Director" shall mean Managing Director appointed by the State Government under section 10-F of the State Financial Corporations Act, 1951 and shall include any director or Officers who is authorised by the State Government to exercise the powers and functions of the Managing Director during the temporary absence of Managing Director ;

(h) "Pay" means the amount drawn monthly by an employee as—

(i) the pay which has been sanctioned for a post held by him substantively or in an officiating capacity, or to which he is entitled by reason of his position in the cadre;

(ii) special pay and personal pay;

(iii) any other emoluments which may be specially classed as pay by Himachal Pradesh Government from time to time.

(i) "Personal Pay" means an additional Pay granted to an employee:—

(i) to save him from a loss of substantive pay in respect of a permanent post due to a revision of pay or to any reduction of such substantive pay other wise than as a disciplinary measure or

(ii) in exceptional circumstances, on other personal considerations ;

(j) "The Officer designated" in relation to any powers exercisable by him, includes an officer authorised by the Managing Director to exercise the powers in the temporary absence of the officer designated ;

(k) "Special Pay" means an addition, in the nature of pay, to the emoluments of a post or of an employee granted in consideration of :—

(i) Special arduous nature of duty ;

(ii) A specific addition to the work or responsibility ;

- (l) "Departmental Promotion Committee" means a Committee appointed by the Board of the Corporation for the purpose of promotion to Class-A posts and by the Managing Director for Class -B & Class -C posts;
- (m) "Substantive appointment" means, an appointment which gives the person a claim or title to the post, which is in lien;
- (n) "Officiating appointment" means, the appointment which confer on the person benefit of pay etc. only for the period during which he renders duty in the Higher post;
- (o) "Cadre" means, the strength of a service or a post of service sanctioned at a separate unit;
- (p) "Employee" means any person appointed wholly in service and on posts in connection with the affairs of the Corporation;
- (q) "Selection Committee" means a Committee appointed for the purpose of selection/recruitment in order to fill up the post/posts in the Corporation through direct recruitment/deputation basis. For Class -A Officers, selection Committee shall be constituted by the Board and for Class B and C categories, the Committee shall be constituted by the Managing Director.

4. *Change in Regulations.*—Any new regulation or alteration in an existing regulation shall be issued in the form of a circular for circulation among the staff, provided that no new Regulation or an alteration in an existing Regulation shall operate to reduce the scale of pay of an employee on which he is entitled to draw pay in a substantive capacity on the day the new Regulation or alteration comes into force.

5. *Power to Interpret and Implement Regulations.*—The power to interpret the Regulations vests in the Managing Director who is also hereby empowered to issue such administrative instructions as may be necessary to give effect to, and carry out the purposes of, the provisions of these Regulations or generally to secure effective control of the staff; provided that if as a result of any decision of the Managing Director as regards the constructions of any regulation or regulations, and employee feels aggrieved he shall have a right to appeal against such decision of the Managing Director to the Board, whose decision shall be final and binding on all concerned.

6. *Managing Director's Power to Delegate.*—The Managing Director may, subject to such restrictions, and for so long, as he may deem fit, delegate to the officers designated, or any of other officer appointed by him in this behalf, any of the powers conferred on him by these Regulations in relation to employee, other than officers, except the powers referred to in Regulations, 8, 9, 11, 12, 16, 17 to 20-22, 41 [Save sub-regulation (3) thereof], 43, 52, 61, 82, 92 and those referred to in paragraphs 2 and 3 of Appendix I and paragraphs 14, 16, 22, 26 and 30 of Appendix II.

CHAPTER II

APPOINTMENTS, PROBATION AND TERMINATION OF SERVICE

Section-1—APPOINTMENTS

7. *Classification of permanent staff.*—(1) The permanent staff of the Corporation shall be grouped as follows :—

- Class A—Officers.
- Class B—Clerical Staff.
- Class C—Subordinate Staff.

(2) The Board shall fix from time to time the number of posts in all categories of its employees and the pay scales to be attached to them. The existing posts and their pay scales are as shown in appendix-I.

8. *Temporary staff.*—(1) Notwithstanding anything contained in these Regulations, the Managing Director may employ staff in Classes B and C on a temporary basis, whenever the circumstances so require.

(2) The terms and conditions of service of the temporary staff shall be determined by the Managing Director, but in no case shall the terms and conditions so determined be more favourable than those laid down in these Regulations for an appointment carrying equivalent status or responsibility.

9. *Power to appoint.*—(i) All appointments to the service of the Corporation shall be made by the Managing Director Subject, in the case of Class-A Officers, with the prior approval of the Board.

(ii) Whenever a specific post is created with specific rules, such rules having approval of the competent authority will automatically form a part of recruitment and promotion policy.

10. *Certificate of Health & Good Character.*—No person shall be appointed to the service of the Corporation, unless he has been certified by a Chief Medical Officer/Qualified Medical Practitioner, approved by the Corporation to be of sound constitution and medically fit, and produces a certificate acceptable to the Managing Director that he bears a good moral character.

11. *Age.*—The age of a person at the time of his first appointment to the service of the Corporation shall not less than 18 years and shall not exceed 45 years.

(a) in the case of Class-A officers, such age as the Board may approve having regard to the qualifications and experience required from the candidates ; and

(b) in other cases 45 years:

Provided that the Managing Director may appoint persons in Classes B and C above the age of 45 years to obtain the services of experienced staff.

12. *Grant of Initial Increments on First Appointment.*—The Managing Director may for special reasons to be recorded in writing protect the pay of an employee on his first appointment in case he/she happens to be appointed in the Corporation from other PSUs or Govt. Departments ; provided that where the appointment in question is to be made in class-A category, no protection of pay shall be granted except with the previous approval of the Board.

13. *Reappointment in the Corporation's service.*—(1) No person who has been dismissed or has otherwise ceased to be in the service of the Corporation may be re-employed without the specific approval of the Board.

(2) Except as otherwise provided by the Board at the time of his re-employment, these regulations shall apply to a person who is re-employed in the Corporation's service as if he had entered the service for the first time on the date of his re-employment.

14. *Commencement of service.*—(1) Except as otherwise provided by or under these Regulations "service" of an employee shall be deemed to commence from the working day on which an employee, reports for duty in an appointment covered by these Regulations at the place

and time intimated to him by the Managing Director, provided that he reports before noon, otherwise his service shall commence from the next following working day.

Explanation.—“Service” includes the period during which an employee is on duty as well as on leave duly authorised by the Managing Director, but does not include any period during which an employee is absent from duty without permission or over-stays his leave, unless specially permitted by the Managing Director.

Section-2—PROBATION

15. *Period of probation.*—(1) An officer directly recruited to the Corporation's service shall be required to be on probation for a period of which shall not be less than one year and more than three years as may be fixed at the time of his appointment.

(2) Employees not included in sub-regulation (1) shall, on their first appointment in the Corporation's service, be required to be on probation for at least one year.

(3) The Officers and employees of the Corporation on promotion shall be required to be on probation for a minimum period of one year.

(4) The provisions of sub-regulations (1), (2) and (3) be subject to regulation-17.

16. *Discharge during probation.*—(1) During the first month of his probationary period, an employee shall be liable to discharge at one day's notice or by payment of one day's pay and thereafter at one month's notice or by payment of pay for one month in lieu thereof.

(2) The power to discharge an officer during probation will be exercised by the Managing Director subject to the prior approval of the Board.

17. *Managing Director's power to extend probationary period.*—The period of probation of an employee may be extended at the discretion of the Managing Director but in no case may this period exceed three years in case of direct/first appointment and two years in the case of promotion.

18. *Temporary service in lieu of probation.*—Where an employee has rendered continuous temporary service prior to his appointment in a permanent vacancy, the provisions of Regulation 15—regarding the period required to be spent on probation may be waived, at the discretion of the Managing Director, to the extent of the period of such temporary service.

19. *Termination of service by notice.*—(1) An employee shall not leave or discontinue his service in the Corporation without first giving notice in writing of his intention to leave or discontinue the service. The period of notice required shall be:—

(a) three months in the case of an employee in Class A, and

(b) one month in the case of an employee in any other Class;

and shall be given to the Managing Director, and in case of breach by an employee of the provisions of this regulation, he shall be liable to pay to the Corporation as compensation a sum equal to his pay for the period of notice required from him:

Provided that the payment of such compensation may be waived by the Managing Director at his discretion.

(2) Nothing in this regulation shall effect the right of the Corporation—

- (a) to retire or dismiss an employee without notice or pay in lieu thereof in accordance with the provisions of Regulations-20 and 41, and ;
- (b) to terminate the service of an employee without notice or pay in lieu thereof on his being certified by the Medical Board of Health Department of the Government of Himachal Pradesh to be permanently in-capacitated for further continuous service in the Corporation.

Explanation-I.—The expression “month” used in this Regulation shall be reckoned according to the English calendar and shall commence from the day following that on which notice is given by the employee.

Explanation-II.—A notice given by an employee under sub-regulation (1) shall be deemed to be proper only if he remains on duty during the period of the notice, and an employee shall not be entitled to set off any leave earned and not availed of by him against the period of such notice.

Explanation-III.—If an employee to whom notice is given by the Corporation in pursuance of regulation 16 shall absent himself from duty without permission during the period of notice he shall not be entitled to receive any pay or allowance during the period of absence and shall further be liable to such further penalties as the Managing Director may deem fit to impose.

20. *Superannuation and retirement.*—(1) An employee in class A & B shall retire at fifty eight years of age, provided that the Board may at its discretion, sanction, from time to time the extension of his/her employment for a period not exceeding one year at a time but in no case beyond the age of sixty and provided further that the Corporation may, at its discretion, retire an employee on completion of 25 years of service or 50 years of age.

20. (1)(A) An employee in Class-C shall retire from the service of the Corporation on after-noon of last day of the month on which he /she attains the age of 60 years provided that the Corporation may at its discretion, retire an employee in class “C” on completion of 25 years of service or 50 years of age.

(2) The power conferred by sub-regulation (1) to retire an employee on completion of 25 years of service or 50 years of age, shall be exercised by the Managing Director, subject, in the case of officers, with the prior approval of the Board.

CHAPTER III

RECORD OF SERVICE, SENIORITY AND PROMOTION

21. *Record of service.*—A record of service shall be maintained in respect of each employee in such form as may be prescribed by the Managing Director from time to time.

22. *Seniority.*—(1) An employee confirmed in the Corporation's service shall rank for seniority in his grade according to his date of joining in the grade, provided that a person who, in view of his qualifications and previous experience is granted initial increments in a grade at the time of his appointment, may at the discretion of the Managing Director be granted seniority for a period up to one year for every two increments granted to him in the grade to which he is appointed.

(2) The exercise of the discretionary power of the Managing Director, mentioned in sub-regulation (1) above, shall be subject to the approval of the Board in case of employee, in Class A.

23. *Promotion.*—All appointments and promotions shall be made at the discretion of the Corporation, and notwithstanding his seniority in a grade, no employee shall have a right to be appointed or promoted to any particular post or grade.

24. *Reversion.*—(1) An employee transferred from one appointment to another or confirmed in a grade or appointment higher than his substantive grade or appointment, shall be liable to be reverted without notice at any time within one year of such transfer or confirmation.

(2) An employee who has been appointed to officiate in a higher grade or appointment, or whose confirmation in a higher grade or appointment is subject to his undergoing probation for any specified period or otherwise, shall be liable to be reverted without notice at any time, when he is so officiating or undergoing probation.

(3) Nothing in sub-regulations (1) and (2) shall affect the provisions of Regulation-41.

CHAPTER IV

CONDUCT, DISCIPLINE AND APPEALS

Section-I—CONDUCT AND DISCIPLINE

25. *Scope of an employee's service.*—Unless in any case it be otherwise distinctly provided, the whole time employee shall be at the disposal of the Corporation, and he shall serve the Corporation in its business in such capacity and at such place as he may from time to time be directed.

26. *Liability to abide by the Regulations and Orders.*—Every employee shall conform to and abide by these Regulations and shall observe, comply with and obey all orders and directions which may from time to time be given to him by any person or persons under whose jurisdiction, superintendence or control, he may for the time being be placed.

27. *Obligation to maintain secrecy.*—Every employee shall maintain the strictest secrecy regarding the Corporation's affairs and the affairs of its constituents and shall not divulge, directly or indirectly, any information of a confidential nature either to a member of the public or of the Corporation's staff, unless compelled to do so by judicial or other authority or unless instructed to do so by a superior officer in the discharge of his duties.

28. *Employees to promote the corporation's interest.*—Every employee shall serve the Corporation honestly and faithfully and shall use his utmost endeavours to promote the interest of the Corporation, and shall show courtesy and attention in all transactions and intercourse with the officers of Government and the Corporation's constituents.

29. *Prohibition against participation in politics and standing for elections.*—No employee shall take an active part in politics or in any political demonstration, or stand for election as member for a Municipal Committee, District Board or any Legislative Body.

30. *Contributions to the Press.*—No employee may contribute to the press without the prior sanction of the Managing Director, or without such sanction, make public or publish any document, paper, or information which may be there into his possession in his official capacity.

31. Employees not to seek outside employment.—No employee shall accept, solicit, or seek any outside employment or office, whether stipendiary or honorary, without the previous sanction of the Managing Director.

32. Part-time work for outside bodies.—Corporation can allow its staff to work on part time basis outside the office with the condition that Corporation's work is not affected in any manner and any remuneration received by employee(s) is to be deposited with Corporation as per provisions/norms given in FR/SR as applicable in case of Govt. employees.

33. Employees not to be absent from duty without permission or be late in attendance.—
(1) An employee shall not absent himself from his duties without having first obtained the permission of the Managing Director, nor shall he absent himself in case of sickness or accident without submitting a sufficient medical certificate:

Provided that in the case of temporary indisposition the production of a medical certificate may, at the absolute discretion of the Managing Director, be dispensed with.

(2) An employee who absents himself from duty without leave or over stays his leave, except under circumstances beyond his control for which he must tender a satisfactory explanation shall not be entitled to draw any pay and allowance in respect of the period of such absence or overstay, and shall further be liable to such penalties as the Managing Director may impose. The period of such absence or overstay may, if not followed by termination of service under Regulations 16 or 19 or removal or dismissal under Regulation 41, be treated as period spent on casual, ordinary, sick, special or extraordinary leave, as the Managing Director may determine.

(3) An employee who is habitually late in attendance shall, in addition to such other penalty as the Managing Director may deem fit to impose, have one day of casual leave forfeited for every two days he is late in a month, where such an employee has no casual leave due to him, the period of leave to be so forfeited may be treated as ordinary or extraordinary leave, as the Managing Director may determine.

34. Absence from station.—An employee in class A and an employee in any other class, if so required by the Managing Director, shall not absent himself from his station overnight without obtaining the previous sanction of the Managing Director.

35. Acceptance of gift.—An employee shall not solicit or accept any gift from a constituent of the Corporation or from any subordinate employee.

36. Private trading or Business.—No employee shall engage in any commercial business or pursuit, either on his own account or as agent for others, nor act as an agent for Life Insurance Corporation or an Insurance Company nor shall he be connected with the formation or management of a joint stock company or a firm.

37. Speculating in stocks, shares etc.—An employee shall not speculate in stocks, shares, securities or commodities of any description:

Provided that nothing in this Regulation shall be deemed to prohibit an employee from making a bonafide investment of over funds in such manner as he may consider necessary.

38. Restrictions on Borrowing and investments.—(1) An employee shall not borrow money from or in any way place himself under a pecuniary obligation to a broker or an employee of the Corporation subordinate to him or any firm or person having dealings with the Corporation.

(2) No employee shall make nor permit any member of his family to make any investment likely to embarrass or influence him in the discharge of his official duties.

Explanation:—“Family” means employee’s:—

- (i) Husband/wife including more than one wife and also judicially separated wife.
- (ii) Parents including adoptive parents, but not step parent.

If the adoptive father has more than one wife, the first wife only.

A female employee has a choice to include either her parents or her parents-in-law, option exercised can be changed only once during the service.

- (iii) Children including legally adopted children, step-children and child taken as wards.
- (iv) Sisters, widowed sisters, widowed daughter and minor brothers.

Dependency condition :

While this does not apply in the case of husband and wife, other members of family should be wholly dependent on the Corporation servant.

For purposes of dependency income from all sources should not exceed Rs. 500/- per month.

In the case of dependent pensioners, dearness relief sanctioned after December, 1985 not to be taken into account for this purpose.

39. *Employees in debt.*—An employee who is in debt shall furnish to the Managing Director a signed statement of his position, half-yearly on the 31st March and 30th September, and shall indicate in the statement the steps he is taking to rectify his position. An employee who makes a false statement under this regulation or who fails to submit the prescribed statement or appears unable to liquidate his debts within a reasonable time or applies for the protection of an insolvency court shall be liable to dismissal.

Explanation 1.—For the purpose of this Regulation, an employee shall be deemed to be in debt if his total liabilities exclusive of those which are fully secured by tangible assets exceed his substantive pay for six months.

Explanation 2.—An employee shall be deemed to be unable to liquidate his debts within a reasonable time if it appears having regard to his personal resources and unavoidable current expenses that he will not cease to be in debt within a period of two years. Unless the contrary is proved to the satisfaction of the Managing Director, it shall be presumed that an employee can not provide more than one-quarter of his pay and allowances towards the liquidation of his debts.

40. *Employees arrested for debt or on criminal charge.*—(1) An employee who is arrested for debt or on a criminal charge shall be considered as under suspension from the date of his arrest, and shall be allowed the payments admissible to an employee under suspension under sub-regulation (4) of Regulation 41, until the termination of the proceedings against him, when an adjustment of his pay and allowances shall be made according to the circumstances of the case and in the light of the decision as to whether his absence is to be accounted for as a period of duty or leave, the full pay and allowances being given only in the event of the employee

being acquitted of all blame and treated as on duty during the period of his absence. An employee who is committed to prison for debt or is convicted of any offence involving moral turpitude shall be liable to dismissal.

(2) Where a conviction of an employee is set aside by a higher court, and the employee is acquitted honourably, he may be reinstated in service.

Explanation.—In this regulation the expression “termination of proceedings” shall mean the decision of the lowest court which first finally disposes of the case committal or conviction shall mean committal or conviction by the lowest court or any of the appellate courts, and it shall be open to the Corporation to dismiss an employee who is committed to prison or who is convicted of a criminal charge as from the date of the order of the court that convicts him.

41. *Penalties.*—(1) Without prejudice to the provisions of other regulations, an employee who commits a breach of the regulations of the Corporation or who displays negligence, or indolence, or who knowingly does anything detrimental to the interest or prestige of the Corporation or in conflict with its instruction, or who commits a breach of discipline or is guilty of any other act of misconduct or misbehaviour, shall be liable, to the following penalties:—

- (a) Reprimand;
- (b) Delay or stoppage of increment or promotion;
- (c) degradation to a lower post or grade or to a lower stage in his incremental scale;
- (d) recovery from pay of the whole or part of any pecuniary loss caused to the Corporation by the employee;
- (e) removal or dismissal.

(2) No employee shall, after the enforcement of these regulations be subjected to the penalties (b), (c), (d) or (e) of sub regulations (1) except by an order in writing signed by the Managing Director, and no such order shall be passed without the charge or charges being formulated in writing and given to the said employee so that he shall have reasonable opportunity to answer them in writing or in person, as he prefers, and in the later case his defence shall be taken down in writing and read to him :

Provided that the requirements of this sub-regulation may be waived if the facts on the basis of which action is to be taken have been established in a court of Law or Court or where the employee has absconded or where it is for any other reason impracticable to communicate with him or where there is difficulty in observing them and the requirements can be waived without injustice to the employee. In every case where all or any of the requirement in this sub-regulation are waived, the reasons for so doing shall be recorded in writing.

(3) The Managing Director may delegate the conduct of any enquiry against an employee required under sub-regulation (2), to such officer or officers of the Corporation as he may nominate in writing in that behalf. The enquiry shall be conducted in accordance with CCS (CCA) conduct Rules.

(4) An employee may be placed under suspension by the Managing Director. During such suspension, he shall receive subsistence allowance equal to his basic pay only, provided that if no penalty under clauses (b), (c), (d) or (e) of sub-regulation (1) is imposed the employee shall be refunded the difference between the basic pay and the emoluments which he would have received but for such suspension, for the period, he was under suspension, and that if a penalty is imposed on him under the said clauses, no order shall be passed which shall have the effect of compelling him to refund such subsistence allowance. The period during which an employee is under suspension shall, if he is not dismissed from the service, be treated as period spent on duty or leave as the Managing Director may direct.

Section 2—APPEALS

42. *Right to appeal.*—An employee shall have right of appeal against any order passed by a superior authority which injuriously affects his interest.

43. *Appeal authorities.*—An appeal shall lie—

- (a) against any orders passed by the Officer designated in exercise of the powers conferred on him by, or under, these regulations to the Managing Director; and
- (b) against the orders of the Managing Director to the Board. No appeal shall lie against an order passed by the Board on an appeal.

44. *Conditions which an appeal should satisfy.*—Every appeal shall comply with the following requirements:—

- (a) it shall be written in English or if not written in English be accompanied by a translated copy in English, and shall be signed;
- (b) it shall be couched in polite and respectful language and shall be free from unnecessary padding or superfluous verbiage;
- (c) it shall contain all material statements and arguments relied on, and shall be complete in itself;
- (d) it shall specify the relief desired;
- (e) it shall be submitted through the proper channel.

45. *When appeals may be withheld.*—An appeal may be withheld by the Officer designated or the Managing Director, as the case may, if:—

- (a) it does not comply with the requirements of Regulation 44,
- (b) it is illegible,
- (c) it deals with a matter which does not concern the employee personally,
- (d) it repeats an appeal already rejected by the authority to whom the appeal is addressed and does not, in the opinion of the Officer designated or the Managing Director, as the case may be, disclose any new points or circumstances which afford grounds for re-consideration,
- (e) it is not preferred within six months of the date of the order against which the appeal is made and no reasonable cause is shown for the delay, or
- (f) it is addressed to an authority to which no appeal lies under these Regulations.

46. *Grounds for withholding the appeal to be communicated to the applicant.*—In every case in which an appeal is withheld the authority withholding the appeal shall inform the applicant the fact of withholding the appeal and the reasons for withholding it within six months from the date of receipt of appeal.

47. *Appeal must be forwarded to the appellate authority with due despatch.*—An Appeal which is not withheld under regulation 45 shall be forwarded to the appellate authority with the comments of the Officer designated or the Managing Director, as the case may be, as soon as possible.

48. *No appeal lies against order withholding appeal.*—No appeal shall lie against an order withholding an appeal.

49. *Appeals not to be addressed to directors or the State Government.*—Appeal shall not be addressed to the Ministers or Officers of the State Government or to the Directors of the Board personally; and any such action shall be deemed a breach of discipline.

50. *Joint petitions.*—The provisions of Regulations 44 to 49 shall also apply to the extent they are relevant to petitions which concerns more than one employee and are preferred jointly by a class or group of employees or by an association or union of employees recognised by the Corporation. A joint petition shall not be entertained if:—

- (a) it relates to a subject on which the Managing Director is authorised to pass orders, and no application for redress has been made to him;
- (b) it relates to a matter regarding the redress of which a specific procedure has been prescribed under any regulation or instruction issued by the Corporation; or
- (c) it relates to an individual and is not submitted by him.

CHAPTER V

PAY, ALLOWANCES AND OTHER CONCESSIONS

Section 1—PAY AND ALLOWANCES

51. *When accrue and payable.*—Subject to the provisions of these regulations, pay and allowances shall accrue from the commencement of the service of an employee, and shall become payable on the afternoon of the last working day of each month in respect of the service performed during the said month.

52. *When not payable for part of a month.*—Pay and allowances shall not be payable for a part of a month to an employee who leaves or discontinues his service without due notice during a month, unless such notice has been waived by the Managing Director.

53. *When cease.*—Pay and allowances shall cease to accrue as soon as an employee ceases to be in service. In the case of an employee dismissed from the Corporation's service, they shall cease from the date of his dismissal. In the case of an employee who dies while in service, they shall cease from the day following that on which the death occurs.

54. *All employees to be graded.*—Every employee shall have post in one of the grades referred to in Appendix I which will be considered as his substantive grade, and to which he shall revert when he is not:—

- (a) Under suspension;
- (b) on leave or deputation; or
- (c) holding a temporary post or is officiating in another grade.

55. *Adjustment of pay and allowances on change of charge, when takes effect.*—An employee shall commence to draw the pay and allowances of a post to which he is appointed as from the date on which he assumes the duties of the post if the charge is transferred before noon of that date and from the following working day if the charge is transferred in the afternoon of that date.

56. *Two persons not to be appointed to a post at the same time.*—Except as otherwise provided in these regulations no two persons may be appointed to, or draw the pay and allowances of, a post at the same time.

57. *Employees on transfer.*—Where an employee is transferred from one post to another, he shall, during any interval of duty between the date of his handing over charge of the old post and the date of his taking over charge of the new post, draw the pay and allowances of the old or the new post, whichever are less.

58. *Admissibility of Allowances.*—Allowances shall only be payable to employees who are actually at the time fulfilling the conditions subject to which they are admissible.

59. *Overtime allowance.*—Deleted in view of State Government observations.

60. *Increments.*—(1) In an incremental scale, the increment shall accrue on the completion of each specified period of service from the first of the month in which the same falls due as in the State Government on each stage of that scale, whether such service be probationary officiating or substantive.

Acting service in a higher grade will count for increments in an employee's substantive grade as well as in the higher grade in which he is acting and if there is an intermediate grade between the two in which he should have officiated had he not been appointed to officiate in the higher grade, also in the intermediate grade, but the period during which an employee is on leave without pay will not count for increment unless so authorised by the Managing Director for reasons to be recorded in writing. Sanction to draw increments will be given by the Managing Director in the case of Officers, and by the Officer designated in the case of other employees.

(2) No increment may be withheld except as a disciplinary measure under regulation 41 and each order withholding an increment shall state the period for which it is withheld and whether the postponement shall have the effect of postponing future increments.

Provided that if in an incremental scale, there is an efficiency bar, an employee shall not draw increments above that bar until he has been certified fit to do so by the Managing Director. On each occasion on which an employee is allowed to pass an efficiency bar which has previously been enforced against him, he shall be placed in the incremental scale at such stage as the Managing Director, may fix provided that such stage shall not be higher than that at which he would draw his pay if the bar had not been enforced against him and provided further that no increments granted on the removal of a bar shall have a retrospective effect.

61. *Premature increments.*—Deleted (in view of State Government observations).

62. *Re-fixation of pay on promotion.*—(I) On promotion from one grade to another, the substantive pay of an employee shall be fixed in accordance with the provisions of FR 22 of FRSR.

(II) *Proficiency step-up.*—For grant of proficiency increment on completion of 8/18 years of service in pay scale revised w. c. f. 1-1-1986 is to be governed as per the State Government instructions issued from time to time.

63. *Officiating pay.*—An employee who is appointed to officiate in a higher grade for a period of one month he shall, so long as he shall officiate on such a grade, draw an officiating pay equal to the difference between the substantive pay in the old scale and the Stage in the scale of the post in which he is appointed, which is next above his substantive pay in the old scale, provided that when the promotion is of a temporary nature and the circumstances of the promotion so justify, the Managing Director may fix the pay of an employee at an amount less than that admissible under this regulation.

64. *Re-fixation of pay on transfer from one scale of pay to another.*—When an employee is transferred from one scale of pay to another on the revision of the scale or otherwise, and such transfer does not involve the assumption of duties or responsibilities of greater importance, his initial pay on the new scale shall be fixed:—

(a) In case his substantive pay on the old scale is lower than the minimum of the scale to which he is transferred ; at the minimum of the new scale ;

(b) in other cases, at a stage which is equal to his substantive pay in the old scale, or if there is no such stage in the new scale, the stage next below that pay plus personal pay equal to the difference, such personal pay to be drawn until such time as it is absorbed by subsequent increments in the new scale.

65. *Application of appendices I & II.*—Except as otherwise provided in these regulations the pay and allowances of an employee shall be regulated in accordance with the provision of Appendices I and II.

66. *Grant of honoraria, special increments, or other concessions.*—For acquiring higher qualifications like CA, ICWA, CAIIB, CS, MBA, LL.M./LL.D Degree after joining the Corporation, the pattern of Govt. of India which allows of one time grant in such cases may be followed.

CHAPTER VI

LEAVE AND JOINING TIME

Section 1—GENERAL REGULATIONS RELATING TO LEAVE

67. *Kind of leave.*—Subject to the provisions of these Regulations the following kinds of leave may be granted to an employee:—

- (a) Casual leave ;
- (b) Ordinary leave (earned leave) ;
- (c) Sick leave ;
- (d) Special leave ;
- (e) Extraordinary leave ;
- (f) Maternity leave.

68. *Authorities empowered to grant leave.*—The power to grant leave shall vest in the Managing Director in the case of Officers, and, subject to such general or special directions as may be issued by him, to the Officer designated in the case of other employees and, except as provided in these regulations, or in any directions issued by the Managing Director, all application for leave shall be addressed to the authority empowered to grant leave.

69. *Power to refuse leave or recall an employee on leave.*—Leave cannot be claimed as of right. When the exigencies of the service so require, discretion to refuse or revoke leave of any

description is reserved to the authority empowered to grant it, and an employee already on leave may be recalled by that authority when it considers this necessary in the interests of the Corporation.

70. *Lapse of leave on cessation of service.*—The calculation of leave earned by an employee be made on the date on which he ceases to be in the service of the Corporation as per the State Government rules applicable from time to time.

71. *Earlier return from leave.*—Unless he is permitted to do so by the authority which granted his leave, an employee on leave may not return to duty before the expiry of the period of leave granted to him.

72. *Commencement & termination of leave.*—(1) The first day of an employee's leave is the working day succeeding that upon which he made over charge.

(2) The last day of an employee's leave, is the working day preceding that upon which he reports his return to duty.

73. *Obligation to furnish leave address.*—An employee shall, before proceeding on leave, intimate to the authority granting leave his address while on leave, and shall keep the said authority informed of any change in the address previously furnished.

74. *Station to which an employee should report on return.*—An employee on leave shall, unless otherwise instructed to the contrary, return for duty to the place at which he was last stationed.

75. *When medical certificate of fitness may be demanded.*—The Managing Director may require an employee who has availed himself of leave for reasons of health to produce a medical certificate of fitness before he resumes duty even though such leave was not actually granted on a medical certificate.

76. *Leave not admissible to an employee under suspension.*—Leave may not be granted to an employee under suspension or against whom proceedings are pending under chapter IV of these Regulations.

Section 2—ORDINARY LEAVE

77. *When application should be submitted.*—(1) Applications for ordinary leave required shall ordinarily be submitted at least one month before the date from which leave is required.

(2) Applications which do not satisfy the requirements of sub-regulation (1) may be refused without reason being given.

78. *Scale on which Ordinary leave is earned.*—(1) The admissibility of ordinary leave to an employee shall be governed by the leave Rules of the Himachal Pradesh Government as made applicable from time to time.

(2) Fractions of a day of ordinary leave shall be taken as a full day, if amounting to half a day, or more, and shall be ignored if amounting to less than half a day.

79. *Ordinary leave due.*—(1) Earned leave shall be credited to the leave account of a Corporation servant at the rate of 2.5 days for each completed calendar month of service which he is likely to render in a half-year in which he is appointed.

(2) (a) The credit for the half year in which a Corporation servant is due to retire or resigns from the service shall be afforded only at the rate of 2.5 days per completed calendar month up to the date of retirement or resignation.

(b) When a Corporation servant is removed or dismissed from service or dies while in service, credit of a earned leave shall be allowed at the rate of 2.5 days per completed calendar month upto the end of the calendar month preceding the calendar month in which he is removed or dismissed from service or dies in service.

(3) If a Corporation servant has availed extraordinary leave and/or some period of absence has been treated as dies-non in a half-year, the credit to be afforded to his leave account at the commencement of the next half-year shall be reduced by 1/10th of the period of such leave and/or dies non subject to maximum of 15 days.

(4) While affording credit of earned leave, fractions of a day shall be rounded off to the nearest day.

80. *Limits upto which ordinary leave may be earned or taken.*—The period of ordinary leave which can be taken at any one time, is four months, and no further ordinary leave can be earned by an employee unless, at least three months before the date on which he shall have earned leave for the maximum period, he has formally applied for leave and the leave has been refused, or has ascertained in writing that leave, if applied for, will not be granted, when such an employee may be permitted to earn leave in excess of the maximum upto the date specified by the authority competent to grant leave.

81. *Pay during ordinary leave.*—An employee on ordinary leave shall draw a leave pay in accordance with Himachal Pradesh Government leave rules applicable from time to time.

Section 3—CASUAL, SICK, SPECIAL, EXTRAORDINARY AND MATERNITY LEAVE

82. *Casual leave.*—(1) The admissibility of casual leave to an employee shall be governed by the Himachal Pradesh Government leave Rules as made applicable from time to time.

(2) If the absence of an employee is extended beyond the limits laid down in sub-regulation (1), or if any of the other conditions laid down in that sub-regulation is not fulfilled, the employee shall be treated as on ordinary leave for the entire period of his absence.

(3) Notwithstanding anything contained in sub-regulation (1) and (2), the Managing Director, may permit the grant of casual leave without being subject to all or any of the limitations laid down in sub-regulation (2):—

(i) When the absence from duty is necessitated by orders not to attend office in consequence of infectious disease in the family or household of any employee;

(ii) When the absence is necessitated by reason of any employee who is a member of the Auxiliary Force of India, Home Guards, A. R. P., or other Civil Defence Organisation or any other official organisation of a similar nature having to attend an annual camp or to go training; or

(iii) When there are other exceptional circumstances necessitating the grant of casual leave in excess of the prescribed limit.

Provided that the total period of casual leave granted to an employee in any one calendar year shall in no case exceed 30 days, and if the grant of casual leave under this sub-regulation shall result in the total period being extended beyond 30 days any period of absence in excess of 30 days shall be treated, subject to the provisions of sub-regulation (2) of Regulation 83 as ordinary, sick, special or extraordinary leave, as the employee concerned may request.

83. Sick and special leave limit upto which may be granted.—(1) During the full period of his service an employee may be granted special leave, on private affairs, for a period not exceeding 12 months and sick leave, on medical certificate, for a period not exceeding eighteen months, and the Board may grant of additional sick leave if considered advisable in the Corporation's interest, in special cases. Special or sick leave may not be availed of if ordinary leave is admissible.

(2) In case an employee is absent from duty on account of quarantine, the Corporation may, at the request of the employee concerned, treat such absence, up to a maximum period of three months, as ordinary, sick or special leave if such leave is otherwise permissible. Special or sick leave under this sub-regulation may be availed of even if ordinary leave is admissible.

84. Pay during sick and special leave.—Sick and special leave shall be on half average pay for a period of twelve months in the case of sick leave and six months in the case of special leave:

Provided that where an employee has served the Corporation for at least a period of five years he may, if he so requests, be permitted to avail himself of sick leave on average pay up to a maximum period of six months during the full period of his service, such leave on average pay being entered as twice the amount of leave taken in his sick leave account.

85. Extraordinary leave.—(1) Extraordinary leave may be granted to an employee when no ordinary leave is due to him and when, having regard to his length of service, sick or special leave is not considered justified. Except in exceptional circumstances, the duration of extraordinary leave shall not exceed four months on any one occasion and 12 months during the entire period of an employee's service.

(2) An employee may be granted extraordinary leave in combination with or in continuation of leave of any other kind admissible to the employee, and may commute retrospectively periods of absence without leave into extraordinary leave.

(3) No pay and allowances are admissible during the period of extraordinary leave, and the period spent on such leave shall not count for increments :

Provided that, in cases where the Managing Director is satisfied that the leave was taken on account of illness or for any other cause beyond the employee's control, he may direct that the period of extraordinary leave may count for increments upto a total period not exceeding two months.

86. Maternity leave.—(1) A female employee of the Corporation (including an apprentice) with less than two surviving children may be granted maternity leave by an authority competent to grant leave for a period of 90 days from the date of its commencement.

(2) During such period she shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.

(3) Maternity leave not exceeding 6 weeks may be granted to a female Corporation servant (irrespective of number of surviving children) in case of miscarriage, including abortion on production of medical certificate as laid down in Rule 19.

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

(b) Notwithstanding the requirement of production of medical certificate contained in sub-rule (1) of Rule 30 or sub-rule (1) of Rule 31, leave of the kind due and admissible (including commuted leave for a period not exceeding 60 days and leave not due) upto a maximum of one year may, if applied for, be granted in continuation of maternity leave granted under sub-rule (1).

(5) Maternity leave shall not be debited against the leave account.

87. Leave rules to the extent not covered above or not specified shall be the same as applicable to the employees of the Himachal Pradesh State Government under Himachal Pradesh Government Leave Rules regarding casual leave, ordinary leave, maternity leave, sick leave, special leave, extraordinary leave etc., and shall also be applicable to the employees of the Corporation.

Section 4—JOINING TIME

88. *When may be granted.*—(1) Joining time may be granted to an employee to enable him:—

(a) to join a new post to which he is appointed while on duty in his old post ; or

(b) to join a new post on return from leave of not more than 4 months' duration or, although the duration of leave exceeds four months, the employee has not had sufficient notice of his appointment to the new post.

(2) Joining time shall not be granted when no change in the headquarters of an employee is involved.

89. *Pay and allowances during joining time.*—Pay and allowances of an employee on joining time shall be determined in accordance with regulation 57.

90. *Period for which admissible.*—Joining time which may be allowed to an employee shall not exceed seven days, exclusive of the number of days spent on travelling.

91. *How calculated.*—In calculating joining time admissible to an employee, the days on which he is relieved from his old post shall be excluded but public holidays following the day of his relieving shall be included in the joining time.

92. *Overstay after joining time.*—An employee who does not join his post within the joining time allowed to him shall be deemed to have committed a breach of regulation 33.

CHAPTER-VIII

FOREIGN SERVICE

93. *Deputation of employees to join military service.*—The terms and conditions subject to which an employee may be permitted to join the military service shall be determined by the Board.

94. *Deputation of employees to other services.*—(1) Without prejudice to the provisions of Regulation 93 no employee of the Corporation may be deputed to serve under any other employer without the approval of the Board in case of officers and of the Managing Director in other cases:

— Provided that no employee may be transferred to foreign service against his will.

(2) Where the services of an employee of the Corporation are placed at the disposal of a foreign employer, it shall be a condition of the deputation that the foreign employer shall during the period of such deputation, bear the entire cost of the services of the employee including the following *viz*:—

- (a) pay during joining time;
- (b) travelling allowances payable to the employee to enable him to join his appointment in the Corporation on the termination of his deputation;
- (c) leave earned during the period of deputation;
- (d) the employer's contribution to the employee's account in the Corporation's Provident fund.

In addition, the foreign employer may also be required to make a contribution towards any other superannuation benefits for which the employee might become eligible on his retirement on such scale as may be fixed by the Managing Director.

CHAPTER-IX

MISCELLANEOUS

95. *Declarations to be signed by the employees.*—In addition to a declaration of fidelity and secrecy required to be completed by him in pursuance of Section 40 of the State Financial Corporations Act, 1951, every employee to whom these Regulations apply, shall subscribe to a declaration in the following form.

DECLARATION TO BE BOUND BY THE STAFF REGULATIONS

Place.....
Dated.....

I hereby declare that I have read and understood the Himachal Financial Corporation (Staff) Regulations, 2004, and I hereby subscribe and agree to be bound by the said Regulations.

Name in full.....
Nature of appointment.....
Date of appointment.....
Signature.....
Date.....

APPENDIX-I

1. (1) The scale of pay for officers shall be as follows :—

- (a) General Manager Rs. 14300-400-15900-450-18600.
- (b) Deputy General Manager Rs. 13500-400-15900-450-16800.
- (c) Asstt. General Manager/Secretary Rs. 12000-375-13500-400-15500.

- | | |
|-----------------------|---|
| (d) Manager | Rs. 10025-275-10300-340-12000-375-13500-400-15100. |
| (e) Deputy Manager | Rs. 7220-220-8100-275-10300-340-11660. |
| (f) Asstt. Manager | Rs. 7220-220-8100-275-10300-340-10980. |
| (g) Private Secretary | Rs. 7220-220-8100-275-10300-340-11660.
+600/-S. A. |
- (2) The scales of pay for employees in class B shall be as follows:—
- | | |
|---------------------------|---|
| (a) Personal Assistant | Rs. 6400-200-7000-220-8100-275-10300-340-10640 + Rs. 200/- S. A. |
| (b) Senior Assistant | Rs. 5800-200-7000-220-8100-275-9200. |
| (c) Sr. Stenographer | Rs. 5800-200-7000-220-8100-275-9200 +
Rs. 160 S. A. |
| (d) Jr. Assistant | Rs. 4020-120-4260-140-4400-150-5000-160-5800-200-6200. |
| (e) Stenographer Grade-II | Rs. 4020-120-4260-140-4400-150-5000-160-5800-200-6200 + Rs. 120 S. A. |
| (f) Clerks | Rs. 3120-100-3220-110-3660-120-4260-140-4400-150-5000-160-5160. |
- (3) The scales of pay for employees in Class C shall be as follows:—
- | | |
|---------------------------------|--|
| (a) Driver | Rs. 3330-110-3660-120-4260-140-4400-150-5000-160-5800-200-6200 + Rs. 700 S. A. |
| (b) Jamadar-cum-Caretaker | Rs. 3120-100-3220-110-3660-120-4260-140-4400-150-5000-160-5160. |
| (c) Daftari-cum-Gest. opt. | Rs. 3120-100-3220-110-3660-120-4260-140-4400-150-5000-160-5160. |
| (d) Peon-cum-Chowkidars/Sweeper | Rs. 2520-100-3220-110-3660-120-4140
(Initial start of Rs. 2620/-). |

2. *Special pay.*—The grant of Special Pay to an officer shall require the sanction of the Board and that of the Managing Director in the case of other employees.

3. *Personal pay.*—The grant of Personal Pay in circumstances referred to in sub-clause (I) of clause (II) of Regulation 3 shall be at the discretion of the Managing Director. In other cases Personal Pay may only be granted with the previous sanction of the Board.

APPENDIX-II

COMPENSATORY ALLOWANCES

Section 1—GENERAL

1. *Kinds of Compensatory Allowances.*—(1) The following kinds of compensatory allowances shall be granted in accordance with the provisions of this section:—

- (a) Deputation allowance.
- (b) Dearness allowance.
- (c) Travelling allowance.
- (d) Halting allowance.
- (e) House Rent Allowance.
- (f) Hill Compensatory Allowance.
- (g) Capital Allowance.

Compensatory Allowance not to be source of profit.—(2) The grant of a compensatory allowance not mentioned in sub-paragraph (1) shall require the specific sanction of the Board in each case.

2. The grant of compensatory allowance shall be so regulated that the allowance shall, not on the whole, be a source of profit to the recipient.

Section 2—DEPUTATION ALLOWANCE WHEN ADMISSIBLE

3. (1) An employee who is transferred from one station to another for a temporary period the duration of which is anticipated to be longer than one month but not longer than three months, may be granted a deputation allowance at the rates provided in this section.

(2) Unless specially authorised by the Managing Director, deputation allowance may not be drawn during leave :

Provided that the maximum period of three months provided in this regulation will not be applicable in case of staff posted in the industrial units, the possession of which is taken-over U/s 29 of the Act.

4. (1) The rates at which the deputation allowance may be granted to an employee shall be as follows:—

(I) When on deputation to other Departments/Foreign Service :—

Transfer within the same station	5% of basic pay subject to maximum of Rs. 250 P. M.
In other cases	10% of basic pay subject to maximum Rs. 500 P. M.

(II) When on deputation on Foreign Service in Public Sector Undertaking where industrial rates of Dearness Allowance are being granted :—

In all cases	10% of basic pay subject to maximum Rs. 500 P. M.
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(2) An employee in receipt of deputation allowance shall not draw halting allowance.

Section 3—DEARNESS ALLOWANCE

5. *Terms of the Grant to be determined by the Board.*—The dearness allowance shall be paid to the employees of the Corporation at the same rates and subject to the same conditions on which such allowance is paid to the employees of the Himachal Pradesh Government from time to time.

6. *Dearness allowance during leave.*—The dearness allowance to the employees of the Corporation during leave shall be regulated as per Himachal Pradesh Government rules.

Section 4—TRAVELLING ALLOWANCE

7. *Definition.*—In this section:—

(a) "fares" shall mean, in cases where there are two rates of fare, one inclusive and the other exclusive of diet, fares without diet, but shall include the cost actually incurred of reserving accommodation;

- (b) "personal belongings" shall include only clothes and such other necessary articles as are required while on tour and not motor cars, motor cycles, carriages or heavy furniture;
- (c) "personal property" shall include motor cars, motor cycles, carriage and furniture but an employee on temporary transfer shall be entitled to charge for such items only to such extent as the Managing Director may consider reasonable;
- (d) "transfer" shall mean the movement of an employee from the station in which he is employed to another station for a period of not less than one month, either:—
- (i) to take up the duties of a new post; or
- (ii) in consequence of a change of the headquarters.

The revised grading for granting the allowances to the employees of the Corporation would be as under:—

Grade 1	Basic Pay 2
Grade-I	Rs. 5,000/- and above
Grade-II	Rs. 3,000/- to Rs. 4,999/-
Grade-III	Rs. 2,000/- to Rs. 2,999/-
Grade-IV	Rs. 1,500/- to Rs. 1,999/-
Grade-V	Rs. 1,200/- to Rs. 1,999/-
Grade-VI	Below Rs. 1,200/-

Heretofore for the purpose of gradation, pay plus special pay used to be taken into account for determining the grade of the employee. Henceforth, for the purpose of gradation only the basic pay shall be taken into account in the case employees drawing pay in the revised pay scales. In the case employee may not opt to continue in the un-revised scale, the pay would be basic pay plus dearness allowance sanctioned upto CPI-608 (i. e. sanctioned upto 1-1-1986) and treated as dearness pay.

RATES OF DAILY ALLOWANCE WITHIN HIMACHAL PRADESH

Grade	<i>Rupees</i>		
	Ordinary Hill Tracks	Special Hill Tracks	Expensive and Remote Localities
Grade-I	50	75	100
Grade-II	40	60	100
Grade-III	35	53	88
Grade-IV	30	45	75
Grade-V	25	38	61
Grade-VI	20	30	50

No enhancement over and above these rates is allowed as the enhancements at the rate of 25%, 50% and 150% over and above the basic rates of daily allowance which was allowed earlier have now been merged in the above rates.

For regulating the payment of daily allowance the existing classification under which areas in Himachal Pradesh have been divided into three groups shall remain in operation as following:—

(a) *Expensive and Remote Localities:—*

1. Lahual & Spiti district.
2. Kinnaur District.
3. Bharmaur Sub-Division & Pangi Sub-Division of Chamba district.
4. Pargana of Pandrabis, Outer Seraj and Malana Panchayat area of Kullu district.
5. Chhuhar Valley of Jogindernagar Tehsil of Mandi district.
6. Mangal Panchayat area of Solan district.
7. Dodrakwar area of Rohroo Tehsil, Parganas of Chaebis Naubis, Barabis, Pandrabis and Atharabis, Sarhan and Gram Panchayats of Munish, Darkali and Kashapat of Rampur Tehsil of Shimla district, and ;
8. Chhota Bhawal and Bara Bhawal areas of Palampur Sub-Division of Kangra district.

(b) *Special Hill Tracks:—*

1. Janjehli Block of Chachiot Tehsil of Mandi district.
2. Chopal Tehsil of Shimla district.
3. Trans-Giri Track of Sirmaur district.
4. Churah Tehsil, Kunr Panchayat and Balej Pargana of Chamba Tehsil of Chamba district ;
5. Manali-Ujhi area, Parvati and Lagg Velley and Banjar Block of Kullu district.

(c) *Ordinary Hill Tracks:—*

All other remaining areas which are not covered by the above groups.

RATES OF DAILY ALLOWANCE OUTSIDE H. P. (PER DAY)

Grade	Delhi/ Chhenai/ Mumbai/ Calcutta & Bangalore	Other places
	(Rs.)	(Rs.)
Grade-I	75	60
Grade-II	60	50
Grade-III	53	45
Grade-IV	45	40
Grade-V	38	35
Grade-VI	30	25

RE-IMBURSEMENT OF HOTEL RENT

The maximum rates of re-imbusement of hotel rent to the employees of the Corporation, who stay in hotels and tourist bungalows run on commercial lines while on duty outside the Pradesh, on production of receipt, shall be as under:—

Grade	Delhi/ Chhenai/ Mumbai/ Calcutta and Bangalore	Other places outside H. P.
	(Rs.)	(Rs.)
Grade-I	300	225
Grade-II	225	180
Grade-III	200	135
Grade-IV	120	100
Grade-V	100	75
Grade-VI	60	45

Government servants who claim re-imbusement of actual hotel rent shall also entitled to daily allowance equivalent to 3/4th of daily allowance entitlements, in addition to re-imbusement of actual hotel rent. Managing Director however may allow any Officer/employee such higher rent for stay in a Hotel within and out side the State as considered appropriate considering business interest of the corporation.

RAILWAY ENTITLEMENT

The revised gradation for the purpose of Supplementary Rule 34 *i. e.* entitlement of railway accommodation, shall be as under:—

Grade	Travel entitlement
Grade-I	Ist Class A. C.
Grade-II	A. C. Two Tier Sleeper/Ist Class
Grade-III	Ist Class/A. C. Chaircar
Grade-IV	Ist Class/A. C. Chaircar
Grade-V	2nd Class Sleeper
Grade-VI	2nd Class Sleeper

Where an official journey by train is cancelled in public interest, cancellation and reservation charges shall be reimbursed to the Corporation servant directly by the Corporation. In similar circumstances these charges in respect of members of family of a Corporation servant shall also be re-imbursed.

Reservation charges/Surcharge levied by Railways in respect of all classes of rail accommodation will be re-imbursed to the Corporation servants treating these charges as part of the fare. The telegram expenses charged by Railways in connection with the reservation of accommodation in trains, for onward and/or return journeys, by Corporation servants travelling on duty will also be re-imbursed to the Corporation servants.

AIR ENTITLEMENT

The entitlement for travel by Air shall be as under:—

<i>Grade</i>	<i>Entitlement</i>
Grade-I	At discretion
Grade-II	On the condition that the distance is more than 500 kms. and journey cannot be performed overnight by rail or journey is to be performed within Himachal Pradesh or H.P. to Delhi/Chandigarh or Delhi/Chandigarh to Himachal Pradesh.

PUBLIC TRANSPORT ENTITLEMENT

The entitlement of road travel by public transport would be as under and the term "Public Transport" would include ordinary bus, delux bus and air-conditioned bus:—

<i>Grade</i>	<i>Entitlement</i>
Grade I & II	A. C. Bus
Grade III & IV	Delux Bus
Grade V & VI	Ordinary Bus

ENTITLEMENT BY ROAD TRANSPORT

The entitlement to travel by road transport would be as under:—

<i>Grade</i>	<i>Entitlement</i>
Grade I & II	By taking a single seat in a public transport, or by motor cycle/scooter or by engaging full taxi/own car.
Grade III to VI	By taking a single seat in public transport, or by motor cycle/scooter. They will not be entitled/eligible to travel by engaging full taxi/own car.

Touring own car shall be allowed only to officers with a basic pay of Rs. 5,900/- or more the clear cut pre-condition that their official vehicles will remain parked during the period of that tour. Even for such touring by these officers, there shall be limit of 1000 kms. per month. No other officer shall undertake tours in his own car.

ROAD MILEAGE

The rates of road mileage shall be as under:—

(a) *Own Car*

For hill areas	Rs. 2.50 per K. M.
For plains	Rs. 2.00 per K. M.

(b) *Full Taxi*

For hill areas	Rs. 2.50 per K. M.
For plains	Rs. 2.00 per K. M. or actual whichever is less.

(c) Scooter/Motor Cycle

For hill areas	80 paise per K. M.
For plains	60 paise per K. M.

These rates of mileage allowance prescribed for travelling by own car will apply in cases where the Corporation servant would themselves drive their own vehicles and do not ask for the services of a staff car or Corporation vehicle driver to drive the private car. If, however, a Corporation servant at his own option avails of the services of a Corporation Driver to drive his own car, the rate of mileage allowance payable to him will be 20 paise per K. M. less for hilly areas and 15 paise per K. M. less for plain areas. Such facility of staff car drivers will be allowed only to those officers who are otherwise entitled to staff car and staff car driver for the particular journey.

The Managing Director/Drawing & Disbursing Authority is authorised to allow full mileage allowance between stations connected by rail in respect of those officers who are normally entitled to staff car use for travel under the normal rules.

CARRIAGE OF PERSONAL EFFECTS

The maximum entitlements of officers of different grades for carriage of personal effects on transfer shall be as follows:—

Grade	Personal effects that can be carried
Grade I & II	6000 Kgs.
Grade III & IV	3000 Kgs.
Grade V	1500 Kgs.
Grade VI	1000 Kgs.

For the carriage of personal effects by rail, the employees shall be re-imbursed the actual charges by goods train:—

The allowance for carriage of personal effects between places connected by road only will be at the following uniform rates:—

Grade	Special Hill Tracks/Expensive and Remote Localities within the Pradesh	Other place
	Rs. (per k.m.)	Rs. (per k.m.)
Grade I & II	11.00	7.00
Grade III & IV	6.00	3.50
Grade V	3.00	2.00
Grade VI	2.50	1.50

For the carriage of personal effects partly by rail partly by road transport, the employees shall be re-imbursed the actual expenses for carriage of personal effects by goods train and the allowance for carriage of personal effects by road transport at rates as prescribed in para above.

EMPLOYEES ON TRANSFER

The entitlement of transfer grant shall be as under—

Grade	Rate (Rs.)
Grade I	500
Grade II	400
Grade III	300
Grade IV	200
Grade V	150
Grade VI	100

TRANSPORTATION OF CONVEYANCE ON TRANSFER

The entitlements for transportation of conveyance on transfer shall be as under—

Pay range	Entitlement (Scale)
Rs. 1,900/- and above	One motor car, or one motor cycle/scooter, or one horse.
Less than Rs. 1,900/-	One motor cycle/scooter or one bicycle

The rates for transportation of conveyance on transfer shall be as under—

(a) When the conveyance is sent under its own propulsion:—

Between places connected by rail

Between places not connected by rail

Prescribed rates limited to expenditure on transportation by passenger train.

Prescribed rates as in para. 2

(b) When conveyance is sent loaded on a Truck:

Between places connected by rail

Between places not connected by rail

Actual expenses limited to prescribed rates or expenditure on transportation by passenger train, whichever is less.

Actual expenses limited to prescribed rates.

*(prescribed rates means, the rates notified/fixed by the State Transport Dept./Corporation).

ON TRANSFER ENTITLEMENT AND RATES IF NEITHER CONNECTED BY RAIL NOR BY ROAD

Entitlements and rates if neither connected by rail nor by road shall be as under:—

Expensive and Remote Localities:

(a) Entitlements:

Grade I	4 Mules or Horses	3 porters in lieu of each mule/horse are admissible due to areas being unfit for transportation by mules/horses provided it is clarified that porters were utilised exclusively for carrying personal effects and equipments.
Grade II	3 Mules or Horses	
Grade III	2 Mules or Horses	
Grade IV	1 Mule or Horse	
Grade V & VI	1 Mule or Horse	

(b) Rates:—

The rates for hiring of mules, horses and porters in expensive and remote localities shall be as notified by the concerned Authority.

For journeys which are performed on foot the rates of mileage allowance shall be as under:—

Gradation	Ordinary hill track (Paise per K.M.)	Special hill track (Paise per K.M.)	Expensive and remote localities (Rs. per K.M.)
Grade I			
Grade II	50	75	1.25
Grade III			
Grade IV			
Grade V	30	50	1.00
Grade VI			

LOCAL TRANSPORTATION ALLOWANCE

For local journeys performed at tour stations other than Delhi no local transportation allowance shall be admissible. For Delhi, entitlements to a fixed amount for meeting local transportation cost while on tour/training in respect of Corporation servants who neither take staff car to Delhi nor use a Corporation transport at Delhi for their official work shall be as under:—

Grade	Rate (per day) (Rs.)
Grade I to III	50
Grade IV to VI	25

The above re-imburement will be made after a certificate of actual utilisation is given by the concerned officer/official.

TERMINAL TRANSPORTATION CHARGES

8. Terminal transportation charges shall be admissible at the rates specified in paras 8 to 10 from headquarters as well as all tour stations, other than those specified in para 15 (3). These shall cover expenditure incurred on journey performed from residence to place of embarkation at headquarters, and places of disembarkation to place of stay or duty point in the tour station as also similar return journeys.

For the tour stations specified in para 15 (3) above, travel transportation charges shall be admissible at the following rates:—

Grade	Fixed amount (Rs.)
Grade I to III	50
Grade IV to VI	25

The specified tour stations mentioned in para 15 (2) above are as under:—

- 1. Andhra Pradesh Hyderabad Urban Agglomeration
- 2. Bihar Patna Urban Agglomeration Dhanbad Urban Agglomeration Jamshadpur Urban Agglomeration.

3. Delhi	Delhi Urban Agglomeration.
4. Gujrat	Ahmedabad Urban Agglomeration, Surat Urban Agglomeration, Vadodra Urban Agglomeration.
5. Karnataka	Bangalore Urban Agglomeration
6. Kerala	Trivendrum Cochin
7. Madhya Pradesh	Gwalior Urban Agglomeration, Indore City Urban Agglomeration, Jabalpur Urban Agglomeration.
8. Maharashtra	Bombay, Nagpur Urban Agglomeration, Poona Urban Agglomeration & Sholapur.
9. Punjab	Amritsar City Urban Agglomeration, Ludhiana City Urban Agglomeration.
10. Rajasthan	Jaipur Urban Agglomeration
11. Tamil Nadu	Madras Urban Agglomeration, Coimbtore Urban Agglomeration, Madhurai Urban Agglomeration, Salem Urban Agglomeration.
12. Uttar Pradesh	Kanpur City Urban Agglomeration, Lucknow City Urban Agglomeration, Agra Urban Agglomeration, Allahabad City Urban Agglomeration, Varanasi City Urban Agglomeration.
13. West Bengal	Calcutta Urban Agglomeration

TAXI CHARGES/LOCAL CONVEYANCE

9. The Corporation servant who do not take staff car to Delhi while on tour and are entitled to travel by Air or are permitted to travel by Air shall be re-imbursed taxi charges from Air Port to place of duty/stay at Delhi on the basis of actual or Rs. 75/- whichever is less. However, those who will avail of this benefit will not be entitled to the terminal transportation charges under para-15 above. The Managing Director however may allow local conveyance charges to officers/employees of corporation as may be considered appropriate keeping in view business interest of the Corporation.

The claims for travelling allowance pertaining to the period shall be regulated in accordance with the old rates and the cases already decided will not be re-opened.

EMPLOYEES TRANSFERRED WHILE ON TOUR

10. An employee who is transferred while on tour and proceeds to the new station without returning to the old shall draw unless he is permitted to his old station:—

- (i) travelling allowance as on tour under paragraph 9 for his journey upto the new station; and
- (ii) all the concessions admissible to him under paragraph 8, except that he shall be entitled to draw only two and not three fares for himself by rail or steamer.

EMPLOYEES TRANSFERRED WHILE IN TRANSIT

11. An employee appointed to a new post while in transit from one station to another is entitled to draw travelling allowance for so much of the journey as he has already accomplished when he received the fresh orders as well as for the journey undertaken from the place at which he received the fresh orders to his new station as on transfer.

EMPLOYEES TRANSFERRED WHILE ON LEAVE

12. An employee who proceeds on leave while he is under orders of transfer, or who is transferred while on leave is entitled to travelling allowance as on transfer from the old to the new station.

EMPLOYEES SUMMONED TO GIVE EVIDENCE IN A COURT OF LAW

13. An employee who is summoned to give evidence in a court of law in respect of any facts which have come to his knowledge in the discharge of his duties, shall be entitled to travelling allowances under paragraph 7 but in every such case in which an employee draws an allowance from the Corporation under this paragraph any payments made by the Court to meet his travelling expenses shall be credited to the Corporation.

TRAVELLING ALLOWANCE NOT ADMISSIBLE ON TERMINATION OF SERVICE

14. No person is entitled to any travelling allowance from the Corporation for a journey undertaken on retirement, resignation or dismissal from the Corporation's service, or unless the Managing Director otherwise directs in any particular case on the termination of his service under Regulation 19.

ROUTE BY WHICH TRAVELLING ALLOWANCE IS ADMISSIBLE

15. Travelling allowance is admitted on the basis of a journey by the shortest route, that is to say, the route by which an employee can reach his destination in the shortest possible time by the ordinary modes of travelling. Travelling allowance by a route costlier than the shortest may not be admitted even though the employee actually travels by that route, but if an employee travels by a route, which is not the shortest but is cheaper than the shortest, his travelling expenses shall be calculated on the route actually used.

OBLIGATION TO TRAVEL BY THE CLASS OF ACCOMMODATION FOR WHICH TRAVELLING ALLOWANCE IS ADMISSIBLE

16. (1) An employee must travel by the class of accommodation for which travelling allowance is admissible to him and if he shall travel in a lower class he shall be entitled to the fare of accommodation actually used.

(2) An employee may not be paid travelling allowance on the basis of a journey in a higher class unless he is specially authorised to travel in a higher class by the Managing Director in the interest of the Corporation.

NO T. A. ADMISSIBLE TO JOIN FIRST APPOINTMENT

17. Except with the sanction of the Board, no travelling allowance may be paid to a person to join his first appointment in the Corporation.

EMPLOYEES USING THEIR OWN CONVEYANCE

18. An employee who travels on duty in a conveyance owned by him may be re-imbursed his travelling expenses on the basis and in the manner laid down in this sections if the journey had been performed by one of the ordinary modes of transport.

AN EMPLOYEE TRAVELLING IN CORPORATION'S CONVEYANCE

19. (a) An employee provided with conveyance by Corporation will get only daily allowance of the grade to which he is entitled subject to the provisions of para 7.

(b) When an employee of the Corporation travels in a conveyance not belonging to him between stations connected by rail and does not pay expenses for its use or propulsion, he may be paid travelling allowance is admissible to him while on tour.

EMPLOYEES TRAVELLING BY BUS ETC.

20. If the employee travels between places which are connected by rail, by omni-bus or by other means of transport, he shall be reimbursed his travelling expenses on the basis of a journey by rail, provided that if the fares actually paid by him are less than the fares payable for the journey by rail, he shall be entitled to draw only the actual fares paid by him.

CALCULATIONS TO BE BASED ON ORDINARY RATES

21. Where a railway system has two fares, one for journeys by mail and express, and the other ordinary, the travelling allowance shall be calculated on the basis of ordinary fares unless the employee actually travels by mail or express in which case an increase may be allowed to his bill to the extent of the additional cost of the fares actually incurred by him.

JOURNEYS NOT PROVIDED IN THE SECTION

22. For the journey undertaken by an employee for which no provision is made in this section, he shall draw travelling allowance on such scale as may be fixed by the Managing Director having regard to the cost and the modes of transport obtaining in the areas in which the journey is undertaken, and the basis on which re-imbusement of travelling expenses is allowed by the State Government to its employees in similar circumstances.

ADVANCE TO MEET TRAVELLING EXPENSES

23. An employee who is required to travel on the Corporation's business may draw an advance to meet his travelling expenses.

Section-5—HALTING ALLOWANCE

DEFINITION

24. "Halting allowance" is a payment made to an employee in addition to other emoluments for any day during which an employee is absent from the head quarters on duty and is intended to cover the ordinary daily expenses incurred by him in consequence of such absence.

TO WHOM ADMISSIBLE

25. Halting allowance may be granted—

- (a) to an employee engaged on inspection duty;
- (b) to an employee on transfer from one station to another who is detained en-route for the period of such detention; and
- (c) to an employee who is temporarily moved from his headquarters under any other circumstances:

Provided that the employee is not in receipt of a deputation allowance.

PERIOD FOR WHICH MAY BE GRANTED

26. (1) The maximum period for which halting allowance may be drawn is as per the T. A. Rules applicable to the employees of the State Government from time to time:

Provided that in special circumstances the limit of 10 days may be extended at the discretion of the Managing Director or the Director on such conditions as he thinks fit, if he is satisfied—

- (i) that prolonged absence from headquarter is necessary in the interest of the Corporation; and
 - (ii) the grant of halting allowance for a further period is essential to avoid hardship to the employee.
- (2) In any case, in which the limit is extended in pursuance of the proviso to sub-paragraph (1), it shall be open to the Managing Director to reduce the rate of allowance to such extent as may deem appropriate.

HALTING ALLOWANCE DURING LEAVE OR HOLIDAYS

27. Halting allowance may be drawn for holiday occurring during a tour but no halting allowance shall be admissible during casual leave or other leave unless the leave is necessitated by illness supported by medical certificate.

EMPLOYEES SUMMONED TO GIVE EVIDENCE IN COURT

28. An employee who is summoned to give evidence in a Court of Law in respect of any facts which have come to his knowledge in the discharge of his duties, shall be entitled to a halting allowance under paragraph 7 of this section but in all such cases any subsistence allowance paid by the Court shall be credited to the Corporation.

AUTHORITY TO PAY HALTING ALLOWANCE AT A HIGHER RATE

29. The Managing Director may authorise the payment of halting allowance at a rate higher than that admissible under paragraph 7, where an employee had to halt at a place which is considered to be, specially expensive, provided that this discretion shall not be exercised unless on proof being furnished, the Managing Director is satisfied that the grant of halting allowance at a higher rate is essential to avoid hardship to the employee, and provided further that the increase shall not, for any day, exceed 50 per cent over the rate admissible under paragraph 7; provided further that the rate admissible under paragraph 7 shall be increased by 50 percent for any day of halt at hill stations, port towns and Delhi and by 33½ per cent at State Capitals.

ADVANCE TO MEET HALTING ALLOWANCE

30. An employee may draw an advance to cover the expenses of his halt up to the amount admissible to him as halting allowance.

31. Save as above provided the T. A. Rules applicable to the employees of the State Government from time to time shall automatically be applicable to the employees of the Corporation and shall be considered as part of the regulations.

By order of the Board of Directors of the Himachal Pradesh Financial Corporation.

Sd/-
Managing Director.