

FUNDAMENTAL RULES

- Originally framed under section 96-B (2) of
Govt. of India Act 1919
- Continuing under Article 313 of the Constitution of India
- Supported by the proviso to Article 309
- Amendments are being issued in exercise of this power
- FRs are applicable to both central and state Govt.
employees
- FRS are reissued by the states of Karnataka and Tamilnadu
- FRs relate to personal claims of Govt. employees
- 130 FRs divided into 5 parts

Part- I -

FRs 1-9 : Extent of application & definitions

Part-II-

FRs10-18: General conditions of service

Part-III-

FRs 19-56 : Pay, additions to pay, combination
of appointments, suspension,
Removal, Dismissal & Retirement

Part- IV

FRs 57-108: General Provisions relating
to leave & joining time

FRs 109-130: Foreign Service & Local Funds

Annexures – 8; Some are redundant

Annexure-I – Authorized courses of Instruction/ Training

IA – Certificate of physical fitness

II (Part-3)-Maintenance of records of service of G.S

II (Part-4)- Form No. 10 -Service Book

III- AP leave Rules 1933

VII- Executive instructions regarding C.L., Sp.C.L

Appendices-4

- a) AP Public Employment Act 1984
- b) AP Public Employment regulation of age of superannuation amendment act 1985
- c) AP Public employment recording & alteration of date of Birth Rules 1984
- d) Amendments issued to the AP Public employment recording & alteration of date of Birth Rules 1984

FR 2: Applicability

- Applicability : to all the Govt. Servants paid from the consolidated fund of the state
- Govt. can grant these rules to the other categories of employees also.

FR 2:

- If a particular service rule of a particular category of service lays down a provision in a different way which is repugnant to what has been laid down in the FRs, the service rule prevails.

Omnibus provision:

No service condition shall be altered to the disadvantage of the employee already in service except the age of superannuation

FR 5 :

Govt. may relax the rules in the circumstances as may appear to them as JUST and equitable in given cases-

but it should not be detrimental to the interests of the Govt. Servants already in service

FR 6 : Delegation of Powers

Govt. may delegate to any of its officers, any power conferred on it

FR 7 : Concurrence

The concurrence of Fin. Dept. is necessary for delegation of powers to lower authority.

FR 9(5)

Compensatory allowances are granted to Govt. Servant keeping in view of the special circumstances under which one is performing the duties.

FR 9 (6) Duty

DUTY:

- Regular duty
- Authorised Training
- Joining Time
- Compulsory wait
- Official witness
- Obligatory Tests (including joining time)
- Deputation On Foreign Service

HONORORIUM :FR 9 (9)

Remuneration paid to Govt. Servant by another dept. for the additional work rendered by him.

FEE: FR 9 (6A)

Remuneration paid to Govt. Servant from other than Consolidated Fund of the State. If it is recurring, 1/3rd of the fees received above Rs. 250/- has to be remitted to Govt. through Challan.

BOTH SHOULD NOT BE RECEIVED BY THE GOVT. SERVANT WITHOUT THE PERMISSION OF GOVT.

BOTH COME UNDER THE PURVIEW OF INCOME TAX

- TEMPORARY GOVT. SERVANT
- REGULAR GOVT. SERVANT
- PROBATIONER
- APPROVED PROBATIONER
- PERMANENT GOVT. SERVANT

CONFIRMATION

(Rule 21 of state & Subordinate service rules)

- Confirmation results in lien to the employee.
- Confirmation can be ordered though the appointment is in a temporary establishment.

FR 9 (13) Lien ;

The title of the Govt. Servant to hold substantively a permanent Post

(The lien of a G.S on a permanent post commences from the date on which he has been confirmed in that post)

•FR 12:

• Every Govt. Servant is entitled for confirmation in the post of entry after satisfactory completion of the period of probation

GOMS. NO. 663: GAD (S.C) DT.8.11.89

- Not required in the promotion post
- Pension can be granted without confirmation.

FR 10: MEDICAL EXAMINATION

- At the time of Appointment
Form of Medical Report
- Leave on medical grounds
Fitness certificate

FR 11 : PRIVATE EMPLOYMENT

The whole time of the G.S is at the disposal of the Govt.

Foreign Employment – 5 years

Leave Sanctioning - Govt.

FR : 16: SUBSCRIPTION TO FUNDS

- GPF
- APGLI

FR17: TRANSFER

HANDING OVER OF CHARGE

- Charge Transfer Certificate
- Confidential documents, stores & valuables
in his personal custody
- A hand over note comprising of the following
 - Budgetary Provision
 - Financial Irregularities which need ratification
 - Legal cases
 - Service matters

HE SHOULD OBTAIN THE ACK. OF THE RELIEVER IN THE DUPLICATE COPY OF THE HAND OVER NOTE

FR : 18 : DIESNON

Willful absence from duty not covered by regular leave will be treated as **DIESNON**

- the period does not count for salary, pension leave and increment.

Till 1979 in cases of diesnon, the entire past service shall be forfeited.

No Govt. Servant shall be granted leave of any kind for a continuous period exceeding FIVE years at a time.

- If any employee is absent unauthorized for a period exceeding ONE year action should be taken to remove him from service after following due procedure- GOMS. NO.8 dated 8.1.2004

-

FR:19-35 : PAY FIXATIONS

INCREMENT:

- Mere presence of charge memo is not a bar for the release of an increment of an officer. Disciplinary proceedings has only prospective effect.
- Increment falling due on the succeeding date of retirement is sanctioned notionally for the purpose of computation of pension.
- If the declaration of probation of the Govt. Servant is delayed for more than one year HOO can sanction the increment if he is satisfied that the G.S is otherwise qualified for the sanction of increment.
- Conditional appointment: If a Govt. Servant does not possess the prescribed qualifications at the time of appointment, increment can not be sanctioned until the prescribed Qualification is acquired.

- The Govt. Servant has to acquire prescribed Qualification within THREE years from the date of joining
 - Extendable to another two years.
- Regularization from the date of passing the exam
- Date of passing
 - next day of the date of last paper attended
- Seniority is decided from the date of passing the test
- If not passed the prescribed qualification within the time he has to be reverted with the consent of the individual.
- If not he should be removed from service.
- Service rendered in higher post counts for increment in the higher post if again promoted to the same or identical post.

F.R. 22 (B)

WHEN AN EMPLOYEE IS PROMOTED TO A POST CARRYING HIGHER REPOSSIBILITIES HIS PAY IS FIXED IN THE HIGHER POST AFTER ADDING NEXT RATE OF INCREMENT TO HIS PAY IN LOWER POST. THIS IS DONE EITHER FROM DATE OF PROMOTION OR THE DATE OF INCREMENT OF LOWER POST

DATE	SCALE OF LOWER POST	SCALE OF HIGHER POST
1.2.2007	(4825-10845) 7570/- +200 NOTIONAL INCREMENT	(Rs. 6195 – 14175) 7970/- 22 (B)
13.4.2007	7770/-	
Promoter		
1.4.2008 (INCREMENT)		8170/-
(IF OPTED FROM NEXT INCREMENT OF LOWER POST)		
1.2.2007	7570/-	7770 FR 22 A (i)
1.2.2008	7570/-	
+ Regular increment 200		8170/-
+ Notional Increment 200		
	----- 7970 -----	
1.2.09		8385/-

STOPPAGE OF INCREMENT:

- Can be ordered in three ways
 - Stoppage of I/C with cumulative effect
 - Stoppage of I/c without cumulative effect
 - Reduction in pay
- Stoppage should be related to the period not no. of I/cs
- Should indicate whether the period is inclusive or exclusive of leave.
- should indicate the impact on pensionary benefit.
- If silent, it should be deemed to have drawn the I/c for the purpose.

- It should indicate the penalty is on promotion post or both promotion and substantive post
- An order of stoppage of increment with cumulative effect can not be implemented unless there is availability of service and availability of I/c in the time scale
- If it is without cumulative effect the monetary value is worked out and recovery affected from gratuity.
- All leaves count for increment except EOL
on private affairs
- Monetary benefit from the date of resumption of duty
- EOL on medical grounds, prosecution of higher Scientific Technical studies can be condoned by HOD upto 6 months.

REDUCTION OF PAY :

- R.9 of CCA Rules – effect from the date of issue of order –in operation till the period is over.
- Should not be ordered as a permanent measure.
- Restoration be indicated in the order
- Effect on pensionary benefits be indicated

STOPPAGE OF INCREMENT FOR A PERIOD OF TWO YEARS – (F.R. 24) SCALE EXPANSION
RELEVANT – Rs. 8170-215-8815-235-9520

IF THE STOPPAGE IS WITHOUT CUMULATIVE EFFECT

DATE	BASIC PAY Rs.
1.4.06	8815/-
7.8.06	DATE OF ORDER
1.4.07	8815/-
1.4.08	8815/-
1.4.09	$8815 + 235(1.4.07) + 235(1.4.08) + 235(1.4.09) = 9520$

IF WITH COMULATIVE EFFECTIVE

1.4.06	8815/-
7.8.06	DATE OF ORDER
1.4.07	8815/-
1.4.08	8815/-
1.4.09	$8815 + 235 = 9050$

REDUCTION OF PAY (F.R. 29)

For two grades for two years

1.4.06	Rs. 8815/-
10.5.06	Order reducing two grades for pay reduced to Rs. 8385/-
10.5.07	8385/-
10.5.08	Pay restored to Rs. 8815/-

ADD INCREMENT

DUE ON 1.4.07	235
DUE ON 1.4.08	235

9285

NEXT INCREMENT ON 1.4.09 9520

EXAMPLE : **STOPPAGE OF TWO ANNUAL INCREMENTS** (INCREMENTS FOR TWO YEARS
SCALE EXPANSION (RS. 13750-425-15025-475-16925
PAY AS ON 1.3.2004 – RS. 15025

ORDER OF STOPPAGE DATE 01.02.2005

WITH CUMULATIVE EFFECT

1.3.2004 - RS.15025

1.3.2005- RS. 15025

1.3.2006 – RS.15025

1.3.2007 – RS. 15500

WITHOUT CUMULATIVE EFFECT

1.3.2004 – 15025

1.3.2005 – 15025

1.3.2006 – 15025

1.3.2007 – 16450

IN THIS CASE INCREMENT FORFEITED
PERMANENTLY FOR TWO YEARS

IN THIS CASE INCREMENT DUE ON 1.3.05,
1.3.06, 1.3.07 RELEASED MONETARY EFFECT
FROM 1.3.2007

REDUCTION OF PAY

1.3.2005 – RS. 15025

REDUCED ONE GRADE FOR
TWO YEARS ON 1.4.2005

PAY AS ON 1.4.2005 RESULTANT 14600

TO REDUCTION

1.4.2006 – 14600 PAY RESTORED ON 1.4.07

1.4.2007 – 15025

ADD INCREMENTS OF RS. 475 ON 1.3.06 AND RS. 475 ON 1.3.07 RS. 15975 -

INCREMENTN ADDED
ON 1.4.07

1.3.08

16450

F.R. 26 (B)

IF A GOVT SERVANT WHILE OFFICIATING IN A TEMPORARY POST IF HE IS APPOINTED TO A POST ON THE SAME TIME SCALE THE PAST SERVICE COUNTS FOR INCREMENT

F.R. 29

THE PAY OF A GOVT SERVANT MAY BE REDUCED AS PENALTY TO LOWER STAGE & REDUCTION OF PAY FOR GIVEN PERIOD WILL STATE WHETHER ON RESTORATION SHALL OPERATE TO POST PONE FUTURE INCREMENTS & IF SO TO WHAT EXTENT. WHETHER IT IS EXCLUSIVE OF PERIODS OF LEAVE ALSO SHOULD BE STATED

F.R. 26 (B)

PAY SCALE EXPANSION RELEVANT

RS. 8815 – 235-9520 – 255 – 10285

PAY FIXATION ON CONFIRMATION OF SPL. GRADE

DATE	PAY SCALE ATTACHED TO THE POST RS. (4825-10845)	SPL. GRADE SCALE RS. 5200-11755
1.4.2006	8815 (AFTER ALLOWING INCREMENT)	9050/-PAY FIXED AT NEXT HIGHER STAGE
1.4.2007 INCREMENT		9285/-

ON PROMOTION

RS. 5200 – 11755

6195 – 14575

(IF OPTED FROM DATE OF PROMOTION)

1.4.2006 9050

1.6.2006 +235 NOTIONAL INCREMENT 9520/- NEXT HIGHER STAGE

PROMOTER **9285/-**

(IF OPTED FROM DATE OF NEXT INCREMENT OF LOWER POST)

1.4.2006 9050/-

1.6.2006 (PROMOTED)

9285/-

1.4.2007 9050/-

ADD REGULAR INCREMENT

9775

(DATE OF INCREMENT

+ 235/-

NOTIONAL INCREMENT

OF LOWER POST) + 235/-

9520/-

1.4.2008 (INCREMENT)

10030

PAY FIXATION UNDER F.R. 22 B

SCALE EXPANSION – RS. 8815-235-9520-255-10285-280-11125-315-12700-330-13030-360-13750-425-15025-475-15025

DATE	LOWER POST Rs. 7385-17475	HIGHER POST 8385-19125
1.4.06 13030		After adding
1.7.06 360	Notional increment 13750	notional
Promoted & opted		increment pay fixed at next stage
17.07 increment		14175
IF OPTED FROM NEXT INCREMENT		
1.4.06 13030		PAY FIXED
1.7.06 PROMOTED		13390 UNDER F.R.22 a (i) AT NEXT STAGE
1.4.06 + REGULAR 360 INCREMENT + NOTIONAL INCREMENT	360	14175 PAY FIXED AT NEXT HIGHER STAGE ADDING NEXT INCREMENT & NOTIONAL INCREMENT
1.4.07 INCREMENT		14600

FR:44 LEAVE SALARY

- Last pay drawn + D.A based on the quantum of pay drawn during the leave and other allowances based on full pay
- Allowances permissible only upto 4 months
- If suffering from certain diseases relating to Heart, T.B, Cancer, Renal failure, lunacy, leprosy -permissible upto 8 months.
- The sanction order for leave should mention that the employee would be reposted after the expiry of leave.
- If silent, compensatory allowances can not be paid
- If transferred after expiry of leave, comp. Allowances are paid as per the rates applicable to the new station.

FR49: COMBINATION OF APPOINTMENTS:

1. FAC
2. CURRENT DUTIES

FAC:

- For FAC addl. Pay @ $1/5^{\text{th}}$ of the basic pay allowed
- HOD can sanction upto 3 months
- 3 more months with the sanction of Govt.
 - addl. Pay $-1/10^{\text{th}}$
- If FAC arrangements made by the Govt. addl. Pay can be granted by HOD for a period of 6 months
- Minimum no. of days for sanction of addl. Pay
 - 14 working days

CURRENT DUTIES:

- Addl. Pay allowed @ $1/10^{\text{th}}$ of basic pay for the first 3 months
- Half of that rate for an extended period of 3 months under the orders of Govt.
- In case of NGO post, addl. Charge arrangements to be avoided if a candidate is available in the approved panel
- HOD should certify to that effect that addl. Charge arrangement is necessitated owing to lack of qualified person in the feeder category.
- Seniority is not the criteria for placing on addl. Charge.

DIFFERENCE BETWEEN

FAC AND CURRENT DUTIES:

- A person holding FAC is the De Facto and De Jure holder of the post of addl. Charge- Can take decisions including annulling the decisions of the predecessor.
- In the event of CURRENT DUTIES he has to continue the laid down procedures of the predecessor – can take decisions on new issues.
- **EXCEPTION:** D.Cs holding current duties of another D.C's post may discharge all the functions of the post holding charge including annulling the decisions of the predecessor.

FR 53 : SUSPENSION :

- An employee is placed under suspension on reasons of grave misconduct,
 1. when his continuance in the office is not in the interest of the state
 2. when he is convicted by court of law and sentenced prison for a period of not less than 48 hours
 3. when he is in judicial custody for more than 48 hours
 4. When caught by the ACB while accepting illegal gratification
 5. When caught by the ACB as having disproportionate assets
 6. when resorting to the acts of moral turpitude
- Maximum period of TWO years

- No employee can be continued under suspension beyond the date of superannuation.
- In the event of the death of the employee under suspension, the suspension is revoked and is treated as on duty till the date of death.
- The employee is entitled for subsistence allowance @ pay and D.A on half pay.
- Compensatory allowances permissible for the entire period without regard to FR 44.
- Arrears of subsistence allowance are payable even if the employee is removed or dismissed from service.
- Whenever an employee is suspended, the resultant vacancy should be handled only by making addl. Charge arrangements.

Even if the employee is permitted to stay outside the head quarters at which he was placed under suspension, he will not be allowed any extra allowances permissible at the place of stay.

FR54 :

1. If the charges are dropped, the period of suspension is treated as on duty.
2. Found to be not guilty, but instrumental in delay of the enquiry- Part of the pay is allowed – counts for limited purposes
3. Found guilty or benefit of doubt –not on duty or on leave
As per eligibility- if EOL subsistence allowance to be recovered
Reinstatement on technical grounds – not on duty

FR: 56 : SUPERANNUATION

Every Govt. Employee should be retired on superannuation at the prescribed age.

LEAVE RULES

F.R. 66 TO F.R. 104

F.R.-66 – SANCTIONING AUTHORITIES

F.R. 67- LEAVE IS NOT RIGHT – EMPLOYEE TO CHOOSE NATURE OF LEAVE

F.R. 68 - PUBLIC HOLIDAYS – JUDGES VACATION PREFIXED

F.R. 69- NO PRIVATE EMPLOYMENT

F.R. 70 – RECALL FROM LEAVE

F.R. 71 –MEDICAL CERTIFICATE

F.R. 72 – NOT TO RETURN FROM LEAVE UNLESS PERMITTED

F.R. 73 - EXTENSION TREATED AS HAL PAY LEAVE IF UNAUTHORISED

F.R. 81 – LEAVE NOT DUE

F.R. 82 – VACATION DEPTS

F.R. 83 – SPL. DISABILITY LEAVE

F.R. 84 – STUDY LEAVE

F.R. 86 – L.P. RETIREMENT

F.R. 87 – LEAVE SALARY

F.R. 101 – MATERNITY LEAVE HOSPITAL LEAVE

FR 105 : Joining Time :

Transfer on administrative grounds- Joining time allowed

Transfer at request - not allowed

If not mentioned in the orders – Joining time allowed

Even on EL - Joining time allowed

If joined before the expiry of leave – Joining time will be deducted from EL

FR 9 read with FR105:

Where handing over of charge takes more time- proposals have to be submitted to Govt. fixing the days for handing over of charge and the salaries of both are claimed in the same station.

On Direct Recruitment : 30 days

On Promotion : 15 days

FR 115: FOREIGN SERVICE :

- Salary is being drawn from other than the consolidated fund of the State
- Foreign employer has to pay the pension contribution, leave salary contribution, as per the table under FR115.
- Maximum period : 5 years
- HOD : 3 years
- Govt. : Another 2 years
- S.R to be maintained by the HOD or by any functionary prescribed by the HOD for the purpose.
- Foreign Employer can grant any kind of leave upto 1 month
- Since leave salary contribution is paid, the F.E has no liability to make payment of the leave salary claims.
- The F.E may make payment initially and get it reimbursed.

- TTA for joining and on repatriation and joining time salary has to be borne by the foreign employer only.
- When an employee is transferred from one foreign service to another, the 2nd F.E. will bear the transit, pay and allowances for the joining time and also for repatriation.

MAINTENANCE OF SERVICE REGISTERS :

- To be maintained in the revised format approved in GOMS. 200 Fin. & Plg. Dt. 10.12.99.
- No entry without verifying the original documents.
- DOB to be recorded based on the SSC/ the first recognized examination.
- Even if clerical mistake noticed in the DOB, correction can be made after obtaining Govt. sanction.
- Duplicate copy of S.R can be maintained by the individual duly attested by the HOO.
- On transfer, the SR to be kept in a sealed cover and handed over to the employee to make it over to the other unit.

- Every employee should be shown his SR in the first week of APRIL and obtain his signature
- An annual report has to be submitted to the HOD in June about the verification of SR by the individual
- Register of Service Books to be maintained cadre wise
- Should be under the custody of HOO
- In the event of loss of SR, the first step- introduction of Duplicate SR
- If not maintained – details of the offices in which the employee worked
- After making entries in first three pages of the SR, to be sent to those officers to make entries based on their records.
- If entries can not be made for a given period, an affidavit to be taken from the employee about the particulars of his service, testified as correct by two of his contemporaries.