

ANDHRA PRADESH STATE ELECTRICITY BOARD

Service Regulations

PART - I

1. These Regulations may be called the Andhra Pradesh State Electricity Board Employees Service Regulations, Part I and shall come into force from such date as may be fixed by the Board and may have retrospective effect from such date as may be generally or in specific cases orders by the Board.

Provided that past cases decided on the basis of the existing Rules and Regulations shall not be reopened unless the Board specifically orders a review in any particular case.

2. Except where it is otherwise expressed or implied, these regulations with such amendments as may be effected by the Board from time to time shall apply to the monthly paid (on time-scale of pay) employees of the Government of Andhra Pradesh who have opted for service under the Board and to the monthly paid employees recruited on and after 1-4-1959.

Provided that employees of the Government of Andhra Pradesh whose services have been transferred to the Board shall have the option to be governed by the rules governing the conditions of service applicable to them under the Government as on the date prior to the date of their transfer. Such option shall be exercised within such time as may be prescribed by the Board.

- 3.(a) The Board may obtain servants of the Central or the State Government on deputation for appointment under the board and the terms of deputation of such person or persons will be as may be agreed upon by the Board and the Central or State Government, as the case may be, in each case, and except in so far as they are not regulated by the terms of deputation they will be governed by the provisions of these regulations.
- (b) State or Central Government servants on deputation to the Andhra Pradesh State Electricity Board shall be liable to be recalled by their parent Government Departments. The parent Government Departments may recall such of the Government servants whom the Andhra Pradesh State Electricity Board desires to revert, provided that adequate notice in each case of recall or reversion is given by the parent Departments of the Government or the Andhra Pradesh State Electricity Board, as the case may be, to the other.

10. Unless there be something repugnant in the subject or context, the terms defined in this chapter are used in these regulations in the sense here explained :

1. The Act means the Electricity (Supply) Act, 1948 (Central Act 54 of 1948).

2.¹(a) Every Board Employee shall, within one month from the date on which he joins duty, make a declaration as to his date of birth.

(b) On receipt of the declaration made under sub-rule (a) the Head of Office or any other officer who maintains the service records in respect of such Board Employee shall, after making such enquiry as may be deemed fit, with regard to the declaration and after taking into consideration such evidence, if any, as may be adduced in respect of the said declaration, make an order within four months from the date on which the Board Employee joins service, determining the date of his birth.

Provided that in cases where the date of birth as determined under this sub-rule is different from the one declared by the Board employee concerned under sub-rule (a), he shall be given an opportunity of making a representation before a final order is made.

(c) Where a Board Employee fails to make declaration within the time specified in sub-rule (a) the Head of Office or the Officer who maintains the service records shall, after taking into consideration such evidence as may be available and after giving an opportunity of making a representation to the Board employee concerned, determine the date of birth of the employee within six months from the date on which the Board Employee joins service.

(d) The date of birth determined under this rule shall be entered in the service record of the employee concerned duly attested by the Head of the Office or the Officer who maintains the service records and the date of birth so entered shall be final and binding and the Board Employee shall be stopped from disputing the correctness of such date of birth. A certified photostat copy of the birth extract may be pasted in the service register. Name and designation of the officer opening the Service Register must be clearly written in capital letters to hold him responsible at any time for any discrepancy.

1. Reg. 10(2)(a) to (h) substituted by B.P.Ms.No.972 dt: 5-11-84 in place of existing Regulations 10(2)(a) to (d).

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- (e) The date of birth as determined and entered in the service record shall not be altered except in the case of bonafide clerical error, under the orders of Board.
 - (f) The date of birth of a Board Employee who has been appointed before 5-11-1984 and whose service register has not been opened shall be recorded in the manner laid down in regulation 10(2) (a) to (e).
 - (g) No Board Employee in service before 5-11-1984;
 - (i) whose date of birth has been recorded in the service register in accordance with the regulations applicable to him.

OR

- (ii) whose entry relating to date of birth became final and binding under the regulations in force prior to 5-11-1984, shall be entitled to claim alteration of his date of birth.
- (h) The cases in which Board Employees have already applied for alteration of their date of birth and which are pending on the date of issue of this order shall be dealt with on the basis of recorded age in school and college records at the time of entry into service.

The above amendment shall come into force with effect from 5-11-1984.

- 3) '**Average Pay**' means the average monthly pay earned during the ten completed months immediately preceding the month in which the event occurs which necessitates the calculation of average pay.
- 4) The Board means the Andhra Pradesh State Electricity Board.
- 5) **Compensatory Allowance** means an allowance granted to meet personal expenditure necessitated by the special circumstances in which duty is performed and it includes travelling allowance also.
- 6) **Competent Authority:** A competent authority in respect of any employee is, in so far as any power delegated under these regulations is concerned, the authority to which such power has been delegated and where no such specific delegation has been made, the competent authority, unless otherwise stated, the authority, in whom the power to appoint such employee has been, or is, vested from time to time by the Board.

A competent authority in respect to the exercise of any power other than that mentioned above is the Board or the authority to which power has been delegated by the Board for the purpose of these regulations.

- (7) "**Day**" means a calendar day beginning and ending at midnight.
- (8) **Duty** A person is said to be on duty :-
- (a) where he is performing the duties of a post or undergoing the probation, instruction or training prescribed for a post in class of service:
 - (b) when he is on joining time; or
 - (c) when he is absent from duty on authorised holidays or on casual leave taken in accordance with the instructions regulating such leave issued by Board, having been on duty immediately before and after such absence.
 - (d) when he is absent during a course of instruction or training or deputation in India or abroad, authorised by the Board or when he is absent during a course of instruction, or training in any one of Circles or Workshops under the Andhra Pradesh State Electricity Board or in any outside agencies in the Andhra Pradesh State authorised by the competent authority.

Note: (1) The number of days actually required by a Board servant for proceeding to and returning from the station at which an obligatory departmental examination or an optional departmental examination which he is permitted to attend is held will be treated as a period of duty in addition to the day or days of examination. The concession shall not be granted more than twice for the same optional examinations.

Note: (2) When a Board servant on return from leave has compulsory wait for orders of posting, such period of waiting should be treated as duty.

The periods of absence from duty, pay to be allowed, in respect of employees of the Board enrolled in Territorial Army, Auxiliary Air Force and of Reservists employed under the Board will be regulated as under :-

(1) Employees enrolled in the Territorial Army:-

1) Absence from duty :-

The period of absence from duty in the following cases will be treated as duty for purpose of leave:-

- (a) Period spent in training, Course of instruction, or Camps
- (b) Period spent for interview or for attending medical examination at the time of recruitment or commissioning; and

- c) Absence when called up for military duty in aid of civil power or embodied for supporting or supplementing to regular forces.

during the non-continuous period of training, pay and allowances according to their ranks in the Auxiliary Air Force from the Defence Service Estimates in addition to civil emoluments.

- (b) If at any time during Air Force Service, the Civil Pay and Allowance which an employee would have received had he remained in civil employment are higher than the Air Force Pay and Allowances, he shall be allowed to draw pay and allowances at civil rates and the difference between the civil pay and allowances and Air Force Pay and Allowances shall constitute a charge against the Board.
- (3) Leave, acting promotions etc.:— Employees called up for Air Force duty will continue to be governed by the leave regulations of the Board before transfer to Air Force Service. Officiating promotion or appointment may be made in the place of the employees who are called up for Air Force duty.
- (4) Temporary employees and persons on work charged establishment when they are in Air Force duty shall be treated in the same way as permanent employees and the concessions mentioned in items (1) to (3) above shall be extended to them so long as the posts in which the persons concerned were employed continue to exist. If the posts are abolished while they are in Air Force duty, they should be treated to have ceased to be in Civil employment for the above purpose. But on release from Air Force duty, all such persons shall be absorbed in the posts in which they would have continued but for their military duty subject to the posts being available, the period of absence from civil posts being treated as duty for all relevant purposes.

III. Reservists employed under the Board:-

- (1) Absence from duty:-
- (a) The periods spent in Reservist training and on the journey to and from the place of training will be treated as duty for purposes of civil leave and increment in civil post.
- (b) Reservists appointed purely under the emergency provisions to posts in the Board, will be granted extra ordinary leave without allowances for the period of their military training subject to the condition that they would have continued to act in the post during that period but for their undergoing the training. The period of absence, if any, before or after the period of military training, for which period the pay is not drawn by the military authorities, shall, however, be treated as leave to which individuals are eligible.
- (2) Pay:- Members of the Indian Fleet Reserve and Army and Air Force

Army, will be debited to the Defence Service Estimates. Even if the leave is availed of after reversion from the Territorial Army the leave allowance at military rates will be the liability of the Defence Services Estimates. The difference, if any, between the Civil leave salary and military pay and allowances if the former are higher, will be charged to the Board. If the leave taken by such individuals while serving with the Territorial Army is in excess of what has been earned under the Board's regulations in respect of service rendered under the Territorial Army, the pay and allowances for the excess period of leave will be admissible at Civil rates and will be charged in their entirety to the Board.

- (iii) The employees embodied for services course of instructions and attachment are entitled to military pay and allowances, plus the difference between civil and military pay and allowances, where the former is higher. This difference will be charged against the Board. Besides, they are also entitled to count such period of embodiment towards their civil increments, leave, pension and promotions. Employees embodied on the permanent staff of the Territorial Army units will also be entitled to identical treatment.
- (iv) Leave Salary of the Board employees embodied for service course of instructions and attachment will be regulated and apportioned between Defence Service Estimates and the Board in the same manner as in (ii) above.

II. Employees enrolled in the Auxillary Air Force :-

(1) Absence from duty :-

- (a) The period of absence from duty of an employee for the purpose of interview or other test or medical examination at the time of recruitment or commissioning in the Auxillary Air Force shall be treated as casual leave or to the extent that casual leave is not due as special casual leave. The absence of a member of the Auxillary Air Force when required to report for medical examination shall be treated as special casual leave.
- (b) The period of absence of permanent employees when called up for service in aid of the Civil Power Service, shall be treated as duty for purposes of leave. The Air Force service will count for increment in the post in Board's service in the same way as if he had put in the period of service in the Board appointment.

(2) Pay :-

- (a) Employees shall be allowed during the period of annual training, pay and allowances according to their rank in the Auxillary Air Force from the Defence Services Estimates in addition to Civil emoluments which will be reduced by the amount of dearness and compensatory (City) allowances already included in the Auxillary Air Force Pay and Allowances. They shall be allowed

during the non-continuous period of training, pay and allowances according to their ranks in the Auxiliary Air Force from the Defence Service Estimates in addition to civil emoluments.

- (b) If at any time during Air Force Service, the Civil Pay and Allowance which an employee would have received had he remained in civil employment are higher than the Air Force Pay and Allowances, he shall be allowed to draw pay and allowances at civil rates and the difference between the civil pay and allowances and Air Force Pay and Allowances shall constitute a charge against the Board.
- (3) Leave, acting promotions etc.:- Employees called up for Air Force duty will continue to be governed by the leave regulations of the Board before transfer to Air Force Service. Officiating promotion or appointment may be made in the place of the employees who are called up for Air Force duty.
- (4) Temporary employees and persons on work charged establishment when they are in Air Force duty shall be treated in the same way as permanent employees and the concessions mentioned in items (1) to (3) above shall be extended to them so long as the posts in which the persons concerned were employed continue to exist. If the posts are abolished while they are in Air Force duty, they should be treated to have ceased to be in Civil employment for the above purpose. But on release from Air Force duty, all such persons shall be absorbed in the posts in which they would have continued but for their military duty subject to the posts being available, the period of absence from civil posts being treated as duty for all relevant purposes.

III. Reservists employed under the Board:-

- (1) Absence from duty:-
 - (a) The periods spent in Reservist training and on the journey to and from the place of training will be treated as duty for purposes of civil leave and increment in civil post.
 - (b) Reservists appointed purely under the emergency provisions to posts in the Board, will be granted extra ordinary leave without allowances for the period of their military training subject to the condition that they would have continued to act in the post during that period but for their undergoing the training. The period of absence, if any, before or after the period of military training, for which period the pay is not drawn by the military authorities, shall, however, be treated as leave to which individuals are eligible.
- (2) Pay:- Members of the Indian Fleet Reserve and Army and Air Force Reservists employed under the Board shall be allowed the difference between the Civil and Naval, Army, or Air Force Pay, as the case may be, and also the allowances admissible in the later, for the periods spent by them on training. They shall also be paid civil pay and

allowances for the period of their transit to and from the places of training. They will not however, be eligible for any travelling concession from the Board for these transit periods.

- (3) **Appointment of substitutes** :- Substitutes may be appointed in the places of Reservists when called up for periodical military training as and when the exigencies of the case require the appointment of substitute.
- (4) **Foreign Service** means service in which an employee receives his pay with the sanction of the Board from any sources other than the revenues of the Board.
- (5) **Government** means the Government of Andhra Pradesh.
- (6) **Joining time** means the time allowed to an employee of the Board in which to join a new post or to travel to a station to which he is posted.
- (7) **Holiday** means any day declared as such by the Board or any competent authority to whom power has been delegated by the Board, generally or for specified employees or class of employees.
- (8) **Leave salary** means salary payable to an employee on leave.
- (9) **Lien** means the title of an employee to hold substantively either immediately or on the termination of a period or periods or absence, a permanent post, to which he has appointed substantively.
- (10) **Month** means a calendar month. In calculating a period expressed in terms of months and days, complete calendar months irrespective of the number of days in each, should first be calculated and the odd number of days calculated subsequently.

Note:- Calculation of Calendar Months.

In calculating a period of 3 months and 20 days from 25th January, 3 months should be taken as ending on 24th April, and the 20 days on 14th May. In the same way, the period from 30th January to 2nd March should be reckoned as one month and two days, because one month from 30th January ends on 28th February. A period of one month 29 days commencing from the 1st January will expire in an ordinary year (in which February is a month of 28 days on the last day of February because a period of 29 days cannot obviously means to exceed a period of full calendar month and leave for two months from 1st January would end on the last day of February. The same would be the case if February were a month 29 days or if the broken periods were days (in an ordinary year).

- (11) **Officiate**:- An employee officiates in a post when he performs the duties of a post on which another person holds a lien. The Board may, if it thinks fit, appoint an employee to officiate in a vacant post in which no other employee holds a lien.

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- Note:** (1) The authority which has power to make a substantive appointment to a vacant post may appoint a Board servant to officiate unit.
- (2) A post vacated by a Board servant who has been dismissed should not be filled substantively pending the result of such appeal as the rules permit.
- (12) **Pay** means the amount drawn monthly by a Board employee as-
- (i) The pay, other than special pay or pay granted in view of this personal qualifications which has been sanctioned for a post held by him substantively or in an officiating capacity, or to which he is entitled by reasons of his position in a cadre; and
 - (ii) Technical pay, special pay and personal pay; and
 - (iii) Any other emoluments which may be specially classed as pay by the Board.
- (13) **Permanent post** means post carrying a definite rate of pay sanctioned without limit of time.
- (14) **Personal Pay** means additional pay granted to an employee-
- (a) 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 otherwise than as a disciplinary measure; or
 - (b) in exceptional circumstances, on other personal considerations.
- (15) **Presumptive Pay** of a post when used with reference to any particular Board servant, means the pay to which he would be entitled, if he held the post substantively and were performing its duties, but it does not include special pay unless the Board servant performs or discharges the work or responsibility or is exposed to the unhealthy conditions, in consideration of which the Special Pay was sanctioned.
- Note:** The first part of the definition is intended to facilitate the use of the term in relation to a Board servant who has been absent from a post for some time but still retains a lien on it.
- (16) **Special pay** means an addition, of the nature of pay, to the emoluments of a post of an employee, granted in consideration of-
- (a) the specially arduous nature of the duties; or
 - (b) a specific addition to the work or responsibility; or
 - (c) the unhealthiness of the locality in which the work is performed.
- (17) **Subsistence grant** means a monthly grant made to an employee who is not in receipt of pay or leave salary.

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- (18) Substantive pay means the pay other than special pay personal pay or emoluments classed as pay by the Board under Regulation 10 (12) (iii) to which an employee is entitled on account of a post to which he has been appointed substantively or by reasons of his substantive position in a cadre.
- (19) Temporary post means a post carrying a definite rate of pay sanctioned for a limited time.
- (20) (a) Time scale pay means pay which, subject to any conditions prescribed in these regulations, rises by periodical increments from a minimum to a maximum.
- (b) Time scales are said to be identical if the minimum, the maximum, the period of increments and the rate of increment of the time scale are identical.
- (c) A post is said to be on the same time-scale, if the two time-scales are identical and the posts fall within a cadre, or a class in a cadre, such cadre or class, having been created to in order to fill all posts involving duties of approximate by the same character or degree of responsibility, in a service or establishment or group of establishments so that the pay of the holder of any particular post is determined by his position in the cadre or class and not by the fact that he holds the post.
- (21) Travelling Allowance means an allowance granted to an employee towards the expenses which he incurs in travelling for the discharge of his duties. It includes allowances granted for the maintenance of conveyances.
11. (a) Appointments to various posts in the Board shall be made by the Board or by the Competent authority in accordance with the powers vested in them by the Board from time to time.
- (b) All first appointments shall be made by the appointing authority from a list of approved candidates prepared in a manner prescribed by the Board. Where the names of the candidates are arranged in their order of preference, appointments shall be made in such order.
12. All appointments shall, unless otherwise specified, be on probation in the first instance for such period as may be prescribed.
13. A regular employee is an employee who has been appointed on a regular basis in accordance with the provisions of these regulations and does not include an employee appointed temporarily under regulation 14 of Service Regulations Part II.
14. Substantive appointment is an appointment made on a regular basis in a permanent post without limit of time.

15. (a) Every candidate who applies for direct recruitment to any class of service shall, when required to do so, produce a certificate of physical fitness in the form prescribed in the Annexure.
- (b) Any candidate selected may, pending production of the certificate, be appointed on such terms as may be laid down by the competent authority subject to his being found physically fit, but such appointment shall be terminated if he is subsequently found to be physically unfit.

Provided that in the case of a person appointed by direct recruitment to the posts of Tracer, Daffedar, Attender, Watchman, Sweeper, Gardener or Scavenger, he shall be required to produce a certificate of physical fitness only at the time of his appointment as a full member.

16.1 (a) **Age of Retirement :-**

- (1) The date of retirement on super-annuation of an employee of the Board other than Class IV employees is the date on which he attains the age of 58 years and of a Class IV Employee the date on which he attains 60 years.
- (2) Non-Workmen who had attained 55 years of age on any day after August 2, 1984 will not retire on August 31, 1984 but will continue in service till they attain the prescribed super-annuation age of 58 years.
- (b) An employee under suspension on a charge of misconduct should not be required or permitted to retire on his reaching the date of compulsory retirement, but, should be retained in service until the enquiry into the charge is concluded and final order passed thereon by the competent authority.
- (c) Whether an employee referred to in clause (b) above is fully exonerated or not, shall be considered to have been on extension of service, for the period from the date of compulsory retirement to the date of termination of the proceedings.

Note: When an employee is required to retire, revert or cease to be on leave, on attaining a specified age, the day on which he attains that age is reckoned as a non-working day and the employee must retire, revert or cease to be on leave (as the case may be) with effect from and including that day.

17. Every employee will normally have a weekly holiday and such other holidays including National and Festival holidays as are prescribed by the Board from time to time.

1. Reg.16(a)(1) & (2) substituted by B.P.Ms.No.852 dt:31-8-1984 Earlier 16(a) substituted by B.P.Ms.No.971 dt: 3-12-1980; Again 16(a) was substituted by B.P.Ms.No.206 dt:25-2-1983.

18. If an employee assumes or relinquishes charge of a post after 12 noon on any day, he shall be deemed to have assumed or relinquished the charge on the following day.

Note: (1) Ordinarily, the duties of a post shall be assumed and given up by the relieving and relieved employee simultaneously at head quarters both of them being present. In the case of employees in Class I or II service both should sign a certificate indicating the place and the date and hour at which the change in the incumbency of the post has taken place. The transfer should ordinarily not taken place on a Sunday.

(2) The Board in the case of the Chief Engineer, the Chairman in the case of the Secretary, the Deputy Manager to the Board and other officers of the Personnel & General Services and the Chief Engineer in the case of other Class I and II service employees may direct that the transfer shall be effected at a specified place other than the head quarters or that the two employees concerned shall communicate to one another by post or telegram that they have respectively assumed or given up the duties of a post with effect from the specified date.

The above directions may be issued only for special reasons of a public nature. The exact nature of the reasons should be recorded as a part of the order, full consideration being given to the financial effect which the order will produce.

(3) Transfer of an employee in Class I or II Service is not completed until the certificate of transfer of charge has been signed by both the relieving and the relieved employees. When once signed, the relieved employee must be regarded as on joining time and must take charge of his new office before its expiry. Ordinarily, the transfer should be completed before the expiry of the joining time of the relieving employee and it is his duty to arrive at the place of transfer in time to enable him, within his joining time to complete the transfer. In cases in which the relieving employee does not sign the transfer certificate within this period, he should be treated as having exceeded his joining time.

19. The employees in the service of the Board shall be eligible for such of the retirement benefit schemes, as may be prescribed by the Board.

20. Unless in any case, it be otherwise distinctly provided, the whole time of an employee of the Board is at the disposal of the Board which pays him, and he may be employed in any manner required by proper authority, without claim for additional remuneration.

21. a) Two or more Board servants cannot be appointed substantively to the same permanent post at the same time.

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- (b) A Board servant cannot be appointed substantively, except as a temporary measure, two or more permanent post at the same time.
- (c) A Board servant cannot be appointed substantively to a post on which another Board servant holds a lien.
22. Unless in any case it be otherwise provided in these Regulations, an employee of the Board on substantive appointment to any permanent post acquires a lien on that post and ceases to hold any lien previously acquired on any other post.
23. Unless his lien is suspended under regulation 24 or transferred under Regulation 26 an employee holding substantively a permanent post retains a lien on that Post:-
- (a) while performing the duties of that post;
 - (b) while on foreign service, or holding a temporary post, or officiating in another post;-
 - (c) during joining time on transfer to another post, unless he is transferred substantively to a post on lower pay in which case his lien is transferred to the new post from the date on which he is relieved of his duties in the old post.
 - (d) while on leave other than the refused leave granted after the date of compulsory retirement;
 - (e) while under suspension; and
 - (f) while absent during a course of instruction or training or on deputation.
24. (a) The Board shall suspend the lien of an employee on a permanent post if he is appointed in a substantive capacity provisionally, to a post on which another employee would hold a lien had his lien not been suspended under this Regulation.
- (b) The Board may, at its option, suspend the lien of an employee on a permanent post which he holds substantively if he is transferred to foreign service, or, in circumstances not covered by clause (a) of this regulation, is transferred whether in a substantive or officiating capacity, to a post in another cadre, and if in any of these cases there is reason to believe that he will remain absent from the post on which he holds a lien for a period of not less than three years.

Provided that the provisional confirmation of an employee in any post shall not be suspended and another employee confirmed provisionally on the same post.

- (c) If an employee's lien on a post is suspended under clause (a) or (b) of this regulation, the post may be filled substantively, and the employee

appointed to hold it substantively shall acquire a lien on it; provided that the arrangements shall be reversed as soon as the suspended lien revives.

Note:- This clause shall also apply to a post in a selection grade of a cadre.

- (d) An employee's lien which has been suspended under clause (a) above shall revive as soon as he ceases to hold a lien on a post of the nature specified in that clause.
- (e) An employee's lien which has been suspended under clause (b) of this regulation shall revive as soon as he ceases to be on foreign service or to hold a post in another cadre, provided that a suspended lien shall not revive because the employee takes leave if there is reason to believe that he will, on return from leave, continue to be on foreign service or to hold a post in another cadre and the total period of absence on duty will not fall short three years or that he will hold substantively, a post of the nature specified in clause (a).
- (f) The lien of an employee cannot be suspended while he is on probation in another post. If the employee completes the period of probation satisfactorily, suspension of lien may be made with retrospective effect from the date on which the employee was transferred to other duty, provided that the conditions in Regulation 24 (b) are otherwise satisfied.

Delegation under regulation 24 (b)

The Chief Engineer is empowered to suspend the lien in respect of any post to which he or his subordinate authority can appoint.

- 25. (a) An employee's lien on a post may in no circumstances be terminated, even with his consent if the result will be to leave him without a lien or a suspended lien upon a permanent post.
- (b) In a case in which the lien of an employee on a permanent post is suspended, the suspended lien may not, except on the written request of the employee concerned be terminated on his appointment substantively to a permanent post outside the cadre on which he is borne while the employee remains in Board service.

Note: The competent authority may refuse consent to a Board employee being confirmed or retained in permanent post outside the cadre on which he is borne unless he makes a written request that his lien on the permanent post in his parent office should be terminated.

- 26. Subject to the provisions of regulation 27 the Board may transfer to another permanent post in the same cadre the lien of an employee who is not performing the duties of the post to which the lien relates, even if that lien has been suspended.

Delegation under regulation 26

The Chief Engineer is empowered to transfer a lien provided that he or an authority subordinate to him is authorised to make appointments to both the posts concerned.

27. (a) The Board may transfer an employee from one post to another, provided that, except:-
- 1) on account of inefficiency or mis-behaviour, or,
 - 2) on his written request.
- an employee shall not be transferred substantively to or, except in a case covered by regulation 54 appointed to officiate in a post carrying less pay than the pay of the permanent post, on which he holds a lien or would hold a lien, had his lien not been suspended under regulation 24.
- (b) Nothing contained in clause (a) of this regulation or in regulation 10(14) shall operate to prevent the retransfer of an employee to the post on which he would hold a lien, had it not been suspended in accordance with the provisions of clause (a) of regulation 24.
28. (1) No Board servant shall be granted leave of any kind for a continuous period exceeding five years.
- (2) Where a Board servant does not resume duty after remaining on leave for a continuous period of five years, or where a Board servant after the expiry of his leave remains absent from duty, otherwise than on foreign service or on account of suspension, for any period which together with the period of the leave granted to him, exceeds five years the shall, unless the Board in view of the exceptional circumstances of the case otherwise determines, be deemed to have resigned and shall accordingly cease to be in Board employment.
- (3)¹ Any employee of the Board who remained unauthorisedly absent from duty for a continuous period of one year shall be deemed to have resigned from service from the date of absence and shall automatically cease to be in Board Employment.
- (4)² Any employee of the Board, while working in the Board or on deputation or otherwise holding a post outside the office other than his own, when appointed to a post either on promotion to any higher category or to a post on recruitment by transfer in his parent department, he shall be allowed sixty days time to join from the date of his relief. Where any Board employee fails to join or evades joining, by applying for leave or otherwise, the new post to which he is so appointed, within the said time of sixty days he shall forfeit all his rights, both present and future for such higher post.

1. Reg. 28(3) added by B.P.Ms.No. 930 dt: 18-12-1982.

2. Reg. 28(4) added by B.P.Ms.No. 503 dt: 18-06-1985.

29. Pay :-

- (1) The fixation of the pay in accordance with the regulations in this Chapter is within the competence of the appointing authority provided that the Pay of Board's servant shall not be so increased as to exceed the pay sanctioned for his post without sanction of an authority competent to create a post in the same cadre on a rate of pay equal to his pay when increased.
- (2) Notwithstanding any restrictions referred to in or imposed by sub-regulation (1) of this regulation, the Board may grant -
 - i) Personal pay as defined in Clause (a) of sub-regulation (19) of regulation 10 to any Board servant.
 - ii) Special Pay to any Board servant -
- (3) Fixation of pay under the 'next below' regulation. The following guiding principle will be observed for the working in future of (the convention usually known as) the "next below" regulation as affecting officiating promotions:-

The intention of the principle is that an employee out of his regular line should not suffer by forfeiting acting promotions which he would otherwise have received had he remained in this regular line. From that it follows that the fortuitous acting promotion of some one junior to an employee, who is out of the regular line does not, in itself, give rise to a claim under the 'next below' regulation. Before such a claim is established, it should be necessary that all the employees, senior to the employee who is out of the regular line have been given acting promotion, and also the officer next below him, unless in any case the acting promotion is not given because of inefficiency, unsuitability or leave. In the event of one of these three bars being applicable to the employee immediately below the employee outside his regular line, then some other employee, even more junior, should have received acting promotion and the employees, if any, in between should have been passed over for one of these reasons.

Note:- All cases involving the grant of concession of the 'next below' regulation should, subject to the observance of the guiding principle for its working, be regulated under the regulation 38(3) by the Board.

- 4) (a) An employee holding any post substantively should not lose in his substantive pay on his promotion to a higher post on the revised scale of pay, if the substantive pay of an employee is higher than the maximum of the new revised time-scale of pay of a post to which he is promoted, or the new revised pay of such post if it is on a fixed rate of pay, the difference shall be made good by the grant of personal pay.
- (b) In cases where an employee of the Board who is granted personal pay to make good the loss in substantive pay on promotion from a lower post to a higher post in the revised scale of pay, is promoted to another higher post, the personal pay also should be taken into account in fixing his pay in the third higher post not with standing the provisions of the Regulation 10(23).

Example

An officer, drawing a substantive pay of Rs.500/- in the old scale of Rs.300-20-500, was promoted substantively to a higher post on the existing revised scale of Rs.300-25-450. His pay in the lower post was fixed at Rs.450 plus personal pay Rs.50. He was again promoted to a still higher post on the new revised scale of Rs.400-30-520 and his pay in this post was fixed at Rs.520/- with reference to the above orders.

- (5) In the case of reemployment of employee of the Board, the authority competent to fix the pay and allowances of the appointments in which they are employed can decide whether the pension is to be held wholly or partly in abeyance or not.
 - (6) Re-employed pensioners who are in receipt of super-annuation or receiving pensions and are re-employed temporarily for specific period should not be given the benefit of the revised scales of pay. Their pay and pension should not together exceed the pay last drawn by them while in service. This regulation will not, however, apply to persons, who retired on compensation or invalid pensions long before they attained age of 55 years as unfit for service in a particular post. The Board may fix the pay of persons of the latter class in the appropriate revised scale of pay. A re-employed pensioner may, in addition, be allowed to draw the special pay attached to the post in which he is re-employed.
30. The initial substantive pay of an employee of the Board who is appointed substantively to a post on a time-scale of pay is regulated as follows -
- (a) If he holds a lien on a permanent post, other than a tenure post, or would hold a lien on such a post had his lien not been suspended.
 - (i) When appointment to the new post involves the assumption of duties or responsibilities of greater importance (as interpreted for the purposes of the regulation 38) than those attaching to such permanent post, he will draw as initial pay the stage of the time-scale next above his substantive pay in respect of the old post.
 - (ii) When appointment to the new post does not involve such assumption he will draw as initial pay the stage of the time-scale which is equal to his substantive pay in respect of the old post, or if there is no such stage, the stage next below that pay, plus personal pay equal to the difference, and in either case will continue to draw that pay until such time as he would have received an increment in the time-scale of the old post or for the period after which a increment is earned in the time-scale of the new post, whichever is less. But if the minimum pay of the time-scale of the new post is higher than his substantive pay in respect of the old post, he will draw that minimum as initial pay.

- (iii) When appointment to the new post is made on his own request under regulation 27 and the maximum pay in the time-scale of that post is less than his substantive pay in respect of the old post, he will draw that maximum as initial pay.
- (b) If the conditions prescribed in clause (a) are not fulfilled, he will draw as initial pay the minimum of the time-scale.

Provided, both in cases covered in clause (a) and in cases other than cases of re-employment after resignation, removal or dismissal from the public service covered by clause (b), that if he has previously held substantively or officiated in -

- (i) the same post, or
- (ii) a permanent or temporary post on the same time-scale, or
- (iii) a permanent post, other than a tenure post on an identical time-scale or a temporary post on an identical time-scale such post being on the same time-scale as a permanent post.

Then the initial pay shall not be less than the pay other than special pay, or emoluments classes as pay by Board under regulation 10 (12) (iii) which he drew on the last such occasion, and he shall count the periods during which he drew that pay on such last and any previous occasion for increment in the stage of the time-scale equivalent to that pay.

If, however, the pay last drawn by the employee of the Board in a temporary post has been inflated by the grant of premature increments, the pay which he would have drawn but for the grant of those increments shall unless otherwise ordered by the authority competent to create the new post, be taken for the purpose of this proviso to be the pay which he last drew in the temporary post.

Note: (1) For the purposes of this regulation and regulations 38, 39 and 40 the officiating post held and the pay drawn in that post by an employee of the Board shall be deemed as substantive post and substantive pay, subject to the condition that he is an approved probationer in the officiating post if probation is prescribed for that post and that he has put in a continuous service exceeding 3 years in that post and that the delay in his confirmation is due to purely technical reasons and not to any of his fault or short-coming.

Explanation:- In case of promotion, the pay of the employee of the Board drawn in temporary or officiating capacity in the lower post from which he is promoted shall, if it does not exceed Rs.1600/- P.M. be deemed as substantive pay for the purpose of fixation of pay in the higher post, without applying the conditions stipulated in the above note. This explanation will apply also to cases of promotion under regulation 14 of Service Regulation Part II.

1. Rs.750 substituted by Rs.1200 by B.P.Ms.No. 965 dt:31-8-77.

Rs.1200 substituted by Rs.1600 by B.P.Ms.No.662 dt.21-8-80 w.e.f.1-4-78.

Note: (2) For the purpose of fixation of pay under the proviso to regulation 30(b), the pay drawn in a post held on temporary basis under regulation 14 of Service Regulations, part II shall be treated as officiating pay.

- (c) When an employee of the Board is appointed to officiate in a post on a time-scale of pay but has his pay fixed below the minimum of the time-scale under regulation 42 he must not be treated as having effectually officiated in that post within the meaning of regulation 30, or having rendered duty in it within the meaning of regulation 33. Such an employee on confirmation, should have his initial pay fixed under regulation 30(b) and draw the next increment after he has put in duty for the usual period required calculated from the date of his confirmation.
- (d) The expression 'if he holds' a lien on a permanent post in regulation 30(1)(a) should be held to include the lien on a permanent post to which an employee of the Board is appointed in a provisionally substantive capacity under regulation 24(c) and the expression 'Substantive pay in respect of the old post' in that regulation be held to include his substantive pay in respect of that provisional substantive appointment, Regulation 30(a) should, therefore, be held to permit the substantive pay in respect of a provisional substantive appointment being taken into account in determining the initial pay.
- (e) A time-scale may be of recent introduction, whereas the cadre or class to which it is attached may have been in existence or a grade scale before the time-scale came into force or it may be that one time-scale has taken the place of another.

If an employee of the Board has held substantively or officiated in a post in the cadre or class prior to the introduction of a new time-scale, and has drawn during the period salary or pay equal to a stage, or intermediate between two stages, in the new time-scale, then the initial pay in the new time-scale may be fixed at the salary or pay last drawn and the period during which it was drawn may be counted for increment in the same stage, or the salary or pay was intermediate between two stages, in the lower stage of the time-scale.

- (f) When the next increment in the time-scale of either the new or the old post falls due, the employee of the Board should draw the next increment in the time-scale of the new post, and forthwith lose the personal pay and all connection with the time-scale of his old post. The personal pay is given to an employee of the Board only for the purpose of initial pay and not at any subsequent stage in the new time-scale in which the employee of the Board might draw less pay than he would have drawn had he remained in the old time-scale.
- (g) When the pay of a post is changed, but not its duties and the old pay is split up into pay and special pay, the initial pay fixed for the holder of the post under the new scale, both pay and special pay should under clause (a) (ii) of the regulation, not exceed his old pay. Thus

an employee on Rs.450/- whose post is changed into one Rs. 350-25-500 plus Rs.100 special pay should get Rs.350 plus Rs.100 special pay and not Rs.450 plus Rs.100 special pay.

- (h) In the case of an employee of the Board whose post is abolished owing to reduction of establishment, and who is provided with an appointment in a new office, his initial pay in the new post should not be fixed under regulation 30(a), as it is not a case of transfer from one scale of pay to another but of the abolition of one appointment followed by re-appointment to a new post within the meaning of Art. 426 Civil Service Regulations (A.P. Pension Code).

If, however, the conditions laid down in the proviso to regulation 30(b) are fulfilled in such a case, the pay may be regulated under that proviso.

30-A¹ (1) Notwithstanding anything contained in these Regulations where a Board servant holding a post in a substantive officiating or temporary capacity is promoted or appointed in substantive, officiating or temporary capacity to another post carrying duties and responsibilities of greater importances than those attaching to the post held by him, his initial pay in the time-scale of the higher post shall be fixed at the stage next above the pay notionally arrived at by increasing his pay in respect of the lower post by one increment at the stage at which such pay as accrued.

- 2 "Provided that the provisions of this regulation shall be applicable to all the Board servants who are promoted or appointed to the posts governed by the A.P. State Electricity Board Service Regulations".

Provided further that the provisions of Sub-Regulations (2) of Regulation 39 of A.P.S.E.Board Service Regulations, Part-I, shall not be applicable in any case where the initial pay is fixed under this Regulation.

Provided also that where a Board servant is, immediately before his promotion or appointment to a higher post, drawing pay at the maximum of the time-scale of the lower post, his initial pay in the time-scale of the higher post shall be fixed at the stage next above the pay notionally arrived at by increasing his pay in respect of the lower post by an amount equal to the last increment in the time-scale of the lower post.

Provided that if a Board servant either :

- (1) has previously held substantially, or officiated in
- (i) the same post, or
 - (ii) a permanent or temporary post on the same time-scale, or
 - (iii) a permanent post, or a temporary post on an identical time-scale.

Then proviso to the Regulation 30 shall apply in the matter of initial fixation of pay and counting of previous service for increment.

1. Reg. 30A added by B.P.Ms.No. 1032, dt: 19-11-1984.

2. First proviso of Reg. 30 A substituted by B.P.Ms.No. 415, dt: 11-5-1988.

INSTRUCTIONS

- (i)¹ "In order to remove the pay anomaly of a Board servant promoted or appointed to a higher post on or after the date of introduction of new regulations, namely 19th November, 1984 and drawing a lower rate of pay in that post, than another Board servant junior to him in the lower grade and promoted or appointed subsequently to another identical post, the A.P.S.E.Board has decided that in such cases, the pay of the senior Board servant should be stepped up in the higher post to a figure equal to the pay fixed for the junior Board servant in that higher post. The stepping up should be done with effect from the date of promotion or appointment of the junior and shall be subject to the conditions mentioned in instruction (ii) below".

These order shall be deemed to have come into effect from the 19th November, 1984, the date on which new regulation 30-A was issued.

- (ii)¹ To safe-guard the interests of a senior promoted before the introduction of the new regulation, in relation to a junior promoted after the new regulation came into existence, the A.P.S.E.Board has decided that in such cases, the pay of a senior person promoted to the higher post before the date of this order, should be stepped up to a figure equal to the pay as fixed for the junior in that higher post, as a result of application of the new regulation. This will, however, be subject to the following conditions viz.
- (a) The stepping up should be done, with effect from the date of promotion, or fixation of pay of the junior official under the new regulation 30 A of A.P.S.E.Board Service Regulation, Part-I.
 - (b) Both the junior and senior officer should belong to the same cadre and the posts to which they are promoted should be identical and in the same cadre.
 - (c) The scale of pay of the lower and the higher post in which they are entitled to draw pay should be identical.
 - (d) The anomaly should be directly a result of fixation of pay of the junior person under the new regulation consequent on his promotion after the date of this order. For example, if even in the former post, the junior person draws, from time to time a higher rate of pay under normal rules, or any advance increments are granted to him, the pay of the senior person promoted before the date of this order should not be stepped up.
 - (e) The orders refixing the pay of the senior person, shall be issued under Regulation 34, of A.P.S.E.B. Service Regulations, Part-I.

1. Instruction (i) inserted to Reg. 30 A in B.P. (P&G-Per) Ms.No. 197 dt: 9-7-92
 2. Instruction (i) renumbered (ii) in B.P. (P&G-Per) Ms.No. 197 dt: 9.7.1992.

(f) The next increment of the senior will be drawn from the date on which it would have fallen due but for the stepping up of his pay under this order.

- 2 "In cases coming under instruction (i) the next increment of the senior officer shall be drawn on completion of the requisite qualifying service with effect from the date of refixation of pay".

These orders shall be deemed to have come into effect from the 19th November, 1984, the date in which new regulation 30-A was issued.

(iii)¹ In some cases the pay of a junior person promoted to a higher post after accrual of his increment in the lower post will be higher than his senior, promoted before accrual of his increment. It is therefore, ordered that in case of promotion option may be given to Board servants for fixation of pay on promotion as under:-

- (a) either his initial pay may be fixed in the higher post on the basis of Regulation 30-A of A.P.S.E.B. Service Regulations Part-I, straightway without any further review on accrual of increment in the pay scale of the lower post or
- (b) his pay on promotion may be fixed initially in the manner as provided under Regulation 30(a)(i) of A.P.S.E.B. Service Regulations Part-I, which may be refixed on the basis of the provision of Regulation 30-A of A.P.S.E.B Service Regulations Part-I on the date of accrual of the next increment, in the scale of pay of the lower post.

If the pay is fixed under (b) above, the next date of increment will fall due on completion of 12 months qualifying service form the date of the pay is fixed on the second occasion.

- (2) Option may be given within one month of the date of promotion option once exercised shall be final.
(Further instructions see B.P.(P&G-Per) Ms.No. 135 dt: 27-6-1991)
- (3) Where an employee, holding a Special Grade/Special Promotion post is promoted to a higher promotion post under the service rules applicable to the post held by him, the provisions of Regulation 30-A of A.P.S.E.B. Service Regulations Part-I shall be applicable for fixation of pay in the higher post, if the conditions for application of this regulation are satisfied.
- (4) In the case of appointments to Special Grade posts or Special Promotion Posts there is no change in the duties and responsibilities. Therefore in these cases pay shall be fixed in the scale of pay applicable to Special Grade/Special Promotion Post, at the stage next above the pay drawn

1. Added to instruction (f) in B.P. (P&G-Per) Ms.No. 197 dt: 9.7.1992.

2. Instruction ii renumbered as iii in B.P. (P&G-Per) Ms.No. 197 dt: 9-7-1992.

in the post held prior to appointment to Special Grade/Special Promotion post only (i.e.) under the provisions, of Regulations 30 A (i) of A.P.S.E.B. Service Regulations, Part-I, as already ordered in B.P.Ms.No. 652, dated 24-8-1982. The provisions of Regulation 30-A of A.P.S.E.B. Service Regulations Part-I shall not apply for fixation of pay of an employee on appointment to Special Grade/Special Promotion Post/Special Adhoc Promotion Post.

- (5)¹ The benefits under the above order will come into effect from the date of issue of this order.
31. The holder of a post, the pay of which is changed shall be treated as if he were transferred to a new post on the new pay; provided that he may at his option retain his old pay until the date on which he has earned his next or any subsequent increment on the old scale or until he vacates his post or ceases to draw pay on that time-scale. The option once exercised is final.
32. An increment shall ordinarily be drawn as a matter of course unless it is withheld. An increment may be withheld from an employee by the Board, or by any authority to whom the Board may delegate this power under regulation 5, if his conduct has not been good or his work has not been satisfactory. In ordering the withholding of an increment, the withholding authority shall state the period for which it is withheld and whether the postponement shall have the effect of postponing future increments.

Note: (1) Where it is proposed to withhold an increment in an employee's pay as a punishment, the authority, inflicting the punishment should before the order is actually passed consider whether it will effect the employee's pension, and if so to what extent; if it is decided finally to withhold the increment, it should be made clear in the order that the effect of the punishment on the pension has been considered and that the order is intended to have his effect.

Note: (2) If a Board employee is suspended for misconduct, neither the period of suspension nor any period of service preceeding the suspension shall be allowed to count towards the period necessary to earn an increment.

Note: (3) In cases of suspension on account of imprisonment for debtor for reasons other than misconduct the period of service preceeding the suspension may be allowed to count for increments but not the actual period of suspension.

Note: (4) In cases in which increments are granted based on the assumption of completion of probation without an order by the competent authority, the drawing officer should record a certificate in the corresponding increment certificate to the following effect.

1. Last para in B.P.Ms.No. 1032 dt: 19.11.1984.

Note: (5)¹ All the self drawing officers may themselves be authorised to draw their increments provided they enclose to the bill a certificate given by the authority competent to declare completion of probation to the effect that they have completed the prescribed or extended period of probation and fulfilled other conditions like passing of tests or acquiring special qualifications etc., which is a pre condition for drawing increments after 1- $\frac{1}{2}$ years of completion of the period of probation or extended period of probation if no orders for withholding of increments from competent authority are issued in the meanwhile.

Certified that the appropriate authority not having passed an order declaring satisfactory completion of probation, since a period of one year has elapsed after the due date for the completion of probation (including extension of probation) and the Board servant has also passed all the prescribed tests and satisfied all other conditions prescribed for the completion of probation, and that no disciplinary proceedings as contemplated under regulation 28 of Part-II of Service Regulations are pending against him the date of expiration of the prescribed or extended period of probation, the probation is deemed to have been completed satisfactorily with retrospective effect from.

The drawing officer should ensure that the above certificate is accorded on the periodical increment certificate whenever the increment is granted based on the assumption of completion of probation without an order by the competent authority.

These orders are applicable to all Board employees who are or incremental scales of pay whether the increments accrue annually or at other intervals.

33. The following provisions prescribe the conditions on which service counts for increments in a time scale:-

(1)² In cases where the passing of an examination or test confers on a Board employee the right to any benefit or concession, such titles should be deemed to have accrued on the day following the last day of examination or test which he passed

It is hereby clarified that the ruling given above shall be conferred only to the sanction of increments and its scope should not be widened out of context to matters relating to seniority, promotions etc.

1. Reg. 32 Note 5 added by B.P.Ms.No. 26 dt: 15.1.1974.

2. Ruling under Reg. 33 added in B.P.Ms.No. 686 dt: 17-9-1975;
clarification issued in B.P.Ms.No. 674 dt: 31-8-1985.

33.¹ (a) All duty in a post on a time-scale counts for increments in that time-scale; provided that for the purpose of arriving at the date of the next increment, the total of all such periods as do not count for increment in that time-scale shall be added to the normal date of increment.

Note: (1) An officiating employee who has no substantive appointment cannot count non-continuous officiating service for increments in a time-scale.

Note: (2) The break in the service of an officiating employee caused by his discharge for want of vacancy in preference to his Junior in service in the exigencies of service shall be condoned so as to enable him to count for increments the service prior to the break.

33.² (aa) The pay of a Board employee whose date of seniority/Promotion has been revised and fixed from an earlier date, may be refixed on the basis of notional duty in the post from time to time. For this purpose the periods for which the Board employee concerned would have officiated in the higher post if he had been promoted actually on that date may be reckoned and weightage for only such period given from notional date of promotion. The non-qualifying periods like extraordinary leave, suspension etc., should also be deducted from this period.

Note: (1) Monetary benefit arising out of refixation as above, shall be limited to the duty periods and arrears shall be payable only for the periods during which the Board employee actually discharged the duties of the post. Arrears shall not be payable for the notional duty periods assigned as a result of revision of seniority position.

Note: (2) A Board employee who is already promoted before the revision of his seniority and who is assigned an earlier date of promotion, shall be allowed arrears resulting from the pay fixation in the manner set out in Note-1 above for the periods during which he actually discharged the duties of the post. In the case Board employee who has not been promoted before the revision of his seniority, but is promoted after the review he shall be allowed monetary benefit of pay fixation from the date of promotion only.

Note: (3) In the case of a Board Employee, who has already retired or died before the revision of his seniority and refixation of pay the arrears shall be payable in the manner indicated in Note 2 above. Pensionary benefits shall also be revised on the basis of the notional pay fixation in the manner indicated in Note 2 above and the monetary benefit of pension/family pension or retirement gratuity as the case may be shall be allowed from the date of retirement/death.

1. Reg. 33(a) substituted by B.P.Ms.No. 285 dt: 3-5-1974.

2. Sub-Reg 33(aa) added in B.P.Ms.No. 638 dt: 22-7-1983.

Note: (4) In the case of a Board employee who lost seniority by virtue of revision of seniority by an order of the competent authority or appellate authority or court judgement or for any other reasons, as the case may be and consequently got reverted to lower post in the ordinary grade, his pay is to be brought down to the ordinary scale of pay of such post and the pay fixed and correct rate of pay so properly fixed in the ordinary scale is to be allowed from the date of issue of the orders of reversion.

¹(b) Service in another post, other than a post carrying less pay referred to in clause (a) of Regulation 27, whether in a substantive or a officiating capacity, service on deputation and leave other than extraordinary leave count for increments in the time-scale applicable to the post on which the employee holds a lien, as well as in the time-scale applicable to the posts, if any, on which he would hold a lien had lien not been suspended.

Provided that the Board may in any case in which it is satisfied that the Extraordinary leave was taken on account of illness or for other cause beyond the employee's control ²or for prosecuting higher scientific or technical studies with an undertaking to serve the Board on return from leave for a period of atleast five years direct that Extraordinary leave shall be counted for increments under this clause.

Note: (1) An employee deputed out of India may count the period of deputation for increments in the time-scale of pay attached to the post in which he was officiating when he proceeded on deputation. The period of deputation so reckoned for increment should be limited to the period during which the employee would have actually officiated in the post but for his deputation.

Note: (2) When an employee while officiating in a post, is deputed on foreign service, the period of such deputation shall count for increment in the time-scale applicable to the post in which he was officiating at the time of deputation. The period of deputation which counts for increment in the post in which the employee was officiating at the time of deputation shall be limited to the period during which he would have continued so to officiate but for his deputation.

(c) All leave other than extraordinary leave counts for increments in the time-scale applicable to a post in which an employee was officiating at the time he proceeded on leave and would have continued to officiate but for his proceeding on leave. The period which counts for increment under this clause is, however, restricted to the period during which the employee would have actually officiated in the post.

1. Reg. 33 clause (b) substituted in B.P.Ms.No.16 dt: 19-1-1976.

2. Deleted by B.P.Ms.No. 163 dt: 12-2-1987.

Note: The appointing authority or other authority specifically empowered by the Andhra Pradesh State Electricity Board in the behalf should certify in each that the employee would have actually continued to officiate in the post but for his proceeding on leave and availing himself of joining time, if any, and that the period of leave including joining time, if any will count for increment only to the extent it is covered by the certificate. Where no officiating arrangement is made in the leave vacancy and the employee returning to the same post after leave, the certificate that he would have actually continued to officiate in the post but for his proceeding on leave may be issued by the leave sanctioning authority.

- (d) If an employee while officiating in a post or holding a temporary post on a time-scale of pay, is appointed to officiate in a higher post or to hold a higher temporary post, his officiating or temporary service in the higher post shall, if he is re-appointed to the lower post, or is appointed or re-appointed to a post on the same time-scale of pay, count for increments in the time-scale applicable to such lower post.

The period of officiating service in the higher post which counts for increment in the lower post is, however, restricted to the period during which the employee would have officiated in the lower post but for his appointment to the higher post.

The clause applies also to an employee who is not actually officiating in the lower post at the time of his appointment but he would have so officiated in such lower post or in a post on the same time-scale of pay had he not been appointed to the higher post.

- (e) Foreign service counts for increments in the time scale applicable to-
- (i) the post in Board service on which the Board employee concerned holds a lien as well as the post or posts, if any, on which he would hold a lien had his lien not been suspended;
 - (ii) any post to which he may receive officiating promotion for the duration of such promotion; and
 - (iii) the post in the Board service held by him in an officiating or temporary capacity, subject to the condition that the period of foreign service which counts for increment in the officiating or temporary post will be restricted to the period during which the employee would have held the officiating or temporary post but for his appointment in foreign service.
- (f) (1) Joining time counts for increment in the time-scale applicable to the post on which an employee holds a lien or would hold a lien had his lien not been suspended as well as in the time-scale applicable to the post the pay of which is received by an employee during the period in the following cases -

- (a) to join a new post to which he was appointed while on duty in his old post; or
- (b) (i) to proceed from a specified station to join a post in place in a remote locality which is not easy of access;
- (ii) to proceed on relinquishing charge of a post in a place in a remote locality which is not easy of access to a specified station.
- (2) In the following cases joining time counts for increment in the time-scale applicable to the post or posts on which the last day of leave before the commencement of the joining time counts for increments:-
- (a) to join a new post-
- (i) on return from leave on average pay of not more than four months duration; or
- (ii) when he has not had sufficient notice of his appointment to the new post, on return from leave other than that specified in sub-clause (i); or
- (b) to travel from the post of debarkation or, in the case of arrival by aircraft, from its first regular port in India and organise his domestic establishment when he return from leave, study leave or deputation out of India of more than four months duration.
- 34.¹ (a) The Board may grant a premature increment to an employee in a time-scale. Such increments will, however, be granted only in exceptional circumstances. Further, increments in the time-scale should be with reference to the date on which the premature increment is granted.
- ² (b) Notwithstanding any thing contained in these regulations or any other Regulations of the Andhra Pradesh State Electricity Board, where a Board's employee who is Junior is receiving emoluments in excess of those paid to persons who are Senior to him in that Cadre, due to reasons personal to him and also arising out of fixation of pay by virtue of holding office in a particular part of the establishment under the Board; such factor alone shall not entitle the seniors to claim a re-fixation of their emoluments at a higher level on par with the emoluments of the Junior employee.
35. The authority which orders the transfer of an employee as a penalty from a higher to a lower grade or post may allow him to draw any pay, not exceeding the maximum of the lower grade or post, which it may think proper.

1. Reg. 34 renumbered as 34(a) in B.P.Ms.No.467 dt: 7-6-1976.

2. Reg. 34(b) added by B.P.Ms.No. 467 dt: 7-6-1976.

Provided that the pay allowed to be drawn by an employee under this regulation shall not exceed the pay which he would have drawn by the operation of regulation 30 read with clause (b) or (d) as the case may be of regulation 33.

36. (1) If an employee is reduced as measure of penalty to a lower stage in his time-scale the authority ordering such reduction shall state the period for which it shall be effective and whether, on restoration it shall operate to postpone future increments and if so, to what extent.
- (2) If an employee is reduced as a measure of penalty to a lower grade or post, the authority ordering the reduction may or may not specify the period for which the reduction shall be effective; but where the period is specified that authority shall also state whether, on restoration the period of reduction shall operate to postpone future increments, and, if so, to what extent.

INSTRUCTIONS

- (1) An authority ordering the temporary reduction of an employee should expressly state in the order that the period for which the **reduction has been ordered will be exclusive of any interval spent on leave before that period is completed.**
- (2) (a) Every order passed by a competent authority imposing on an employee the penalty of reduction to a lower stage in a time-scale should indicate-
- (i) the date from which it will take effect and the period (in terms of years and months) for which the penalty shall be operative;
 - (ii) the stage in the time-scale (in terms or rupees) to which the employees is reduced; and
 - (iii) the extent (in terms of years and months) if any, to which the period referred to at (i) above should operate to postpone future increments.

The reduction to a lower stage in a time-scale is not permissible under the regulations either for an unspecified period or as a permanent measure. Also when an employee is reduced to a particular stage, his pay will remain constant at that stage for the entire period of reduction. The period to be specified under (iii) should in no case exceed the period specified under (i).

- (b) the question as to what should be the pay of an employee on the expiry of the period of reduction should be decided as follows:-
- (i) if the order of reduction lays down that the period of reduction shall not operate to postpone future increments, the employee should be allowed the pay which he would have drawn in the normal course but for the reduction.

- (ii) if the order specifies that the period of reduction was to operate to postpone future increments for any specified period, the pay of the employee shall be fixed in accordance with (i) above but after treating the period for which the increments were to be postponed as not counting for increments.
- (3) Every order passed by a competent authority imposing on an employee the penalty of reduction to a lower service, grade or post or to a lower time-scale should indicate:-
- (i) the date from which it will take effect and in cases where the reduction is proposed to be imposed for a specified period (in terms of years and months) for which the penalty shall be operative, it should be noted that the reduction may be for an unspecified or an indefinite period and in cases where no period has been specified in the order of penalty the conclusion is that the penalty is for an unspecified period.
 - (ii) the extent (in terms of years and months) if any, to which the period referred to at (i) above shall operate to postpone future increments on restoration after the specified period. The period specified under this sub-clause shall in no case exceed the period specified under sub-clause (i) above.
- (4) Under sub regulation (2) of regulation 36 if the period of reduction to a lower service, grade or post or to a lower time-scale is specified in the order of penalty, the employee shall be automatically restored to his old post after the expiry of the specified period and the question what should be his pay on such restoration shall be decided as follows:-
- (i) If the order of reduction lays down that the period shall not operate to postpone future increments, the employee shall be allowed to pay which he would have drawn in the normal course but for his reduction to the lower post.
 - (ii) If the order lays down that the period of reduction shall operate to postpone his future increments, or any specified period which shall not exceed the period of reduction to the lower post or grade, or to a lower time-scale the pay of the employee on restoration shall be fixed in accordance with item (i) above but after treating the period for which increments are to be postponed, as not counting for increments.

In cases where the reduction to the lower post or grade or to a lower time-scale is for an unspecified period, if and when the employee is re-appointed to the higher post in the normal course, the pay in the higher post will be regulated only in accordance with the normal regulations relating to pay fixation.

37. Where an order of penalty withholding of increment of an employee or his reduction to a lower service, grade or post, or to a lower time-scale, or to a lower stage in a time-scale, is set aside or modified by a competent authority on appeal or review the pay of the employee shall not withstanding anything contained in these regulations be, regulated in the following manner:-

- (a) If the said order is set aside, he shall be given, for the period such order has been in force, the difference between the pay to which he would have been entitled had that order not been made and the pay he had actually drawn.
- (b) If the said order is modified, the pay shall be regulated as if the order as so modified has been made in the first instance.

Explanation :- If the pay drawn by an employee in respect of any period prior to the issue of the orders of the competent authority under this regulation is revised, the leave salary and allowances (other than travelling allowance) if any admissible to him during that period shall be revised on the basis of the revised pay.

Note: (1) In cases falling under sub-regulation (a) of Regulation 37, service rendered by the employee in the lower service, grade or post or lower time-scale or lower stage in the time-scale or at the stage the increment was withheld, from the date of imposition of such penalty by the disciplinary authority to the date on which the order of penalty is set aside by the competent appellate or reviewing authority shall count for increment or for other purposes, in the post which he was holding immediately before the imposition of the penalty provided that he would have continued to hold that post but for the order of penalty.

Note: (2) In cases falling under sub-regulation (b) of Regulation 37 service from the date of imposition of the penalty by the disciplinary authority, to the date on which the order is modified by the appellate or reviewing authority shall be counted for the purpose of increment or for other purposes in the post which he was holding immediately before the imposition of the penalty or any other post which would have held but for the order of penalty to the extent the modified order permits of such counting.

For example, if an employee holding a post in the scale of Rs.375-25-650 is reduced to a post in the scale of Rs.240-15-375 for a period of two years, and if after six months, the order is modified by the appellate authority as reduction to a post in the scale Rs.300-25-500, the period of six months will count for increment in the scale of Rs.300-25-500.

If, on the other hand, the order of penalty is modified as reduction to a lower stage in the time-scale of Rs.375-25-650 for a specified period, or withholding of increment in that time scale, for a specified period, the period that has already elapsed since the date of imposition of the original penalty shall be taken into account only for the purpose of computing the specified period of penalty under the modified order.

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38. (1) A Board servant who is appointed to officiate in a post shall not draw pay higher than his substantive pay in respect of a permanent post, unless the officiating appointment involves the assumption of duties and responsibilities of greater importance than those attaching the post on which he holds a lien or would hold a lien had his lien not been suspended.
- (2) For the purpose of this regulation the officiating appointment shall not be deemed to involve the assumption of duties or responsibilities of greater importance if the post to which it is made is on the same scale of pay as the permanent post, on which he holds a lien or would hold a lien had his lien not been suspended or on a scale of pay identical therewith.
- (3) The Board may specify post of outside the ordinary line of a service the holders of which may, notwithstanding the provisions of this regulation and subject to such conditions as the Board may prescribe be given any officiating promotion in the cadre of the service which the authority competent to order promotion may decide and may thereupon be granted the same pay (whether with or without any special pay attached to such posts), as they would have received if still in the ordinary line.
39. (1) Subject to the provisions of regulation 38 and regulation 42 an employee who is appointed to officiate in a post will draw the presumptive pay of that post.
- (2) On an enhancement in the substantive pay as a result of increment or otherwise, the pay of such employee shall be refixed under sub-regulation (1) from the date of such enhancement as if he was appointed to officiate in that post on that date where such refixation is to his advantage.

Provided that the provisions of regulations 30(b) shall not be applicable in the matter of re-fixation of pay under sub-regulation (2) of this regulation.

Note (1) Where the increment of an employee in the post in which he is officiating has been withheld under regulation 32 without any reference to the increments that will accrue to him in the post held by him substantively the provisions contained in sub-regulation (2) of this regulation shall not, apply before the date from which orders withholding the increment finally cease to be operative. However, the employee may be allowed during the period of penalty of withholding of increment, his substantive pay from time to time if the same happens to be more than the officiating pay. The provisions shall also apply in respect of an employee whose pay in the post held by him in an officiating capacity has been withheld at a particular stage of the time-scale of that post for failure to pass a departmental examination.

40.(1)(a) A probationer and an approved probationer in any class of service on duty shall draw pay subject to the provisions of regulation 30 and of sub-regulation (2) of this regulation.

Provided that a probationer who does not hold a permanent post shall draw:

- (i) while undergoing a course of instruction or training the pay specified in the regulations relating to the post; and
 - (ii) after completion of the course of instruction or training or where there is no prescribed course of instruction or training, the pay of lowest grade or the minimum pay in the time scale of pay, as the case may be, applicable to his class or category, subject to such orders as the Board may from time to time issue.
- (b) An approved probationer shall draw such pay as would be admissible to him if he were a full member of the class of service in the category in which he is holding a post.

¹(2) (i) (a) Probationer whose period of probation is two years and whose increment is annual:-

A probationer, whether he is direct recruit, transferee or promotee, shall be entitled to draw the first increment after putting in the service necessary to earn the increment, exclusive of the period during which he was undergoing a course of instruction or training, if any applicable to the post he holds; his next increment shall, however, be drawn only with effect from the date of satisfactory completion of probation, but the period of his service from the date of the first increment shall count for subsequent increments.

(b) Probationers whose period of probation is one year and whose increment is annual:-

They shall be entitled to draw increments only with effect from the date of satisfactory completion of probation, but the period of service from the date of appointment exclusive of the period during which he was undergoing a course of instruction or training, if any, applicable to the post he holds, shall count for subsequent increments:

Provided that the period of training which counts for probation and during which an employee is allowed the time-scale of pay of the post under the regulations relating to the post need not be excluded for purpose of clause (i).

1. For further instructions - see B.P.Ms.No. 74 dt: 27-1-1976 covering Reg. 40(2)(1)(a) Part I and 27(b)(i) and 29(ii) of Part II of S.Rs.

- (ii) A probationer or approved probationer shall be entitled to draw his substantive pay, if any, under Regulation 39, if at any time that happens to exceed the officiating pay otherwise admissible.

Note: The initial pay of a typist or steno-typist appointed as a Lower Division Clerk and vice-versa, shall be fixed at the stage of the time-scale which is equal to the pay drawn in the old post and the period of service which was not counted for increment in the old post shall count for increment in the new post.

41. When an employee of the Board officiates in a post the pay of which has been fixed at a rate personal to another employee, the Board may permit him to draw pay at any rate not exceeding the rate so fixed or, if the rate so fixed be a time-scale, may grant him initial pay not exceeding the lower stage of that time-scale and future increments not exceeding these of the sanctioned scale. If the pay fixed is on a time-scale the officiating incumbent will be eligible to draw increment in the time-scale.

42. The Board may fix the pay of an officiating employee of Board at an amount less than that admissible under these regulations.

Note: (1) This regulation makes it possible to dispense with charge allowances and the system of holding charge. It also obviates the necessity for special regulations fixing definite rates of allowances for definite acting incumbents. There may be other cases also in which the Board will wish to give less than the full pay, particularly those of employee without substantive posts.

43. The Board may issue general or special orders allowing acting promotions to be made in place of employees who are treated as on duty under regulation 10(8)(d).

44. **Personal Pay:** Except when otherwise ordered, personal pay shall be reduced by an amount by which the recipient's pay may be increased and shall cease as soon as his pay is increased by an amount equal to his personal pay.

45. **Pay of temporary posts:** When a temporary post is created which may have to be filled by a person not already in Board's service, the pay of the post shall be fixed with reference to the minimum that is necessary to secure the services of a person capable of discharging efficiently the duties of the post.

Note: Special duty or deputation in India will not be recognised. A temporary post will be created for the performance of that duty. If the special duty is to be undertaken in addition to the ordinary duties of the Board employee when the regulations 45 and 54 apply.

46. When a temporary post is created which will probably be filled by a person who is already a Board employee, its pay should be fixed by the Board with due regard to-
- (a) the character and responsibility of the work to be performed; and
 - (b) the existing pay of Board employee of a status sufficient to warrant their selection for the post.
 - (c) when a subordinate authority intends appointing a person already in Board service to a temporary post which he is empowered to create, he cannot under the above regulation fix the pay of the temporary post created at an amount in excess of the pay of the Board employee, without the sanction of the Board.
47. (a) The Board has power to create or abolish any post in connection with the affairs of the Board.
- (b) No authority subordinate to the Board may sanction the creation of any additional establishment, permanent or temporary, except to the extent and subject to the conditions mentioned in clause (d) below. The delegation specified therein are subject to the general conditions:-
- (1) that either sufficient specific appropriation for the expenditure involved already exists or provision can be made for it, by re-appropriation by the sanctioning authority under its own powers without reference to the Board; and
 - (2) that the provisions in service regulations are observed in regard to fixing the pay of the persons appointed to hold the posts created under the delegated powers.
- (c) (1) A sanctioning authority should invariably specify the period for which it sanctions a temporary establishment. It should also specify the date from which the sanction for a temporary establishment will take effect or if it is not possible to specify the date, should state that the sanction will take effect from the date of actual employment if the staff or of the head of the staff.
- (2) The sanctioning authority should send to the Board before the end of each month a report of the temporary establishment sanctioned during the previous months showing the number and categories of posts sanctioned with their scales of pay and the purpose for which they were sanctioned.
- (d)¹

1. Regulation 47(d) deleted in B.P.Ms.No. 376 dt:20-4-1970.

48. Every case of fixation of pay and increment not covered by the above regulations may be decided by the Board and the decision, unless otherwise stated shall not have general application, but will only cover the specific case referred to it.
49. **Compensatory allowance:-** An employee will be eligible to such compensatory allowances as will be prescribed by the Board from time to time. The amount of a compensatory allowance will be so regulated that the allowance is not on the whole a source of profit to the recipient.
50. Building owned or leased by the Board or such portions there of may be allotted to the employees under its administrative control for use by them as residences. The allotment of such buildings, their occupation etc., shall be governed by the principles as may be laid down by the Board from time to time.
51. (a) **Fee:** The Board may permit an employee to perform a specified service or series of services or a private person or body for a public body or for the State or Central Government, if it be satisfied that this can be done without detriment to his official duties or responsibilities and if the service be material, he may be permitted to receive as remuneration there for a non-recurring or recurring fee.
- (b) **Honoraria:** The Board may grant an employee an honorarium as remuneration for work performed for the Board which is occasional in character and other so laborious or of such special merit as to justify a special reward, if it be satisfied that this can be done without detriment to his official duties and responsibilities sanction to the grant of honoraria will be given only when the work has been undertaken with the prior consent of the Board and the amount has been settled in advance. In special cases, a departure from this provision may be made for reasons to be recorded in writing.
- (c) (i) **Fees and Honoraria:** While either fee or honoraria is sanctioned, the reasons justifying the grant of the extra remuneration shall be recorded. It should also be recorded in writing that due regard has been paid to the general principle enunciated in regulation 20.
- (ii) The amount of an honorarium or fee must be fixed with due regard to the value of the service in return for which it is given. No portion of the fee earned by an employee with the necessary permission of the Board need be credited to the Board.

Note: Scholarship or stipend received by an employee from the Board's fund is treated as honorarium and if received from any other source, it is treated as fees.

No portion of any scholarship or stipend received by an employee from a source other than the funds of the Board for the purpose of prosecuting a course of studies or receiving specialised training in the professional or technical subjects need be credited to the Board.

- (d) Subject to the conditions in clauses (a) to (c) above, the authorities specified in the table below may sanction the grant of honoraria to or the acceptance of fee to an employee under its administrative control as indicated therein:

Nature of Power	Competent authority	Extent of Powers
1. Power to sanction the under taking of the work and grant of honoraria therefor.	Chairman in respect of the employees in Board's office and Chief Engineer in respect of the employees in the offices under his control.	Full Powers
2. Power to sanction the undertaking of work and the acceptance of fees in connection with examinations held by a University or other examining body.	-do-	Full powers subject to a maximum fee of Rs.1,500 in each case.
3. Power to sanction the acceptance of remuneration for broadcast talks.	-do-	Full powers

52. Any employee is eligible to receive and except as otherwise provided by a general or special order of the Board to retain without special permission.

- (a) the premium awarded for any essay or plan in public competitions;
- (b) any reward offered in connection with the administration of justice;
- (c) any reward payable in accordance with the provisions of any Act or Regulation or rule framed thereunder;
- (d) any reward sanctioned for services in connection with the administration of the customs and excise-laws; and
- (e) any fees payable to an employee for duties which he is required to perform in his official capacity under any law or by order of the Board.

RULING

No employee shall accept any present or emolument of any kind from any foreign State without the consent of the President of India. In all cases when a present or emolument is offered to any Board employees by foreign Government, it is essential to get the prior approval of the President of India before allowing the employee concerned to accept.

53. (a) An employee whose duties involve the carrying out of scientific or technical research shall not apply for or obtain, or cause or permit any other person to apply for or obtain, a patent for an invention, made by such employee save with the permission of the Board and in accordance with such conditions as the Board may impose.
- (b) (1) Application for permission under clause (a) should be made by the employee making an invention to the Chief Engineer or to the Board, if the application is from the Chief Engineer.
- (2) The Chief Engineer should deal with the application confidentially and with expedition so that the inventor may not be prejudiced by delaying in making his application at the patent office and should forward it with his recommendation to the Board.
- (3) Permission may be granted by the Board to the applicant without any restriction if the invention has no connection with the employee's Official duties and has not resulted from facilities provided at Board's expenses.
- (4) If the invention is made in the course of the employee's official duties under the Board or has resulted from facilities provided at Board's expense, of which the Board shall be the sole judge, then the application will be dealt with as follows :-
- (i) if the invention is of such general interest and utility that the public interest will be best served by allowing the public a free use of the invention, the application for taking out a patent will be refused and the invention will be published. An exgratia payment will ordinarily be made to the inventor as a reward in all such cases.
- (ii) if the invention is not of the kind mentioned above but is of sufficient public utility as is likely to make its commercial exploitation profitable, the inventor should be directed to take out a patent and to assign his rights under the patent to the Board. In all such cases, the inventor should be rewarded either by a suitable lumpsum payment or by a liberal percentage of the profits made by the Board in connection with the invention;
- (iii) in other cases, the inventor should be allowed to take out a patent for his own benefits subject to his undertaking to permit the Board the use of the invention either without payment or on such terms as it may consider reasonable.

- (5) When the invention has been assigned to the Board, the Board may exploit the patent themselves; or
- (i) advertise the patent and grant licences on payment to manufacturers; or
 - (ii) sell the rights under the patent to a firm or to a private person.
- (6) In order to secure reasonable uniformity of practice and to secure for the Board the full benefits of inventions, the Controller of Patents and Designs should ordinarily be consulted before any awards are made under item (4) above or steps are taken for the exploitation of the patents under items (5) above.

54. **Combination of appointment:** The Board may appoint an employee to hold substantively, as a temporary measure or to officiate in not, more than two independent posts at one time. In such cases, his pay is regulated as follows:-

- (a) The highest pay, to which he would be entitled if his appointment to one of the post stood alone, may be drawn;
- (b) for the other post he draws such reasonable pay in no case exceeding half the presumptive pay of that post as the Board may fix;

Explanation: For the purposes of this rule the term independent posts should be interpreted as meaning separate distinct, the second or the additional post not being subordinate to the first or regular post and

Note:- In respect of two posts, which are borne in the same services or cadre or, are in the same line of promotion, the scale of pay should be taken as a criterion to decide whether one of the two posts is subordinate to other. If the two posts are borne on different services and are the same line of promotion, the scale of pay need not be the criterion and in such cases additional charge arrangements may be made, whenever necessary as the two posts are to be regarded as independent posts, the second or the additional post not being subordinate to the first or regular posts.

- (c) If compensatory allowances are attached to the posts, he draws such compensatory allowances as the Board may fix, provided that such allowance shall not exceed the total of the compensatory allowances attached to the posts.

INSTRUCTIONS

(1) The competent authority who appoints an employee to hold officiate in a second post in addition to his own will declare whether he officiates in or holds full charge of the additional post or is appointed merely to discharge the current duties. He should also specify in each case the amount of additional pay and allowances, if any, to be granted the amount being subject to the following limits:-

(a) If the employee is appointed to officiate in a second post, and to hold, in addition, full charge of his own post, he may be allowed to draw the pay admissible under clause (a) of regulation 54 and in addition, in respect of the additional post, pay which should not exceed one fifth of his substantive pay. The pay admissible under clause (a) of regulation 54 may however, be specifically reduced by the competent authority at its discretion.

If a compensatory allowance is attached to the additional post, he may be permitted, to draw it in full. If such allowance is attached to the additional post as well as his own post, the allowance which may be granted to him should not exceed the larger of the two allowances.

(b) If the employee is appointed to hold full charge of a second post in addition to his own, the additional pay which may be granted to him in respect of additional post, should not exceed one fifth of his substantive pay. The drawal of compensatory allowances will be regulated as in clause (a) above.

(c) If the employee is appointed to discharge only the current duties of a second post in addition to his own, the additional pay which may be granted to him, in respect of the additional post, should not exceed one tenth of his substantive pay in addition to the pay and compensatory allowance if any, admissible in his regular post.

Note: (1) If an employee holds a temporary post or officiates in a post without a lien on a permanent post, the pay in the temporary post or the officiating pay shall be considered to be substantive pay for the purpose of these instructions. When a pensioner is re-employed, his substantive pay prior to retirement shall be considered to be substantive pay for the purpose of these instructions.

Explanation:- In the case of an employee who has no lien on a permanent post the pay which he draws or would have drawn in the lowest of the officiating posts from time to time, but for appointment to one or the other of the higher post may be considered as substantive pay for purposes of these instructions.

Note: (2) The additional pay that may be granted to an employee under clauses (a) and (b) should in no cases exceed half the minimum pay of the additional post and the additional pay that may be granted under clause (c) should in no case exceed one-fourth of the minimum pay of the additional post.

- (2) No additional pay should be granted, unless the previous incumbent of the additional post held has actually given over charge thereof under orders of competent authority and unless the period of additional charge exceeds fourteen working days in the case of full additional charge and one month in the case of discharge of current duties only. The drawal of additional pay should not be allowed for a period exceeding six months, out of which in respect of the first three months, the rate of additional pay should be as laid down in instruction (1); and for the succeeding period it should be one half thereof.
- (3) Additional remuneration should be granted only if the post held in additional charge is independent and not subordinate to the regular post held by the employee concerned.

Note: In the case of employees other than those who come under class I and II excluding the category of Section Officers in Andhra Pradesh State Electricity Board Secretariat Service, additional remuneration should be granted subject to the head office certifying that additional charge arrangement, could not be avoided due to lack of suitable candidate for promotion or appointment from the approved list of the Employment Exchange as the case may be.

- (4) Additional remuneration should not be allowed as a matter of course or granted when the extra duties to be performed are only nominal or comparatively light.

DELEGATION

- (1) The Chief Engineer is empowered to sanction additional charge allowance subject to the rates and conditions prescribed in Regulation 53 in respect of all his subordinates for a maximum period of three months. If the period is likely to exceed three months, he should report the case to the Board for orders.
- (2) The Chief Engineer is empowered to appoint an employee to hold temporarily, or to officiate in not more than two posts, provided that he is authorised to appoint permanently to each of the posts concerned in the case of other posts under his control, the Chief Engineer may make similar appointments when it is not proposed to grant any additional remuneration.

Explanation: The expression "each of the posts concerned" includes also the post substantively held by the employees and not merely the additional post which he is appointed to officiate in, or to hold charge of, temporarily.

(3) According to explanation and the note under regulation 54(b), the normal position is that two posts which are in the same line of promotion and cadre and in the same establishment cannot be treated as independent. But, many posts in respect of which additional charge arrangements are ordered happen to the posts of the kind mentioned above. In such case, the grant or otherwise of additional charge allowance will be regulated as under:

(i)¹ Addl. Assist. Engineer (Electrical) holding charge of post of another Addl. Assist. Engineer or Assist. Engineer (Electrical), Assist. Engineer (Electrical) holding additional charge of another Assist. Engineer (Electrical), Addl. Assist. Engineer (Electrical) (in the same line of promotion and cadre).

Where each post has its own territorial jurisdiction and as such the work attached to one of the posts cannot be distributed among the others additional charge allowance is permissible.

(ii)² Assistant Divisional Engineer holding the post of Asst. Engineer or Addl. Asst. Engineer and Store Superintendant holding the post of Chief Store keeper (in the same line of promotion in the same office or establishment).

Additional charge allowance is not permissible. Additional charge arrangements in each should be avoided.

(iii) Post of equivalent rank etc., in the same office.

Additional charge allowance may be permitted where it can be certified that the work is indivisible.

(4) **Additional charge in leave vacancies:** In cases where leave reserve has been provided for in a cadre, the appointment of employees to hold additional charge of the post of employees going on leave should not generally be made as such arrangements amount to increasing the strength of the cadre and throw extra cost on Board. The leave vacancies should be filled only by the leave reserve employees and exceptions can be allowed only when there are special circumstances justifying the arrangement, e.g., when it would be cheaper to make appointments under Regulation 54 than to transfer for this purpose an employee from a distant station.

(5) **Pay of an additional post:-** As Regulation 54(b) requires that such pay as may be considered "reasonable" in the circumstances may be given, half the presumptive pay of the post is not therefore to be regarded as the amount automatically permissible.

1. Supervisor redesignated as A.A.E. in B.P.Ms.No.1357 dt:18-11-1978
Junior Engineer redesignated as A.E. in B.P.Ms.No.1235 dt: 24-11-1978.

2. A.E. redesignated as A.D.E. in B.P.Ms.No. 1235 dt: 24-11-1978.

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- (6) Presumptive pay for the purpose of Regulation 54(b) should be taken to be what the employee who is placed in additional charge will draw as initial pay in the time-scale of the additional post under regulation 30, where he formally transferred to it. In cases however, in which the maximum pay of the additional post is less than the pay of the employee in the post which is holding, the maximum of the pay of the additional post should be taken as the presumptive pay for the purposes of Regulation 54(b).
- (7) No additional pay should be allowed, unless the employee has held additional charge for a period which, excluding holidays, optional holidays availed of and periods of casual leave, if any, exceeds 14 working days.
- (8) In cases where the officer holding additional charge is directed by any of his superiors to work on a public holiday, that day should be deemed to be working day for the purpose of this instruction.
- (9) An order appointing an employee to hold the current charge of the duties of a post should, in the absence of any specific direction to the contrary, be deemed to clothe the employee with all the powers vested in the full-fledged incumbent of that post, even though he may not get the full pay of post. such an employee should not, however, modify or over-rule the orders of the regular incumbent of the post, except in an emergency, without obtaining the orders of the next higher authority.
55. The pay and allowances of an employee who is dismissed or removed, from service cease from the date of such dismissal or removal.
56. (1) An employee under suspension shall be entitled to the following payments, namely:-
- (a) A subsistence allowance at an amount equal to half average pay or half pay of the employee and in addition dearness allowances based on that amount:
- Provided that where the period of suspension exceeds twelve months, the authority which made or is deemed to have made the order of suspension shall be competent to vary the amount of subsistence allowance for any period subsequent to the period of the first six¹ months as follows.
- (i) the amount of subsistence allowance may be increased by a suitable amount, not exceeding 50 percent of the subsistence allowance admissible during the period of the first six months, if in the opinion of the said authority, the period of suspension has been prolonged for reasons to be recorded in writing, not directly attributable to the employee.

1. The words six months substituted for words twelve months by B.P.Ms.No.943 dt.12-10-87 effective from 27-3-1972.

- (ii) the amount of subsistence allowance may be reduced by a suitable amount, not exceeding 50 percent of the subsistence allowance admissible during the period of the first six¹ months, if in the opinion of the said authority, the period of suspension has been prolonged for reasons to be recorded in writing, directly attributed to the employee.
 - (iii) the rate of dearness allowance will be based on the increased or decreased amount of subsistence allowance as the case may be, admissible under sub-clauses (i) and (ii) above.
- (b) The suspending authority may direct that the employee under suspension shall be granted in addition such other compensatory allowance as the Board may sanction by general or special order.
- (2) No payment under sub-regulation (1) shall be made unless the employee furnishes a certificate, and the authority which made or is deemed to have made the order of suspension is satisfied that the employee is not engaged in any other employment, business, profession or vocation.

Provided that where a penalty of dismissal, removal or compulsory retirement imposed upon an employee is set aside and he is deemed to have been placed or to continue to be under suspension from the date of such dismissal or removal or compulsory retirement, under Andhra Pradesh State Electricity Board Employees (Discipline and Appeal) Regulations and if fails to produce such certificate for any period or periods during which is deemed to be placed or to continue to be under suspension shall be entitled to the subsistence allowances and other allowances equal to the amount by which his earnings during such period or periods, as the case may be, fall short of the amount of subsistence allowance and other allowances that would otherwise be admissible to him, where the subsistence allowance and other allowances admissible to him are equal to or less than the amount earned by him nothing in this proviso shall apply to him.

Note: (1) If an employee under suspension is dismissed or is removed from service with retrospective effect no recovery is necessary of the subsistence grant already paid to him.

Note: (2) If an employee of the Board under suspension is dismissed or removed from service, arrears of subsistence allowance due to an employee should not be withheld but paid to him upto the date of termination of proceedings after adjusting the same against the amounts due from him as prescribed in Note (3) below.

1. The words six months substituted for words twelve months by B.P.Ms.No.943 dt.12-10-87 effective from 27-3-1972.

Note: (3) Recovery from the subsistence grant due to an employee shall be made as follows:

(a) Compulsory deductions:

- (i) Income tax and super-tax (Provided the employee's yearly income calculated with reference to subsistence allowance is taxable).
- (ii) House Rent and allied charges i.e., Electricity, water, furniture etc.,
- (iii) Re-payment of loans and advances taken from the Board at such rates as the competent authority deems it right to fix.

The above deductions shall be enforced from the subsistence allowance.

(b) Optional deductions:

- (i) Premia due on Postal Life Assurance Policies.
- (ii) Amounts due to Co-operative Stores and Co-operative Credit Societies.
- (iii) Refunds of advances taken from General Provident Fund.

The deductions under category (ii) above shall not be made from the subsistence allowance except with the written consent specifically obtained from the employee under suspension.

The following deductions shall not be made from the subsistence allowance:

- (i) Subscription to a General Provident Fund.
- (ii) Amounts due on Court Attachments
- (iii) Recovery of loss to Board for which an employee is responsible.

As regards recovery of over payments there is no bar to effect the same from the subsistence allowance but the competent administrative authority will exercise discretion to decide, whether the recovery should be held wholly in abeyance during the period of suspension, or it should be effected at full or reduced rate; depending on the circumstances of each case.

(c) Instructions:- The recovery of over payments from an employee under suspension shall not ordinarily be made at a rate greater than one-third of the amount of the subsistence allowance i.e., exclusive of dearness allowance, if any, admissible to him under Regulations 56(1)(a).

Note: (4) If an employee under suspension is dismissed or is removed from service with retrospective effect, arrears of subsistence allowance, if any, due to him up to the date of termination of proceedings should be, if any, paid to him.

- (3) Where an individual is due to be discharged from service on account of the expiry of the sanction of the post held by him, or otherwise becomes liable to be retrenched when he is under suspension, the question whether he should be so discharged, or whether to enable disciplinary proceeding being continued, special steps should be taken to provide a post for him should be examined on the merits of each case, and his post extended for an appropriate period. In these circumstances, the vacancy caused by the extension should not, however, be filled.

The authority competent to dismiss or remove the employee concerned from service, may, in such circumstance issue orders extending the term of the post without reference to the higher administrative authorities ordinarily competent to sanction such extension or to the Board, if delay is anticipated on obtaining sanction, before the expiry of the terms of the post under the normal procedure. Otherwise, sanction of the competent authority should be obtained as usual.

- (4)¹ [Where a Board employee under suspension dies before the disciplinary or court proceedings instituted against him are concluded, the period between the date of suspension and the date of death shall be treated as duty for all purposes and his family shall be paid the full pay and allowances for that period to which he would have been entitled had he not been suspended, subject to adjustment of subsistence allowance already paid to him].
57. (1) When an employee who has been dismissed, removed, compulsorily retired or suspended is reinstated, the authority competent to order the reinstatement shall consider and make a specific order :-
- (a) regarding the pay and allowance to be paid to the employee for the period of his absence from duty; and
 - (b) whether or not the said period shall be treated as a period spent on duty;
- (2) Where the authority mentioned in clause (1) is of opinion that the employee has been fully exonerated or, in the case of suspension that it was wholly unjustified, the employee shall be given the full pay and allowances to which he would have been entitled, had he not been dismissed, removed, compulsorily retired or suspended as the case may be.

1. Regulation 56(4) added in B.P.(P&G. Per) Ms.No.377 dt:26-09-1992.

- (3) In other cases the employee shall be given such proportion of such pay and allowances as such competent authority may prescribe:

Provided that the payment of allowances under clause (2) or clause (3) shall be subject to all other conditions under which such allowances are admissible;

Provided further that such proportion of such pay and allowances shall not be less than the subsistence and other allowances admissible under regulation 56.

- (4) In a case falling under clause (2) the period of absence from duty shall be treated as a period spent on duty for all purposes.
- (5) In a case falling under clause (3) the period of absence from duty shall not be treated as period spent on duty, unless such competent authority specifically directs that it shall be so treated for any specified purpose:

Provided that such authority may direct that the period of absence from duty shall be converted into leave of any kind due and admissible to the employee.

Note: (1) The order of the competent authority regarding the treatment of the period of absence from the duty passed under this proviso is absolute.

Note: (2) The competent authority in exercising the discretion vested in him under the above clause may decide the period of absence from duty into several parts and declare whether each such part shall count as duty for purpose of increment, leave and pension.

- (6) Where an employee is prosecuted in respect of a criminal offence or other matter whether arising out of his official duties or not or imprisoned for debt or is detained under any law providing for preventive Detention, and he is detained in custody for a period longer than forty eight hours, he shall be deemed to be under suspension and shall be entitled only to subsistence grant under regulation 56 till the termination of the departmental proceedings against him. On the termination of such proceeding, if the matter arose from out of official duties, unless the employee is dismissed from service, his pay and allowance shall be adjusted according to the provisions of the above regulation. In all other cases if the employee is permitted to rejoin duty, he shall not be entitled to any thing more than what he would have received if he had been granted the leave admissible to him for the period of his absence from duty since his detention, the amount of subsistence grant already drawn by him being adjusted against his pay and allowance.

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- (7) The amount of subsistence grant, already drawn, should be adjusted against the leave salary which may be granted under proviso to clause (5) of this regulation and the excess, if any, need not be recovered.
 - (8) The grant of pay and allowances or a proportion of them under the above regulation does not cancel any officiating arrangements that may have been in force while the employee was under suspension or dismissal.
 - (9) In deciding whether any pay and allowances should be granted under the above regulation to an employee in temporary employee, the period for which the temporary post has been sanctioned should be taken into consideration.
 - (10) The headquarters of an employee under suspension is his last place of duty. An employee under suspension may change his Headquarters provided the competent authority who has placed him under suspension is satisfied that such a course will not put the Board to any extra expenditure like grant of travelling allowance.
 - (11) A permanent post vacated by the dismissal, removal or compulsory retirement of an employee should not be filled substantively until the expiry of the period of one year from the date of such dismissal, removal or compulsory retirement, as the case may be. Where, on the expiry of the period of one year, the permanent post is filled and the original incumbent of the post is reinstated thereafter, he should be accommodated against any post which may be substantively vacant in the grade to which his previous substantive post belonged. If there is no such vacant post, he should be accommodated against a supernumerary post which should be created in this grade with proper sanction and with the stipulation that it would be terminated on the occurrence of the first substantive vacancy in that grade.
 - (12) The case of an employee reduced to a lower grade or post as a measure of punishment and subsequently restored to his former post should be dealt with in accordance with the provisions in clauses (1) to (5) above, so far as they are applicable.
 - (13) Where a temporary employee is due to be discharged from service on account of the expiry of the sanction of the post held by him or otherwise becomes liable to be retrenched when he is under suspension, the question whether he should be discharged from service or whether to enable disciplinary proceedings being continued, special steps should be taken to provide a post for him should be examined on the merits of each case and his post extended for an appropriate period. The vacancy caused by the extension should not, however, be filled.

- (14) The authority competent to dismiss or remove the employee concerned from service, may, in such circumstances, extend the post without reference to the competent authority, if delay is anticipated in obtaining sanction before the expiry of the term of the post, under the normal procedure and obtain ratification of the competent authority. Otherwise the sanction of the competent authority should be obtained as usual.
58. Leave may not be granted to an employee under suspension.
59. **Admissibility of joining Time :-** 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-
 - (i) on return from earned leave of not more than 120 days duration; or
 - (ii) when he has not had sufficient notice of his appointment to the new post, on return from leave other than that specified in sub-clause (i) or
 - (c) to travel from the port of debarkation or, in the case of arrival by air-craft, from its first regular port in India and organize his domestic establishment when he returns from leave, study leave, or deputation out of India of more than 120 days duration; or
 - (d) (i) to proceed from a specified station to join a post in a place in a remote locality which is not easy of access;

to proceed on relinquishing charge of a post in a place in remote locality which is not easy of access to a specified station.

Note: (1) Probationers holding training posts which they may be considered as taking with them on transfer are entitled to joining time on transfer under this regulation. An employee deputed to undergo a course of training, if the training is at a fixed centre and the course of training exceeds two months, may be allowed joining time as on transfer for the journeys to and from the place of training. If the course of training does not exceed two months or is not confined to a particular station, he may be allowed only the time actually required for the journey to and from the place of training.

In the case of person granted commission in the Army in India Reserve of Officers and of persons deputed for training in the Indian Territorial Force, the period of training will not, however, include the time spent in journeying to and from the station at which training is carried out.

- Note: (2)** Probationers and approved probationary in one service when appointed to the same or another service by direct recruitment shall be allowed joining time and transit pay, but not travelling allowance.
- Note: (3)** Joining time under this regulation is reckoned from the date of debarkation at an Indian Port.
- Note: (4)** Joining time under clause (c) is admissible to an employee for organising his domestic establishment even if he does not make any journey from the port of debarkation.
- Note: (5)** Where Board employee on return from leave has compulsorily to wait for orders of posting and such period of waiting is treated as duty, the joining time shall be allowed to the Board employee in continuation of such waiting.

ADMISSIBILITY OF JOINING TIME TO EMPLOYEE SENT FOR TRAINING

- Note: (6)** If, for those employees for whom no joining time is admissible under regulation 60 in addition to the time actually required for the journey to and from the place of training, the need of a few days relief from work to prepare for departure exists, there is no objection to the grant of casual leave for the purpose, provided the grant of the leave does not cause any evasion of the regulations regarding date of reckoning allowances and charge of office.
- Note: (7)** An employee on return from earned leave of not more than 120 days duration and transferred to a post of which he was in an additional charge at the time of his proceeding on leave, may be granted joining time as under clause (b) (i) provided there is a change of head quarters.
- Note: (8)** An employee who is deputed for training should be deemed to be on duty, while on training in the post he was holding immediately before proceeding on training and if he is posted at the end of the training to a different place he should be allowed joining time under clause (a) less the time of preparation, if any, availed of while returning to the old place of duty after training.
60. (1) Not more than one day is allowed to an employee in order to join a new post when the appointment to such post does not necessarily involve a change of residence from the station to another. A holiday or Sunday counts as a day for the purpose of this regulation. No joining time is admissible in cases where the change of post does not involve an actual change of office.

- (2) In cases involving a change of station, the joining time allowed to an employee is subject to a maximum of 30 days. Six days are allowed for preparation and, in addition, a period to cover the actual journey is calculated as follows:-
- (a) A Board employee is allowed
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| (i) for the portion of the journey which he travels by air | - Actual time occupied in the journey |
| (ii) for the portion of the journey which he travels or might travel | - One day for each |
| by railway | - 500 kilometers |
| by ocean steamer | - 350 KM or any longer time |
| by river steamer or by motor or steam launch | - 150 KM actually occupied in the journey |
| by motor vehicle or horse drawn conveyance | - 150 Kilometers |
| in any other way | - 25 Kilometers |
- (b) For any fractional portion of any distance prescribed in clause (a) an extra day is allowed.
- (c) When part of the journey is by steamer, the limit of six days for preparation may be extended to cover any period unavoidably spent in waiting for the departure of the steamer.
- (d) Travel by road not exceeding 8 Kilometers to or from a railway station at the beginning or end of the journey does not count for joining time.
- (e) A Sunday does not count as a day for the purpose of calculation in this regulation, but Sundays are included in the maximum period of 30 days.
- ¹(f) The period of curtailed joining time may be treated as special casual leave when the transferee is not returning from leave, subject to the condition that such special casual leave is availed for bonafide purposes connected with transfer within a period of six months from the date of joining at the new station.
- (3) By whatever route an employee actually travels, his joining time shall, unless the Chief Engineer in the case of employees in his office and the office under his control and the Chairman in the case of employees in the Board's Office, for special reasons otherwise orders, be calculated by the route which he makes over charge.
- (4) If an employee is authorised to make over charge of a post elsewhere than at its headquarters, his joining time shall be calculated from the place at which he makes over charge.

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- (5) (i) Within the maximum of 30 days, the Chief Engineer or the Chairman, as the case may be, may extend the joining time admissible-
- (a) When the employee has been unable to use the ordinary mode of travelling or, notwithstanding due diligence on his part, has spent more time on the journey than is allowed by regulations - to the extent of the time actually taken; or
 - (b) When such extension is considered necessary for the public convenience or for the saving of such expenditure as is caused by unnecessary or purely formal transfers to the extent necessary; or
 - (c) When the regulations have in any particular case operated harshly; as, for example, when an employee though no fault on his part missed a steamer or fallen ill on the journey - to the extent necessary, on such condition as to allowances or otherwise as the Chief Engineer or the Chairman as the case may be, may think fit.
- (ii) All other cases require the sanction of the Board.

Note: The chairman in the case of employees in the Board's office and the Chief Engineer in the case of employees in his office and the office under his control are empowered to regularise the excess joining time availed of by employees in Class I and II service due to late receipt of posting orders.

- (6) When an employee, returning from leave or deputation out of India exceeding 120 days, takes joining time before joining his post, his joining time shall begin from the date of his arrival at the port of disembarkation, or, if he returns by air in which he returns arrives at its first regular port in India, and be calculated from such port as prescribed in sub-regulation (2) provided that where the joining time so calculated is less than ten days he may avail himself of joining time for ten days.

If, however, an employee on return from such deputation takes earned leave not exceeding 120 days and is transferred on return from leave to a different station from the one from which he proceeded on deputation he may be granted joining time under regulation 59(b)(e).

- (7) If an employee is appointed to a new post while in transit from one post to another, his joining time begins on the day following that on which he receives the order of appointment but no second period of six days for preparation is admissible. If an employee while in transit from one post to another is reposted to the original post, such position shall be construed as appointment to a new post for the purpose of this regulation.

- (8) If an employee takes leave while in transit from one post to another, the period which has elapsed since he handed over charge of his old post must be included in his leave, unless the leave is taken on medical certificate. In the latter case, he may be allowed the joining time calculated for the journey from his old station to the place to which he has proceeded on his route to the new station.
- (9) If an employee is appointed to a new post while on earned leave of not more than 120 days duration his joining time shall be calculated from his old station or from the place at which he received the order of appointment, whichever calculation will entitle him to the less joining time. If however, such an employee actually performs the journey to his old Headquarters for joining time shall be calculated actually performs the journey to his joining time shall be calculated from the old headquarters to the new headquarters irrespective of the place where he spends leave or receives posting orders. If the leave is being spent out of India, and the order of appointment to the new post reaches him before he arrives at the port of debarkation, the port of debarkation is the place in which he received the order for the purpose of this regulations.

In cases falling under this regulation in which an employee joins his post before the expiry of his leave plus full joining time admissible, the period short-taken shall be considered as leave not enjoyed and a corresponding portion of the leave sanctioned shall be cancelled without any reference to the authority which granted the leave.

Note: A certificate to the effect that the employee had actually performed the journey from the station where he was spending leave to the old headquarters for winding up personal affairs should be furnished by the employee concerned with his charge report for assumption of the post at the new headquarters. The responsibility for obtaining the certificate from an officer of Class I or Class II would rest with the Audit officer concerned and for employees of Class III and Class IV with the Head of Office.

- (10) The authority which granted the leave will decide whether the notice referred to in regulation 59(b)(ii) was insufficient.

Note: (1) The authority sanctioning the transfer may in special circumstances, reduce the period of joining time admissible under the above regulations.

Note: (2) Transfers which do not involve change of building should not be treated as involving change of office for the purpose of this regulation and no joining time is admissible in such cases.

A joining time of one day may be sanctioned by the Chairman in the cases of employees in Board's office and by the Chief Engineer in the case of employees in his office and other offices under his control in cases where the transfer of charge of the post

and taking over by the relieved employee of another post cannot be done in the same morning, even though no change of building is involved, with reference to the facts of each case

Note: (3) Applications from employees in Class I and II Service for extension of joining time should be forwarded through the Audit Officer.

Note: (4) The Sunday immediately following the joining time when the employee returns to duty on the following Monday does not form part of the joining time. It should be affixed to joining time of under the leave Regulations;

Note: (5) The period of joining time admissible to an employee who proceeds on earned leave not exceeding 120 days from his old post and is at the end of it transferred to a new post at another station where he is spending his leave and receives the order of posting is only one day under regulation 60(I).

Note: (6) For the purpose of regulation 60(9) the 'Period short taken' should be calculated with reference to the officer's actual date of joining his new post and the assumed date of joining, i.e., the date on which he would have joined his new post had he availed himself of the full period of joining time admissible to him under the regulations.

Note: (7) The principle underlying Regulation 60(9) is applicable also to the balance of joining time admissible on return from leave in the case of an employee who proceeds on earned leave for a period not exceeding 120 days on medical certificate while in transit from one post to another. The balance of joining time to which the employee will be entitled is the full joining time admissible under regulation 59(b)(i) reduced by the period of joining time actually availed of with reference to regulation 60(8) prior to the commencement of the leave on medical certificate. Should the employee join his new appointment before the expiry of such leave plus the balance of joining time admissible the leave should be re-adjusted in the manner indicated in regulation 60(9).

Note: (8) The road journeys exceeding 8 Kilometers performed by an employee at either end of rail journey should be taken together for the purpose of calculating joining time.

Note: (9) The joining time pay for the first spell of joining time granted under Regulation 60(8), shall be regulated under Regulation 61(a), while joining time pay for the second spell of joining time be regulated under Regulation 61(b)(ii).

61. Pay during joining time:- An employee on joining time shall be regarded as on duty and shall be entitled to be paid as follows:-

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- (a) If on joining time under clause (a) of regulation 59, he is entitled to the pay which he would have drawn if he had not been transferred, i.e., if he had continued in the old post or the pay which he will draw on taking charge of his new post, whichever is less.
- (b) If on joining time under clause (b) or (c) of regulation 59 he is entitled-
- (i) When returning from extraordinary leave, other than extraordinary leave not exceeding fourteen days granted in continuation of other leave to no payment at all.
 - (ii) When returning from leave of any other kind, to the leave salary which he last drew on leave at the rate prescribed for payment of leave salary.
 - (iii) When returning from deputation out of India of more than 120 days duration, the pay which he last drew while on deputation.
- (c) If on joining time under clause (d) of regulation 59, he is entitled to pay as though he were on duty in his post in the remote locality even in the case of an employee on straight transfer.

Note: (1) An employee on transfer is not entitled to the joining time except the actual minimum journey time unless his transfer is made in the interests of the Board.

Note: (2) An employee of the Board may be granted the necessary regular leave by the competent authority under the leave regulations admissible to him even if the transfer is at his own request to cover the period after handing over charge at an old station and before taking over at another if the employee of the Board applied for it.

Note: (3) No extra pay (when the transfer involves the grant of extra pay) can be drawn in any case by a relieving employee until the transfer is complete; but, as far as ordinary pay and allowances are concerned an exception may be made to the general rule in all cases in which the charge to be transferred (Whether division or sub-division or other charge) consists of several scattered works which the relieving and relieved employee are required by the orders of a superior officer to inspect together before the transfer can be completed. The relieving employee will be considered by the Chief Engineer or the Superintending Engineer or any other employee of equivalent rank in so far as they relate to employees subordinate to him to be excessive. While so taking over charges, the relieving employee will draw-

- (a) (i) if he is transferred from a post which he held substantively, his presumptive pay in that post.

- (ii) if he is transferred from a post which he held in an officiating capacity, the officiating pay admissible in that post or the pay he would draw after the transfer is complete, whichever is less.
- (b) City Compensatory Allowance/House Rent Allowance as admissible at the new station on the basis of the pay drawn as at (a) (i) or (ii) above, as the case may be.
- (c) If he returns from leave, the presumptive pay of the post from which he went on leave while working in the post held by him substantively or the officiating pay of that post or the pay which will be admissible to him in the new post, after taking over charge whichever is less, if he went on leave while working in a post in an officiating capacity.

The period of taking over charge will count for probation in the post which he takes charge.

In each case where the Chief Engineer or the Superintending Engineer or any other employee of equivalent rank to whom the powers are delegated decides to treat the period of taking over charge of a relieving employee as 'duty' under the provisions of the above Note, a declaration in the following form should be invariably issued.

DECLARATION

I, (Name and Designation) declare that Sri (Name and designation of the employee to be relieved) and Sri designation of the relieving employee were engaged in joint inspection of several scattered works and or stores during the period from to in connection with handing over and taking over charge and I do not consider the above period as excessive during which Sri (Name of relieving employee) shall be treated as on duty.

Station :
Date :

Name :
Designation :

Note: (4) The concession of house-rent allowance or free quarters ordinarily admissible to an employee should be treated as 'ordinary pay and allowances' within the meaning of the first sentence of Note (3) above and is therefore admissible to both the relived and the relieving employees.

Note: (5) For an employee who, while officiating in a post, proceeds on training or to attend a course of instruction and who is treated as on duty while under training the period of such duty will count for increment in the post in which he was officiating prior to his being sent for training or instruction if he is allowed the pay of the officiating post during such period.

Note: (6) For the purposes of regulation 61(a) 'Pay' should be taken to be as defined in regulation 10(12).

Note: (7) Whenever an employee officiating in a higher post is in transit consequent on reversion to his substantive post, but is subsequently reappointed to the same officiating post, before taking charge of substantive post the claim for "transit pay" should, be based only on his substantive pay and such period of joining time will not count for increment in the officiating post.

Note: (8) The period spent by the employees holding the posts mentioned in the schedule, appointed by direct recruitment, in taking over charge on their first appointments, should be treated as duty and they should be paid pay and allowances admissible to such posts.

SCHEDULE

[Referred to in Note 8 under regulation 61]

- 1.1 Assistant Engineer
(Electrical/Civil/Mechanical/Tele-communication)
- 2.2 Additional Assistant Engineer
(Electrical/Civil/Mechanical)
3. Chief Store Keeper
4. Draughtsman I Grade
5. Draughtsman II Grade
6. Draughtsman III Grade
7. Tracers
8. Transport overseer I Grade
9. Transport overseer II Grade
- 10.3 Chemist

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1. Junior Engineer redesignated as Asst. Engineer by B.P.Ms.No. 1235 dt: 24-11-1978.
 2. Supervisor redesignated as A.A.E. by B.P.Ms.No. 1357 dt: 18-12-1978.
 3. Asst. Chemist redesignated as 'Chemist' by B.P.Ms.No. 157 dt: 9-3-81, and Junior Chemist deleted by B.P.Ms.No. 324 dt:13-6-1973.

62. **Overstayal of joining time:-** An employee who does not join his post within his joining time is entitled to no pay or leave salary after the end of the joining time. Wilful absence from duty after the expiry of joining time may be treated as misbehaviour for the purpose of regulation 27.
63. A person in employment other than in Board's service or on leave granted from such employment, if in the interest of the Board he is appointed to a post under the Board may, at the discretion of the Board, be treated as on joining time while he prepares for and makes the journey to join the post under the Board, and while he prepares for and makes the journey on reversion from the post under the Board, and to return to his original appointment. During such joining time immediately following leave granted by the previous employer to the leave salary, paid to him by his previous employer prior to his appointment to Board Service, or pay equal to the pay of the post in Board's service, whichever is less.

FOREIGN SERVICE

64. **Applicability:-** The regulations in this chapter apply to all employees transferred to foreign service.
65. (a) **Conditions of transfer:-** No employee may be transferred to foreign service against his will.

¹ "Provided that this sub-regulation shall not apply to the transfer of a Board employee to the service of a department of Government, or a body whether incorporated or not which is wholly or substantially owned or controlled by Government or to a Cooperative body set up by Government.

- (b) A transfer to foreign service either in or outside India may be sanctioned by the Board.

DELEGATION

The Chairman in the case of Class III and IV employees in the Board's Secretariat and the Chief Engineer in the case of such employees in his office and other offices under his control may sanction the transfer of the employees to foreign service inside the Andhra Pradesh State.

66. A transfer to foreign service is not admissible unless
- (a) the duties to be performed after the transfer are such as should, for public reasons, be rendered by a Board employee; and
- (b) the Board employee transferred holds, at the time of transfer, a regular post under the Board or holds a lien on a permanent post, or would hold a lien on such a post had his lien not been suspended.

1. Proviso to Reg. 65(a) added by B.P.(P&G Per) Ms.No. 317, dt:1-9-1992.

Note: (1) The transfer of a temporary employee to foreign service is permissible.

Note: (2) The transfer to foreign service from the date on which an individual is appointed to a post on probation is permissible.

Note: (3) The loan on an employee to a private undertaking is to be regarded as a very exceptional measure requiring special justification on a rigorous application of the principle enunciated in clause (a) of this regulation.

Note: (4) No employee shall ordinarily be permitted to take up outside employment concurrently with leave preparatory to retirement. If such an employee is keen on taking up outside employment before he attains the age of superannuation, his services shall ordinarily be placed at the disposal of the outside employer on the usual foreign service terms after cancelling the unexpired portion of the leave preparatory to retirement. The balance of leave preparatory to retirement shall not be treated as constructive refusal of leave for purposes of refusal of leave preparatory to retirement under leave regulations. The term of foreign services shall not be extended beyond the age of superannuation.

67. **Transfer to foreign service during leave:-** If an employee is transferred to foreign service while on leave, he ceases, from the date of such transfer, to be on leave and to draw leave salary.

68. **Promotions during foreign service:-** An employee transferred to foreign service shall remain in the cadre in which he was included in a substantive or officiating capacity immediately before his transfer and may be given such substantive or officiating promotion in those cadres as the authority competent to order promotion may decide. In giving such promotion, such authority shall also take into account the nature of the work performed in the foreign service.

69. **Pay and joining time:-** An employee in foreign service will draw pay from the foreign employer from the date on which he relinquishes charge of his post in Board's service. The amount of his pay, the amount of joining time admissible to him and his pay during such joining time will be fixed by the Board in consultation with the foreign employer.

¹ This regulation will not however operate where due to special reasons, special terms of deputation are agreed upon between the Board and foreign employer.

DELEGATION

The Chairman, Andhra Pradesh State Electricity Board and the Chief Engineer have powers to fix the pay in foreign service of employees whose transfer to such service they are empowered to sanction, subject to the following conditions:-

- (a) The pay does not exceed by more than 25 percent of the pay admissible from time to time in the cadre in which the employee concerned held a post prior to his transfer.
- (b) No concessions are sanctioned in addition to pay, except
 - (i) Payment of Leave and Pension or Provident Fund Contributions by the foreign employer.
 - (ii) Grant of travelling allowance, admissible under the Board.
 - (iii) Grant of house rent allowance, unhealthy localities special pay hill allowance and other compensatory allowances at the appropriate rates provided that-
 - (1) Such allowances are specifically admissible to employees of the Board stationed in the same localities; and
 - (2) The foreign employer meets the cost of such allowances.

Note: (1) The travelling allowance of an employee both in respect of the journey on transfer to foreign service and the journey on reversion there from to Board's service will be borne by the foreign employer.

N.B.:- The above note applies even in case where employee lent takes leave on reversion before joining duty under the Board.

Note: (2) The amount of remuneration which may be sanctioned for an employee transferred to foreign service in India shall be regulated as follows:-

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

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- (2) The following two general principles must be observed in sanctioning the conditions of transfer:-
- (a) The terms granted to the employee must not be such as to impose an unnecessarily heavy burden on the foreign employer who employs him.
 - (b) The terms granted must not be so greatly in excess of the remuneration which the employee would receive in Board's service as to render foreign service appreciably more attractive than Board's service.
- (3) Provided that the two principles laid down in paragraph (2) above are observed, the following concessions may be sanctioned by the foreign employer. These concessions must not be sanctioned as a matter of course, but in those cases only in which their grant is justified by the circumstances. The value of the concession must be taken into account in determining the appropriate rate of pay for the employee in foreign service.
- (a) The payment of contributions towards leave salary and Provident Fund under the rules regulating such contributions.
 - (b) The grant of travelling allowance, under the Travelling Allowance regulations of the Board and of permanent travelling allowance, conveyance allowance etc.,
 - (c) The grant of free residential accommodation, which may be furnished in cases in which the Board considers this to be desirable on such scales as may seem proper to the Board.
 - (d) The use of any conveyance provided by the foreign employer.
- (4) The grant of any concessions not specified in paragraph (3) above requires the sanction of the Board.

Note: (3) When an employee is transferred to foreign service under a private employer, the authority sanctioning the transfer should require the employer to deposit security equivalent to three months pay of the employee in foreign service. The Board may however exempt any private employer from making the deposit for any special reasons to be recorded in writing.

For this purpose, the term "Private employer" will not include the Reserve Bank of India, Municipalities, District Boards, Universities, the court of wards, religious institutions under the control of Hindu Religious and Charitable Endowments (Administration) Department, the Indian Central Cotton

Committee, the Indian Coconut Committee, the Indian Central Tobacco Committee, the Indian Central Arecanut Committee, the Indian Council of Medical Research, the Indian Council of Agricultural Research, and similar undertakings owned or controlled by the Government of India.

Note: (4) The Whole expenditure in respect of any compensatory allowance for periods of leave in or at the end of foreign service shall be borne by the foreign employer.

Note: (5) Foreign employers should in the case of Board employee transferred to foreign service accept liability for leave salary in respect of disability leave granted on account of a disability incurred in and through foreign service even though such disability manifests itself after the termination of foreign service, the leave salary charges for such leave should be recovered direct from foreign employers, a condition to this effect being inserted in the terms of transfer to foreign service. No additional pension contribution shall be recovered in respect of the period of disability leave.

INSTRUCTION

When any employee lent on foreign service conditions retires from Board Service, without at the same time retiring from the service of his foreign employer, the Accounts Wing of the Board shall communicate to the foreign employer through the usual authorities a statement showing the date of retirement and the amount of pension, gratuity, etc., drawn from the Board so as to give the foreign employer the opportunity, if he be so inclined, of revising the existing terms of employment.

70. Foreign Service Contributions:-

- (a) While an employee is in foreign service contributions towards the cost of his Pension and/or Provident Fund, must be paid to the Board on his behalf.
- (b) If the foreign service is in India, contributions must be paid on account of the cost of leave salary also.
- (c) Contributions due under clauses (a) and (b) above shall be paid by the employee himself, unless the foreign employer consents to pay them. These contributions shall not be payable leave taken while in foreign service.
- (d) By special arrangement made under Regulation 70(b) contributions on account of leave salary may be required in the case of foreign service out of India also, the contributions being paid by the foreign employer.

INSTRUCTIONS UNDER REGULATION 70

- (1) All the terms and conditions of an employee's transfer on foreign service must be settled well in advance in consultation with the foreign employer and communicated to the foreign employer, the Accounts Officer and the employee concerned before the employee is released to take up the foreign service.
- (2) The authorities competent to sanction the transfer of an employee to foreign service should also include the following as an additional term in the orders sanctioning the transfer of employees on foreign service.

The foreign employer/employee shall pay leave salary and or pension/ contributory Provident Fund contributions within fifteen days from the end of the month in which the pay on which it is based has been drawn by the employee concerned at the following rates:-

Leave salary contributions

Pension/Contributory Rs..... Per month

Provident Fund Contribution Rs..... Per month

The amounts of contributions are to be credited under the following Heads of Account.

- (i) Pension/Contributory Provident Fund contributions under the Head the Head
- (ii) Leave salary contributions under the Head

The rates mentioned above shall be treated as provisional pending confirmation by the Accounts wing of the Board and will be subject to adjustment retrospectively.

- (3) While communicating the provisional rates of contributions, the fact that the contributions should be paid promptly subject to adjustments and alternations in accordance with final rates, as may be necessary after intimation of final rates by the Accounts Wing of the Board and the penal interest is leviable for delays in their payment may also be indicated by the sanctioning authorities.
- (4) In all the cases of transfer to foreign service in which the liability for making contributions on account of Pension/Contributory/Provident fund, Leave Salary, rent on the transferee, it shall be necessary to secure a letter from the transferee addressed to the foreign employer to pay the Board from his salary a specific monthly sum which would be based on the foreign service contributions which the employee himself has to pay. The issue of such a letter would

enable the foreign employer lawfully to effect the necessary deductions from the employee's salary and remit it to the, Board.

A Provision to this effect may be incorporated in all cases of foreign service where the transferee is himself liable for payment of foreign service contributions.

- (5) In order to avoid procedural difficulties to enable the Accounts Officer to report lapses to Board promptly the contributions shall in all cases be remitted to the concerned Accounts Officer by means of Demand Drafts.

71. (a) The rates of monthly contributions for pension and/or Provident Fund and leave salary payable to the Board by the employee or the foreign employer, as the case may be during active foreign service shall be as indicated below or at such rates as may be prescribed by the Board from time to time.

A. PENSION CONTRIBUTION

Length of service in years	CEs, SEs, EEs & Dvl. Engrs. (Spl. and ordy. Gr.) and other officers of equal rank	Officers of Class I or Class II Service other than those in Col. 2	Employees of Class III and IV Service
1	2	3	4
0-1 ...	Rs. .63	5 percent of the maximum monthly pay of the grade substantively held	4 percent of the maximum monthly pay of the grade substantively held
1-2 ...	70	5 "	4 "
2-3 ...	78	5 "	5 "
3-4 ...	86	6 "	5 "
4-5 ...	94	6 "	5 "
5-6 ...	102	7 "	6 "
6-7 ...	110	7 "	6 "
7-8 ...	117	8 "	7 "
8-9 ...	125	8 "	7 "
9-10 ...	133	8 "	7 "
10-11 ...	141	9 "	8 "

1	2		3		4
11-12 ...	Rs. .49	10	"	8	"
12-13 ...	157	10	"	9	"
13-14 ...	164	10	"	9	"
14-15 ...	172	11	"	9	"
15-16 ...	180	11	"	10	"
16-17 ...	188	12	"	10	"
17-18 ...	196	12	"	10	"
18-19 ...	204	13	"	11	"
19-20 ...	211	13	"	11	"
20-21 ...	219	14	"	12	"
21-22 ...	227	14	"	12	"
22-23 ...	235	15	"	12	"
23-24 ...	243	15	"	13	"
24-25 ...	251	15	"	13	"
25-26 ...	258	16	"	14	"
26-27 ...	266	16	"	14	"
27-28 ...	274	17	"	14	"
28-29 ...	282	17	"	15	"
Over 29 ...	290	18	"	15	"

Note: The rates of pension contribution will be designed to secure to the employees the pension that he would have earned under the Board if he had not been transferred to foreign service.

B. Leave salary Contribution

Privilege of pay
drawn in foreign service

- | | | |
|----|--|----|
| 1. | Chief Engineers, Superintending Engineers, Executive Engineers and Divisional Engineers, Special and Ordinary Grade and other officers of equal Rank, governed by Board leave regulations. | 15 |
| 2. | All Employees except those mentioned in item (1) above who are governed by Andhra Pradesh State Electricity Board Leave Regulations. | 11 |

Note: (a) The rates of contribution for leave salary will be designed to secure to the employee leave salary on the scale and under the conditions applicable to him.

(b) While an employee who subscribes to the Contributory Provident/Pension (1) Fund is on foreign service the amount payable as contribution to the Fund by the Board shall be recovered from the foreign employer, and his pensionary contribution shall be limited to one-half of the rates laid down in the regulation.

The Board contribution to the fund to be recovered from foreign employer shall be based on the pay drawn by the employee from time to time in foreign service.

A foreign employer shall pay the Board's contribution to the Fund not only for the period of foreign service but also for the period of leave earned by the employee in foreign service.

(c) An employee who is subscriber to a Contributory Provident Fund and who is transferred to foreign service shall, if he is allowed to retain that privilege, pay monthly subscriptions calculated on the rate of pay drawn in foreign service. The foreign employer or the employee himself according to the arrangement made under clause (c) of Regulation 70 shall pay, in addition for the period of active foreign service, at such time as the Board may prescribe in each case, a contribution calculated on the monthly subscriptions so determined and equal in amount to what the Board would have contributed to the subscriber's account of that basis.

The foreign employer or the employee himself, according to the arrangement made under clause (c) of regulation 70 shall also pay, to the Board towards the special contribution payable by the Board to the employee on retirement from service, an amount calculated at the rate of half, a month's pay on the maximum monthly pay of the post held by the employee under the Board before transfer to foreign service for each completed year of service inclusive of leave period in foreign employment.

The amount shall be paid before the 15th of the month following that in which the employee completed one year of service in foreign employment.

A foreign employer shall pay the Board's contribution to the fund not only for the period of foreign service but also for the period of leave earned in foreign service.

RULINGS

- (1) The term 'active foreign service' used in this regulation is intended to include the period of joining time which may be allowed to an employee both on the occasion of his proceeding to and reverting from foreign service, and accordingly contributions are leviable in respect of such periods.
- (2)
 - (a) The length of service of an employee should for the purpose of calculation of pension contribution, be reckoned from the actual or probable date of commencement of pensionable service. All leave including leave on loss of pay, periods of overstayal and of suspension should be taken into account in calculating length of service.
 - (b) The assessment of contribution should be made after taking into account the temporary and officiating service rendered by employees, transferred to foreign service. No refunds of contribution should be made even if it is eventually decided that the temporary or officiating service taken into account in the original calculation of contribution should not count for pension.
 - (c) If in the case of any employee, the periods of previous war service have been allowed to count for active service and total service, for pension such periods of war service should be added to the normal length of his service.
 - (d) All services rendered in substantive posts before an employee completed 18 years of age should be excluded in reckoning length of service for the assessment of contribution for pension.
 - (e) In the case of employees who are promoted from a lower to a higher service, the length of service should in all cases, be taken as the total service, reckoning from the date of commencement of pensionable service and contribution should be levied in accordance with the table appropriate to the service to which the particular employee on foreign service at the time belongs.
- (3) In the case of a temporary employee who is transferred to foreign service, it is for the Board to decide whether or not to recover pension contributions having regard to the probabilities of the employee qualifying for a pension. If it is decided to recover such contributions they should be calculated, with reference to his length of service, in the following manner:-
 - (a) If he is on a time-scale of pay, on the maximum of time-scale and
 - (b) If he is on a fixed rate of pay, on that pay. In such cases the recovery of contributions for leave-salary does not present any difficulty, the amounts being calculated on the pay actually drawn in the foreign service.

- (4) When an employee is transferred to foreign service, or when the period of foreign service of an employee is extended, it should be stipulated that the contributions for pension and leave salary or for pension alone, as the case may be, will be recoverable at the rates in force from time to time in accordance with orders issued under regulation 71. Similarly if the officer is on a non-pensionable footing and subscribing to a Contributory Provident Fund, and if he is allowed to retain this privilege while in foreign service, the orders should specify the arrangement made with reference to clause 3 of regulation 71 and state that these will be subject to amendment consequent upon any revision of the orders contained in that paragraph.
- (5) In respect of temporary employees in foreign service, pension contribution should be recovered from the foreign employer at the rates prescribed in regulation 71.

Note: In the case of non-permanent employee officiating in more than one post at the time of proceeding on foreign service, the recovery of pension contribution shall be based on the prescribed percentage of the maximum of the grade of the lower of the officiating post.

- (6) Pension contribution shall be recovered from the foreign employer on special pay also in addition to that on the maximum of the substantive pay when such special pays count for pension.

72.¹ In calculating the leave salary admissible the pay drawn in foreign service in excess of that admissible under the Board will not be taken into account for the purpose of calculating the contribution for leave salary.

In the case of employees governed by the leave rules under the Fundamental Rules in calculating the rate of leave salary admissible the pay drawn in foreign service, less in the case of those paying their own contribution such part of their pay as may be paid as contribution, will count as pay for the purpose of regulation 10(3).

73. Payment of contribution :-

- (1) Contribution towards pension, contributory Provident Fund or leave-salary which is due from an employee shall be paid within fifteen days from the end of the month in which the pay on which it is based has been drawn by the employee in such manner as may be arranged with the officer who maintains the accounts of the contributions.
- (2) If the contribution is not paid within the period prescribed in clause (1) above, the employee must, unless specifically exempted, pay to the Board interest on the unpaid contribution at the rate of 2Np. Per day per Rs.100 or such other rate as may be prescribed by the Board from time to time upon the amount due from the date of expiry of the said period to the date on which the contribution is finally paid.

1. Reg. 72 is amended in B.P.Ms.No. 541, dt: 23-7-1975, but cancelled in B.P.Ms.No. 50, dt: 20-1-1976. As such there is no change in existing Regulation 72.

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- (3) If any amount due, including interest, is not paid within twelve months of its accrual, the officer who maintains the accounts of the contributions shall intimate to the employee the amount due up to date, and inform him that, in consequence of the default, he has forfeited his claim to the retiring benefits under the Board's Regulations or retiring benefits and leave salary as the case may be. In order to revive his claim, the employee must at once pay the amount due and represent his case to the Board who will deal finally with it.
- (4) Interest on over due contributions will not be remitted by the Board save in very exceptional circumstances.
- (5) Interest on over due contributions from foreign employers, who have been exempted from the payment of security deposit, will be levied as laid down in clauses (1) and (2).
74. **With-holding of contributions:-** An employee in foreign service may not elect to withhold contributions and to forfeit the right to count as duty in Board's service the time spent in foreign employment. The contribution paid on his behalf maintains his claim to the retiring benefit to which he is eligible under the Board's Regulations (viz. Pension or Pension and gratuity or Contributory Provident Fund, as the case may be) or such retiring benefit and leave-salary as the case may be. Neither he nor the foreign employer has any right of property in contribution paid, and no claim for refund can be entertained.
75. **Payment by foreign employer of gratuity or other benefit:-** An employee transferred to foreign service may not without the sanction of the Board, accept any pension or gratuity from his foreign employer in respect of such service.
76. **Leave during foreign service in India:-** An employee in foreign service in India may not be granted leave otherwise than in accordance with the regulations applicable to the service of which he is a member and may not take leave or receive leave salary from the Board unless he actually quits duty and goes on leave.
77. (a) **Leave during foreign service out of India:-** An employee in foreign service out of India may be granted leave by his employer on such conditions as the employer may determine. In any individual case, the authority sanctioning the transfer may determine beforehand, in consultation with the employer, the conditions on which leave will be granted by the employer. The leave-Salary in respect of leave granted by the employer will be paid by the employer and the leave will not be debited against the employee's leave account.
- (b) In special circumstances, the authority sanctioning a transfer to foreign service out of India may make arrangement with the foreign employer, under which leave may be granted to the employee in accordance with the regulations applicable to him as employee of the Board, if the foreign employer pays leave contribution at the rate prescribed under Regulation 71.

RULING

For the purpose of pension, the period of leave granted by foreign employers out of India to employees lent to them under regulation 77(a) should be treated as 'leave' and not as 'duty'.

78. **Fixation of pay on officiating promotion:-** An employee of the Board in foreign service, if appointed to officiate in a post in Board's service, will draw pay calculated on the pay of the post in Board's service, on which he holds a lien or would hold a lien had his lien not been suspended and that of the post in which he officiates. His pay in foreign service will not be taken into account in fixing his pay.
79. **Reversion from foreign service:-** An employee reverts from foreign service to Board's service on the date on which he takes charge of his post in the service of the Board, provided that, if he takes leave on the conclusion of foreign service before rejoining his post, his reversion shall take effect from such date as the Board may decide.

DELEGATION

The authority which granted the leave is empowered to decide the date of reversion of the employee returning after leave from foreign service.

If joining time or travelling allowance or both will be admissible to the employee, the date of reversion from foreign service should not be earlier than the date on which he will take charge of the post in Board's service, unless the foreign employer agrees to pay the transit pay (including leave and pension or provident fund contribution as the case may be) and the travelling allowances.

Note: The period of leave taken during foreign service counts for pension to the extent to which such period of leave is allowed to count for pension under the pension regulations of Board because the contributions paid on behalf of the employee either by the foreign employer or the employee maintains the employee's claim to pension. The entire expenditure in respect of any compensatory allowance for the period of leave in or at the end of foreign service shall be borne by the foreign employer. Such leave availed of by an employee during foreign service is not leave preparatory to retirement unless the employee quits duty under the foreign employer before reaching the age of superannuation.

80. When an employee reverts from foreign service to Board's service his pay will cease to be paid by the foreign employer and his contributions will be discontinued, with effect from the date of reversion.

ANNEXURE
(See Regulation 15)

(1) Certificate of Physical Fitness (for Executive posts)

It must be signed by a Commissioned Medical Officer or a Civil Medical Officer of rank not lower than that of Civil Surgeon or a District Medical Officer or any other private doctor with M.D. or M.S. or any other equivalent qualifications in the case of the employees recruited to Class I and II of any service under the Board. In the case of employees recruited to Class III and IV of any service under the Board the certificate must be signed by a Medical Officer of not lower than that of an Assistant Surgeon or any private doctor with M.B.B.S. or any equivalent qualification.

Note: Register number of the certifying Medical Officer in the Register in which his name has been registered should be mentioned.

Name and rank, medical qualifications of an officer granting the certificate,

I do hereby certify that I have examined (full name a candidate for employment under the Andhra Pradesh State Electricity Board in the service as and cannot discover that he has any disease, constitutional affection or bodily infirmity except that his weight is in excess of/below the standard prescribed, or except I do/do not consider this a disqualification for the employment he seeks.

I do further certify that in my opinion his general physical condition is such as to enable him to perform efficiently the active duties of executive service.

I also certify that he has marks of small-Pox/vaccination.

Chest measurement in centimetres in full inspiration/on full expiration/ difference (expansion).

Height	Metres	Centimetres
--------	--------	-------------

Weight (in K.Gs.)

His vision is normal

Hypermetropic ()

(here enter the degree of defect and the strength of correction glasses)

Myopic ()

(here enter the degree of defect and the strength of correction glasses)

Astigmatic (simple or mixed) ()

(here enter the degree of defect and the strength of correction glasses)

Hearing is normal, defective (Much or slight)

Urine-Does chemical examination show (i) albumen, (ii) Sugar, State specific gravity. Personal marks (at least two should be mentioned)

Station :

Signature :

Dated :

Rank/Qualification :

Designation :

The candidate must make the statement required below prior to his medical examination and must sign the declaration appended thereto. His attention is specially directed to the warning contained in the note below:-

1. State your name in full
2. State your age and birth Place.
3. (a) Have you ever had small-pox intermittent or any other fever, enlargement or suppuration of glands, spitting of blood, asthma, inflammation of lungs, heart disease, fainting attacks, rheumatism, appendicitis?
or
(b) any other disease or accident requiring confinement to bed and medical or surgical treatment?
or
(c) Suffered from any illness, wound or injuries sustained while on active service during the war.
4. When were you last vaccinated?
5. Have you or any of your near relations been afflicted with consumption, scrofula, gout asthma, fits, epilepsy or insanity?
6. Have you suffered from any form of nervousness due to over work or any other cause?
7. Have you been examined and declared unfit for Government or Board Service by any Medical Officer/Medical Board within the last three years? (To be filled in only in the case of candidate under Class III and Class IV of any Service under Board).

8. Furnish the following particulars concerning your family

Father's age if living and state of health	Father's age at death and cause of death	Number of brothers living, their ages and state of health
---	---	--

Number of brothers dead
their ages at and cause of death

Mother's age, if living and state of health

Mother's age at death and cause of death

Number of sisters living, their ages and state of health

Number of sisters dead, their ages at and cause of death

I declare all the above answers to be, to the best of my belief,
true and correct

Candidate's Signature

Note: (1) The candidate will be held responsible for the accuracy of the above statement. By wilfully suppressing any information he will incur the risk of losing the appointment and, if appointed, of forfeiting all claims to superannuation allowance or gratuity.

Note: (2) Certificate of physical fitness (for other than executive post)

It must be signed by a Commissioned Medical Officer or a Civil Medical Officer or rank not lower than that of Civil Surgeon or a District Medical officer or any other private Doctor with M.D. or a M.S. or any other equivalent qualification in the case of the employees recruited to Class I and II of any service under the Board. In the case of employees recruited to Class III and IV of any service under the Board, the certificate must be signed by a Medical Officer of not lower than that of an Assistant Surgeon or any private doctor with M.B.B.S., or any equivalent qualification.

Name and rank/qualifications of officer granting the certificate.

I do hereby certify that I have examined (full name
a candidate for employment under the Andhra Pradesh State Electricity Board in the service as and cannot discover that he has any disease, constitutional affection or bodily infirmity except that his weight is in excess of below the standard prescribed, or except.

I do/do not consider this a disqualification for the employment he seeks.

I also certify that he has marks of vaccination/small-pox.

Chest measurement in centimetres in full inspiration/on full expiration/
difference (expansion).

Height	Metres	Centimetres
--------	--------	-------------

Weight (in K.Gs)

His vision is normal

Hypermetropic ()
(here enter the degree of defect and the strength of correction glasses)

Myopic ()
(here enter the degree of defect and the strength of correction glasses)

Astigmatic (simple or mixed) ()
(here enter the degree of defect and the strength of correction glasses)

Hearing is normal, defective (much or slight)

Urine Does chemical examination show (i) albumem (ii) Sugar, State
specific gravity personal marks (at least two should be mentioned)

Station :

Signature :

Date :

Rank :

Designation :

Qualification :

The candidate must make the statement required below prior to his medical examination and must sign the declaration appended thereto. His attention is specially directed to the warning contained in the note below:-

1. State your name in full
2. State your age and birth Place
3. (a) Have you ever had small-pox intermittent or any other fever, enlargement or suppuration of glands, spitting of blood. asthma, inflammation of lungs, heart disease, fainting attacks, rheumatism, appendicitis?

or

- (b) any other disease or accident requiring confinement to bed and medical or surgical treatment?

or

- (c) Suffered from any illness, wound or injuries sustained while on active service during the war.

4. When were you last vaccinated?
5. Have you or any of your near relations been afflicted with consumption, scrofula, gout asthma, fits, epilepsy or insanity?
6. Have you suffered from any form of nervousness due to over work or any other cause?
7. Have you been examined and declared unfit for Government or Board service by any Medical Officer/Medical Board within the last three years? (To be filled in only in the case of candidate under Class III and Class IV of any Service under Board).
8. Furnish the following particulars concerning your family.

Father's age if living
and state of health

Father's age at death
and cause of death

Number of brothers living,
their ages and state of health.

Number of brothers dead
their ages at and cause of death

Mother's age, if living and state of health

Mother's age at death and cause of death

Number of sisters living, their ages and state of health

Number of sisters dead, their ages at and cause of death

I declare all the above answers to be, to the best of my belief, true and correct.

Candidate's Signature

Note: The candidate will be held responsible for the accuracy of the above statement. By wilfully suppressing any information he will incur the risk of losing the appointment and, if appointed, of forfeiting all claims to superannuation allowance or gratuity.