

K S R



NOTES ON KERALA SERVICE RULES. PART - 1

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I. INCREMENTS

Increment shall be granted from 1st day of the months which it falls due (with effect from 1.4.1974)

SERVICE THAT COUNTS FOR INCREMENT

Duty period, service in a higher post, Foreign service deputation, all leave period (except Leave without Allowances), Leave without Allowance taken on Medical Certificates, Dies – non period, suspension period treated as duty, joining time along with duty, joining time taken along with leave if last day of leave counts for increments, leave without allowance taken under Rule 91A and leave without allowance for 60 days in continuation of maternity leave.

PROBATION

Increment accruing consequent on declaration of probation shall be drawn only with effect from the date of completion of probation. Eg:- Probation completed on 27.12.2010 FN, increment can be granted only w.e.f. 27.12.2010. But this will not affect future increments. Next increment due on 1.12.2011.

Increment can be drawn as a matter of course unless it is withheld. But sanction for drawal of increment is necessary in the following cases:-

1. Increment withheld
2. Completion of probation
3. Counting of broken period involved

POSTPONEMENT OF INCREMENT

Can be granted on the 1st day of the month in which the postponed increment, falls due. Eg:- Date of postponed increment falls due 22.12.1989 can be effect from 1.12.1989.

BROKEN PERIOD OF SERVICE

Increment can be granted on the 1st day of the month if he is working in the post from the 1st day to the date on which the increment falls due after counting broken periods.

Eg:- Increment falls due on 29.12.1998 after counting broken periods. If he is working in the post from 1.12.1998 to 29.12.1998, increment can be granted with effect from 1.12.1998.

BARRING OF INCREMENT

Two kinds

- (1) Temporary barring (ie. Without cumulative Effect) is a penalty for proved charges which are not of serious nature. It causes financial loss for particular period only.
- (2) Permanent Barring (ie. With cumulative Effect) is a punishment given for proved charges of grave misconduct. It affects the pay of the officer till retirement.

Increment of pay due to accrual of increment during leave period except for Leave without Allowance, admissible. Increment can be deferred if disciplinary cases are pending. Advance increment for meritorious service can be sanctioned by Government.

II. JOINING TIME

Joining time is the time allowed to an officer to join duty at a new station on transfer.

Classified into two :

- (1) When transferred while on duty
- (2) When transferred while on leave; this again is classified into two
 - (a) Proceeded and returned from Earned Leave proper – admissible
 - (b) Any other leave admissible only if he has no sufficient notice of transfer.

Joining time pay is admissible only if the transfer is on public interest. With effect from 12.2.1981 (Vide GO (P) 116/81/Fin. Dated 12.2.1981) for transfers on request officers will be paid joining time pay and allowances for the period spent in travelling to join the new post.

CALCULATION OF JOINING TIME

Within the same building	:	No joining time
Within 8 kms. of Headquarters	:	1 day
8 Km and above		
Preparation time	:	6 days
Journey time		
1. Rail – 8 Kms to 500 Kms	:	1 day
Fraction beyond 500 Kms	:	Another day
2. Road – 8 Kms to 150 Kms	:	1 day
Fraction beyond 150 kms	:	Another day
3. Other means of conveyances		
8 to 15 kms. And fraction thereof :		1 day

4. Sundays: When holidays follow joining time, the holidays will be treated as joining time extended. Only Sundays are excluded from the calculation of joining time.

When officers are transferred while on leave, joining time need to be reckoned only from the expiry of leave or from the date following the holidays suffixed to leave.

When old and new stations are connected by Rail even if the officer travelled by road, joining time should be calculated only as admissible by rail.

When transferred while on transit, second preparation time will not be eligible.

When transfer is subsequently cancelled, the period from the date of relief and rejoining duty has to be treated as joining time.

Joining time can be combined with vacation. Need to join only at the end of vacation

JOINING TIME PAY:

- (1) Transfer while on duty: The pay and allowances of the old post
- (2) For transfer while on leave without allowances – Nil
- (3) For transfer while on any other leave- Amount equal to leave salary last drawn
- (4) For transfers while on leave without allowances up to 14 days in continuation of any other leave-Amount equal to leave salary last drawn. Joining time is treated as duty.

An officer deputed for training is eligible for actual journey time from place of duty to training centre and from training centre to place of duty. This is treated as part of deputation period.

III. FOREIGN SERVICE:

An officer is said to be in Foreign Service when he is receiving his pay and allowances from a source than the Revenue of Government of India or the Revenue of any State, with sanction of Government.

Conditions:-

1. No officer can be transferred against his will
2. Requires Government sanction
3. Should not be transferred for more than 5 years at a time.
4. At the time of Transfer, the officer should hold temporary or permanent post.
5. If on leave while on transfer, leave should be cancelled.
6. Promotion and increment due to the officer from time to time admissible.
7. Before deputation, Finance Department should be consulted.

Foreign Service begins from the date of relinquishment of charge of the post in the Government Service and ends on the day the officer joins duty in Government Service.

PENSION AND LEAVE SALARY CONTRIBUION

Pension Contribution and Leave Salary Contribution shall be @ 15% and 10% respectively, of the maximum of the scale of pay of the post from which deputation is sanctioned or amount drawn by the employee including stagnation which ever is more with effect from 15.12.1984 (Vide GO(P) No. 329/85/Fin. Dated 11.6.1985)

Foreign employees may not accept pension or gratuity from his foreign Employer in respect of such service without the sanction of Government.

The Head of Office should make necessary entries relating to Foreign Service in the Service Book of the Non-Gazetted Officers and furnish informations to the Accountant General regarding the date of relief, his pay and date of next increment, Scale of pay, etc for assigning Foreign Service Account Number.

Arrangements for the remittance of contributions under Family Benefit Scheme has to be made by the employee (G.O(P)/83/80/Fin. Dated 23.1.1980).

Conditions of pay and allowances, joining time, leave and TA have to be decided in consultation with Foreign Employer on the basis of an agreement signed by the Officer, Government and Foreign Employer.

IV.CHARGE ALLOWANCE:

Three kinds of combinations of Appointments

- (1) To officiate : To hold a second post in addition to his own post
Charges Allowance : Highest pay which he would be entitled+ 6 % of the minimum of the scale of the other post.

- (2) To hold full additional Charge:-
In one or more posts :

- Conditions** (a) Should exceed 14 working days – Maximum 3 months
(b) Should perform all the administrative, financial and statutory function and duties of the other post.
(c) Charge allowance:3 % of minimum of the scale of pay of the Additional posts and large amount of Compensatory Allowance.

3. To attend Current Duties:

i.e., to attend the work of a routine nature, charge allowances admissible is 3% of the minimum to his scale of pay of the other post. Compensatory Allowances attached to his own post alone is admissible. Period should exceed one month.

Post in respect of which additional charge arrangement may be ordered shall be as classified below:

1. Posts not in the same office, Establishment, or line of promotion or cadre. Where the duties and responsibilities are clearly independent and are eligible for additional pay.
2. Posts in the same office, establishment, or line of promotion or cadre:-
 - (a) Where the additional post is subordinate to the regular post, additional pay shall, not be admissible.
 - (b) Where the additional post is of equivalent and of the same rank as that the regular post:-
 - (i) If additional charge arrangements are in respect of different territorial jurisdictions, the posts are independent and hence additional pay shall be admissible.
 - (ii) If the additional charge arrangements are in respect of the posts in the same office and of the same rank, additional pay shall not be admissible.
 - (iii) If the additional charge arrangements are in the same office and if the responsibilities attached to the post are indivisible and cannot be distributed to more than one officer additional pay shall be admissible.
In such cases a certificate to the effect that the responsibilities of the post held in additional charges are not divisible, should be furnished by the competent authority.
 - (c) When the additional post is superior to the regular post and carrying higher scale of the pay additional pay shall be admissible.

V.SUSPENSION: Subsistence allowance.

RATE OF SUBSISTENCE ALLOWANCE

Half Pay Leave Salary for the whole period of suspension.

- 1) DA admissible for the amount of subsistence allowance, Special Leave allowance is permissible (Cr.No.8/2003/Fin dated 08.01.2003).
- 2) Eligible for Medical Reimbursement (GO (P) 911/2000/Fin dated 26.05.2000).
- 3) No Earned leave surrender.
- 4) No benefit of increment during the period of suspension

The officer will get his next increment only after one year of qualifying service for increment after reinstatement.

No refund of subsistence allowance will be necessary where suspension period is converted in to leave without allowance for want of sufficient number of leave with allowances to the credit of officer on the date of suspension(G.O (P) 545/2008/Fin dated 10.12.2008).

VI.PROBATION

Every Officer will be on probation when first appointed. For promotion in the subordinate service shall be one year on duty within a continuous period of 2 years. The period of probation applicable to appointments by transfer in State and Subordinate Services where direct recruitment is one of the methods of appointments as per Special Rules and also to appointments by Direct Recruitment be two years on duty within a continuous period of three years. The period of probation for persons appointed to selection posts in the State Service by promotion and appointed thereto by transfer within the Department where direct recruitment is not one of the methods of appointment as per Special Rules shall be six months on duty within a continuous period of one year.(G.O(P)42/2010/P&ARD dated 20.12.2010)

There is no probation where there is no change of duties and responsibilities in the promotion post.(Rule 28(e) of Part II KS&SSRs)

VII.CASUAL LEAVE

20 days in a calendar year, the maximum casual leave that can be taken at a time is 15 days including holidays. Casual leave is treated as duty for all purposes. In the case of Gazetted Officers this leave is not reported to A.G. and no charge certificate is necessary. Casual Leave cannot be combined with any other leave or joining time or vacations. Subject to discretions of sanctioning authority, Casual leave can be sanctioned without taking into considerations the length of service (Appendix VII).

- (1) Provisional employees appointed for 180 days through employment exchange are eligible for casual leave at the rate of one day for a month subject to a maximum 12 days in an year on condition that the number of days of absence from duty including holidays shall not exceed 7 days at a time(G.O(P)271/2011/Fin dated 27.06.2011).
- (2) For infections diseases in an Officer's residence. When the Officer catches the diseases, ordinary leave has to be taken. This leave is granted only for 21 days and for exceptional cases upto 30 days. Other purposes for which special casual leave is admissible.
- (3) When the Officer is summoned to a Court of Law (2) for anti-rabic treatment – 14 days + actual journey time (3) for sterilization operation etc. This leave can be combined with casual leave or any other ordinary leave. Head of offices are also eligible for this leave (Appendix VII Section II).

- (4) Special Casual Leave up to 15 days in a calendar year shall be granted to the employees having physically / mentally challenged children on production of certificate to that effect from an authorized medical officer attending them (GO (P) 333/11/Fin. Dt. 6.8.11.

VIII. COMPENSATION LEAVE:

For attending duty with proper authority on authorized public holidays. One compensation leave for each holiday with the prior sanction of competent authority. Maximum admissible in a calendar year is 15, should be availed within three months of duty. This can be combined with Casual Leave or any other holiday provided that total period of absence should not exceed 15 days. May not be combined with regular leave such as Earned Leave. Not admissible to heads of Office (Appendix VII Section III).

IX. LEAVE

Two Types : (1) Ordinary Leave : Earned Leave, Half Pay Leave, Leave not due, Commutated Leave and Leave without Allowance.

(2) Special Leave : Maternity Leave, Study Leave, Disability Leave and Hospital Leave.

(1) EARNED LEAVE:

For non-vocation department 1/22 of duty for the first year of service and 1/11 of duty thereafter. Maximum period that can be earned 300 days (w.e.f 1.11.98). At a time Earned Leave can be sanctioned for 180 days. For preparatory to retirement 300 days can be sanctioned (Rule 78 & 86). On completion of 3 years the leave during first year can be recasted @1/11.

For vacation departments – No Earned Leave, if full vacation is enjoyed (Rule 80). If engaged duty during vacation, he is eligible for Earned Leave. (Except for 1st year of service)

$$\text{Earned Leave} = \frac{\text{No. of days on duty} \times 30}{\text{No of days of vacation days}}$$

LEAVE IS NOT EARNED during

- (1) All kinds of leave except casual leave, special casual leave and compensation leave.
- (2) Dies – non
- (3) Suspension not treated as duty
- (4) 1st year of officiating service in vacation department
- (5) During re-employment period of refused leave.

Earned Leave Salary: As if on duty : Rule 92

SURRENDER OF EARNED LEAVE:

- Earned Leave can be surrendered subject to a maximum of 30 days once in a financial year.
- Not admissible during leave without allowances granted for taking another appointment.
- Strike period and suspension period.
- Retrospective surrender not admissible. vide Circular No. 66/69/Fin. Dated 29.07.1969.

Surrender at the time of retirement or death maximum 300 days. Compensatory allowance like HRA, CCA etc. are admissible in respect of terminal surrender of Earned Leave w.e.f. 1.12.1989 vide G.O (P) No. 232/95/Fin dated 21.3.1995.

This benefit is in addition to usual surrender admissible for all kinds of retirements. Applications should be submitted before retirement. (Circular No. 3/77/Fin dated 17.1.77 & G.O (P) 764/78/Fin. Dt. 19.10.1978). from 17.7.79

(2).HALF PAY LEAVE (RULE 83)

For each completed year of service – 20 days, period of leave without allowances granted for taking private employment and suspension period will be excluded for calculation of half pay leave.

No limit for earning and granting

LEAVE SALARY

Upto a pay of Rs. 18740.00 = Half pay + Full DA while on duty or 65% of (pay +DA) whichever is higher.

Above Rs. 18740. half pay and DA admissible for Half Pay (Rule 93)

HRA/CCA admissible for all kinds of leave with allowances up to 180 days.

(3).COMMUTATED LEAVE

Half pay leave converted into full pay leave at the rate of one day's commuted leave for 2 day's Half Pay Leave. Commuted leave can be sanctioned only to permanent officer or officers who have completed 3 years of continuous service (Rule 84).

(4).LEAVE NOT DUE :

This is Half Pay Leave granted in advance – Maximum 360 days in entire service at a time on days 180 days in entire service other than an Medical Certificate at a time 90 days. Only permanent employees are eligible. There is reasonable prospect of the officer returning to duty on the expiry of leave and earning an equal amount of HPL thereafter. Only when no other leave with allowance is available at credit. (Rule 85).

Leave Salary : Half Pay Leave Salary.

(5).LEAVE WIHTOUT ALLOWANCES:

For temporary officers – 3 months. For permanent employees – 4 months.. Requires Government sanction for periods exceeding 4 months. Non – permanent employees of less than 3 years of continuous service can be granted this for 18 months for treatment for TB, Leprosy, Cancer and mental disease (Rule 90). Temporary Officers drawing pay upto Rs. 22360 who is granted leave without allowance for the treatment for TB, Leprosy, Cancer and Mental diseases can be 7826/PM and minimum of Rs. 5220/- PM (Rule 90A).

(6) .SPECIAL LEAVE: MATERNITY LEAVE

180 days from the date of commencement.

Maternity leave for 6 weeks can be granted for cases of miscarriage and abortion. Application for this kind of leave should be supported by Medical Certificate Leave salary – Full pay and allowances. (Rule 101) as if she is on Earned Leave.

Leave under Rule 100 will be granted to female officers in cases of hysterectomy subject to the condition that leave does not exceed 45 days and application for leave is supported by a certificate from the Medical Attendant.(G.O (P)129/2009/Fin dated 01.04.2009.)

Female recruits through PSC who join duty within 180 days from the date of their delivery shall on joining ,be granted from the next day the balance portion of maternity leave admissible as on the date of joining duty(Note 5 to Rule 100,Part I KSRs)

Maternity period will be reckoned as duty for purpose of probation.(G.O(P)6/88/P&ARD dated 15.02.1988)

(7) .CHILD ADOPTION LEAVE.

Female employees who are adoptive mothers with fewer than two surviving children, are eligible for child adoption leave for 180 days from the date of legal adoption of a child up to one year of age with full pay and allowances as admissible under rule 92 of Part I ,KSRs.(Rule 102A)

(8).SPECIAL DISABILITY LEAVE:

Allowed to an officer who is disabled by injury inflicted while on official duty granted for treatment as inpatient, treatment as out-patient and for rest on the strength of Medical Certificate. Maximum 24 months for one disability. Earned leave salary for 4 months and Half Pay Leave Salary for the remaining period (Rule 97).

(9).HOSPITAL LEAVE

For treatment inside hospital to low paid employees under circumstances of special disability leave. Leave salary as admissible for Special Disability Leave (Rule 103).

(10).STUDY LEAVE:

Granted when selected by Government to undergo a course of study in the interest of Government. 5 years of service is necessary. Half pay Leave salary allowed- Vide Appx. VI of Kerala Service Rules.

(11).PATERNITY LEAVE.

Paternity leave will be granted for a period of 10 days (for two children) during the confinement of his wife for child birth up to 10 days before or up to 3 months from the date of delivery of the child subject to the production of a certificate from the medical practitioner stating the exact date of delivery (GO (P) 342/11/Fin dt . 11.8.11) full salary admissible. It can be combined with other kinds of leave except leave under Appendix XII A, B C.(G.O(P)342/2011/Fin dated 11.08.2011).

