

HIMACHAL PRADESH
PUBLIC WORKS DEPARTMENT

NO.PWE-95-3-75(Gen-Cir)-ES-I-

9689-9790

Dated:-18/11/2020

From:

Engineer-in-Chief,
HP.PWD, Shimla-2.

To

The Engineer-in-Chief (Project),
The Chief Architect, HP.PWD Shimla/ Mandi.
All the Chief Engineers in HP.PWD.
All the Superintending Engineers in HP.PWD.
All the Executive Engineers in HP.PWD.
All the LAOs in HP.PWD.

Subject:-

Requirement of taking prior permission by government servants for leaving station/ headquarters during leave or otherwise.

I am directed to enclose herewith a copy of letter No. Per (AP-B)-A (3) -7/ 2020 dated 26th October, 2020 received from Chief Secretary to the Government of HP on the subject cited above for information and further necessary action.

It is requested to ensure the strict compliance of these instructions and instances of leaving station without permission will attract disciplinary action.

Encl:- As above.

(Lobzang Namgyal)
Registrar,
HP.PWD., Shimla-2.
17/11/2020

Copy to the Executive Engineer (ICT Wing) HP.PWD Shimla-2 with direction to upload this letter a/w enclosure on the official website of HP.PWD.

All Branch Incharge in this office for similar necessary action.

Encl:- As above.

(Lobzang Namgyal)
Registrar,
HP.PWD., Shimla-2.
17/11/2020

P.R.
21/11/2020
uploaded on
deptt. website
JECIT)

No. Per (AP-B)-A (3)-7/2020
Government of Himachal Pradesh
Department of Personnel

Dated Shimla-171002, the 26th October, 2020

OFFICE MEMORANDUM

Subject: Requirement of taking prior permission by government servants for leaving station/headquarters during leave or otherwise.

FK
E-m-c
11/11/20
The undersigned is directed to say that instances have come to the notice of the Government from time to time on the issues related to taking prior permission for leaving station/ headquarters during leave or otherwise.

2. Attention is invited to the provisions of FR-11 which provides that unless in any case it be otherwise distinctly provided, the whole time of a Government servant is at the disposal of the Government which pays him, and he may be employed in any manner required by proper authority etc.. Besides, Article 56 of the Civil Service Regulations also provides that no officer is entitled to pay and allowance for any time he may spend beyond the limits of his charge without authority. It is implicit in these provisions that a Government servant is required to take permission for leaving station/headquarters. However, separate permission may not be necessary where a Government servant has indicated his intention of leaving headquarters/station alongwith leave address while applying for leave. Also as per provisions prescribed in Rule-161 of Himachal Pradesh Treasury Rules, the pay of a Government employee can be drawn only from the station/ institution/ office where he/she is actually posted, and in no case the pay of a Government servant shall be drawn from a station/ institution/ office other than his

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3. Catena of instructions in this regard have been issued by the Government of India vide OM No. 11013/7/4-Estt (A) dated 18th May, 1994 and OM No. 11-13/8/2000-Estt.(A) dated 7th November, 2000, which stand adopted by this State Government, vide which attention has been invited to the provisions of Fundamental Rule-11 and Article-56 of the Civil Service Regulations which stipulates that a Government servant is required to take permission to leave station or headquarters and more so when he proposes to go abroad during such absence, as such visit may have wider implications. However, separate permission may not be necessary where a Government servant has indicated his intention to leave headquarters/ station alongwith Leave Address while applying for leave.

4. It has come to the notice of the Government that employees often leave the station/ headquarters without seeking prior permission of the competent authority. The Government has taken this aspect very seriously, particularly in respect of those employees who leave station everyday without proper permission of the competent authority. Although the Government is aware of the facts that due to improvement in the transport facilities and the living standards of the employees of the State with the passage of time, they use their own conveyance or pool vehicles to reach their place of posting. But it does not imply that they may leave their headquarters without prior permission, which is violation of the rules / instructions and can attract disciplinary proceedings too.

5. Recently, the Hon'ble High Court in its judgement delivered on 26.06.2020 in CWP No. 1737/2020 titled as Pradeep Kumar V/s State of Himachal Pradesh & Others has directed the State Government to lay down guidelines ensuring attendance of the government servant with maximum output in his job for which he is paid out of the State Exchequer.

Q. Mohan

6. The State Government has allowed various allowances to its employees such as Dearness Allowance, House Rent Allowance, Compensatory Allowance, Capital Allowance etc. in order to meet the price escalation. House Rent Allowance has been allowed to Government employees for rented/ own accommodation at the place of posting. This allowance has been allowed in different slab rates i.e. (i) Shimla (including suburbs), (ii) District Headquarters and (iii) other parts of the State. Compensatory Allowance has been allowed at different rates for different groups whereas the Capital Allowance is admissible only to the employees posted in Shimla. As per provisions of rules, these allowances have been allowed/ determined with reference to the place of postings. Hence, in case, employees who are not residing at their place of posting for one reason or other and are travelling from their place of posting to the place of residence i.e. other than the place of posting and beyond the permissible limits, and are getting allowances with reference to their place of posting, and is against the basic principles / intention for granting such allowances to its employees which is a burden on the State Exchequer.

7. In view of factual position narrated above, it has been decided by the State Government that henceforth, a Government servant who does not stay at the place of his/her office can only be allowed to stay at other place subject to the following conditions :-

- (i) The to and fro Journey time should not exceed two hours every day ;
- (ii) He/she shall be required to disclose this to the competent authority and obtain general permission, which can be revoked based on periodic review of the performance and output of the employee ;

J. B. Bhatia

- (iii) This permission does not prohibit/ preclude the competent authority to suspend this permission whenever the competent authority wants the concerned government servant to stay back on any particular day(s) in order to dispose of urgent official business ;
- (iv) Such permission will not be granted to government servants employed in connection with "**Essential Public Services**" and in no situation where the competent authority is of the view that services of an official are required at the headquarters regularly due to administrative exigencies ;
- (v) Once such permission is granted in favour of a Government servant, the admissible allowance will be regulated as under :-

House Rent Allowance- The Government servant will be permitted to draw allowance only at the minimum rate prescribed in other parts of the State by the Finance Department vide OM No. Fin@B(7)-1/2012 dated 28.02.2012, as amended from time to time.

Compensatory Allowance - The Government servant will be permitted to draw allowance at the rate admissible to the lowest Group i.e. Group-VIII as prescribed by the Finance Department vide OM No. Fin@B(7)-16/98, dated 11th June, 1999, as amended from time to time.

Capital Allowance- This allowance is admissible only to the Government servants who are posted in Shimla. Hence, in case, such permission is granted, the Government servant will not be permitted to draw this Allowance in case permission is granted to

8. Instances of leaving station without permission will attract disciplinary action.

BY ORDER

ANIL KUMAR KHACHI
Chief Secretary to the
Government of Himachal Pradesh

**All Administrative Secretaries to the
Government of Himachal Pradesh,
Shimla-171002**

Endst. No. As above Dated Shimla-171002, 26th October, 2020
Copy to :-

1. The Principal Accountant General, Himachal Pradesh, Shimla-171001.
2. The Registrar, High Court of HP, Shimla-171001.
3. All Divisional Commissioners in Himachal Pradesh.
4. The Resident Commissioner to the Government of Himachal Pradesh, Himachal Bhawan, 27-Sikandra Road, New Delhi.
5. All Heads of Departments in Himachal Pradesh.
6. All Deputy Commissioners in Himachal Pradesh.
7. All Managing Directors/ Registrars/ Secretaries, Boards/ Corporation/ Universities/ Banks in Himachal Pradesh.
8. The Secretary, HP Public Service Commission, Nigam Vihar, Shimla-171002.
9. The Director of Vigilance, Himachal Pradesh, Shimla-171002.
10. The Secretary, HP Staff Selection Commission, Hamirpur (HP).
11. All Section Officers in Himachal Pradesh Secretariat, Shimla-171002.



(O.P. BHANDARI)

Joint Secretary (Personnel) to the
Government of Himachal Pradesh