

Copy of letter No. 7477-4GS-63/24400, dated 8th July 1963 from the Financial Commissioner, Planning & Additional Chief Secretary to Government Punjab to all Heads of Departments etc., etc.

Subject : —Concessions to civilian employees and others who join military service during the Emergency.

I am directed to refer to Punjab Government letter No. 1922-II-GS-63/7798, dated the 25th February 1963, on the above mentioned subject regarding the concessions to be given to persons who join military service during the present Emergency and to say the matter has been reviewed and in supersession of that letter, it has been decided as follows—

Ex-servicemen and Members of the Territorial Army

(a) The maximum age-limits prescribed for civil employment under the Punjab State will be relaxed in their favour and the period of their approved military service will be excluded in counting their age for this purpose provided that—

- (i) they produce a certificate from the military authorities that they had continuous military service for a period not less than six months and were discharged because of demobilisation/reduction not more than three years prior to the date of their registration at an Employment Exchange of the date of application for employment under the State Government; and
- (ii) they fulfil the qualifications other than those in respect of age prescribed for the service/post applied for by them save that if the competent authority certifies that a person who has rendered approved military service has acquired by experience or otherwise qualifications equivalent to those prescribed for the service post, it may in his case relax the maximum prescribed for such service/post.

(b) The period of approved military service will count for increments seniority and pension in the civil employment as under:—

- (i) *Increments*—The period a person has spent on approved military service after he attained the minimum age for entry prescribed for the service/post to which he is appointed will count for increments in the post to which he is appointed if such appointment is on an incremental scale. Where no age is prescribed the minimum age will be as laid down in rules 3.9, 3.10 and 3.11 of the Punjab Civil Service Rules, Volume II.

This concession will, however, be admissible on first appointment and not on subsequent appointments which might follow resignation, etc., from the first appointment. In the case, however, of a person who joins a second or subsequent post on transfer and who has not already availed of the concession, the concession will be admissible but only such benefit will be allowed to him as would have been admissible to him in the post to which he was appointed first.

- (ii) *Seniority*.—An ex-servicemen who is appointed to a civil service will be assigned a place in the cadre of such service which will be fixed with due regard to his age and the period allowed to be deducted under b(i) above and will, as nearly as may be, correspond with the place which he would have been assigned if the Emergency had not intervened and he had qualified in the normal way.
- (iii) *Pension*.—Approved military service will count towards pension only in the case of appointment to a permanent civil post and subject to the following conditions—
 - (1) the ex-servicemen concerned should not have earned a pension under the military rules in respect of the service in question;
 - (2) in the case of the services/posts in respect of which a minimum age is fixed for recruitment, military service rendered below that age will not be allowed to count for pension;
 - (3) the bonus or gratuity paid in respect of military service by the defence authorities will have to be refunded to the State Government; and
 - (4) the break between the military service and the civil service will be condoned provided the breaks does not exceeding one year. Breaks exceeding one year and not exceeding three-years may also be condoned in exceptional cases under the orders of the Government.

also be entitled to exclude from their age the period from the time they were disabled up to the date of their application for appointment or until the end of the emergency, whichever is earlier.

(d) Widows of deceased servicemen and wives of those who become disabled will be considered sympathetically for civil employment provided they fulfil the minimum qualifications prescribed for the service/post applied for by them.

(e) Children of deceased/disabled servicemen will be considered sympathetically for civil employment if they fulfil the qualifications of the service/post applied for by them.

State Government Employees who are permitted to join Military Service during the Emergency

(f) State Government employees who are permitted to join military service during the Emergency will be seconded for military duty. Liens will be retained on the posts held substantively. As regards State Government employees holding posts on temporary/officiating basis, they will be entitled to the concessions contained in clauses (g) and (h) below so long as the post remain in existence and the employees concerned continue to be entitled to hold the officiating/ temporary posts on the basis of their seniority.

(g) The period spent on approved military service will count for seniority, promotion, increment leave subject to the procedure in clause (t) and pension in the civil appointment. The employees concerned will be entitled to *proforma* promotion in their parent departments under the next below rule and also to seniority in higher posts to which they would otherwise have been entitled if they had not proceeded on military service.

(h) They will be entitled to draw, during military service the civil rates of pay and allowances admissible to them from time to time, or the military rates of pay and allowances, whichever are higher. In the case of those joining as J.C.Os/Other Ranks, however, the civil rates of pay and allowances which would have been admissible to them from time to time will be reduced by Rs. 25 per mensem on account of free rations.

(i) The period of military service in any rank will be treated as period spent on deputation on a corresponding post for being counted towards the period of probation fixed under the departmental service rules.

(j) The *proforma* promotion of State Government Employees on military service will be made on the basis of seniority-cum-merit. In case it is necessary for them to pass any departmental qualifying test for a particular promotion/increment, they will stand exempted from passing such a test for the period of the military service and for such period thereafter as would normally have been allowed to them to pass such a test but for proceeding on military service, provided that if a similar qualifying test has been passed by them while on military service they will be exempted altogether from passing such a test. At the same time, without prejudice to seniority, no confirmation will be made till the departmental qualifying test has been passed.

(k) Comparable civil posts will automatically stand created in the respective departments for such periods for which a part of whole of the expenditure on pay and allowance is borne by the State Government in respect of State Government employees who are on military service or under military training.

(l) As from 25th February 1963, the date of the issue of the original instructions no direct recruitment on a substantive basis, will be made to any service/post under the Punjab Government except with the sanction of the Government and for special reasons to be recorded by the Administrative Department concerned. Recruitment made on temporary basis during this period will not entitle any employee to being made permanent in preference to those who have joined military service.

(m) If any temporary post is made permanent during the Emergency, it will be filled substantively but will be earmarked for the original temporary incumbent till his return from military service without prejudice to the continuance in civil employment of a person who is senior and has rendered longer service than the temporary civil servant who proceeded on military service.

(n) Temporary State Government employees, who after release from military service are

or not the posts on which they were working at the time of their joining the military service continued to remain in existence during the period of their military service. Temporary State Government employees who do not return to the same post or to a post in an equivalent or similar grade shall be treated in the same manner as new entrants under (a) and (b) above.

(o) If a person is successful in a competitive test for a Service/post, but has already taken up military service before the result is announced, his appointment will be made to the Service/post concerned and he will be considered as having been seconded for military duty, with effect from the date of such appointment.

Period of Military Training

(p) The successful period of military training followed by military service will be reckoned as approved military service for all purposes.

(q) If any of the State Government Employees, who are candidates for Emergency Commissions, withdraws, except for reasons beyond his control, from the training or fails to accept a Commission when offered on the completion of the training he will be liable to refund the cost of tuition, food and clothing, and pay and allowances, as may be decided upon by the Government of India. Besides, in the case of permanent State Government Employees the entire period of absence from the civil employment on this account will be treated as leave without pay, and in the case of temporary State Government Employees they will not be taken back in civil employment.

(r) During the period of military training the State Government Employees will continue to receive pay and allowances of the posts which they were holding before being released for such training irrespective whether or not a lien is retained on that post. In addition they will be entitled to the benefits of increments and promotion which may become due during the period.

Transit Period

(s) In regard to the transit period, the office memorandum No. 35/16/63-Estt. (h), dated the 10th May, 1963, from the Government of India, Ministry of Home Affairs (Annexure 'A') will apply *mutatis mutandis* to the State Government Employees.

Leave

(t) Permanent State Government Employees who are permitted to take up military service during the present Emergency, will be allowed to earn leave during the military service according to the Civil leave rules applicable to them at the time of their transfer to military service. Temporary State Government employees will during military service be governed by the military rules in all respects. Office memorandum No. F.7XII(I) Est. 1V/A/62, dated the 3rd April, 1963, from the Ministry of Finance (Department of Expenditure), Government of India, New Delhi (Annexure B') will apply *mutatis mutandis* to the State Government Employees.

Provident Fund

(u) State Government employees who proceed on military duty will retain their right or liability, as the case may be, of subscribing in accordance with the rules of the Fund concerned, to any Provident Fund of which they are members. In case, however, State Government employee was not a subscriber to any Provident Fund before transfer to military duty, he will be called upon to become a member of the D.S. O.P./A.F.P. Fund after completion of one year's continuous service from the date of his appointment on the civil side.

Accommodation

(v) State Government employees who are permitted to join military service will be allowed to retain, for their families, the Government residential accommodation allotted to them, on payment of rent at 10 per cent of their pay on civil posts.

Medical Facilities

(w) The families of all State Government employees on military service will be entitled

2. The above concessions will not have the effect of reducing in extent the following concessions but where the two sets of concessions operate in the same respect, the higher of the two will be admissible :—

- (i) the concessions given to ex-servicemen and their families by the Government of India;
- (ii) the concessions given to students, who join military service, by the Education Department and/or the Universities concerned; and
- (iii) the concessions which may be allowed by different Departments to their employees proceeding on military service.

3. Office memorandum No. 1/4/63/D (Pay Services), dated the 20th March, 1963, from the Government of India, Ministry of Defence, inclusive of Annexure III thereof (Annexure 'C') will apply *mutatis mutandis* to State Government employees except that—

- (i) as far as State Government employees who proceed on military duty are concerned, pay and allowances will include all types of pays mentioned in rule 2.44 of the Punjab Civil Service Rules, Volume I, Part I (including special pay on tenure posts); and
- (ii) the crossing of the efficiency bar in the civil scale will not be allowed as a matter of course but on the basis of the up-to-date record of service.

4. The concessions contained in this letter will apply in the case of all persons who have joined or join military service during the Emergency and will be in respect of approved military service rendered during the Emergency and for such period thereafter as the Government may prescribe.

5. It is requested that these concessions should be brought to the notice of all employees who are working under you or were working under you and have since joined military service.

6. The receipt of this letter may please be acknowledged.

(ANNEXURE A)

Copy of Office Memorandum No. 35/16/63, Est. (B), dated the 10th May, 1963, from the Deputy Secretary to the Government of India, Ministry of Home Affairs, New Delhi-11-to all State Governments, etc., etc.

Subject :—Treatment of transit period in the case of Civil Government servants permitted to take up military service.

It has been decided in consultation with the Ministry of Finance that in the case of Civil Government servants, who are permitted to take up military service during the present emergency, the period between the date of their release from civil posts and the date on which they report themselves for training/duty to the military authorities shall be treated as duty in their civil posts during which they should be entitled to civil rates of pay and allowances.

2. The transit period will not be treated as duty if the Government servant avails himself leave during the period and he will be allowed to draw only the civil leave salary for this period. The transit period shall not in any case exceed the joining time admissible under the rules applicable to the Civil Government servants concerned.

3. The disbursement of pay and allowances to the persons concerned for such periods shall be made by the Defence authorities and necessary debits in respect thereof will be raised subsequently against the civil department concerned.

4. Similarly, at the time of the persons concerned from military service the period between the date of their release and date on which they report for duty in their parent civil department shall be treated as duty in civil posts to which they may be appointed on such reversion and they will be allowed to draw pay and allowances of those posts during that period.

5. The Ministry of Finance, etc., are requested to extend these orders, if they have no objection, to the corporations and public undertakings under them. Copies of the orders issued may please be sent to this Ministry.

6. In so far as the persons serving in the Indian Audit and Accounts Departments are concerned these orders have been issued after consultation with the Comptroller and Auditor General of India.

(ANNEXURE B)

Copy of office Memorandum No. F-7XII (D)-Est. IV/A/62, dated the 3rd April, 1963, from Deputy Secretary to the Government of India, Ministry of Finance, Department of Expenditure New Delhi, to all Ministries of the Government of India and all State Governments.

Subject :—Leave conditions of Civil Government servant who are permitted to take up military service during the present emergency.

The undersigned is directed to invite a reference to the Ministry of Home Affairs, Office Memorandum (copy attached) No. F. 35/1/62-Ests. (B); dated the 4th December, 1962 on the above subject and to say that the President has been pleased to decide as follows :—

(1) The permanent civil Government servants, who remain subject to the civil leave rules will be granted leave during the period of their military service under the leave rules of the Armed Forces. The leave so granted will also be subject to the conditions and limits laid down in the leave rules of the Armed Forces.

(2) The balance of leave in the civil leave account at the time of their transfer to military service will be frozen.

(3) (i) The leave actually taken during military service will be adjusted in the civil leave account only at the end of military service and in the manner indicated belows—

(a) Annual leave against earned leave;

(b) Sick leave on full pay as commuted leave against half pay leave;

(c) Furlough on half pay/sick leave on half pay against half pay leave.

(ii) If a Government servant availed of leave during military service in excess of what he earned during the service under the civil leave rules, such excess consumption will be condoned in terms of Military Home Affairs Office Memorandum, dated the 4th December, 1962.

(iii) Accordingly the leave at credit in the frozen leave account will not be operated on for any purpose during military service.

(iv) The balance of leave earned during military service remaining at the credit of a Government servant on the date to his reversion after adjustment of leave availed of during that service as at sub-para(1) above, will be credited to his frozen leave account in terms of Military Home Affairs Office Memorandum, dated 4th December, 1962, to the extent that the total of leave at credit in the frozen leave account together with the balance of leave added under this clause does not exceed the limits up to which leave can be accumulated under the leave rules applicable to the Government servant.

(v) As the Civil Government servants will be granted leave under the leave rules of Armed Forces during the period of military service they will not be granted special disability leave under the civil leave rules.

4. (i) A permanent Civil Government servant who takes leave during the period of military service, will be entitled to leave salary under the leave rules of the Armed Forces. If a Government servant is in receipt of Civil rates of pay, the leave salary under the leave rules of the Armed Forces will be calculated with reference to the civil pay only.

(ii) In accordance with the Ministry of Home Affairs Office Memorandum, dated the 4th December, 1962, the leave salary in respect of the leave availed of during military service will be paid by the Defence authorities. The leave salary in respect of the leave earned during military service will, if such leave is availed of after reversion to the civil department, be the liability of the civil department concerned.

(5) The leave accounts of temporary Government servants who will be governed fully by the leave rules of the Armed Forces during the period of military service, will also be frozen. They will neither earn any leave under the civil rules during the period of military service nor will they be allowed any pecuniary benefit in respect of the leave at their credit on the date of transfer to military service. The leave at their credit in the frozen leave account will, however, be carried forward and made available to them on their reversion to the civil department.

(6) Quasi-permanent Government servants will be treated on par with temporary Government servants in the matter of leave on their transfer to military service.

2. These orders will remain in force for the duration of the emergency or until such time thereafter as the Government may deem fit to continue them.

3. In their application to persons serving in the Indian Audit and Accounts Department, the orders will be issued after consultation with the Comptroller and Auditor General.

Copy of office Memorandum No. F. 35/1/62-Ests. (B), dated the 4th December, 1962 from the Deputy Secretary to the Government of India, Ministry of Home Affairs, New Delhi-11, to all State Governments etc., etc.

Subject :— Leave conditions of Civil Government servants who are permitted to take up military service during the present emergency.

The undersigned is directed to say that it has been decided in consultation with the Ministry of Finance and the Ministry of Defence that permanent Civil Government servants who are permitted to take up military service during the present emergency shall be allowed to earn leave during military service according to the civil leave rules applicable to them before their transfer to military service. The amount of leave actually taken by such persons while in military service shall be deducted from their civil leave accounts. Any case of excess consumption of leave during Military service shall be condemned but if the leave taken during Military service is less than the leave earned during that service according to the civil rules the balance will be credited to their civil leave accounts.

2. Temporary Civil Government servants will during military service be governed by the military leave rules in all respects.

3. In all cases the leave salary will be paid by the defence authorities and to leave salary contribution shall be demanded by the Civil Departments from the Ministry of Defence.

4. In so far as the personnel serving in the Indian Audit and Accounts Department are concerned these orders have been issued after consultation with the Comptroller and Auditor General of India.

(ANNEXURE 'C')

Copy of Office Memorandum No. 1/4/63/D (Pay/Services), dated the 20th March, 1963 from the Under Secretary to Government of India, Ministry of Defence, New Delhi to all State Governments, etc., etc.

Subject :—Pay and Provident Fund of Civil Government servants who are permitted to take up military service during the present emergency.

Ministry of Home Affairs Office Memorandum No. F. 35/1/62-Estt. (B), dated the 4th December, 1962 (copy at Annexure I) provides that all permanent Civil Government servants who are permitted to take up military service during the present emergency shall be allowed to retain their lien on their civil post during the period of their absence on Military service. The period of military service shall be treated as service outside the ordinary line for the purpose of proviso to F.R (30.1) as a result of which they will be entitled to *proforma* promotion in their present Department under the 'Next below Rule' and also to seniority in their higher posts to which they would have otherwise been entitled if they had not been posted on Military service. That Ministry's office Memorandum No. F. 35/1/62/Estt.-B., dated the 4th December, 1962 Copy at Annexure II) provides that Civil Government servants who are permitted to take up Military service during the present emergency shall be entitled to draw during Military service the Civil rates of pay and allowances which would have been admissible to them from time to time if they had not proceeded on military service or the military rates of pay and allowances whichever are higher. In the case of Civil Government servants who take up Military Service as J.C.O.s/O. Rs. the civil rates of pay and allowances which would have been admissible to them from time to time shall however, be reduced by Rs. 25 per mensem on account of free rations.

2. The following instructions in respect of both permanent and temporary Civil Government servants are issued in order that the provisions of the above-quoted memoranda are fully implemented :—

- (i) The Defence authorities shall, while communicating the final selection to a Civil Government Servant, indicate the name and address of the Military Unit/formation to which details of pay and allowances, etc. of the Civil Government servants should be communicated by the Civil Departments.
- (ii) As soon as the Civil Government servants struck off the civil post, his Administrative Officer (in the case of Non-Gazetted personnel or the Accounts Officer (in the case of Gazetted personnel), shall forward his Last Pay Certificate and Gazette Notification or Office Order or Pt. II Order to the head of the Establishment to which the individual expected to report for training/service. In the case of personnel selected for grant of Emergency Commission, the Last Pay Certificate has to be forwarded to the Commandant of the Officers' Training School and in the case of personnel selected for J.C.O.s/O. Rs.' appointments, it has to be forwarded to the Pay and Accounts Office Other Ranks concerned through the Commandant of the Training Centre/Unit. Character Rolls or Service Books of the individuals are not to be forwarded to the Military Departments.
- (iii) In the case of personnel selected for Emergency Commission, the Commandants of the Training Centres shall pay during the training period, to the Civil Government servants net civil pay and allowances as are indicated in the last Pay Certificates. He shall make a further deduction of Rs. 25 from the pay and allowance on account of food expenses. Such payments during the training period will be a charge on the Civil Services Estimates, reduced by the amount of any training allowance admissible, under the Defence Rules, Credits for the amounts deducted from pay on account of Provident Fund advances, etc., noted on Last Pay Certificate should, however, be afforded to the Civil Accountant General concerned. After the completion of training and on grant of Commissions, these documents of the individual concerned will be forwarded to the Controller of Defence Accounts (Officer). From the date of grant of the Commission, the officer will start drawing military pay and allowances or civil pay and allowances, whichever are higher. The Controller of Defence Accounts (Officers) will raise debits against the Civil Accountant-General for the excess of civil pay and allowances over military pay.

(iv) In the case of J.C.Os./O.Rs. etc. the Commandants of the Training Centre/units shall pay to the Civil Government servants either the civil pay and allowances reduced by Rs. 25 or the military pay and allowances, whichever, are higher. In case the reduced civil pay and allowances are higher, debit for the difference shall be raised against the Civil Accountant-General by the C.D.A. (O.Rs.) who shall also afford credits to him for the recoveries made on account of Provident Fund advances, etc. as noted on Last Pay Certificate.

(v) For purposes of determining whether civil pay and allowances are higher than military pay and allowances, the following elements shall be taken into account from Civil and Military Pay Code :—

Civil Pay Code	Military Pay Code	
	For J.C.Os./O.Rs., etc.	For Officers
Pay other than special pay, as defined in F.R. 9 (21) (a) and dearness allowance. This includes officiating pay (other than short-term officiating pay) provided that the officiating appointments so held was not in a tenure post and it is certified by the appointing authority that but for the military duty the Government servant concerned would have continued to hold the officiating appointment.	Pay including Rank Pay, Badge Pay, G.S. Pay, Good Conduct Pay, length of service increments, special pay, and dearness allowance	Pay including Acting rank Pay K.N.A. S.D.A. and Dearness Allowance.
Special pay granted in lieu of a separate higher scale of pay and special pays drawn in non-tenure appointments for specific additions to duty or arduousness of work subject to the conditions mentioned below, will also be taken into account —		
(i) It must be certified that but for his military service, the Government servant would have continued to draw the special pay		
(ii) Such special pay will be reckoned so long as the Government servant would have drawn the special pay		
(iii) Such Special pay will be computed in the nature of personal pay to be absorbed in future increases in pay on the civil side		

Note.—The above is in supersession of all earlier decisions including orders continued in Ministry of Home Affairs, Office Memorandum No. 47/13/62 Ests. (A), dated 22nd October 1962.

(vi) All local and compensatory allowances shall be regulated in accordance with the Provisions of the Military Pay Code applicable at the Place of Posting, hazard pay high altitude allowances, field area concession and other benefits Peculiar to military service shall be Payable separately in accordance with military rules.

(vii) The Civil Administrative Officer in the case of the non-Gazetted personnel, and Civil Accounts Officer in the case of the Gazetted personnel, shall communicate to the Controller of Defence Accounts (Officers) in the case of personnel selected for Emergency Commissions and to the Commandants of Regimental Centres in the case of personnel selected for J.C.Os./O.Rs., appointments, all office orders and administrative decisions including those relating to *proforma* promotion under the 'Next below Rule' which might have a bearing on the pay and allowances of the individuals. All increments including crossing of efficiency bars in the civil scales for these personnel shall continue to be granted as a matter of course.

- (viii) As permitted by the Ministry of Home Affairs Office Memorandum No. F. 35/1/62, Estt. (B), dated the December, 1962, regarding Provident Fund (Copy at Annexure III) the Civil Government servant will continue as member of the Provident Fund to which he was subscribing before taking over Military duties. Contribution to the fund will be deducted by the Military authorities and credits for recoveries made will be afforded by the Civil accounts authorities concerned for adjustment in their books (In the case of class IV Government servants an intimation in respect of the credits will also have to be sent to the parent office). In case any Government servant was not a subscriber of any Provident Fund before transfer to Military duty, he shall be called upon to become a member of the D.S.O.P./A.F.P.P. Fund after completion of one year's continuous service from the date of his appointment on the civil side. In the case, the accounts of the officer will be maintained directly by the Military authorities any advance to be drawn from the Provident Fund shall be sanctioned by the competent Military authorities in consultation with the authorities controlling the Provident Fund concerned and necessary debits will be raised or credits given to the Civil Accounts authorities for the payments and recoveries made, intimation being sent to the parent office in the case of class IV Government servants.
3. These instructions will be applicable *mutatis mutandis* to Civil Government servants who are permitted to take up service in the Navy and the Air Force.
4. These instructions will also be applicable *mut. tis mut. ndi* to employees of such semi-Government organisations Public undertakings, State Governments etc. who have extend the provisions of the Ministry of Home Affairs Office Memorandum referred to in para 1 above, to their employees.
5. This Office Memorandum issues with the concurrence of the Ministries of Finance and Home Affairs.
6. In so far as the personnel serving in the Indian Audit and Accounts Department are concerned, these orders have been issued after consultation with the Comptroller Auditor-General of India.

ANNEXURE I

To Ministry of Defence office Memorandum No. 1/4/63 D (Pay/Services), dated the 20th March, 1963

Copy of Government of India, Ministry of Home Affairs Office Memorandum No. 35/1/62 Ests. (B), dated the 4th December, 1962, regarding lien of civil Government servants who are permitted to take up Military service during the present emergency.

The undersigned is directed to say that it has been decided that all permanent civil Government servants, who are permitted to take up military service during the present emergency should be allowed to retain liens on their civil posts during the period of their absence on military service to enable to return to their civil posts on release from military service.

2. Under the Fundamental Rules lien on the post temporarily held by civil Government servant cannot be granted. It has been decided that temporary civil Government servants who are permitted to take up military service should, if they so apply, be permitted to return to their civil posts on release from military service, provided those posts are still in existence at that time and the service rendered is "approved" military service.

3. It has further been decided in consultation with the Ministry of Finance that in the case of civil Government servants who are permitted to take up military service during the present emergency, the period of their military service shall be treated as service outside the ordinary line for the purpose of the proviso to F.R. 30(1), as a result of which they will be entitled to *pro forma* promotion in their present department under the next below rule and also to seniority in higher posts to which they would otherwise have been entitled, if they had not proceeded on military service.

4. In so far as the personnel serving in the Indian Audit and Accounts Department are concerned, these orders have been issued after consultation with the Comptroller and Auditor-General of India.

ANNEXURE II

To Ministry of Defence Memorandum No. 1/4/63/D (Pay/Services), dated the 20th March, 1963.

Copy of Government of India, Ministry of Home Affairs Office Memorandum No. 35/1/62-Ests. (B), dated the 4th December, 1962, regarding pay of civil Government servants who are permitted to take up military service during the present emergency.

The undersigned is directed to say that it has been decided on consultation with the Ministry of Finance and the Ministry of Defence that Civil Government servants who are permitted to take up military service during the present emergency, shall be entitled to draw during military service, the civil rates of pay and allowances which would have been admissible to them from time to time if they had not proceeded on military service, or the military rates of pay and allowances, whichever are higher. In the case of civil Government servants who take up military service as J.C.Os./Other Ranks, the civil rates of pay and allowances which would have been admissible to them from time to time shall, however, be reduced by Rs. 25 per mensem on account of free rations.

2. It has also been decided that where the civil rates of pay and allowances are admissible the difference between these rates and the military rates will be paid by the Defence authorities and a debit thereof will subsequently be raised against the Civil Department concerned.

In so far as the personnel serving in the Indian Audit and Accounts Department are concerned these orders have been issued after consultation with the Comptroller and Auditor-General of India.

ANNEXURE III

To Ministry of Defence Office Memorandum No. 1/4/63/D (Pay/Service), dated the 20th March, 1963.

Copy of Government of India, Ministry of Home Affairs Office Memorandum No. F. 35/1/62-Ests.

(B), dated the 4th December, 1962, regarding terms in the matter of Provident Fund of Civil Government servants who take up military service during the present emergency.

The undersigned is directed to say that it has been decided that Civil Government servants who take up military service during the present emergency shall, while so employed and subject to the conditions, stated below, retain their right or liability, as the case may be, of subscribing in accordance with the rules of the fund concerned, to any Provident Fund of which he is a member.

2. While in military service, subscriptions to the Provident Funds and the Government contribution towards the Account of a subscriber to the Contributory Provident Fund (India) will be calculated on the basis of the Government servants' emoluments (as defined in the rules of the different funds concerned). The Government contribution, where payable, towards the Provident Fund Account of a subscriber during the period of military service will form a charge against the Defence Services Estimates. Those estimates will, however, be entitled to a refund of the whole amount charged thereto on this account, or of a proportion thereof as the case may be in any individual case in which the whole of the Government contribution with interest thereon, or a fraction thereof, is withheld under Rule 26 the Contributory Provident Fund Rules (India).

3. The above orders do not apply to—

- (i) persons in Railway Service who take up military service;
- (ii) persons in other civil employ on contract who are so transferred to military service during the currency of their contracts; and
- (iii) persons borne on the reserve of the Indian Forces who are called up for service in those Forces.

4. In so far as the personnel serving in the Indian Audit and Accounts Department are concerned these orders have been issued after consultation with the Comptroller and Auditor-General of India.