

No.Fin(C)B(15)2/2009
Government of Himachal Pradesh
Finance (Regulations) Department

...
Dated, Shimla-171002, the 13th January, 2012

From:-

Principal Secretary (Finance) to the
Government of Himachal Pradesh.

To

1. All the Administrative Secretaries to the Government of Himachal Pradesh.
2. All the Heads of Departments in Himachal Pradesh.

Subject: Fundamental Rule 49---withdrawal of powers.

Sir,

I am directed to refer to the subject cited above and to say that the powers were delegated by Finance Department to the Administrative Departments/ appointing authorities vide OM No. Fin©A(3)8/88 dated 29th August, 1988/4th December, 1989, re-circulated vide OM No. Fin (C)A(3)8/88-IV dated 18th April, 1996, to consider the cases of combination of appointment falling under Fundamental Rule-49 at their own level. While the powers were delegated to decide such cases, it has come to the notice of the Government that the respective authorities/ Departments are not adhering to the provisions of FR-49 and these provisions are being invoked frequently without following the due procedure prescribed in this behalf, which is not in the public interest.

2. The matter relating to withdrawing of the powers so delegated, was engaging the attention of the Government for some time past and after careful consideration, the Governor, Himachal Pradesh is pleased to order that the powers delegated to the appropriate authorities to consider the cases of combination

of appointment falling under FR-49 are hereby withdrawn. In such cases where it is considered in public interest to invoke the provisions of FR-49, including short term vacancies and it is considered that the post cannot be allowed to be kept vacant in the public interest, the proposal may be sent to Finance Department by Administrative Departments with the approval of competent authority with full justification on departmental file, as to why the provisions of combination of appointment under FR-49 are required to be invoked in public interest.

If need be, AD may delegate DDO powers to the person working on lower post, as an interim arrangement, rather than sending case to FD for allowing an officer//official to officiate against a higher post.

3. These instructions may be strictly adhered to and be circulated amongst all the concerned under your administrative control for notice and strict compliance.

skand
Principal Secretary (Finance) to the
Government of Himachal Pradesh.

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Copy for information to:-

1. Registrar General, High Court of Himachal Pradesh, Shimla-1
2. The Principal Accountant General, Himachal Pradesh.
3. Accountant General, (A&E) Himachal Pradesh.
4. All Distt. & Sessions Judges in Himachal Pradesh
5. All the Deputy Commissioners in HP.
6. Director (Treasuries & Accounts Organization) H.P. It is requested that these instructions may be circulated amongst all DTO's/TO's and SAS personnel for strict adherence.
7. The Examiner, Local Fund Accounts, Himachal Pradesh.

skand
Joint Secretary (Finance) to the
Government of Himachal Pradesh.