

**BOARD OF DEPARTMENTAL EXAMINATION, HIMACHAL
PRADESH DEPARTMENTAL EXAMINATION, DECEMBER, 2018**

Paper: 5 (Case Relating to Service/ Financial Rules for SAD)

Time Allowed: Three Hours.

Maximum Marks: 100

- Note: 1) Attempt any five questions. All questions carry equal marks.
2) Only Bare Acts/Rules and Approved Reference Books are allowed.
3) Quote Rule(s) in support of your answer where necessary.
4) Attempt all parts of question in consecutive order.

Q.No.1: (i) Discuss in detail the circumstances under which a government servant can be placed under suspension and deemed suspension. Which authority can place a government servant under suspension?

(ii) What are the Minor and Major penalties that may be imposed on a Government servant under CCS (CCA) Rules and who can impose these penalties?
(10+10=20)

Q.No.2: (i) Explain the term Lien. How and when a Lien is acquired and retained by a Government servant on a post? Under what circumstances Lien is terminated.

(ii) A government servant resigns from his post to take up another post in some other department. How and under which rules his pay will be fixed in the new post. What will happen to his past service in the following situations (a) If his application for another post was routed through proper channel, and (b) If his application was not routed through proper channel?
(10+10=20)

Q.No.3: (i) Define the terms 'Pay', 'Basic Pay' and 'Officiating Pay'.

(ii) Mr.XYZ was promoted to a higher post in the Pay Band V with Grade Pay Rs.8600/- on 12.04.2018 on adhoc basis. He was drawing pay @ Rs.39600/-(Pay in the Pay Band Rs.31200 plus G.P.Rs.8400) in the lower post in Pay Band IV with DNI falling on 1st August each year. He was promoted on regular basis on 20.08.2018. Fix the pay of Mr.XYZ on both the occasions in the manner most beneficial to him under relevant rules.
(5+15=20)

Q.No.4: Regulate TA claim of a government servant drawing Basic Pay of Rs.48900/-(Pay Rs.40300/-plus G.P. Rs.8600/-) on the basis of following details:

- (i) Left Headquarters (Shimla) on 7/5/2018 at 20.00 hrs
- (ii) Reached New Delhi on 8/5/2018 at 06.00 hrs
- (iii) Halt at Delhi on 8/5/2018, 9/5/2018 and 10/5/2018 in connection with official business.
- (iv) Left New Delhi for Lucknow on 11/5/2018 at 08.00 hrs.
- (v) Attended conference at Lucknow on 12/5/2018.
- (vi) Left for Shimla on 13/5/2018 at 06.00 hrs.
- (vii) Reached Shimla on 13/5/2018 at 15.30 hrs.

He travelled between Shimla and Chandigarh by official vehicle, Chandigarh to Delhi, Delhi to Lucknow by train and back up to Chandigarh from Lucknow by air. He stayed in a Hotel at Delhi and boarding and lodging at Lucknow was free.

(20)

Q.No.5: Is prior permission of the Government is necessary for acquisition and disposal of movable and immovable property by a government servant? Discuss in detail the relevant provisions of Rules in this respect. What are the restrictions in relation to acquisition and disposal of movable and immovable property outside India and transactions with foreigners?

(20)

Q.No.6: Comment on the following and quote relevant rule(s) in support of your answer:

- (i) A government servant who was willfully absenting from duty placed under suspension.
- (ii) A government servant travelled in official vehicle returned to his headquarters same day, claimed Daily Allowance.
- (iii) Two days' casual leave availed by a government servant in combination with joining time was rejected.
- (iv) An official under suspension applies for withdrawal from his GPF account.
- (v) A government servant who's DOB was 1st January, 1959 was retired on 31st January, 2017

- (vi) A government servant appointed on regular basis on 1st January, 2004 requested for allotment of GPF number.
- (vii) Disciplinary proceedings against an officer was discontinued after his retirement on the ground that there was no pecuniary loss to the government.
- (viii) The Administrative department decided to refer the matter to the Chief Minister when the Finance Department did not concur in to their proposal.
(2.5x8=20)

Q.No.7: Define and Distinguish between;

- (i) "Dismissal" and "Removal" from service.
- (ii) "Retirement Gratuity" and "Service Gratuity".
- (iii) "Censure" and "Warning".
- (iv) Reduction in "Lower Stage in Time Scale of Pay" and reduction to "Lower Time Scale of Pay".
(5x4=20)

Q.No.8: (i) Calculate from the following information (1) Pension, (2) Family Pension, (3) Retirement Gratuity and (4) Commutation value, in respect of an Officer on his superannuation:

- (a) Basic Pay Rs.50640/- (Pay in PB Rs.42040/- plus G.P. Rs.8600/-).
- (b) DA on the date of Retirement @ 137%
- (c) Qualifying service 32 year 9 months 10 days.

- (ii) Discuss main features of H.P. Civil Services Contributory Pension Rules, 2006 (NPS) of the State Government and role of the Pension Fund Regulatory and Development Authority (PFRDA).

(12+8=20)

Q.No.9 What are the different kinds of Leave earned by duty under Leave Rules? Explain general conditions governing the grant of leave.

(20)
