

BOARD OF DEPARTMENTAL EXAMINATION, H.P. DEPARTMENTAL  
EXAMINATION, May, 2021

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: What are the consequences, if a government servant violates the restrictions imposed by general laws become liable for punishment. This simultaneously violates provisions of CCS(Conduct) Rules, 1964 and liable to disciplinary action as well. Explain in detail with reference to the provisions of CCS(CCA) Rules, 1965 the procedure to be followed by the Competent Authority upon such govt. servant.

(20 Marks)

Q.No.2: (i) What are the effect of dismissal, removal or resignation on the leave at the credit of a government servant?  
(ii) Distinguish between "Leave Not Due" and "Commuted Leave".

(10+10 Marks)

Q.No.3: From the following particulars given below calculate -  
(i) Qualifying service for Pension;  
(ii) Pension;  
(iii) Retirement Gratuity;  
(iv) Family pension and  
(v) Commuted value of pension  
admissible to an officer of the State Government who retired on attaining age of superannuation.  
(1) Date of Birth : 16.05.1963  
(2) Date of Joining : 10.04.1988  
(3) Date of Retirement : 31.05.2021 (A/N)  
(4) Pay at the time of retirement:Rs.46100(Rs.37700+8400/-GP)  
(5) D.A. on the date of retirement: 153%  
(6) He availed EOL from 02.01.1997 to 9.04.1997 due to personal reasons and EOL w.e.f. 1.10.2011 on medical certificate for 60 days.

- (7) Overstayal of joining time of 26 days was treated as dies non but did not entail forfeiture of past service.

(20 Marks)

- Q.No.4 : (i) What general instructions have to be followed by the Drawing and Disbursing Officers regarding preparation and form of bills as per H.P. Treasury Rules ?
- (ii) Which are the points to be kept in view by the Competent Authority to declare an Officer as Drawing and Disbursing Officer.

(10+10 Marks)

Q.No. 5:(i)

A Government Servant drawing the pay of Rs.21,620/- Rs.16,820/- + Rs.4800/- ) in the Pay Band plus Grade Pay of Rs.10300-34800+Rs.4800 with effect from 1.9.2018 was appointed to officiate on regular basis in a higher post of Scientific Officer in the pay band of Rs.15600-39100 plus Grade Pay of Rs.5400 from 1.12.2018. He proceeded on Extra Ordinary Leave (EOL) without Medical Certificate for 30 days w.e.f. 01.06.2019. He was reverted back to his substantive lower post on 01.11.2019. He was again promoted to the higher post of Scientific Officer in the pay band of Rs.15600-39100 plus Grade Pay of Rs.5400 on regular basis w.e.f. 10.08.2020. Regulate his pay from time to time besides fixing his pay on the higher post in the manner most beneficial to him under relevant Rules. Also indicate the date of next increment in the post of Scientific Officer.

- (ii) Distinguish between "Foreign Service out of India" and "deputation out of India"?

(15+5 Marks)

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

- (i) The family of a deceased govt. servant wants to settle at a place other than declared Home town, claimed T.A. besides transfer grant.
- (ii) Admissibility of T.A. on tour to daily rated Driver when required to ply official vehicle to outstation on duty.
- (iii) "The whole time of a govt. servant is at the disposal of the Government which pays him"



- (iv) A govt. servant seeks premature retirement.
- (v) Enforced halt occurring enroute on journey on tour treated for the purpose of Daily Allowance.
- (vi) When common proceedings are called for and by whom it is conducted?
- (vii) Earned leave was sanctioned to the Senior Assistant while the orders of Competent Disciplinary Authority to retire him compulsorily are under issue.
- (viii) A government servant proceeds to his home town availing the Leave Travel Concession where he gets married. He performs his return journey to his headquarters with his wife and preferred claim.

(2.5 marks x 8 = 20 Marks)

Q. No. 7 : Define and Distinguish between ;

- (i) Retirement Gratuity and Service Gratuity
- (ii) Withholding of one increment and Next increment
- (iii) Substantive Pay and Presumptive Pay
- (iv) Subsistence Allowance and Compensatory Allowance
- (v) Emoluments and Average Emoluments

(4 marks x 5 = 20 Marks)

Q.No.8 :

- (i) What restrictions are imposed on a Government servant in seeking to assist another Govt. servant whose conduct is under investigation? Are the restrictions applicable to a retired Govt. servant taking the assignment?
- (ii) Can a pension once sanctioned be withheld or withdrawn subsequently, if so under what circumstances and by whom.?

(10+10Marks)

Q. No. 9 :

- (i) What is meant by "Next Below Rule"? Explain clearly its intensions, benefits conferred by it and conditions to be fulfilled under it. Have any classes of employees been deprived of the Next Below Rule benefit? If so to what extent?
- (ii) Discuss the provisions of Rules for acquisition and disposal of movable and immovable property by a government servant.

(12+8Marks)

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