

## **THE CENTRAL CIVIL SERVICES (JOINING TIME) RULES, 1979**

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## **THE CENTRAL CIVIL SERVICES (JOINING TIME) RULES, 1979**

In exercise of the powers conferred by the proviso to Article 309 and clause (5) of Article 148 of the Constitution and after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts, Department, the President, hereby makes the following rules, namely :-

### **1. Preliminary :-**

(1) These rules may be called the Central Civil Services (Joining Time) Rules, 1979.

(2) They shall come into force on the date of issue of this Notification and shall apply to transfers effected on/or after that date.

(3) These rules shall apply to all Government servants appointed in Civil Services and posts under the Central Government including work charged staff but shall not apply to :

(a) Railway employees,

(b) Armed Forces Personnel and those paid from the defence services estimates,

(c) Government servants engaged on contract and those who are

not in whole-time employment of Government,

(d) Government servants, paid out of contingencies.

## **2. 2 :-**

(1) When a Government Servant to whom these rules apply is transferred to the control of another Government or organisation, which has made separate rules prescribing amount of joining time, his joining time for the journey to join his post under that Government/organisation and for the return journey, will be governed by those rules, unless different provisions are expressly made in the terms of deputation/foreign service by mutual agreement between the lending and borrowing authorities.

(2) The joining time of railway employees. Armed Forces Personnel and those paid from Defence Services estimates and the employees of State Government or any other organisation, who are appointed to Civil Services and posts under the Central Government on deputation or on foreign service basis, shall, for joining the Civil Services and posts under the Central Government and for the return journeys, be regulated in accordance with these rules, unless different provisions are expressly made in their respective terms of deputation/foreign service, by mutual agreement between the lending and borrowing authorities.

## **3. Definitions :-**

Unless there is something repugnant in the subject of context, the terms defined in these rules are used in these rules in the sense hereinafter explained :-

(a) Department of Government of India means a Ministry or Department of the Central Government as notified from time to time and any other authority which exercises the powers of a Department/ Ministry of the Government of India. <sup>1</sup> ["In respect of the persons serving in the Indian Audit and Accounts Department, the Comptroller and Auditor General of India shall exercise the same powers as the Ministries/Departments of Government of India under these rules".]

(b) Head of Department means the authority declared as such under the Delegation of Financial Power Rules, 1978. In the case of the Indian Audit and Accounts Department, Head of Department means the authority declared as such by the Comptroller and Auditor General of India

(c) Joining Time means time allowed to a Government servant in which to join a new post or to travel to a station to which he is posted.

(d) Transfer means the movement of a Government servant from one post to another either within the same station or to another station to take up duties of a new post or in consequences of change of his headquarters.

1. Inserted vide " THE CENTRAL CIVIL SERVICE (JOINING TIME) RULES, 1979" Dt.29th January, 1983 Published in Ministry of Home Affairs (Department of Personnel and Administrative Reforms), Noti. No. G.S.R. 90, dated December 27, 1982, published in the Gazette of India, Part II, Section 3(i), dated 29th January, 1983, p. 248 [No. 19011/2/82-Allowances] [U]

#### **4. Joining Time :-**

(1) Joining time shall be granted to a Government servant on transfer in public interest to enable him to join the new post either at the same or a new station. No joining time is admissible in cases of temporary transfer for a period not exceeding 180 days. Only the actual transit time, as admissible in case of journeys on tour) may be allowed.

(2) The surplus staff transferred from one post to another under the Scheme Regulating Reemployment of Surplus Staff shall be eligible for joining time.

(3) Government servants who are discharged due to reduction of establishment from one Central Government Office and reappointed to another Central Government Office shall be entitled to joining time, if the orders of appointment to the new post are received by them while working in the old post. If they are appointed to the new post after being discharged from the old post, the period of break may be converted into joining time without pay by the Head of Department provided that the break does not exceed 30 days and the Government servant has rendered not less than 3 years continuous service on the date of his discharge.

(4) For appointment to posts under the Central Government on the results of a competitive examination and/or interview open to Government servants and others. Central Government employees and permanent/pro- visionally permanent State Government employees will be entitled to joining time under these rules. But

temporary employees of the Central Government who have not completed 3 years of regular continuous service, though entitled to joining time would not be entitled to joining time pay.

**5. 5 :-**

(1) The joining time shall commence from the date of relinquishment of charge of the old post if the charge is made over in the forenoon or the following date if the charge is made over in the afternoon.

(2) The joining time shall be calculated from old headquarters in all cases including where a Government servant receives his transfer orders or makes over charge of the old post in a place other than his old headquarters, or where the headquarters of a Government servant while on tour is changed to the tour station itself or where his temporary transfer is converted into permanent transfer.

(3) Not more than one day's joining time shall be allowed to a Government servant to join a new post within the same station or which does not involve a change of residence from one station to another. For this purpose, the term "same station" will be interpreted to mean the area falling within the jurisdiction of the municipality or corporation including such of suburban municipalities, notified areas or cantonments as are contiguous to the named municipality etc.

(4) In cases involving transfer from one station to another and also involving change of residence, the Government servant shall be allowed joining time with reference to the distance between the old headquarters and the new headquarters by direct route and ordinary mode(s) of travel as indicated in the following schedule. When holidays(s) follow(s) joining time, the normal joining time may be deemed to have been extended to cover such holiday(s).

(5) Extension of joining time beyond the limits indicated in Rule 5(4) can be granted up to the maximum limit of 30 days by the Head of Department and beyond 30 days by the Departments of the Government of India, the guiding principle being that the total period of joining time should be approximately equal to 8 days for preparation plus reasonable transit time plus holidays, if any, following the extended joining time. While computing the transit time, allowance could be made for the time unavoidably spent due to disruption of transport arrangements caused by strike or natural

calamities, or the period spent awaiting the departure of the steamer.

#### **6. 6 :-**

(1) When a Government servant joins the new post without availing of the full joining time, the number of days of joining time, as admissible in sub-rule (4) of Rule 5 subject to the maximum of 15 days, reduced by the number of days actually availed of shall be credited to his leave account as earned leave.

(2) Joining time may be combined with vacation and or regular leave of any kind or duration except casual leave.

(3) If a Government servant in transit on transfer is directed to proceed to a place different from that indicated in the initial transfer orders ) he shall be entitled to joining time already availed of up to the date of receipt of revised orders plus fresh spell of full joining time from the date following the date of receipt of the revised orders. The fresh spell of joining time in such cases shall be calculated from the place at which he received revised orders as if he is transferred from that place.

#### **7. Joining Time Pay :-**

A Government servant on joining time shall be regarded as on duty during that period and shall be entitled to be paid joining time pay equal to the pay which was drawn before relinquishment of charge in the old post. He will also be entitled to Dearness Allowance, if any, appropriate to the joining time pay. In addition, he can also draw compensatory allowances like City Compensatory Allowance, House Rent Allowance as applicable to the old station from which he was transferred. He shall not be allowed conveyance allowance or permanent travelling allowance.

#### **8. Misccllancoas :-**

Where any Ministry/Department of Government of India is satisfied that the operation of any of these rules causes undue hardship to any particular case, that Ministry or Department of the Government of India may by order, for reasons to be recorded in writing, dispense with or relax the requirements of that rule to such extent and subject to such exceptions and conditions as it may consider necessary for dealing with the case "n a just and equitable manner provided that no such order lhall be made except with the concurrence of the Ministry of Home Affairs, Department of Personnel and Administrative Reforms.

**9. 9 :-**

If any doubt arises as to the interpretation of these rules, it shall be referred to the Government of India, Ministry of Home Affairs, Department of Personnel and Administrative Reforms.

**10. 10 :-**

All rules and instructions on the subject of joining time in force immediately before commencement of these rules and applicable to Government servants to whom these rules apply, are hereby repealed.