

ALL INDIA SERVICES (OVERSEAS PAY, PASSAGE AND LEAVE SALARY) RULES, 1957

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In exercise of the powers conferred by sub-section (1) of Section 3 of the All India Services Act, 1951 (LXI of 1951), the Central Government, after consultation with Governments of the States concerned, hereby makes the following rules, namely :-

1. Short title, application and commencement :-

(1) These rules may be called the All India Services (Overseas Pay, Passages and Leave Salary) Rules, 1957.

(2) They apply to persons-

(a) who are members of the All India Administrative Service and who before becoming members thereof were members of the Indian Civil Service;

(b) who are members of the Indian Police Service and before becoming members thereof were members of the Indian Police; and who at the time of their appointment to the India Civil Service or the Indian Police, as the case may be, had their domicile in Asia.

(3) They shall be deemed to have come into force on the twelfth day of July, 1956.

2. Overseas pay :-

The provisions of the Secretary of State's Rules regulating the grant of overseas pay published in the Government of India, late Finance Department Resolution No. 1533-Ex., dated the 5th July, 1923, shall notwithstanding anything to the contrary contained in any general or special order of the Secretary of State in Council

issued under Clause (b) of Rule 1 of the said rules cease to apply to persons to whom these rules apply and the right of any such person to draw such overseas pay shall cease.

3. Passage :-

The provisions of Rule 12 and Schedule IV of the Superior Civil Services Rules shall cease to apply to persons to whom these rules apply and the right of any such person to obtain passages under the said provisions shall cease.

Note.- Passage benefits-Withdrawal of passage benefits with retrospective effect- New Rules transgress the limits imposed under 314-And thus ultra vires-Orders withdrawing benefits also illegal. AIR 1957 Pat 515 : 1957 BLJR 299 : ILR 1957 Pat 557 (DB).

4. Leave salary :-

(1) All leave payable to any person to whom these rules apply shall be payable in rupees,, and conversion, if any, shall be at the prevailing rate of exchange and subject to the exchange regulation, if any, for the time being in force.

(2) No person to whom these rules apply shall be entitled to draw leave salary in pound sterling notwithstanding anything to be contrary contained in the Fundamental Rules applicable to such person.