

Note 6.—*It is not necessary to create a post to make officiating arrangement in a vacancy caused by the deputation out of India of a Government employee in connection with the duties of the post held by him in India. He is considered to be on special duty and does not draw pay against any particular post, the pay being regulated in terms of rule 68.*

69. Omitted.

CHAPTER IX—DISMISSAL, REMOVAL AND SUSPENTION

70. The pay and allowances of a Government employee who is dismissed or removed from service cease from the date of such dismissal or removal.

Note.—Dismissal or removal from service terminates the service of an officer as from the date on which the relevant order is passed. The order of dismissal or removal from service cannot thus be given a retrospective, effect with reference to the date of the order.

****71.** (1) A Government employee under suspension or seemed to have been placed under suspension by an order of the appointing authority shall be entitled to the following payments, namely:—

(a) a subsistence allowance at an amount equal to the leave salary which the Government employee would have drawn if he had been on half-pay :

Provided that where the period of suspension exceeds three months the authority which made or deemed to have made the order of suspension shall be competent to vary the amount of subsistence allowance for any period subsequent to the period of the first three months as follows :—

(i) the amount of subsistence allowance may be increased by a suitable amount, not exceeding 50 per cent of the subsistence allowance admissible during the period of the first three months, if in the opinion of the said authority, the period of suspension has been prolonged for reasons to be recorded in writing, not directly attributable to the Government employee,

(ii) the amount of subsistence allowance may be reduced by a suitable amount, not exceeding 50 per cent of the subsistence allowance admissible during the period of the first three months, if, in the opinion of the said authority, the period of suspension has been prolonged due to reasons, to be recorded in writing, directly attributable to the Government employee;

(b) Dearness, Medical or other compensatory allowance, if any, admissible from time to time on the basis of pay which the Government employee was in receipt on the date of

Termination of service on removal or dismissal,

Subsistence grant while under suspension.

suspension or such portion thereof as the suspending authority may direct subject to the fulfillment of other conditions laid down for the drawal of such allowances.

(2) No payment under sub-rule (t) shall be made unless the Government employee furnishes a certificate that he is not engaged in any other employment, business, profession or vocation:

Provided that in the case of a Government employee dismissed, removed or compulsorily retired from service, who is deemed to have been placed or to continue to be under suspension from the date of such dismissal or removal or compulsory retirement; and who fails to produce such a certificate for any period of suspension, he shall be entitled to the subsistence allowance and other allowances equal to the amount by which his earning during such period or periods as the case may be, falls short of the amount of subsistence allowance and other allowances that would otherwise be admissible to him : where the subsistence allowance and other allowances admissible to him are equal to or less than the amount earned by him nothing in this proviso shall apply to him.

(3) There shall be recovered from the subsistence allowance granted to the Government employee the following which would have been recovered from his salary had he not been suspended:—

- (a) Government dues such as income-tax, super-tax, profession tax, house-rent, charges for electricity and water, furniture hire and the like ;
- (b) contribution towards Group Insurance Scheme ;
- (c) loans and advances taken by the Government employee from the Government;
- (d) over-payment made to the Government employee by the Government; and
- (e) loss to Government for which the Government employee has been held responsible:

Provided that the total amount of the recoveries to be made under clauses (c) to (e) shall not, Unless the Government by the special order otherwise directs, exceed one-third of the subsistence allowance to the Government employee referred to in clause (a) of sub rule (1) and where the total amount calculated to be so recovered under clauses (c) to (e) exceeds one-third of such subsistence allowance, sanction of the appointing authority shall be obtained as to the amount to be recovered under each of the aforesaid clauses in order that the total amount of such recoveries may not exceed one-third of such subsistence allowance.