

these appointments the existing separate orders, as modified from time to time, will continue to apply.

5. These orders will, however, apply to the cases of appointment of employees of State Governments to posts in the Central Government. The cases of employees of the Central Government appointed on transfer to posts under the State Governments should also be regulated in accordance with these principles. Where however special orders already exist in respect of appointments of a specified category of employees to a specified class of posts, those orders will continue to apply instead of the orders contained in this Memorandum.

6. (a) These orders will apply to cases of deputation commencing hereafter.

(b) Employees already on deputation on the date of issue of these orders will be treated as follows:—

(i) They will all have the option to come over to the terms contained in this Memorandum with effect from the date of these orders, provided that the option must be exercised within three months of the date of this office Memorandum and once exercised shall be final.

(ii) In respect of those who do not opt for the terms contained in this office Memorandum, these terms will nevertheless apply in the following circumstances.

A. On the expiry of their present term of deputation, if the existing term is a specified one and is extended hereinafter; provided that where the existing terms of deputation is for less than three years, the revised orders will apply on completion of a period of three years from the date of original deputation.

B. On the expiry of a period of three years from the date of original deputation, where the deputation was for an unspecified period.

7. These orders will not apply to members of the All India Services and to appointments to posts whose terms are regulated under specific statutory rules or orders.

8. These orders will not also apply to cases of deputation to posts outside India.

9. These orders, in so far as they are applicable to employees of the Indian Audit and Accounts Department, have been issued in consultation with the Comptroller and Auditor General of India who will exercise the powers of an Administrative Ministry for the purpose of these orders, in respect of the employees of that Department.

Serial No. 1360.—Circular No. 561-E/85-367-II(Eiv), dated 1-11-1961.

Sub.—Upgrading of posts of Mistries who supervise the work of skilled workers.

Reference this office letter No. 561-E/85-367-II(IV), dated 6-6-1961.

It has been clarified by the Railway Board that the change of scale of Mistries sanctioned vide Board's letter No. E(S)1-57TRB/7, dated 26-11-57 and E(S)1-57 TRB/7 Pt. 1, dated 11-4-1959 is a case of revision of pay scale and not of upgrading.

2. Consequently the fixation of pay of the Mistries whose scale has been revised to Rs. 100-185 (CPC) should be done under 2017(a) (ii)-R.II only and over payments if any made as a result of earlier fixation of their pay under 2017(a) (i)-R.II should be recovered in suitable instalments where necessary.

3. Railway Board's letters referred to in para. 1 above were circulated under this office letter No. 561-E/85-32(3)SPL, dated 12-12-1957 and 561-E/85-383 (SPL), dated 27-4-1960.

Serial No. 1361.—Circular No. 433-E/1-III,(Eiv), dated 1-11-1961.

Sub.—Grant of Special leave.

The orders governing the grant of special leave to staff for attending meetings of employees Co-operative Credit Society in the capacity of Committee Members and for appearing as defence Council on behalf of the accused staff, are contained in Railway Board's letters No. E41FU24(L), dated 28-11-1941 (copy enclosed) and E(D & A)56RG6-4, dated 25-9-1956 (circulated vide this office letter No. 433E/1(EIV), dated 13-12-1956.)

A question was raised whether the grant of leave in such cases was to be subjected to any ceiling limit. It has been held that since the Board have not prescribed any such limit in the cases mentioned in para. 1 above no ceiling limit should be prescribed in their case but it should be borne in mind that the grant of special leave is always subject to the exigencies of service and where this is likely to impose undue inconvenience on the Administration, it lies within the discretion of the competent authority to refuse sanction of special leave. At the same time it is desirable that the facility of special leave for certain activities afforded to the staff is not rendered negatory by refusing such leave without sufficiently strong reasons.

This disposes of D.O. letter No. WS153E/Coop/Wel/167, dated 28-8-1961 from Shri L.K. Saxena A.P.O.(W), Jodhpur.

Copy of Railway Board letter No. E41FU24(L), dated 28-11-1941 addressed to the General Manager, E.I. Railway.

Sub.—Facilities for Committee Members of Employees Co-operative Credit Society to attend Meetings.

With reference to your letter No. AP252VOL I, dated 3-9-1941, I am directed to state that the Railway Board regret that the provisions of rules 342 of the State Railway Establishment Code, Volume I cannot be relaxed, so as to permit the issue of the orders proposed by you. I am to add that the Board consider as incorrect the view of your F.A. & C.A.O. that for the purpose of grant of travelling allowance, absence for attending meetings of the Employees Co-operative Credit Society can be treated as absence on duty, by passing an order in each case under Rule 223R.