

**HIMACHAL PRADESH  
PUBLIC WORKS DEPARTMENT**

NO.PWE-95-3-75(Gen-Cir)-35/ES-I-  
From:

5798 - 5898

Dated:- 25/8/2023

Engineer-in-Chief,  
HP.PWD, Shimla-2.

To,

The Engineer-in-Chief (Projects) Shimla.  
The Chief Architect, in HP.PWD Shimla & Mandi.  
All the Chief Engineers in HP.PWD.  
All the Superintending Engineers in HP.PWD.  
All the Executive Engineers in HP.PWD.  
All the LAOs in HP.PWD.

Subject:-

Regarding regulation of overstayed period of employees of HPPWD upon transfer/ repatriation.

I am directed to enclose herewith a copy of letter No. PBW-A-B (15)-25/2023 dated 17.08.2023 alongwith its enclosures from the Principal Secretary (PW) to the Government of HP.

These instructions may please be brought in to the notice of all concerned and adhered to strictly.

The above instructions shall be available on the official website of HPPWD., [hppwd.hp.gov.in](http://hppwd.hp.gov.in).

(Lobzang Namgyal )  
Registrar,  
HP.PWD., Shimla-2.

Copy to the Executive Engineer (ICT Wing) HP.PWD Shimla-2 with direction to upload this letter a/w Govt. letter dated 24.07.2023 on the official website of the Department.

Copy to the Superintendent Gr.-I ES-II, ES-III and all Dealing Assistants in ES-I for information and strictly compliance.  
DA/ As above.

(Lobzang Namgyal)  
Registrar,  
HP.PWD., Shimla-2.



No.PBW-AB(15)-25/2023  
Government of Himachal Pradesh  
Public Works Department

From

The Pr. Secretary (PWD) to the  
Government of Himachal Pradesh.

To

The Engineer-in-Chief,  
H.P.PWD, Shimla-171002.

Dated: Shimla-2 the

17-08-2023

Subject:-

**Regarding regulation of overstayed period of  
employees of HPPWD upon transfer / repatriation.**

Sir,

I am directed to refer to the subject cited above and to say that it has been observed that the instructions issued by the Government from time to time regarding decision on regularization of overstayed period beyond admissible joining time upon transfer in respect of employees of HPPWD, are not being adhered in letter & spirit. Therefore, it is felt necessary to issue fresh instructions in the matter.

It has been observed that sometimes when an employee of HPPWD is transferred and relieved to join his new place of posting, he proceeds on leave to avoid joining and to get time for adjustment at his own choice of station, and when he succeeds in getting his adjustment done, he gets medical / fitness certificate to justify his absence. Sometimes, such medical certificate(s) are not issued by the competent authority as per instructions dated 19-07-2006 issued by Health & Family Welfare Department (copy enclosed).

It has also been noticed that the officers whose services are placed on deputation / secondment with some borrowing department(s)



/ Organization etc. for a definite period, do not join back in their parent department i.e. HPPWD upon repatriation on the expiry of their deputation / secondment period and keep making efforts to get extended their deputation / secondment period.

*The proviso of FR-17 stipulates that an Officer who is absent from duty without any authority shall not be entitled to any pay and allowances during the period of such absence. Further provision of FR-17A provides that where an individual employee remains absent unauthorizedly or deserts the post, the period of such absence shall be deemed to cause an interruption or break in service of the employee, unless otherwise decided by the competent authority for the purpose of leave travel concession and eligibility for appearing in departmental examinations, for which a minimum period of service is required.*

The employees under transfer / repatriation should join their new posting / parent department after availing admissible joining time / journey period. Any unauthorized absence would entail disciplinary action as per rules / instructions of the Government from time to time.

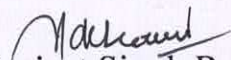
It has been decided that henceforth, the Controlling Officer where such employees are under transfer, would also be held responsible for accepting their leave applications and it shall be the duty of the Controlling Officer that when such an employee applies for medical leave, leave applied for be rejected straightway and the employee concerned be asked to get himself medically examined from the Medical Board of Zonal Hospital. The Controlling Officer will also inform the Medical Board that the employee is under transfer and this fact will be mentioned in the proceedings and the medical certificate issued by the



Medical Board. The excess period of Gazetted establishment shall not be regularized without the permission of the Pr. Secretary (PW) to the Government of Himachal Pradesh and cases of remaining establishment shall be dealt at the level of Engineer-in-Chief, HPPWD.

The above instructions be circulated to all concerned and adhered to strictly.

Yours faithfully,

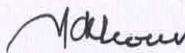
  
(Surjeet Singh Rathore)  
Joint Secretary(PW) to the  
Government of Himachal Pradesh

Endst.No. As above Dated: Shimla-2 the

17-8-2023

Copy for information and necessary action to:-

1. All the Chief Engineers / Chief Architect / Superintending Engineers / Executive Engineers / Sr.Architect / Architect / Assistant Engineers / Superintendent Gr.-I through office of ENC, HPPWD, Shimla.
2. The Nodal Officer (IT), Office of ENC, HPPWD for its uploading on website.

  
Joint Secretary(PW) to the  
Government of Himachal Pradesh



NO. 69  
Government of India  
Public Works Department  
Amritsar

6920-20  
21/9/2001

The P.W.D. cum Secretary (P.W.) to the  
Govt. of Himachal Pradesh

The Engineer-in-Chief  
HP P.W.D. Shimla-4  
All the Chief Engineers  
HP P.W.D.  
All the Superintending Engineers  
HP P.W.D.

Subject: Sanction of leave when the employee is under  
transfer instruction. Thereafter.

Sir,

I am directed to say that it has been observed  
that when the employees are transferred and have to join  
their new place of posting, and they fail to avoid  
joining and to get sufficient time for adjustment at their own  
choice. When they succeed in getting their adjustment done,  
they get medical/fitness certificate from the Doctors only to  
justify their absence.

In order to curb such situation, it has been  
decided that the Controlling Officer where such employees are  
under transfer should also be held responsible for accepting  
their leave applications. It shall be the duty of the  
Controlling Officer that when such employees apply for medical  
leave, leave applied for be rejected straightway and employee  
concerned be asked to get himself medically examined from the  
Medical Board, DDU Hospital Shimla. The Controlling Officer will  
also inform the Medical Board that the employee is under transfer  
and this factor be mentioned in proceedings and medical  
certificate issued by the Medical Board.

The above instructions be circulated to all  
concerned and adhered to strictly.

Yours faithfully,

(Signature)  
Additional Secretary (P.W.) to the  
Govt. of H.P. Shimla-2.

Office of the Engineer-in-  
Chief, H.P. P.W.D.

(Signature)  
21/9/2001

By No.



No. PBW-A-B(6)-3/98  
Government of Himachal Pradesh  
Public Works Department.

From:

The Secretary (PW) to the  
Govt. of Himachal Pradesh,  
Shimla-171002.

To

The Engineer-in-Chief,  
HP PWD, US Club Shimla-1.

Dated, Shimla-2, the 14th May, 2002.

Subject:-

Regarding transfer and joining of all the employees  
(Class-I to IV).

2942-SH  
16/05/02  
I am directed to invite your attention to letter  
No. PBW-A-B(6)-3/98, 27.11.2000 on the subject cited above and to say  
that these instructions will henceforth be applicable only on the  
Gazetted establishments of the Department. With respect to  
Non-Gazetted establishments, cases will be decided by competent  
authority (s). The employees under transfer should join their new  
posting/station after availing joining time/journey days because any  
unauthorised absence would entail disciplinary action as per  
rules/instructions of the Government issued from time to time. You  
are requested to take necessary action accordingly with immediate  
effect.

Yours faithfully,

Under Secretary (PW) to the  
Govt. of H.P. Shimla-2.

Endst. No. PBW-A-B(6)-3/98

Dated: 14th May, 2002.

Copy is forwarded to all the Dealing Assistant  
dealing with the transfer cases in P-I-A Section, HP Secretariat,  
Shimla-2, for information & necessary action.

Under Secretary (PW) to the  
Govt. of H.P. Shimla-2.



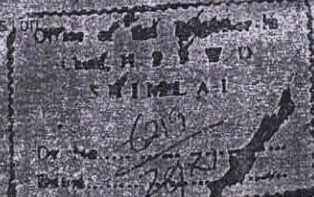
Dated: Shimla-2, 11/11/1991

The Government of Himachal Pradesh

The Engineer-in-Chief,  
H.P. Public Works Department,  
Shimla-171001.

Subject: Regarding transfer and joining of all the employees (Class-I to IV).

I am directed to say that in pursuance of the notice of the Government that all the employees (Class-I to Class-IV) in the Public Works Department are to be transferred and who do not join their new place of posting within the stipulated period and attend to their duties, it has been decided that if an officer or employee is unable to join in permissible joining and journey time, his absence period shall not be regulated without the permission of the Secretary (PW) to the Government of Himachal Pradesh and all such cases of all the employees (Class-I to IV) may be referred to the Government for



Order No. PW-4-B/61-3/98

Copy is forwarded to all the concerned authorities dealing with the transfer cases in PW-4 section for their further necessary action.

Joint Secretary (PW) to the Government of Himachal Pradesh  
Dated: Shimla-2, 11/11/1991

Joint Secretary (PW) to the Government of Himachal Pradesh



9. All Supdts. of Police of H.P.
10. Director of Health Services, H.P., Shimla-9 w.r.t. H.P. letter No. H.P.W-  
H(11)(3)20/91 dated 30.8.2005 for information and for taking further necessary  
action immediately.
11. The Director of Medical Edu. & Research, H.P., Shimla-9 for information and  
taking further necessary action immediately.
12. The Director, Dental Health Services, H.P., Shimla-9 w.r.t. his letter No. H.P.  
H(11)(3)20/91 dated 30.8.2005 for information and taking further necessary  
action immediately.
12. The Director of Ayurveda, H.P., Shimla-9 for information for taking necessary  
action in the matter immediately.
13. Principals, GMC, Shimla-Dr. R.P. GMC, Kangra at Tanda H.P. Dental College  
(Hospital, Shimla-1).
14. All Chief Medical Officers of H.P.
15. All District & Session Judges in H.P.
16. All the Distt. Treasury & Account. H.P., Shimla.
17. The Director, Treasury & Accounts, H.P., Shimla.
18. Fin. (Pension Cell) H.P. Sectt. Shimla.
19. Fin. (Regulation) H.P. Sectt. Shimla.
20. Under Secretary (S.A.) to the Govt. of Himachal Pradesh, Shimla.
21. The Controller, Printing & Stationery, H.P., Shimla-5 with a request to  
notification in H.P. Raipatra (Extra-Ordinary) immediately and supply  
same to this department for records.

*(Signature)*  
Addl. Secretary (Health) to  
Government of Himachal Pradesh



No. 13026/3/2012-Estt (Leave)  
Government of India  
Ministry of Personnel, P.G. & Pensions  
(Department of Personnel & Training)

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New Delhi, the 28<sup>th</sup> March, 2013.

**OFFICE MEMORANDUM**

**Subject:- Consolidated instructions relating to action warranted against Government servants remaining away from duty without authorisation/grant of leave – Rule position**

The undersigned is directed to say that various references are being received from Ministries/Departments seeking advice/post facto regularisation of unauthorised absence. It has been observed that due seriousness is not being accorded by the administrative authorities to the various rule provisions, inter alia under the CCS(Leave) Rules, 1972, for taking immediate and appropriate action against Government servants staying away from duty without prior sanction of leave or overstaying the periods of sanctioned leave. It is reiterated that such absence is unauthorised and warrants prompt and stringent action as per rules. It has been observed that concerned administrative authorities do not follow the prescribed procedure for dealing with such unauthorised absence.

2. In view of this, attention of all Ministries/Departments is invited to the various provisions of the relevant rules, as indicated in the following paragraphs for strict adherence in situations of unauthorised absence of Government servants. It is also suggested that these provisions may be brought to the notice of all the employees so as to highlight the consequences which may visit if a Government servant is on unauthorised absence. The present OM intends to provide ready reference points in respect of the relevant provisions, hence it is advised that the relevant rules, as are being cited below, are referred to by the competent authorities for appropriate and judicious application. The relevant provisions which may be kept in mind while considering such cases are indicated as follows:

(a) **Proviso to FR 17(1)**

The said provision stipulates that an officer who is absent from duty without any authority shall not be entitled to any pay and allowances during the period of such absence.

(b) **FR 17-A**

The said provision inter alia provides that where an individual employee remains absent unauthorisedly or deserts the post, the period of such absence shall be deemed to cause an interruption or break in service of the employee, unless otherwise decided by the competent authority for the purpose of leave travel concession and eligibility for appearing in departmental examinations, for which a minimum period of service is required.