

**HIMACHAL PRADESH TOURISM DEVELOPMENT CORPORATION LTD.
(A State Govt. Himachal Pradesh Undertaking)**

In exercise of the powers conferred by Article 65 (15) the Board of Directors of the Himachal Pradesh Tourism Development Corporation Ltd. hereby makes the following Regulations, namely:-

CHAPTER I

PRELIMINARY

Short Title

1. These regulations may be called the Himachal Pradesh Tourism Development Corporation Limited (Staff) Regulations, I

2.(1) Regulations, shall apply to

- a) every whole time officer or employee of the Corporation and
- b) every Officer of employee employed temporarily and every adviser or agent or any other person recruited on special contract subject to the terms of such contract.

Provided that nothing in these Regulations shall apply to the Managing Director, unless the application to him of all or any of these regulations has been approved by the State Government.

(2) The Corporation may, subject to provisions of Articles of Associations enter into a special contract with employee, with terms and conditions which may vary the provisions of these regulations.

Definition.

- (3) In these regulations, unless there is any thing repugnant in the subject or context:-
- (a) "A Allowance" means dearness and local allowances, which are sanctioned by the State Government from time to time for Government Servants.
 - (b) "**Board**" means that Board of Directors of the Himachal Pradesh Tourism Development Corporation Limited and in relation to any powers exercisable by it, including special committee/ committees appointed for the purpose.
 - (c) "**Cadre**" means the strength of a particulars category of posts.
 - (d) "**Corporation**" means that Himachal Pradesh Tourism Development Corporation Limited.
 - (e) "**Duty**" includes
 - i) Service as a probationer;
 - ii) Period during which as employee is on joining time ; and
 - iii) Period spent in undergoing a course of instructions training by an employee at the expense of the Corporation.
 - (f) "**Foreign Service**" mean service in which an employee received his pay with the sanction of the corporation from any source other than the revenues of the Corporation.

- (g) **"Honorary"** means a recurring or non-recurring payment granted to an employee from the funds of the Corporation for special work of occasional or intermittent character.
- (h) **"Family"** means an employee's spouse and children as well as his or her parents, sisters and minor brothers provided each one of them is ordinarily residing with and wholly dependent upon him or her;
- (i) **"Joining time"** means the time allowed to an employee in which to join a new post or to travel to or from a station to which he is posted.
- (j) **"Leave"** means casual leave, earned leave & extra ordinary leave and Maternity leave.
- (k) **"Managing Director"** in relation to any powers exercisable by him, includes any Director or officer who is authorised by the State government to exercise the powers and functions of the Managing Director during the temporary absence of the Managing Director
- (l) **"Medical attendance and Treatment"** means the attendance at a Government hospital and the use of all medical and surgical facilities available/ at the Government Hospital in which the employee is treated.

- (m) **"Pay"** means the amount drawn monthly by an employee
- (i) The pay, other than special pay or pay granted in virtue of his personal qualification, which has been sanctioned for a post held by him substantively or in an officiating capacity, or to which he is entitled by reason of his position in a cadre.
 - (ii) Special pay and personal pay and
 - (iii) Any other emoluments which may be specially classified as pay by the Corporation.
- (n) **"Permanent Post"**: means a post carrying a definite rate of pay sanctioned without limit of time.
- (o) **"Probationer"** means an employee appointed on probation in or against a permanent vacancy in the cadre.
- (p) **"Secretary"** in relation to any powers exercisable by him includes an officer authorised by the Managing Director to exercise the powers of the Secretary during the temporary absence of the Secretary.
- (q) **"Special Pay"** means an addition, in the nature of pay the emoluments of a post or of an employee granted in consideration of
- (i) the specially arduous nature of the duties; or
 - (ii) a specific addition to the work or responsibilities.

- (r) **"Substantive Pay"** means the pay to which an employee is entitled on account of a post to which he has been appointed substantively or by reason of his substantive position in cadre.
- (s) **"State Government"** means the Government of Himachal Pradesh.
- (t) **"Temporary Post"** means a post carrying a definite rate of pay sanctioned for a limited time.

Board 's Powers to Change Regulations 4. Any new regulation or alteration in an existing regulation shall be issued in the form of a circular for circulation among the staff, provided that no new regulation or an alteration in an existing Regulation shall operate to Reduce the scale or pay of an employee on which he is entitled to draw pay in a substantive capacity on the day the new regulation alteration comes into force.

Power to Interpret 5. The power to interpret the regulations vested the Managing Director who is also hereby empowered issue such administrative instructions as may be necessary to give effect to, and carryout the purpose of, the provisions of these regulations or generally to secure effective control of the staff; provided that if as a result of any decision of the Managing Director, as regards the construction of any regulation or regulations, an employee feels aggrieved he shall have a right to appeal against such decision of the

Managing Director, to the Board, whose decision shall be final and binding on all concerned.

Managing Director's Power to delegate

6. The Managing Director may, subject to such restrictions, and for so long, as he may deem fit, delegate to the Secretary, or any other officer appointed by him in this behalf, and of the powers conferred on him by these regulations in relation to employees, other than officers, except the powers referred to in regulations 8.9.12.16 to 20,39 (Save-regulation (3) thereof), 41,49,56 and 71.

CHAPTER-II**APPOINTMENTS, PROBATION, TERMINATION OF SERVICE AND RETIREMENT.****SECTION1- APPOINTMENTS.**

7. The Board shall fix from time to time the number of posts in all categories of its employees and the pay scales to be attached to them. The existing posts and their pay scales are as shown in Appendix I.

Temporary Staff.

8. (1) Notwithstanding anything contained in these regulations, the Managing Director may employ staff as authorised by the Board on a temporary basis, whenever the circumstances so required
- (2) The terms and conditions of service of the temporary staff shall be determined by the Managing Director but in no case shall the terms and conditions so determined be more favourable than those laid down in these regulations for an appointment carrying equivalent status or responsibility.

POWER OF APPOINTMENT

9. All appointments to the service of the Corporation shall be made by the Managing Director subject, in the case of posts carrying a maximum salary exceeding Rs.600/-p.m. to the prior approval of the Board.

10. Certificate of health

No persons shall be appointed to a post in Corporation service without a medical certificate of health. In that matter the employees will be governed by the same set of rules/ instructions as apply to State Government employees belonging to same categories.

11. The age of a person at the time of his first appointment to the service of the Corporation shall not be ordinarily exceeded 30 years.

Grant of a higher initial start.

12. The Managing Director may for special reasons to be recorded in writing grant advance increment to an employee on his first appointment, provided that all cases in which the pay of an employee is fixed at a stage higher than the minimum of the scale of which the appointment is made shall be subsequently reported to the Board;
Provided further that where the appointment in question is to made to a post the maximum salary of which exceeds Rs.600/- no advance increments shall be granted, except with the previous approval of the Board.

Re-appointment in the Corporation service

- 13.(I) No person whose service have been terminated or otherwise ceased to be in the service of the Corporation may be re-employed without the specific approval of the Board.

- (2) Except as otherwise provided by the Board at the time of his re-employment, these regulations shall apply to a person who is re-employed in the Corporation's service as if he had entered the service for the first time on the date of his re-employment.

Commencement of Service

- 14.(1) Except as other provided by or under these regulations service of an employee shall be deemed to commence from the working day on which an employee reports for duty in an appointment covered by these regulations at the place and time intimated to him by the Managing Director, provided that he reports before noon, otherwise his service shall commence from the next following working day.

Explanation:- "Service" includes the period during which an employee is on duty as well as on leave duly authorised by the Managing Director, but does not include any period during which an employee is absent from duty without permission or overstays his leave, unless specially permitted by the Managing Director.

SECTION 2 -**TERMINATION OF SERVICE AND RETIREMENT****Period of probation**

- 15.(1) An employee directly recruited to the Corporation's service shall be required to be on probation for a period which shall not be less than one year and more than three years as may be fixed at the time of his appointment.
- (2) The provisions of sub-regulation (1) shall be subject to regulation 17. However, these provisions will not apply in case of staff transferred from the State Government as a result of formation of Corporation.

Discharge during Probation.

16. (1) During the first month of his probationary period, an employee shall be liable to discharge at one day's notice or by payment of one day's pay and thereafter at one month's notice or by payment of pay for one month in lieu thereof.
- (2) The power to discharge an employee appointed in a scale of the maximum of which exceeds Rs. 600/- p.m. during probation will be exercised by the Managing Director subject to the prior approval of the Board.

Managing Director's power to extend probationary period

17. The period of probation of an employee may be extended at the discretion of the Managing Director but in no case may the period of probation exceed three years.
18. Where an employee has rendered continuous temporary service prior to his appointment in a permanent vacancy, the provisions of regulation 15- regarding the period required to be spent on probation may be waived, at the discretion of the Managing Director, to the extent of the period of such temporary service.

Termination of service by notice

19. 1. An employee shall not leave or discontinue his service in the Corporation without first giving notice in writing of his intention to leave or discontinue the service.
 2. The period of notice required shall be-
 - (a) Three months in the case of permanent employees and
 - (b) One month in the case of temporary employees and shall be given to the Managing Director, and in case of breach by an employee of the provision of this sub-regulation, he shall be liable to pay to the Corporation as compensation a sum equal to his pay for the period of notice required of him;Provided that the payment of such compensation may be waived by the Managing Director at his discretion.

3. The Corporation may terminate the service of any employee by giving him:
- (a) Three month's notice, or pay in lieu thereof, in the case of permanent employee.
 - (b) One month's notice, or pay in lieu thereof, in the case of temporary employee who have completed one month's service and one day's notice or pay in lieu thereof in the case of temporary employees in the first month of their services.

The power to determine the service of an employee shall be exercised by the Managing Director, subject in the case of officers, to the prior approval of the Board.

3. Nothing in sub-regulation (3) shall affect the right of the Corporation.

- (c) to retire or terminate the service of an employee without notice or pay in lieu thereof in accordance with the provision of regulations 20 and 39; and
- (d) to terminate the service of an employee without notice or pay in lieu thereof on his being certified by Corporation's Medical Officer to be permanently incapacitated for further continuous service in the Corporation.

Explanation I:- The expression 'month' used in this regulation shall be reckoned according to the English calendar and

shall commence from the day following that on which notice is given by the employee or the Corporation as the case may be

Explanation II: A notice given by an employee under sub-regulation (1) shall be deemed to be proper only if he remains on duty during the period of the notice, and an employee shall not be entitled to set off any leave earned and not availed of by him against the period of such notice.

Explanation III: If an employee to whom notice is given by the Corporation in pursuance of sub-regulation (3) or regulation 16 absents himself from duty without permission during the period of notice, he shall not be entitled to receive any pay or allowance during the period of such absence and shall further be liable to such further penalties as the Managing Director may deem fit to impose.

Superannuation, retirement and payment of gratuity.

20. (1) An employee shall retire at fifty-eight years of age or after completing 30 years of service whichever is earlier; provided that the Board may, at its discretion, sanction from time to time the extension of his employment for a period not exceeding one year at a time but in no case beyond the age of sixty.

(2) Every employee of the Corporation shall, on attaining the age of superannuation, be entitled to a gratuity at the rate of one month's pay for every completed year of service, the amount of pay being a average pay drawn during the last 12 months subject to a maximum of 15 months salary or Rs. 24,000 whichever is less, provided that no gratuity shall be paid if the employee resigns his service.

a. If an employee is selected for discharge owing to abolition of post being held by him, he shall unless he is appointed to another post the conditions of which are deemed by the Corporation to be at least and to those of his own, have two option:-

- i. to take terminal benefit to which he may be entitled for the service he had rendered; or
- ii. of accepting another appointment on such pay as may be offered by the Corporation, if any;

Note:- The terminal gratuity will be admissible only if the individuals has rendered 5 years or more continuous service at the time of discharge at the rate of one month's pay for each completed year of service, the amount of pay being the average pay drawn during the last 12 months, subject to a maximum of 10 months salary of Rs. 16,000/- which-ever is less. In doing so, the same principal shall apply as in the

case of an employee who retires on superannuation as indicated in sub regulation (2) i.e. the employee himself has not resigned from the service.

4. If an employee who is declared by an appropriate medical authority to be permanently incapacitated for further service he shall be allowed to retire from the service of the Corporation and paid gratuity on the same rate as prescribed for employees who are discharged from the service of the Corporation as provided in sub regulation 3

Compulsory Contributing Provident Fund

5. Every employee of the Corporation shall be entitled to the membership of the scheme of contributory provident fund under and in accordance with any law for the time being in force.

Provided that employees coming to the Corporation on deputation will be in this matter according to terms and conditions of deputation.

Explanation 1: For the purpose of this regulation "service shall not include any period of service rendered by an employee before attending the age of twenty one years.

CHAPTER-III**RECORD OF SERVICE, SENIORITY AND PROMOTION****Record of service.**

21. A record of service shall be maintained in respect of each employee in such form as may be prescribed by the Managing Director from time to time.

Seniority

22. An employee confirmed in the Corporation's service shall rank for seniority in his grade according to his date of confirmation in the grade.

Provided that if two or more persons are substantively appointed to such posts on the same date, their seniority shall be determined as under:-

- (i) A person recruited by promotion from the service of the Corporation shall be senior to a person recruited otherwise.
- (ii) Where promotions to a grade are made from more than one grade, the eligible persons shall be arranged in separate lists in the order of their relative seniority in their respective grades. Thereafter, the promotion committee, constituted by the Board of Directors shall select persons for promotions from each list upto the prescribed quota and arrange all the candidates selected from different lists in a consolidated order of merit which will determine the seniority of the persons on promotions to the higher grade.

CHAPTER-IV**CONDUCT, DISCIPLINE AND APPEALS****SECTION-I- CONDUCT AND DISCIPLINE****Scope of an employee's service**

23. Unless in any case it be otherwise distinctly provided the whole time of an employee shall be at the disposal of the Corporation, and he shall serve the Corporation in its business in such capacity and at such place as he may from time to time be directed.

Liability to abide by the regulations and orders;

- 24 Every employee shall conform to and abide by these Regulations and shall observe, comply with and obey all order and directions which may from time to time be given to him by any person or persons under whose jurisdiction, superintendent or control he may for the time being be placed.

Obligation to maintain secrecy.

- 25 Every employee shall maintain the strictest secrecy regarding the Corporation's affairs and the affairs of its constituents and shall not divulge, secrecy and information of a confidential nature either to a member of the public or of the Corporation's staff, unless compelled to do so by judicial or

other authority or unless instructed to do so by a superior officer in the discharge of his duties.

Employees to promote the Corporation's interest

26. Every employee serves the Corporation honestly and faithfully and shall use his utmost endeavour to promote the interests of the Corporation, and shall show courtesy and attention in all transactions and intercourse with the officer of Government and the Corporation's constituents.

Prohibition against participation in politics

27. No employee shall take active part in politics or in any political demonstration or stand for election as member for a Local Body or any Legislative Body.

Contribution to Press

28. No employee shall contribute to the Press without the prior sanction of the Managing Director, no without such sanction, make public or publish any document, paper or information on which may be in his possession in his official capacity.

Not to seek outside employment.

29. No employee shall accept, solicit, or seek any outside employment or office, whether stipendiary or honorary, without the previous sanction of the Managing Director.

30 No employee shall undertake part time work for a private or public body or a private person, or accept fee thereof without the sanction of the Managing Director who may grant sanction only in exceptional cases when he is satisfied that the work can be undertaken without detriment to his official duties and responsibilities. The Managing Director may, in cases in which he thinks fit to grant such sanctions, stipulate that any fees received by the employee for undertaken he work, shall be paid, in whole or in part, to the corporation.

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- (1) An employee shall not absent himself from his duty without having first obtaining the permission of the Managing Director, or an officer authorized by him.
- (2) An employee who absent himself from duty without leave or overstay his leave, except under circumstances beyond his control for which he must tender a satisfactory explanation, shall not be entitled to draw any pay and allowance in respect of the period of such absence or overstay and shall further be liable to such penalty (s) as the Managing Director may impose. The period of such absence or overstay may, if not followed by the termination of services under regulation 16 or 19 or 39, be treated as period spent on casual, earned, or extra-ordinary leave, as the Managing director may determine.

3. An employee who is habitually late in attendance shall, in addition to such other penalty as the Managing Director may deem fit to impose, have one day of casual leave forfeited for every two days he is late where such an employee has no casual due to him, the period of leave to be so forfeited may be treated as earned or extraordinary leave, as the Managing Director may determine.

Absence from station.

32. No employee shall absent himself from his station without obtaining the previous sanction of the Managing Director or any officer authorized by the Managing Director.

Acceptance of gift.

33. An employee shall not solicit or accept any gift from a constituent of the Corporation or from any subordinate employee.

Private trading or business.

34. No employee shall engage in any commercial business or pursuit either of his own account or as agent for others, not act as an agent for Life Insurance Corporation or Insurance Company nor shall be connected with the formation or management of a joint stock company or a firm.

35. An employee shall not speculate in stocks, shares, securities or commodities of any description.

Provided that nothing in this Regulation shall be deemed to prohibit an employee from making a bonafide investment in such manner as he may consider necessary.

36. (1) An employee shall not borrow money from or in any way place himself under a pecuniary obligation to a broker or an employee of the Corporation subordinate to him or any firm or person having dealings with the Corporation.

(2) No employee shall make nor permit any member of his family to make any investment likely to embarrass or influence him in the discharge of his official duties.

EXPLANATION:- For the purpose of this sub-clause the work family includes any relative dependent or any employee.

37. An employee who is in debt shall furnish to the Managing Director a signed statement of his position half-yearly on the 31st March and 30th September, and shall indicate in the statement the steps he is taking to rectify his position.

Employees arrested for debt.

38. (1) an employee who is arrested on a criminal charges shall be considered as under suspension from the date of his arrest, and shall be allowed the payments admissible to an employee under

suspension under sub-regulation (4) of Regulation 39 until the termination of the proceedings against he, when an adjustment of his pay and allowances shall be made according to the circumstances of the case and in the light of the decision as to whether his absence is to be accounted for as a period of duty or leave, the full pay and allowances being given only the event of the employee being acquitted of all blame and treated as on duty during the period of his absence. An employee who is committed to prison for debt or is convicted of any offence involving moral turpitude shall be liable to termination.

(2) Where a conviction of an employee is set aside by a higher court, and the employee is acquitted he may be reinstated in service.

Explanation: -

In this regulation the expression "**termination of proceedings**" shall mean the decision of the lower court which first finally disposes of the case, committal or conviction shall mean committal or conviction by the lowest court or any of the appellate courts, and it shall be open to Corporation to terminate an employee who is committed to prison or who is convicted of a criminal charge as from the date of the order of the court that convicts him.

Penalties.

39 (1) Without prejudice to the provisions of other regulations, an employee who commits a breach of the regulations of the

Corporation or who displays negligence, or indolence, or who knowingly does anything detrimental to the interest or prestige of the Corporation or who commits a breach of discipline or is guilty of any other act of misconduct misbehavior shall be liable to the following penalties:-

- (a) Reprimand;
- (b) Stoppage of increments or promotion;
- (c) Degradation to a lower post or grade or to
- (d) A lower stage in his incremental scale;
Recovery from pay of the whole or part of any pecuniary loss caused to the Corporation by the employees;
- e) Termination of service.

- (2) No employee shall, after the enforcement of these regulation be subjected to the penalties (b),(c),(d) or (e) of sub-regulation (1) except by an order in writing signed by the Managing Director and no such order shall be passed without the charge or charges having been served upon the said employees and said employee having been given reasonable opportunities to answer the charges in writing or in person.

Provided that the requirements of this sub-regulation may be waived if the facts on the basis of which action is to be taken have been established in a court of Law where the employee has absconded or where it is for any other reason impracticable to communicate with him or where there is difficulty in observing them and the requirements can be waived without injustice to the

employee. In every case where shall or any of the requirements of this sub-regulations are waived, the reasons for so doing shall be recorded in writing.

3. The Managing Director may delegate the conduct of any enquiry against an employee required under sub-regulation (2), to such officer or officers of the Corporation as he may nominate in writing in that behalf.
4. An employee may be placed under suspension by the Managing director. During such suspension, he shall receive subsistence allowance equal to one third of his pay.

SECTION 2- APPEALS**Right to appeal.**

40. An employee shall have a right of appeal against any order passed by a superior authority which injuriously affects his interest.

Appellate authority.

41. An appeal shall lie-

- a) against any orders passed by the Secretary or any other officer empowered in exercise of the powers conferred on him by, or under, these regulations- to the Managing Director, and;
- b) against the orders of the Managing Director to the Board;

No appeal shall lie against an order passed on an appeal.

Conditions which an appeal should satisfy.

42. Every appeal shall comply with the following requirements:-
- a) It shall be couched in polite and respectful language and shall be free from unnecessary padding or superfluous verbiage shall be signed.
 - b) It shall contain all material statement and arguments relied on, and shall be completed in itself;
 - c) It shall specify the relief desired'

d) It shall be submitted through the proper channel.

When appeal may be withheld.

43. An appeal may be withheld by the disciplinary authority as the case may be, if

- a) It does not comply with the requirements of Regulation 42;
- b) It is illegible or is unintelligible;
- c) It deals with a matter which does not concern the employee personally;
- d) It repeats an appeal already rejected by the authority to whom the appeal is addressed and does not, in the opinion of the Secretary or Managing Director, as the case may be, disclose any new points or circumstances which afford grounds for re-consideration.
- e) It is not preferred within six months of the date of the order against which the appeal is made and no reasonable cause is shown for the delay, or
- f) It is addressed to an authority to which no appeal lies under these regulations.

Petitioners to be informed when appeal is withheld.

44. In every case in which an appeal is withheld the authority withholding the appeal shall inform the applicant the fact of withholding the appeal and the reasons for withholding it.

Petitioners must be forwarded to the appellate authority.

45. An appeal which is not withheld under regulation 44 shall be forwarded to the appellate authority with the comments of disciplinary authority.
46. Appeal shall not be addressed to the Ministers or Officers of the State Govt. or to the Directors of the Board personally, and any such action shall be deemed a breach of discipline.
47. The Provisions of Regulations 42 to 46 shall also apply to the extent they are relevant to petitions which concern more than one employee and are preferred jointly by a class or group of employees or by an association or union of employees recognized by the Corporation when such petition:-
- a) relate to a subject on which the Managing Director is authorised to pass orders, and no application for redress has been made to him:
Or
 - b) relate to a matter regarding the redress of which a specific procedure has been prescribed under any regulation or instruction issued by the Corporation
Or
 - c) Relate to an individual and is not submitted by him.

CHAPTER V**PAY, ALLOWANCES AND OTHER CONCESSIONS****When payable:**

48. Subject to the provisions of these regulations pay and allowances shall accrue from the commencement of the service of an employee, and shall become payable on the afternoon of the last working day of each month in respect of the service performed during the said month.

When not payable for a part of a month

49. Pay and allowances shall not be payable for a part of month to an employee who leaves or discontinues his service without due notice during a month, unless such notice has been waived by the Managing Director.

When cease to accrue

50. Pay and allowances shall cease to accrue as soon as an employee ceases to be in service. In the case of an employee whose service has been terminated by the Corporation he shall cease from the date of his termination In the case of an employee who dies while in service, he shall cease from the day following that on which the death occurs.

All Employees to be graded.

51. Every employee shall/ have a post in one of the grades referred to in Appendix I which will be considered as his substantive grade, and to which he shall revert when he is not:-
- a) under suspension;
 - b) On leave or deputation or
 - c) Holding a temporary post or is officiating in another grade.
52. An employee shall commence to draw the pay and allowances of a post to which he is appointed from the date on which he assumes the duties of the post if the charge is transferred before noon of the date and from the following working day if the charge is transferred in the afternoon that date.
53. Except as otherwise provided in these regulations no two persons may be appointed to, or draw the pay and allowances of, a post at the same time.

Employees on Transfer.

54. Where an employee is transferred from one post to another, he shall, during any interval of duty between the date of his handing over charge of the old post and the date of his taking over charge of the new post, draw the pay and allowances of the old or the new post, whichever are less.
55. (1) In a time scale of pay, the increment shall accrue on the completion of each specified period of service on each stage

of that scale, whether such service be probationary, officiating or substantive.

Acting service in a higher grade will count for increments in an employee's substantive grade as well as in the higher grade in which he is acting and if there is an intermediate grade between the two in which he would have officiated had he not been appointed to officiate in the higher grade, also in that intermediate grade, but the period during which an employee is on leave without pay will not count for increment unless so authorised by the Managing Director for reasons to be recorded in writing. Sanction to draw increments will be given by the Managing Director or an officer authorised by him in this behalf in respect of the various categories of posts listed in the Annexure.

(2) No increment may be withheld except as a disciplinary measure under regulation 39 and each order withholding an increment shall state the period for which it is withheld and whether the postponement shall have the effect of postponing future increments.

Provided that if in time scale, there is an efficiency bar, the increment next above the bar shall not be given without the sanction of the authority empowered to withhold increment under regulation 39. On each occasion on which an employee is allowed to pass an efficiency bar which had previously been enforced against him, he shall be placed in the incremental scale at such stage as the Managing Director may fix provided that such stage shall not be higher than that at which he would draw his pay if the bar had not been enforced against him and provided further that no increment

granted on the removal of bar shall have a retrospective effect.

56. The Managing Director may for special reasons to be recorded in writing, in exceptional circumstances, and subject to such general or special instructions as may be issued by the Board grant premature increments to an employee provided that the grant of such premature increments to an officer shall require the approval of the Board in each case.

57. When an employee is transferred from one post to another carrying a different scale of pay, his initial pay on the new post shall be fixed as under:-

(a) To a post not including assumption of higher duties and responsibilities:-

- (i) in case his pay in the old scale is lower than the minimum of the scale to which he is transferred; at the minimum of the new scale;
- (ii) in other cases, at a stage which is equal to his pay in the old scale, or if there is no such stage in the new scale, the stage next below that pay plus personal pay equal to the difference, such personal pay to be drawn until such time as it is absorbed by subsequent increments in the new scale.

(b) To a higher post (Promotion)

When appointment to new post involves assumption of higher duties and responsibilities his initial pay in the scale of higher post shall be fixed at the stage next above the pay notionally

arrived at by increasing his pay in respect of the lower post by one increment at the stage at which such pay has accrued.

58. Except as otherwise provided in these regulations the pay the allowances of an employee shall be regulated in accordance with the provision of Appendix-I.
59. (1)The terms and conditions under which an honorarium or special increments may be granted to an employee of the Corporation shall be determined by the Board.
- (2) A concession the grant of which is not covered by these regulations may not be given to any employee except with the sanction of the Board.

CHAPTER-VI

LEAVE AND JOINING TIME

SECTION-1 LEAVE

60. Subject to the provisions of these Regulations the following kinds of leave may be granted to an employee:-
- a) casual Leave;
 - b) Extraordinary leave;
 - c) Maternity leave;
 - d) Earned leave;
61. The power to grant leave shall vest in the Managing Director or an officer authorised by him in this behalf on the directions as may be issued by him from time to time.
62. Leave cannot be claimed as of right, when the exigencies of the service so require, discretion to refuse or revoke leave of any description is reserved to the authority empowered to grant it and an employee already on leave may be recalled by that authority when it considers this necessary in the interests of the Corporation.

Earlier return from leave:

63. Unless he is permitted to do so by the authority which granted his leave, an employee on leave may not return to duty before the expiry of the period of leave granted to him.

Commencement and termination of leave.

64. (1) The first day of an employee's leave is the working day succeeding that upon which he made over charge.
(2) The last day of an employee's leave is the working day preceding that upon which he reports his return to duty.

Obligation to furnish leave address;

65. An employee shall, before proceeding on leave, intimate to the authority granting leave, his address while on leave, and shall keep the said authority informed of any change in the address previously furnished.

Station to which an employee should report on return.

66. An employee on leave shall, unless otherwise instructed to the contrary, return for duty to the place at which he was last stationed.

WHEN MEDICAL CERTIFICATE OF FITNESS MAY BE DEMANDED:

67. The Managing Director may require an employee who has availed himself on leave for reasons of health to produce a medical certificate of fitness before he resumes duty even thus such leave was not actually granted on a medical certificate.

Leave not admissible to an employee under suspension.

68. Leave may not be granted to an employee under suspension or against whom proceedings are pending under Chapter IV of these Regulations. However, station leave may be granted by the Managing Director at his discretion.

When application should be submitted.

69. (1) Applications for leave, other than Casual leave shall ordinarily be submitted at least one month before the date from which leave is required.
- (2) Application which does not satisfy the requirements of sub-regulation (1) may be refused without reason being given.

Scale on which leave is earned.

70. (1) The grant of leave as defined in chapter I to an employee shall be regulated by the same set of rules and other instructions which are prescribed and issued by State Government from time to time for its employees.

(2) Fraction on a day of leave shall be taken as a full day, if amounting to half a day or more, and shall be ignored if amounting to less than half a day.

Joining Time

When may be granted.

- (1) Joining time may be granted to an employee to enable him:-
 - (a) to join a new post to which he is appointed while on duty in his old post.
 - (b) To join a new post on return from leave of not more than 4 months duration or, although the duration of leave exceeds four months, the employee has not had sufficient notice of his appointment to the new post.
- (2) Joining time shall not be granted when no change in the headquarters of an employee is involved.

Pay and allowances during joining time.

71. Pay and allowance of an employee on joining time shall be determined as under:-
 - (a) Where joining time is granted under sub-regulation I (a) of Regulation 71 the day which he would have drawn if he had continued in old post or the pay in which he draws on taking charge of new post whichever is less and

- (b) Where the joining time is granted under sub-regulation 1(b) of regulation 71 pay equal to leave salary which he last draw during such leave (in case the leave was extra-ordinary leave, pay equal to leave salary which he would have drawn, as if he had been on earned leave.)

Period for which admissible:

72. Joining time which may be allowed to an employee shall not exceed seven days, exclusive of the number of days spent on traveling.

How calculated:

73. In calculating joining time admissible to an employee, the day on which he is relieved from his old post shall be excluded but public holidays following the day of his relief shall be included in the joining time.
74. An employee who does not join his post within the joining time allowed to him shall be deemed to have committed a breach of regulation 31.

CHAPTER VII

MEDICAL ATTENDANCE

Medical attendance provided by the Corporation

75. Medical attendance and treatment shall be provided by the Corporation to persons in its employment at the same scale and subject to same rules as apply to State Government employees.

CHAPTER VIII**FOREIGN SERVICES:**

76. An employee of the Corporation may be deputed to serve under any other employer with the approval of the Board in the case of employees in receipts of monthly emoluments exceeding Rs. 600/- and with the approval of the Managing Director for other officials.
77. Where the services of an employee of the Corporation are placed at the disposal of a foreign employer, it shall be a condition of the deputation that the foreign employer shall during the period of such deputation, bear the entire cost of the services of the employee including the following viz.
- (a) Pay during joining time;
 - (b) Traveling allowances payable to the employee to enable him to join his appointment in the Corporation on the termination of his deputation;
 - (c) Leave earned during the period of deputation;
 - (d) The employer's contribution's to the employee's account in the Corporation's Provident Fund.

In addition, the foreign employer may also be required to make a contribution towards any other superannuation benefits for which the employee might become eligible on his retirement on such scale as may be fixed by the Managing Director.

CHAPTER IX

MISCELLANEOUS

Declaration to be signed by the Employees

78. Every employee to whom these regulations apply, shall subscribe to a declaration in the following form:-

PLACE:

DATE:

I hereby declare that I have read and understood the Himachal Pradesh Tourism Development Corporation (Staff) Regulations, 1972, and I hereby subscribe and agree to be bound by the Regulations:-

Name in full.

Date of Appointment.

Date of Appointment.

Signature

Date