

CHAPTER II **PERSONNEL POLICIES**

(c) Service Matters

14.

DPE/Guidelines/II(c)/14

Grant of permission to public sector employees to join Territorial Army-Extension of facilities to public sector employees on the lines of facilities available to Central Govt. employees.

The undersigned is directed to refer to the Department of Personnel and Administrative Reforms O.M. No. 39021/3/84 Estt. (C) dated the 24th January, 1985, addressed to all the Ministries/Departments of the Govt. of India on the subject mentioned above (**copy enclosed for ready reference**). The Ministries/Departments concerned with PSUs were advised by the Department of Personnel and Administrative Reforms to extend the provisions contained in the said OM to the employees of PSUs also. It has, however, been brought to the notice of this Ministry that many public enterprises are not aware of these instructions.

Ministry of Agriculture etc. are, therefore, requested to bring the contents of the Department of Personnel and Administrative Reforms OM referred to in para-1 above to the notice of the PSUs under their administrative control for information and necessary action under intimation to BPE.

ENCLOSURES

Copy of Department of Personnel & Administrative Reforms O.M. No. 39021/3/84-Estt. (C) dated 24-1-85 regarding permission to Govt. servants to join the Territorial Army.

The undersigned is directed to refer to the Ministry of Home Affairs Office Memorandum No. 25/19/49-Ests dated 7.7.1950 and No. 47/2/61-Estts. (A) dated 7.6.1961 (copies enclosed) on the subject mentioned above, and to say that it has come to the notice of the Govt. that some times permission is not granted to Govt. servants to join the Territorial Army. Since the Territorial Army has to play an important and useful role for the defence of the country in an emergency as also during natural calamities etc., Govt. servants should also be encouraged to join the Territorial Army.

Ministry of Finance etc. are, therefore, requested to grant permission to Govt. servants working under them to join the Territorial Army and also to provide them with necessary facilities for this purpose. However, in the case of those employees who are engaged in operational or maintenance duties the permission will be subject to the exigencies of public services. Such of the Government servants as are holding key posts and who cannot be released during an emergency, need not be permitted to join the Territorial Army. All Government servants who are permitted to join the Territorial Army will however, continue to be governed by the conditions as already mentioned in the Office Memoranda referred to above.

Ministry of Finance etc. are also requested to extend the above instructions, if there be no objection, to the Corporations and Public Undertakings under their control.

Copy of Office Memorandum No. 25/19/49-Ests, dated the 7th July, 1950 from Ministry of Home Affairs to all Ministries of the Government of India/etc. etc.

The undersigned is directed to say that the question whether the Central Government servants should be permitted to join the Territorial Army has been under consideration for some time. In view of the importance of the Territorial Army for the adequate defence of the country it has now been decided that while the personnel holding essential key posts should not be permitted to join the Territorial Army, no impediments should ordinarily be placed in the way of other civil Government servants wishing to join the Territorial Army. Ministries are, therefore, advised that applications for permission to join the Territorial Army from Government servants employed under their administrative control who can be released in an emergency without effecting the minimum essential functions of an office should not be withheld.

2. The occasions on which members of the Territorial Army can be called up for military duty are as follows:

- a. For training, to attend a course of instructions or to undergo an attachment.
- b. To act in support of the civil power or to provide essential guards.
- c. When embodied for supporting or supplementing regular forces.

So far as training is concerned, it may be mentioned that there would be two types of units Urban and Provincial Government servants would be eligible to join the Urban units only. Members of the Urban units have to undergo recruit training for 32 days and thereafter annual training for a period not less than 30 days and not more than 60 days. The recruit as well as annual training can, in the case of Urban units be carried out on a part time, basis in the morning or in the evening outside normal office hours except when embodied for camps of not less than four

consecutive days or two periods of three consecutive days. Government servants joining the Urban units of the Territorial Army will thus not be required to be absent from duty for a period exceeding one week in a year so far as training is concerned.

During the period of training which will mostly be carried out outside office hours, Government servants will receive pay and allowances according to their ranks. Military pay and allowances received by Government Servants will be in addition to their civil emoluments. During the period spent in camp, which will be of very short duration, the absence of Government servants from their civil posts should be treated as special casual leave, and they should be allowed to receive their civil pay and allowances in respect of this period in addition to pay and allowances which they might receive from the Defence Services Estimates.

It may be stated in this connection that the occasions on which members of the Territorial Army might be called up for military duty in aid of civil power would be very rare because ordinarily regular troops would be available for this duty. Similarly occasions when members of the Territorial Army would be embodied for supporting or supplementing the regular forces would be when the country is involved in an actual war. On such occasions, the absence of the Government servants from their offices should be treated as duty for the purpose of civil leave and pension. If a Government servant is on an incremental scale of pay he will count his military service for increments in the time scale of pay applicable to him in his civil post and also towards civil pension, in the same way as if he had put in that period of service in his civil appointment. As regards leave, they will continue to be governed by the civil rules applicable to them before transfer to the military services. Under rule 36 of the Fundamental Rules and article 86 of the Civil service Regulations, acting promotions may be made in place of Government servants who are called up for military duty in the above circumstances.

Government servants whose rates of pay at the time they are called up for military duty are higher than the military pay and allowances to which they would be entitled in respect of military duty would receive pay at the civil rates according to the next below rule and the difference between the civil pay and allowances and the military pay and allowances shall constitute charge against the ordinary head of expenditure to which civil pay of the individual concerned is debitale.

At the time of actual recruitment/commissioning an individual will be required to report for inter-view on medical examination. The period of absence on this account should be treated as casual leave or to the extent that casual leave is not due as special casual leave.

Copy of Department of Personnel and Administrative Reforms O.M. No. 47/2/61-Estt. (a) dated 7-6-61 regarding Grant of permission to central Government servants to join the provincial units of the Territorial Army.

The undersigned is directed to refer to this Ministry's O.M. No. 25/19/49-Ests., dated 7th July, 1950 as amended from time to time, on the subject mentioned above and to say that a suggestion has been made that civil Govt. servants who are at present allowed to join only urban units of the Territorial Army, should be allowed to join provincial units of that Army, where training is imparted on a whole time basis in a camp for a continuous period of three months in the first training year of recruitment and for a period of two months in subsequent years during which the civil Government servant concerned will have to be away from his civil post.

2. Since the policy of the Govt. of India is to encourage civil Govt. servants to join the Territorial Army, which is India's second line of Defence, it has been decided to permit them to join also the Provincial Units of the Territorial Army.

3. The period of absence of civil Govt. servants while on training with the provincial units of the Territorial Army will be treated as on duty and governed under para 4 of this Ministry's office memorandum referred to above. During such periods of training, they will be entitled to military pay and allowances, if any, which will be charged against the ordinary head of expenditure to which the civil pay of the individuals concerned is debitale.

4. For other occasions/purposes they will be treated in the same manner as civil Govt. servants joining the urban units of the Territorial Army.

Copy of O.M. No.36/15/64-Ests.(b) Dated 15.6.1965 from Ministry of Home Affairs, Govt. of India regarding Treatment of transit period in the case of civil Government servants when called for training in the Territorial Army/Defence Reserves/Auxillary Air Force. (Although there is no reference to this OM, this was enclosed and circulated along with OM dated 8.2.88)

The undersigned is directed to say that, when civil Govt. servants are called for training in the Territorial Army/Defence Reserves/Auxillary Air Force, the period spent by them in transit from the date of their relief from civil posts to the date on which they report to military authorities and vice-versa should be treated as special casual leave. During such periods, which should be restricted to the minimum required for the purpose, they would be paid pay and allowances at civil rates by their parent department/office. The Ministry of Finance etc. are requested kindly to have similar orders issued in respect of employees of public undertakings, corporations, etc. under their control.

2. In so far as the persons serving in the Audit and Accounts Department are concerned, these orders have been issued after consultation with the Comptroller and Auditor General of India.

(BPE O.M. No. 17(1)/88-GM dated 8th February, 1988)

