

Subject: Office order regarding creation of new posts

OFFICE OF COMPTROLLER, LUVAS, HISAR

(BUDGET BRANCH)

Endst No.LUVAS/CVU/B-1/2021/986-1034

Dated: 10.05.2021

The Worthy Vice-Chancellor has approved the adoption and circulation of the instructions issued by the State Govt. vide No. 6/83/2020-3PR(FD), 9724 dated 22.04.2021 regarding creation of new posts and/ or upgradation/ modification of pay scale of any post or an employee or categories of employees or any other matter involving Financial implications without the prior approval of Finance Department in violation of Rule 18 of PFR Vol. – 1 and Rule 7 & 31 of Rules of Business 1977. A copy of the same is forwarded to the following for information and necessary action:-

1. Secretary to Vice-Chancellor for kind information of Worthy Vice-Chancellor, LUVAS, Hisar
2. All Deans/Directors/Officers/HODs (Including Outstations), LUVAS, Hisar
3. SPS to Vice-Chancellor, LUVAS, Hisar
4. DDO, O/o Comptroller, LUVAS, Hisar
5. All branches, O/o Comptroller
6. J.D, Local Audit, Haryana, LUVAS, Hisar
7. Adoption of instructions File (Internal)
8. Dr. Neelesh, Incharge, E-Gov. Cell, LUVAS, Hisar for uploading the same on the Website of University.

Sd/-

Comptroller

APPROVED

Surender Kumar
Deputy Comptroller,Comptroller
Office of Comptroller
May 10 2021 12:25PM



No. 6/83/2020-3PR(FD), 9724

From

Additional Chief Secretary to Government, Haryana,
Finance Department.

To

- i. The Additional Chief Secretary to Government Haryana,
Medical Education and Research Department
- ii. The Additional Chief Secretary to Government Haryana,
Agriculture and Farmers Welfare Department
- iii. The Additional Chief Secretary to Government Haryana,
Animal Husbandry and Dairy Development Department
- iv. The Additional Chief Secretary to Government, Haryana,
Higher Education Department.
- v. The Additional Chief Secretary to Government Haryana,
Technical Education Department

Dated Chandigarh, the 22nd April, 2021

Subject:- Regarding creation of new posts and/ or upgradation/ modification of pay scale of any post or an employee or categories of employees or any other matter involving Financial implications without the prior approval of Finance Department in violation of Rule 18 of PFR Vol.-I and Rule 7 & 31 of Rules of Business 1977.

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I am directed to invite your attention to the provisions of Rule 18 of PFR Vol-I and Rule 7 & 31 of Rules of Business 1977 on the subject noted above.

2. It is informed that the prior approval of Finance Department is mandatory under the provisions of Rule 18 of PFR Vol-I and Rule 7 & 31 of Rules of Business, 1977 for creation of new posts and/or upgradation/modification of pay scale of any post or an employee or categories of employees or any other matter involving Financial implications. The extract of these Rules are as under:-

Rule 18 of Punjab Financial Rules Vol-I:-

“18.1: *The powers of administrative departments for according financial sanctions are regulated by the following provisions:-*

(i) *No Department shall, without previous consultation with the Finance Department, authorize any orders (other than orders pursuant to any general delegations made by the Finance Department) which either immediately or by their repercussions, will effect the finance of the State or which, in particular, either:-*

(a) *relate to the number of gradings or cadres or the emoluments of posts or to any other conditions of service of posts which may have financial implications; or*

(b) *involve any grant of land or assignment of revenue or concession: grant, lease or license of mineral or forest rights or a right to water power or any easement or privilege in respect of such concessions; or power or any easement or privilege in respect of such concessions; or*

(c) *in any way involve any relinquishment of revenue”.*

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Rule 7 & 31 of Rules of Business, 1977

Provision of Rule-7:-

(1) No Department shall without previous consultation with the Finance Department, authorise any orders (other than orders pursuant to any general delegation made by the Finance Department) which:-

(a) either immediately or by their repercussion will affect the finances of the State or which, in particular-

i) involve any grant of land or assignment or revenue or concession, grant lease or licence of mineral or forest rights or a right to water power or any easement or privilege in respect of such concession; or

ii) in any way involve any relinquishment of revenue; or

(b) relates to the number or grading or cadre of posts or the emoluments or other conditions of service or posts.

(2) No proposal, which requires the previous consultation of the Finance Department under this rule, but in which the Finance Department has not concurred, be proceeded with.

Provisions of Rule- 31:-

The Finance Department shall be consulted before the issue of orders upon all proposals which affect the finances of the State and in particular-

- a) Proposals to add any post or abolish any post from the public service or to vary the emoluments of any post;
- b) Proposals to sanction an allowance or special or personal pay for any post or class of posts or to any Servant of the Government of the State;
- c) Proposals involving abandonment of revenue or involving an expenditure for which no provision has been made in the Appropriate Act.

3. Further, it is worthwhile to mention here that as per the provisions of the Act of State Universities, it is mandatory to seek prior approval of the Finance Department for creation of new posts and/ or upgradation/modification of pay scale of an employee or categories of employees or any other matter involving financial implications. It is made clear that no such competency with regard to above mentioned matters lies with the Executive Council of the University even if the representative of Finance Department is present in the said meeting of Executive Council as only the State Government/ Finance Department is competent in such matters as per above mentioned rules.

4. However, it has come to the notice of the Finance Department that various Universities of the State are granting undue benefit to its employees at its own level i.e. without prior approval of the Finance Department. Further, it has also been observed that in Court cases, the representatives/ Counsel of the Universities are giving statements at their own level that the University is ready to give the benefit however, the file is pending in the Finance Department or the approval of the Finance Department is required whereas the benefit in question or demand by the concerned is not applicable/ covered under the existing rules/



instructions. Hence, no such statement (written or oral) be suffered before Hon'ble Courts without specific prior approval of the Finance Department, in cases that may result in creation of any financial liability.

5. Therefore, it is requested to direct all the Universities under your control that in future all such cases involving financial implications shall be examined in the light of above mentioned rules (i.e. the provisions of Rule 18 of PFR Vol-I Part-I and Rule 7 and 31 of Rule of Business 1977) and before granting any benefit the prior approval of the Finance Department be obtained and such statements which are beyond the Rules may be avoided before the Hon'ble Courts.

6. These instructions may be brought to the notice of all concerned under your kind control for strict compliance and any violation will be viewed seriously by the Government. The same can be downloaded from the website of Finance Department i.e. www.finhry.gov.in.

Yours faithfully,

Chief Accounts Officer (PR)

for Additional Chief Secretary to Government Haryana,
Finance Department

Endst. No. 6/83/2020-3PR(FD), 9724

Dated 22.04.2021

A copy is forwarded to **the Advocate General Haryana, Chandigarh** for information and necessary action.

Chief Accounts Officer (PR)

for Additional Chief Secretary to Government Haryana,
Finance Department

Endst. No. 6/83/2020-3PR(FD), 9724

Dated 22.04.2021

A copy is forwarded to **Director, Local Audit, Haryana** with the request that the representatives of your department posted in the Universities may be directed to bring these instructions in the notice of concerned officers/officials of the Universities and also ensure that these instructions be adopted in its true sense/ spirit.

Chief Accounts Officer (PR)

for Additional Chief Secretary to Government Haryana,
Finance Department

Endst. No. 6/83/2020-3PR(FD), 9724

Dated 22.04.2021

A copy is forwarded to the **Registrar(s) of all the Universities in the State of Haryana** with the request to comply with these instructions and also ensure that these instructions be adopted in its true sense/ spirit. However, any violation of these instructions shall be viewed seriously.

Chief Accounts Officer (PR)

for Additional Chief Secretary to Government Haryana,
Finance Department