

The Uttarakhand Temporary Government Servants (Termination of Service) Rules, 2003

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1. Short title, commencement and application. - (1) These rules may be called the Uttarakhand Temporary Government Servants (Termination of Service) Rules, 2003.

(2) They shall come into force at once.

(3) They shall apply to all persons holding a civil post in connection with the affairs of Uttarakhand and who are under the rule-making control of Governor, but who do not hold a lien on permanent post under the Government of Uttarakhand.

2. Definition. - In these rules "temporary service" means officiating or substantive service on a temporary post, or officiating service on a permanent post under the Uttar Pradesh Government.

3. Termination of service. - (1) Notwithstanding anything to the contrary in any existing rules or orders on the subject, the services of a Government servant in temporary service shall be liable to terminate at any time by notice in writing given either by the Government servant to the appointing authority or by the appointing authority to the Government servant.

(2) The period of notice shall be one month :

Provided that the service of any such Government servant may be terminated forthwith, and on such termination the Government servant shall be entitled to claim a sum equivalent to the amount of his pay plus allowances, if any, for the period of the notice or as the case may be, period for which such notice falls short of one month at the same rates at which he was drawing them immediately before the termination of his services :

Provided further that it shall be open to the appointing authority to relieve a Government servant without any notice or accept notice for a shorter period, without requiring the Government servant to pay any penalty in lieu of notice:

Provided also that such notice given by the Government servant against whom a disciplinary proceeding is pending or contemplated shall be effective only if it is accepted by the appointing authority, provided in the case of a contemplated

disciplinary proceeding, the Government servant is informed of the non-acceptance of his notice before the expiry of that notice.

4. Savings. - Notwithstanding anything in these rules, the tenure or continuance of engagement or employment of the following categories of persons shall be governed by the terms of their engagement or employment, and nothing in these rules shall be construed to require the giving to them, or by them or one month's notice or pay or penalty in lieu thereof before the termination of their engagement or employment:

- (a) persons engaged on contract;
- (b) persons not in whole-time employment of Government;
- (c) persons paid out of contingencies;
- (d) persons employed in a work-charged establishment;
- (e) persons re-employed after superannuation;
- (f) persons employed for a specified period whose services stand determined on the expiry of that period;
- (g) persons employed for a specified period on condition that the period may be curtailed at any time;
- (h) persons appointed in short-term arrangements or vacancies whose services stand determined on the expiry of the arrangement or vacancy.