

19. THE ALL INDIA SERVICES (DEARNESS ALLOWANCE) RULES, 1972.

In exercise of the powers conferred by sub-section (1) of the Section 3 of the All India Services Act, 1951 (61 of 1951), the Central Government after consultation with the Governments of the States concerned, hereby makes the following rules, namely :—

1. Short title and commencement :—

- (1) These rules may be called the All-India Services (Dearness Allowance) Rules, 1972.
- (2) They shall come into force on the first day of April, 1972.

2. Definition :

In these rules, unless the context otherwise requires, “a member of the Service” means a member of an All-India Service as defined in Section 2 of the All India Services Act, 1951 (61 of 1951).

¹3. Regulation of dearness allowance:

Every member of the Service and every officer, whose initial pay is fixed in accordance with sub-rule (5) or sub-rule (6A) of rule 4 of the Indian Administrative Service (Pay) Rules, 1954 or sub-rule (5) of rule 4 of the Indian Police Service (Pay) Rules, 1954 or sub-rule (6) of rule 4 of the Indian Forest Service (Pay) Rules, 1968, shall be entitled to draw dearness allowance at such rates, and subject to such conditions, as may be specified by the Central Government, from time to time, in respect of the officers of Central Civil Services, Class I.

²4. Interpretation :

If any question arises as to the interpretation of these rules, it shall be referred to the Central Government for decision.

GOVERNMENT OF INDIA'S DECISIONS

GOVERNMENT OF INDIA'S DECISION UNDER RULE 3

1. ***Applicability of orders of the Ministry of Finance, Government of India regarding payment of additional installments of dearness allowances to central government employees to the members of All India Services:*** - Rule 3 of the All India Services (Dearness Allowance) Rules, 1972 stipulates that every member of the All India Services is entitled to draw Dearness Allowance at such rates and subject to such conditions as may be specified by the Central Government from time to time in respect of the officers of Central Civil Services, Group 'A'. This is irrespective of whether the officer concerned is working in the State Government or is outside his cadre.

2. Ministry of Finance, Government of India, have been issuing orders from time to time in regard to payment of additional instalments of Dearness Allowance to the Central

¹ Substituted vide Deptt. of Per. and A.R Not. No. 22/1/74—AIS(II) dated the 28.01. 1975.

² Added vide DP&AR Notification No. 1/13/70—AIS(II) dated the 18.03.1972.

Government employees. By virtue of Rule 3 *ibid*, therefore, these orders are *ipso facto* applicable to all the members of the All India Services viz., Indian Administrative Service, Indian Police Service and Indian Forest Service. It is only for the sake of convenience and information of all concerned that we have been forwarding the said letters of the Ministry of Finance relating to the grant of additional instalments of Dearness Allowance and the purpose is that such orders are not lost sight of lest the payment of the said additional instalment of Dearness Allowance should get unnecessarily delayed. It has, however, come to notice that some AGs have not been releasing these instalments for want of receipt of our letters whereby, simply, the Ministry of Finance's orders on the subject are forwarded.

3. The provisions of Rule 3 of the All India Services (Dearness Allowance) Rules, 1972 are once again reiterated in this regard whereby all the members of the All India Services—irrespective of their place of postings, are entitled to get Dearness Allowance at the rates and subject to the same conditions which are laid down from time to time in respect of the Group 'A' Central Services Officers. The State Governments and the Accountants General concerned need not therefore wait for our communication, forwarding therewith the Ministry of Finance's orders issued in this regard and are requested to release further instalments of Dearness Allowance as and when the same are announced by the Central Government for its Group 'A' officers.

(DOPT's letter No. 11014/1/97—AIS(II), dated 2nd July, 1997.)