

LEAVE RULES

1. The Government of India have made provisions under CCS Leave Rules for certain type of leave available to all the Central Government Civilian employees, to meet their Family, medical and Social liabilities.

2. General Principles governing leave with relevant CCS Leave Rules-

- (i) Leave cannot be claimed as a matter of right. _ Rule 7 (1).
- (ii) The Leave sanctioning authority may refuse or revoke leave of any kind, but cannot alter the kind of leave due and applied for. – Rule 7 (2)
- (iii) Leave of one kind taken earlier may be converted into leave of a different kind at a later date at the request of the official and at the discretion of authority who granted the leave. The Government servant should apply for such conversion within thirty days of a completion of the relevant spell of leave. This, however, cannot be claimed as a matter of right by the official. – Rule 10 (i) and Proviso.
- (iv) Conversion of one kind of leave into leave of a different kind is permissible only when applied for by the official while in service and not after quitting service. – Rule 10, GII.
- (v) Leave sanctioning authority may commute retrospectively periods of absence without leave into Extraordinary leave. Rule 32 (6).
- (vi) No leave of any kind can be granted for a continuous period exceeding five years except with the sanction of the President. Rule 12
- (vii) An official on leave should not take up any service or employment elsewhere without obtaining prior sanction of the Competent Authority. - Rule 13
- (viii) Willful absence from duty after the expiry of leave renders a Government servant liable to disciplinary action. – Rule 25 (2)
- (ix) Absence without leave not in continuation of any authorized leave will constitute an interruption of service unless it is regularized - Audit Instruction under Rule 25 (1).

3. Various types of leave available:-

(a) **Earned Leave**

- (i) These leaves are credited in advance at a uniform rate of 15 days on the 1st January and 1st July every year. Earned leave can be accumulated up to 300 days (including the number of days for which encashment has been allowed along with LTC). – Rule 26 (1) and notification dated 18-04-2002.
- (ii) While limiting the maximum of 300 days, where the balance at credit is 286-300 days, further advance credit of 15 days on 1st January /1st July will be kept separately and set-off against the EL availed of during that half-year ending 30th Jun/31st December. However, if the leave availed is less than 15 days, the remainder will be credited to the leave account subject to the ceiling of 300 days at the close of that half-year. Rule 26, GID (2) (c).
- (iii) The credit for the half year in which a Government servant is appointed will be afforded at the rate of 2.5 days for each completed calendar month of service which he is likely to render in the calendar half year in which he is appointed. - Rule 27 (1).
- (iv) Earned leave can be availed up to 180 days at a time. – Rule 26 (2)

(b) Half pay leave

(i) Half pay leave is credited in advance at the rate of 10 days on the 1st January and 1st July every year. The advance credit for the half-year in which a Government servant is appointed will be at the rate of 5/3 days for each completed calendar month of service he is likely to render in the half year in which he is appointed.

(ii) Half pay leave can be availed either with or without medical certificate. – Rule 29 (4)

(iii) While affording credit, fraction shall be rounded off to the nearest day. – Rule 29 (5)

(c) Commuted Leave

(i) Commuted leave not exceeding half the amount of half pay leave due can be taken on medical certificate. – Rule 30 (1).

(ii) Commuted leave as follows can be taken without medical certificate:-

(aa) up to a maximum of 90 days in the entire service if utilized for an approved course of study certified to be in public interest. – Rule 30 (1-A)

(ab) up to a maximum of 60 days by a female Government servant if it is in continuation of maternity leave. Rule 43 (4).

(ac) up to a maximum of 60 days by a female Government servant with less than two living children if she adopts a child less than one year old. – Rule 43-B.

(iii) Commuted leave can be granted only when the leave sanctioning authority is satisfied that there is a reasonable prospect of the Government servant returning to duty on its expiry. So it cannot be granted as leave preparatory to retirement. – Rule 30 (1) (a).

(iv) Commuted leave may be granted at the request of the Government servant even when earned leave is available. – Note below Rule 30.

(d) Leave Not Due (LND)

(i) Leave Not Due may be granted to a permanent Government servant with no half pay leave at credit.

(ii) It is granted on medical certificate {Exception : (iii) below} if the leave sanctioning authority is satisfied that there is a reasonable prospect of the Government servant returning to duty on its expiry. – Rule 31 (1)

(iii) It may be granted without medical certificate-

(aa) in continuation of maternity leave. – Rule 43 (4)

(ab) to a female Government servant with less than two living children on adoption of a child less than a year old. – Rule 43-B.

(iv) The amount of leave should be limited to the half pay leave that the Government servant is likely to earn subsequently. – Rule 31 (1)(b).

(v) LND during the entire service is limited to a maximum of 360 days – Rule 31 (1)

(vi) LND will be debited against the half pay leave that the Government servant earns subsequently. – Rule 31 (1) (c).

(vii) It cannot be granted in the case of 'Leave preparatory to retirement' – Rule 31 (1)

(e) Extraordinary Leave (EOL)

(i) Extraordinary leave is granted to a Government servant when no other leave is admissible or when other leave is admissible, but the Government servant applies in writing for extraordinary leave. – Rule 32 (1)

(ii) Extraordinary leave cannot be availed concurrently during the notice period, when going on voluntary retirement. – Rule 32, GID(2)

(iii) EOL may also be granted to regularize periods of absence without leave retrospectively. – Rule 32 (6).

(f) Maternity Leave

• Leave as under is admissible to married/unmarried female employees during -

(a) **Pregnancy:** 135 days.- Admissible only to employees with less than two surviving children. – Rule 43(1)

(b) **Miscarriage/abortion** (induced or otherwise): Total of 45 days in the entire service excluding any such leave taken prior to 16-06-1994. Admissible irrespective of number of surviving children. Application should be supported by a certificate from a Registered Medical Practitioner for Non Gazetted Officers and from Authorised Medical Attendant for Gazetted Officers. – Rule 43 (3)

(i) The leave is not debited to the leave account. – Rule 43 (5)

(ii) It is granted on full pay. – Rule 43 (2)

(iii) It may be combined with leave of any other kind. – Rule 43 (4)

(iv) Not admissible for 'threatened abortion – Rule 43, GID (4)

(g) Paternity Leave

(i) **Eligibility:** Male Government servant with less than two surviving children. Apprentices are also eligible.

(ii) **Duration :**

Fifteen days during wife's confinement.

(iii) Not to be debited to the leave account. May be combined with any other kind of leave except casual leave.

(iv) Not to be refused normally.

(v) To be applied fifteen days before or up to six months from the date of delivery. – Rule 43-A

(vi) Leave Salary : Equal to last pay drawn

(h) Casual Leave

• In a calendar year eight days of casual leave is permissible. Casual leave is not a recognized form of leave and is not subject to any rules made by the Government of India. An official on Casual Leave is not treated as absent from duty and pay is not intermitted.

(i) Casual Leave can be combined with Special Casual Leave/vacation but not with any other kind of leave.

(ii) It cannot be combined with joining time.

(iii) Sundays and Holidays falling during a period of Casual Leave are not counted as part of Casual Leave.

(iv) Sundays/public holidays/restricted holidays/weekly offs can be prefixed/suffixed to Casual Leave.

(v) Casual Leave can be taken while on tour, but no daily allowance will be admissible for the period.

(vi) Casual Leave can be taken for half day also.

(vii) Essentially intended for short periods. It should not normally be granted for more than 5 days at any one time, except under special circumstances.

(viii) LTC can be availed during Casual Leave.

(ix) Individuals appointed and joining duty during the middle of a year may avail of Casual Leave proportionately or to the full extent at the discretion of the Competent Authority

4. In addition to the above mentioned leave, depending on the circumstances, the following types of leave are also available to a Government servant:-

(a) Leave to female Government servant on adoption of a child-

A female Government servant, with less than two surviving children, on adoption of a child may be granted leave of the kind due and admissible (including, leave not due and commuted leave not exceeding 60 days without production of medical certificate) for a period up to one year or till such time the child is one year old, whichever is earlier. – Rule 43-B.

(b) **Special Disability Leave-** Admissible to all employees:-

- (i) When disabled by injury intentionally or accidentally inflicted or caused in, or in consequence of the due performance of official duties or in consequence of official position.
- (ii) When disabled by illness incurred in the performance of any particular duty, which has the effect of increasing liability to illness or injury beyond the ordinary risk attaching to the civil post held, under the same condition
- (iii) The period of leave will be as certified by an Authorised Medical Attendant subject to a maximum of 24 months.
- (iv) It may be combined with any other kind of leave.
- (v) It will count as service for pension.
- (vi) It will not be debited to the leave account.

(c) **Hospital Leave -** Admissible to-

- (i) such Group 'C' employee whose duties involve handling of dangerous machinery, explosive materials, poisonous drugs and the like, or performance of hazardous tasks; and
- (ii) to Group 'D' employees

while under medical treatment in a hospital or otherwise, for illness or injury directly due to risks incurred in the course of official duties

(d) **Study Leave :-**

(i) Eligibility

Granted to government servants with not less than five years' service for undergoing a special course consisting of higher studies or specialized training in a professional or technical subject having a direct and close connection with the sphere of his duties or being capable of widening his mind in a manner likely to improve his ability as a civil servant. – Rule 50(1) & (2).

(ii) Sanctioning authority

Ministry/Department of the Central Government/
Administrator/Comptroller and Auditor General of India. -
First Schedule, SI No. 3.

(iii) Course should be certified to be of definite advantage to Government from the point of view of public interest. - Rule 50 (3).

(iv) The particular study or study tour should be approved by the authority competent to grant leave. – Rule 50 (2)

(v) The official on his return should submit a full report on the work done during study leave. – Rule 50 (2)

(vi) Salary during Study Leave shall be the last pay drawn.

5. Leave Salary:-

(a) **During Earned Leave and Commuted Leave** - Equal to pay drawn immediately before proceeding on leave. - Rule 40 (1) & (4).

(b) **During half pay leave or leave not due** - Equal to half the amount of leave salary on earned leave. – Rule 40 (3)

(c) **Extraordinary Leave** - Not entitled to any leave salary. Rule 40(5)

(d) 'Pay' means 'pay' as defined in FR 9 (21) and includes Deputation Allowance and NPA/Stagnation Increment

6. **Risk Allowance.** - Admissible only as an allowance like CCA/HRA and not as part of Leave Salary. – Rule 40, GID(2)

7. Special Casual Leave (Special CL)

Note : Authority to sanction Special Casual Leave rests with the DGNCC, further delegated to DDG(P&F)

8. Special CL is granted on the following grounds:-

(a) For participation in **Sports Events.**

(i) Maximum 30 days in a calendar year for attending coaching or training camps.

(ii) Maximum 10 days in a calendar year for participating in inter-ministerial or inter departmental tournaments and sporting events held outside Delhi.

(iii) Period exceeding 30/10 days will be treated as regular leave.

(iv) Special CL subject to maximum of 30 days may also be granted to a sportsperson injured or hospitalized during Telecom Sporting events.

(b) For participating in **In Cultural Activities.**

(i) Taking part in dance, drama, music, poetic symposium etc of all India or State character organized by Central Secretariat Sports Cultural Board, subject to maximum of 30 days.

(ii) Taking part in dancing and singing competition

organized on National or International level by Govt of India sponsored bodies.

(c) For participating in **Mountaineering /Trekking Expeditions.**

A maximum of 30 days in a calendar year for participating in mountaineering/trekking expeditions approved by Indian Mountaineering Foundation or Youth Hostels Association of India.

(d) For Family Planning:-

Male Employee

- (i) Maximum of 6 working days for vasectomy operation and for second time similar operation another 6 working days.
- (ii) Maximum of 21 working days for recanalization operation.
- (iii) Maximum of 7 working days to follow the date of operation, if his wife undergoes tubectomy, laproscopy or salpingectomy operation

Female Employee

- (i) Maximum of 14 working days if she undergoes tubectomy/laproscopy and another 14 days for second occasion.
- (ii) Maximum of 14 working days for salpingectomy operation after Medical Termination of Pregnancy.
- (iii) One day's Special CL on the day of IUCD/IUD insertion/re-insertion.
- (iv) Maximum of 21 working days for recanalization operation.
Special CL for one day for her husband's vasectomy operation.

Note : Extension or additional Special CL for the period of hospitalization due to post operational complications. Additional Special Casual Leave of 7 days for vasectomy operation and 14 days in case of tubectomy operation when not hospitalized but not fit to resume duty. Special CL is not admissible to temporary status casual labourers.

(e) **To re-employed Ex-servicemen.** HOD may grant Special CL for appearing before re-survey medical board for assessment of disability pension and for attending artificial limb centre for treatment of injury sustained during Army operation.

(f) **Union/Association Activities.**

- (i) 20 days in a calendar to office bearers of recognized service associations/ unions for participating in associations/unions meetings.
- (ii) 10 days in a calendar year to outstation delegates/members of executive committee for attending its meetings.
- (iii) 5 days to local delegates/local members for attending meetings.
- (iv) 10 days to the Leader of staff side of JCM and to the secretary from the staff side. One day to the members of the Departmental/Regional/ Local Council for attending JCM meetings.

(g) In the event of Natural Calamities, Bandhs etc . HOD may grant Special CL to its employees residing 3 miles away from office in the event of natural calamities, bandh or traffic disorder etc and Special CL on account of curfew irrespective of distance from residence to office. Leave already applied by an employees on these days will be treated as Special CL.

(h) For Meetings Connected with Co-operative Societies.

Outstation employees who are members, delegate members, Managing Committee Members are granted a maximum of 10 days Special CL in a calendar year in addition to the minimum period of travel. For in station employees, the period of Special CL is restricted to actual period (FN or AN) of such meetings.

(j) Activities Connected with Kendriya Sachivalaya Hindi Parishad.

A maximum of 20 days in a calendar year.

(k) During Elections. One day's Special CL on the day of election.

(l) Other Purposes.

- (i) Trg and duty for officially sponsored auxiliary police organizations, such as Home Guard, National Voluntary Corps etc.
- (ii) Trg as a member of St John Ambulance Brigade.
 - (iii) For joining urban unit of TA for a maximum of 14 days.
 - (iv) Interview/medical examination at the time of actual recruitment in urban unit of TA.
 - (v) Trg with P&T unit of TA.
 - (vi) For participation in Republic Day Parade as a member of St John Ambulance Brigade.
- (vii) Donation of blood to a recognized Blood Bank on the day of the blood donation.
- (viii) 14 days plus period of journey to members of Lok Sahayak Sena and who have won certificate to participate in Republic Day parade.
- (ix) For attending Court of Law as jurors.
- (x) A maximum of 6 days plus journey period to the members of Indian Institute of Public Administration who reside outside Delhi.
- (xi) A maximum of 7 days in a year to the members of St John Ambulance Association for performing duties on the occasion of festivals, natural calamities etc.
- (m) Combination of Casual/Regular Leave with Special CL. Special CL and CL can be combined but not regular leave with Special CL
- (n) LTC during Special CL. Can be availed.