

राष्ट्रीय आदिवासी छात्र शिक्षा समिति
(जनजातीय कार्य मंत्रालय के अंतर्गत
एक स्वायत्त संस्थान, भारत सरकार)
भू-तल, गेट नंबर-3ए, जीवन तारा बिल्डिंग,
संसद मार्ग, नई दिल्ली-110001
दूर. 011-23340280



National Education Society for Tribal Students

(An Autonomous Organization under
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No. NESTS/H-1/58/Policy/2024-25

Dated: 20.03.2025

E-Office No. 29003

NOTICE

Subject: Notice regarding Pay protection, Joining Time (joining time, joining time pay, joining time rules, TTA etc.) and Transfer of GPF/ CPF/ GIS etc.

For the effective functioning of EMRSs, the following information and clarifications regarding pay protection, joining time, joining time pay, joining time rules, TTA, and the transfer of GPF, CPF, GIS, etc., are provided for compliance.

1. **Pay Protection:** As per DoPT O.M. No. 12/2/2017-Estt (Pay-I) dated 5th August, 2020, (Annexure-A) the pay of the employee will be protected as per Sl. No. 2 and 3 of the said O.M.

2. **Joining Time:** (i) Joining time to the employee who joined as Principal, PGTs, TGTs and other posts in NESTS/EMRS after technical resignation from their department/organization will be given as per point 3.6.1 of DoPT O.M. No.1669266628362 dated 24.11.2022 (Annexure-B) which is as under:

“ For appointment to the posts under the Central Government on result of a competition and/or interview open to Government servant and others , Central Government employees and permanent/provisionally permanent State Government employee will be entitled to joining time under the CCS (Joining Time) Rules 1979. Joining time will be included as qualifying service in the new job”.

(ii) As per point no.12 of DoPT OM dated 12.09.2022 (Annexure-C), in cases involving transfer from one station to another and also involving change of residence, the Government servant shall be allowed joining time with reference on the distance between the old headquarters and the new headquarters by direct route and ordinary modes(s) of travel as indicated in the following schedule:

Distance between the Old headquarter to the new headquarter	Joining time admissible	Joining time admissible where the transfer necessarily involved continuous travel by road for more than 200 Kms.
1,000 Kms. or less	10 days	12 days
More than 1,000 Kms.	12 days	15 days
More than 2,000 Kms	15 days except in cases of travel by air for which the maximum will be 12 days	15 days

The period of unutilized joining time will be credited to Earned Leave account and shall be regulated in terms of the provisions of sub-clause (ii) of clause (a) of sub-rule (1) of rule 26 of the Central Civil Service (Leave) Rules, 1972 (Annexure-D).

3. **Joining time pay:** Joining time pay to the employee who joined as Principal, PGTs, TGTs and other posts in NESTS/EMRS after technical resignation from their department/organization will be given as per point 3.6.2 of DoPT O.M. No.1669266628362 dated 24.11.2022 (Annexure-B) which is as under:-

“A Government servant on joining timing shall be regarded as on duty during that period and shall be entitled to be paid joining time pay equal to the pay which was drawn before relinquishment of charge in the old post. He will also be entitled to Dearness Allowance, if any appropriate to the joining time. In addition, he can also draw compensatory allowances like House Rent Allowance as applicable to the old station from which he was transferred. He shall not be allowed Conveyance Allowance or Permanent Travelling Allowance.”

4. **Transfer Travelling Allowance (TTA):** Transfer Travelling Allowance (TTA) to the employee who joined as Principal, PGTs, TGTs etc. from other department i.e. Central Govt./State Govt./Autonomous Bodies of Central Government to NESTS/EMRS will be given as per point no. 3.6.3 of DoPT O.M. No.1669266628362 dated 24.11.2022 (Annexure-B) which may be read as under:-

“For appointment to the posts under the Central Government on the basis of a competitive and/or interview open to Government servant and others, Central government employees and permanent /provisionally permanent State Government employee shall be entitled to Transfer Travelling Allowance (TTA). However temporary Central Government employees with less than 3 years of regular continuous service would not be entitled for TTA, as they are not entitled for joining time pay under Joining Time Rules”.

5. **Transfer of GPF/CPF/GIS:-** The employee who joined as Principal, PGTs, TGTs and non-teaching posts from other department to NESTS/EMRS and has retained linen in their department has to transfer their own subscription of GPF/CPF/GIS, etc. to their parents' department. NESTS/EMRS will not transfer any subscription of GPF/CPF/GIS/Etc. to their parent's department.

6. Responsibility for Processing Benefits:

In respect of all the staff other than the Principal/Principal Incharge, the cases of Pay protection, Joining Time, Joining Time Pay and TTA will be dealt at EMRS level.

In respect of all the Principal/Principal Incharge, the cases of Pay protection, Joining Time, Joining Time Pay and TTA will be dealt at EMRS Society level.

This issues with the approval of the competent authority.

**Sd/-
Joint Commissioner**

ANNEXURE 'A'

F. No. 12/2/2017-Estt(Pay-I)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

North Block, New Delhi
Dated: 5th August, 2020

OFFICE MEMORANDUM

Subject: Protection of pay to the Central Government Servant consequent to appointment to a new post in different service or cadre in Central Government, through direct recruitment where either higher duties and responsibilities are involved or not, as the case may be, under FR 22-B(1), in the 7th CPC Scenario-regarding.

The undersigned is directed to say that consequent to various references received from Ministries/Departments on protection of pay under FR 22-B(1), a need has been felt to issue guidelines on the manner of fixation of pay in respect of the Central Government Servant who after technical resignation, is appointed to new post in the different service or cadre in Central Government through direct recruitment where either higher responsibilities are involved or not, as the case may be, in 7th Central Pay Commission scenario.

2. Provisions of FR 22-B(1) *inter-alia* provide as under :-

"F.R. 22-B.(1) Notwithstanding anything contained in these Rules, the following provisions shall govern the pay of a Government servant who is appointed as a probationer in another service or cadre, and subsequently confirmed in that service or cadre-

(a) during the period of probation, he shall draw pay at the minimum of the time scale or at the probationary stages of the time scale of the service or post, as the case may be:

Provided that if the presumptive pay of the permanent post on which he holds a lien or would hold a lien had his lien not been suspended, should at any time be greater than the pay fixed under the clause, he shall draw the presumptive pay of the permanent post;

(b) on confirmation in the service or post after the expiry of the period of probation, the pay of the Government servant shall be fixed in the time-scale of the service or post in accordance with the provisions of Rule 22 or Rule 22-C, as the case may be:....."

3. Consequent upon the implementation of 7th CPC Report and CCS (RP) Rules, 2016, the President is pleased to allow protection of pay in the light of the provisions laid down under FR 22-B(1) to Central Government employee who is appointed as probationer in another service or cadre either carrying higher responsibilities or not, as the case may be and subsequently confirmed in that service or cadre, in the manner as illustrated below:

(Signature)
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(A) MANNER OF FIXATION OF PAY OF GOVERNMENT SERVANT UNDER FR 22-B(1) CONSEQUENT TO HIS APPOINTMENT IN LOWER POST THROUGH DIRECT RECRUITMENT, WHERE HIGHER DUTIES AND RESPONSIBILITIES ARE NOT INVOLVED

A Central Government Employee on his appointment to a post in lower Level in different service or cadre in Central Government which does not carry duties and responsibilities of greater importance than those attached to the post held earlier by him on regular basis before such appointment and having a provision of probation period in new post, may during probation draw the presumptive pay of the post held earlier by him on regular basis, if it is higher than the minimum of the Time Scale of the new post. He would also draw annual increments on such presumptive pay. However, it is to be ensured that during probation, presumptive pay should always be greater than the pay of the new post after drawl of increment(s). Subsequently, on successful completion of his probation, his pay will be fixed under FR 22(l)(a)(2).

Protection of Pay in the above manner should not, at any of these stages, exceed the maximum of the Level of the new post in Pay Matrix.

Illustration

An officer was drawing pay of Rs.78,500 in Cell 6 in Level 11 (with DNI 01.07.2018) before his appointment to a post in Level 10 on 01.04.2018 which does not carry duties and responsibilities of greater importance than those attached to the post held earlier by him before such appointment. There is a provision of 2 years probation period in new post.

Since the first Cell Value in Level 10 (Rs.56,100) is less than the Last Basic Pay i.e. Rs. 78,500/- in Level 11. Hence during probation, he will draw the presumptive pay i.e. Rs.78,500/- in Level 11 and would also draw annual increments according to the pay drawn in his previous post in Level 11.

On 01.04.2018-	Rs. 78,500 (Level 11)
On 01.07.2018-	Rs. 80,900 (Level 11)
On 01.07.2019-	Rs. 83,300 (Level 11)

On successful completion of his probation period and on confirmation w.e.f. 01.04.2020, the pay of the officer would be fixed under FR 22(l)(a)(2). Since no such Cell of Rs. 83,300/- is available in Level 10, his pay would be fixed at next higher cell i.e. Cell 15 in Level 10 at Rs. 84,900 with next date of increment 01.01.2021.

(B) MANNER OF FIXATION OF PAY OF CENTRAL GOVERNMENT EMPLOYEE UNDER FR 22-B(1) CONSEQUENT TO HIS APPOINTMENT TO A POST IN HIGHER LEVEL THROUGH DIRECT RECRUITMENT, WHERE HIGHER DUTIES AND RESPONSIBILITIES ARE INVOLVED

A Central Government Employee on his appointment to a post in higher level in different service or cadre in Central Government carrying duties and responsibilities of greater importance than those attached to the post held earlier by him on regular basis before such appointment and having a provision of

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probation period in new post, may during probation draw the presumptive pay of the post held earlier by him on regular basis if it is higher than the minimum of the Time Scale of the new post. He would also draw annual increments on such presumptive pay. However, it is to be ensured that during probation presumptive pay should always be greater than the pay of the new post after drawl of increment(s). Subsequently, on successful completion of his probation, his pay will be fixed under FR 22(l)(a)(1).

Protection of Pay in the above manner should not, at any of these stages, exceed the maximum of the Level of the new post in Pay Matrix.

Illustration

An officer was drawing pay of Rs.58,600 in Cell 10 of Level 7 before his appointment on 01.04.2018 in Level 10 (with DNI 01.07.2018) which carries duties and responsibilities of greater importance than those attached to the post held earlier by him on regular basis before such appointment. There is a provision of 2 years probation period in new post.

Since the first Cell Value of Level 10 (Rs. 56,100) is less than the Last Basic Pay drawn in Cell 10 of Level 7 i.e. Rs. 58,600/-, hence during probation, he will draw the presumptive pay of the post held earlier by him on regular basis and would also draw annual increments in the Level 7 of his previous post as shown below:-

On 01.04.2018-	Rs. 58,600 (Level 7)
On 01.07.2018-	Rs. 60,400 (Level 7)
On 01.07.2019-	Rs. 62,200 (Level 7)

On successful completion of his probation period and on confirmation w.e.f. 01.04.2020, the pay of the officer would be fixed under FR 22(l)(a)(1) read with Rule 13 of CCS (RP) Rules, 2016. Accordingly, an increment will be added in his pay in Level 7 and his pay will reach at Rs. 64,100/-. Since, there is no cell value equal to Rs. 64,100 available in Level 10, his pay will be fixed in Level 10 in Cell 6 at Rs. 65,000/- with next date of increment 01.01.2021.

(C) MANNER OF FIXATION OF PAY OF CENTRAL GOVERNMENT EMPLOYEE UNDER FR 22-B(1) CONSEQUENT TO HIS APPOINTMENT TO A POST IN EQUIVALENT LEVEL POST THROUGH DIRECT RECRUITMENT, WHERE HIGHER DUTIES AND RESPONSIBILITIES ARE NOT INVOLVED

A Central Government Employee on his appointment to a post in Equivalent Level in different service or cadre in Central Government through direct recruitment where higher duties and responsibilities are not involved and having a provision of probation period in new post, may during probation draw the presumptive pay of the post held earlier by him on regular basis. He would also get his increments on such presumptive pay. On successful completion of his probation, his pay will be fixed under FR 22(l)(a)(2). However, Protection of Pay in the above manner should not, at any of these stages, exceed the maximum of the Level of the new post in Pay Matrix.

DB Ahluwalia
05/08/2020

Illustration

An officer was drawing pay of Rs. 58,600 in Cell 10 of Level 7 before his appointment on 01.04.2018 in the same Level 7 (with DNI 01.07.2018). There is a provision of 2 years probation period in new post.

Since the first Cell Value of Level 7 (Rs. 44,900) is less than the Last Basic Pay i.e. Rs. 58,600/- in Level 7 drawn by Government Servant, hence during probation, he will draw the presumptive pay and also get his increments in the same Level of his previous post as shown below:-

On 01.04.2018-	Rs. 58,600 (Level 7)
On 01.07.2018-	Rs. 60,400 (Level 7)
On 01.07.2019-	Rs. 62,200 (Level 7)

On successful completion of his probation period and on confirmation w.e.f. 01.04.2020, the pay of the officer would be fixed under FR 22(I)(a)(2). Since no increment would be admissible under FR 22(I)(a)(2), there will be no change in his pay on the date of confirmation i.e. 01.04.2020. Accordingly, his pay in Level 7 on 01.04.2020 would be Rs. 62,200 (Level 7) with next date of increment on 01.07.2020, as Level remains same.

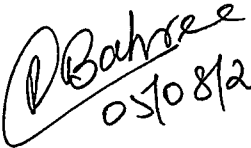
4. The above mentioned pay protection under FR 22-B(1) will be available to the Government servant if he holds a lien on his previous permanent post.

5. No stepping up of pay of senior Government servant shall be allowed on the basis of the pay protection granted under FR 22-B(1) to junior Government servants of that particular service/cadre.

6. This order takes effect from 01.01.2016.

7. In their application to the employees of Indian Audit and Accounts Department, these orders are issued after consultation with the Comptroller & Auditor General of India, as mandated under Article 148(5) of the Constitution.

8. Hindi version will follow.


05/08/2020
(Rajeev Bahree)

Under Secretary to the Government of India

To

All Ministries / Departments of Government of India.

Copy also forwarded to:

1. The Comptroller & Auditor General of India.
2. Secretary General, Supreme Court of India.
3. Controller General of Accounts / Controller of Accounts, Ministry of Finance.

4. Union Public Service Commission / Lok Sabha Sectt. / Rajya Sabha Sectt. / Cabinet Sectt. / Central Vigilance Commission / President's Sectt./ Vice-President's Sectt. / Prime Minister's Office / Niti Aayog.
5. Governments of all States and Union Territories.
6. Department of Personnel and Training (AIS Division) / JCA / Admn. Section.
7. Secretary, National Council of JCM (Staff Side), 13-C, Feroz Shah Road, New Delhi.
8. All Members of Staff Side of the National Council of JCM / Departmental Council.
9. All Officers / Sections of Department of Personnel and Training / Department of Administrative Reforms & Public Grievances / Department of Pensions & Pensioners' Welfare / PESB.
10. Joint Secretary (Pers), Department of Expenditure, Ministry of Finance.
11. Additional Secretary (Union Territories), Ministry of Home Affairs.
12. JD (OL), DoPT, North Block, New Delhi- for Hindi version of this OM.

(Rajeev Bahree)
05/08/2020

Under Secretary to the Government of India

ANNEXURE 'B'

No.DOPT-1669266628362
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel and Training
ESTT.(Estt. C)

(Dated 24 November, 2022)

OFFICE MEMORANDUM

Technical Resignation and Lien

This Department has issued various instructions from time to time regarding Technical Resignation and Lien. It is now decided to consolidate these instructions at one place for better understanding and guidance, as under:

2.1 Technical Resignation

2.1.1 As per the Ministry of Finance OM No. 3379-E.III (B)/65 dated the 17th June, 1965, the resignation is treated as a technical formality where a Government servant has applied through proper channel for a post in the same or some other Department, and is on selection, required to resign the previous post for administrative reasons. The resignation will be treated as technical resignation if these conditions are met, even if the Government servant has not mentioned the word "Technical" while submitting his resignation. The benefit of past service, if otherwise admissible under rules, may be given in such cases. Resignation in other cases including where competent authority has not allowed the Government servant to forward the application through proper channel will not be treated as a technical resignation and benefit of past service will not be admissible. Also, no question of benefit of a resignation being treated as a technical resignation arises in case of it being from a post held on *ad hoc* basis.

2.1.2 This benefit is also admissible to Government servants who have applied before joining the Government service and on that account the application was not routed through proper channel. The benefit of past service is allowed in such cases subject to the fulfillment of the following conditions:

- (i) the Government servant should intimate the details of such application immediately on their joining;
- (ii) the Government servant at the time of resignation should specifically make a request, indicating that he is resigning to take up another appointment under the Government for which he applied before joining the Government service;
- (iii) the authority accepting the resignation should satisfy itself that had the employee been in service on the date of application for the post mentioned by the employee, his application would have been forwarded through proper channel.

[\(DOPT's O.M. No. 13/24/92-Estt\(Pay-1\) dated 22.01.1993\)](#)

2.2 Carry forward of Leave benefits

- (i) In terms of Rule 9(2) of the CCS (Leave) Rules, 1972, technical resignation shall not result in the lapse of leave to the credit of the Government servant. The balance of unutilized Child Care Leave(CCL) as well as all other leaves of the kind due & admissible will be carried forward.
- (ii) As per rule 39-D of the CCS(Leave) Rules,1972, in case of permanent absorption in PSUs/ Autonomous Bodies/ State Government etc., the Government servant shall be granted cash equivalent of leave salary in respect of EL & HPL at his credit subject to overall limit of 300 days.

2.3 Carry forward of LTC

Entitlement to LTC may be carried forward in case of a Central Government Servant who joins another post after having submitted Technical Resignation. In case of a Government Servant who resigns within 8 years of his appointment and joins another post in the Government after Technical Resignation, the Government Servant will be treated as a fresh recruit for a period of 8 years from the date of his initial appointment under Government. Thus if a Government Servant joins another Department after serving in Government for 4 years, he will be treated as a fresh recruit for 4 years in the new Department.

2.4 Pay Protection, eligibility of past service for reckoning of the minimum period for grant of Annual Increment

In cases of appointment of a Government servant to another post in Government on acceptance of technical resignation, the protection of pay is given in terms of the Ministry of Finance OM No. 3379-E.III (B)/65 dated the 17th June, 1965 read with proviso to FR 22-B. Thus, if the pay fixed in the new post is less than his pay in the post he holds substantively, he will draw the presumptive pay of the pay he holds substantively as define in FR-9(24). Past service rendered by such a Government servant is taken into account for reckoning of the minimum period for grant of annual increment in the new post/ service/ cadre in Government under the provisions of FR 26 read with Rule 10 of CCS (RP) Rules, 2016. In case the Government servant rejoins his earlier posts, he will be entitled to increments for the period of his absence from that post.

2.5 GPF transfer

Transfer of GPF on technical resignation would be governed by Rule 35 of the General Provident Fund (Central Services) Rules, 1960.

2.6 Seniority

On technical resignation, seniority in the post held by the Government servant on substantive basis continues to be protected. However, in case of a Government servant deciding to rejoin his substantive post, the period spent in another department which he had joined after submitting his technical resignation will not count for minimum qualifying service for promotion in the higher post.

2.7 Applicability of Pension Scheme

In cases where Government servants, who had originally joined government service prior to 01.01.2004, apply for posts in the same or other Departments and on selection they are asked to tender technical resignation, the past services are counted towards pension if the new post is in a pensionable establishment terms of Rule 26(2) of CCS (Pension) Rules 1972. They will thus continue to be covered under the CCS(Pension) Rules, 1972 even if they join the new post after 1.1.2004.

[\(Department of Pension & Pensioners Welfare's O.M. No. 28/30/2004-P&PW\(B\) dated 26.07.2005\)](#)

2.8 New Pension Scheme

In case of 'Technical Resignation' of Government servant covered under National Pension System (NPS), the balance standing to their Personal Retirement Account (PRA) along-with their PRAN will be carried forward to the new office.

2.9 Transfer of Service Book from parent Department to present Department.

As per SR- 198, the Service Book is to be maintained for a Government servant from the date of his/her first appointment to Government service and it must be kept in the custody of the Head of Office in which he is serving and transferred with him from office to office.

2.10 Need for Medical examination.

In cases where a person has already been examined by a Medical Board in respect of his previous appointment and if standard of medical examination prescribed for the new post is the same, then he need not be required to undergo a fresh examination.

2.11 Verification of Character & Antecedents

In the case of a person who was originally employed in an office of the Central Government, if the period intervening between date of discharge from his previous office and the date of securing a new appointment, is less than a year, it would be sufficient if the appointing authority, before making the appointment, satisfies itself by a reference to the office in which the candidate was previously employed that (a) that office have verified his character and antecedents; and (b) his conduct while in the employment in that office did not render him unsuitable for employment under Government. If however, more than a year has lapsed after the discharge of the person from his previous office, verification should be dated carried out in full/afresh, in accordance with O.M. No. 18011/9(s)/78-Estt(B) 2nd July, 1982.

3.1 Lien

3.1.1 Lien is defined in FR 9(13). It represents the right of a Government employee to hold a regular post, whether permanent or temporary, either immediately or on the termination of the period of absence. The benefit of having a lien in a post/service/cadre is enjoyed by all employees who are confirmed in the post/service/cadre of entry or who have been promoted to a higher post, declared as having completed the probation where it is prescribed. It is also available to those who have been promoted on regular basis to a higher post where no probation is prescribed under the rules, as the case may be.

3.1.2 The above right will, however, be subject to the condition that the junior-most person in the cadre will be liable to be reverted to the lower post/service/cadre if at any time the number of persons so entitled is more than the posts available in that cadre/service.

[\(DOPT's O.M. No. 18011/1/86-Estt \(D\) dated 28.03.1998\)](#)

3.2 Lien on a post

A Government servant who has acquired a lien on a post retains a lien on that post-

- (a) while performing the duties of that post;
- (b) while on foreign service, or holding a temporary post or officiating in another post;

- (c) during joining time on transfer to another post; unless is he is transferred substantively to a post on lower pay, in which case his lien is transferred the new post from the date on which he is relieved of his duties in the old post;
- (d) while on leave; and
- (e) while under suspension.

A Government servant on acquiring a lien on a post will cease to hold any lien previously acquired on any other post.

3.3 Retention of lien for appointment in another Central Government office/State Government

- (i) A permanent Government servant appointed in another Central Government Department/Office/ State Government, has to resign from his parent department unless he reverts to that department within a period of 2 years, or 3 years in unless he exceptional cases. An undertaking to abide by this condition may be taken from him at the time of forwarding of his application to other departments/offices.
- (ii) The exceptional cases may be when the Government servant is not confirmed in the department/office where he has joined within a period of 2 years. In such cases he may be permitted to retain the lien in the parent department/ office for one more year. While granting such permission, a fresh undertaking similar to the one indicated above may be taken from the employee.
- (iii) Timely action should be taken to ensure extension/ reversion/ resignation of the employees to their parent cadres on completion of the prescribed period of 2/3 years. In cases, where employees do not respond to instructions, suitable action should be initiated against them for violating the agreement/ undertaking given by them as per (i) and (ii) above and for termination of their lien. Adequate opportunity may, however, be given to the officer prior to such consideration.
- (iv) Temporary Government servants will be required to sever connections with the Government in case of their selection for outside posts. No lien will be retained in such cases.

(DOPT O.M. No. 8/4/70-Estt(C) dated 06.03.1974)

3.4 Termination of Lien

3.4.1 A Government servant's lien on a post may in no circumstances be terminated even with his consent if the result will be to leave him without a lien upon a permanent post. Unless his lien is transferred, a Government servant holding substantively a permanent post retains lien on that post. It will not be correct to deny a Government servant lien to a post he was holding substantively on the plea that he had not requested for retention of lien while submitting his Technical Resignation, or to relieve such a Government servant with a condition on that no lien will be retained.

3.4.2 A Government employee's lien on a post shall stand terminated on his acquiring a lien on a permanent post (whether under the Central Government or a State Government) outside the cadre on which he is borne.

3.4.3 No lien shall be retained:

- a. where a Government servant has proceeded on immediate absorption basis to a post or service outside his service/ cadre/ post in the Government from the date of absorption; and

- b. on foreign service/ deputation beyond the maximum limit admissible under the orders of the Government issued from time to time.

[\(Notification No. 28020/1/96-Estt\(C\) dated 09.02.1998\)](#)

3.5 Transfer of Lien

The lien of a Government servant, who is not performing the duties of the post to which the lien pertains, can be transferred to another post in the same cadre subject to the provisions of Fundamental Rule 15.

[\(Notification No. 28020/1/96-Estt\(C\) dated 09.02.1998\)](#)

3.6 Joining Time, Joining Time Pay & Travelling Allowance

Provisions relating to joining time are as follows:

3.6.1 For appointment to posts under the Central Government on results of a competition and/or interview open to Government servants and others, Central Government employees and permanent/ provisionally permanent State Government employees will be entitled to joining time under the CCS(Joining Time) Rules, 1979. Joining time will be included as qualifying service in the new job.

3.6.2 A Government servant on joining time shall be regarded as on duty during that period and shall be entitled to be paid joining time pay equal to the pay which was drawn before relinquishment of charge in the old post. He will also be entitled to Dearness Allowance, if any, appropriate to the joining time pay. In addition, he can also draw compensatory allowances like House Rent Allowance as applicable to the old station from which he was transferred. He shall not be allowed Conveyance Allowance or permanent Travelling Allowance.

3.6.3 For appointments to posts under the Central Government on the basis of results of a competition and /or interview open to Government servants and others, Central Government employees and permanent/ provisionally permanent State Government employees shall be entitled to Transfer Travelling Allowance(TTA). However, temporary Central Government employees with less than 3 years of regular continuous service would not be entitled for TTA, as they are not entitled for joining time pay under Joining Time Rules.

4. All Ministries/ Departments are requested to bring the instructions/ guidelines to the notice of all concerned.

5. In case any reference to the relevant OM is required, the same may be accessed by clicking the hyperlink given below:

	OM No.	Subject
1	28020/1/2010-Estt.(C) dt. 17/08/2016	Technical Resignation and Lien - Consolidated guidelines.
2	28020/1/2010-Estt(C) dt. 26/12/2013	Consolidated Instructions on Technical Resignation and Lien - regarding
3	28020/1/96-Estt(C) dt. 09/02/1998	Notification on Lien
4	28016/5/85-Estt(C) dt. 31/01/1986	Appointment of Central Government servants in the Central Public Enterprises on immediate absorption basis-terms and conditions of.
5	28015/2/80-Estt(C) dt. 22/07/1980	Forwarding of applications of Government Servants working in a Department/Offices of the Central Govt. question regarding the retention of lien in this parent Department.

6	8/4/70-Estt(C) dt. 06/03/1974	Forwarding of application of Central Government Servants for posts under the State Government procedure for.
7	60/37/63-Estt(A) dt. 14/07/1967	Forwarding of applications of Government servants working in a Department/Office of the Central Government to posts in other Central Government Department/Offices-question regarding the retention of lien in the parent department.
8	4-(3)-E-IV/A/63 dt. 01/10/1963	Termination of Lien of permanent Government servants on foreign service in the event of their permanent absorption under the foreign employer.

ANNEXURE 'C'

Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel & Training

Central Civil Services (Joining Time) Rules, 1979

The Central Civil Services (Joining Time) Rules, 1979 notified vide GSR 695 dated 8th May, 1979 the rules were amended vide Notification GSR 197 dated 10th March, 1989 and again vide GSR 229(E) dated 27th March, 2015. The essence of various instructions in the matter has been summarized in the following paras for guidance and better understanding:-

1. Joining Time is granted to a Government Servant when transferred to the control of another Government or organisation, in public interest.
2. CSS (Joining Time) Rules, 1979 is applicable to all Government servants appointed in Civil Services and posts under the Central Government including work charged staff but shall not apply to:
 - (a) Railway employees,
 - (b) Armed Forces Personnel and those paid from the defence services estimates,
 - (c) Government servants engaged on contract and those who are not in whole-time employment of Government.
 - (d) Government servants, paid out of contingencies.

[Rule 1 of the [CCS \(Joining Time\) Rules, 1979](#)]

3. When a Government Servant to whom these rules apply is transferred to the control of another Government or organization, which has made separate rules prescribing amount of joining time, his joining time for the journey to join his post under that Government/organization and for the return journey, will be governed by those rules, unless different provisions are expressly made in the terms of deputation/foreign service by mutual agreement between the lending and borrowing authorities.

4. The joining time of Railway employees, Armed Forces Personnel and those paid from Defence Services estimates and the employees of State Government or any other organisation, who are appointed to Civil Services and posts under the Central Government on deputation or on foreign service basis, shall, for joining the Civil Services and posts under the Central Government and for the return journeys, be regulated in accordance with these rules unless different provisions are expressly made in their respective terms of deputation/ foreign service, by mutual agreement between the lending and borrowing authorities.

[Rule 2 of the [CCS \(Joining Time\) Rules, 1979](#)]

5. Joining time shall be granted to a Government servant on transfer in public interest to enable him to join the new post either at the same or a new station. No joining time is admissible in cases of temporary transfer for a period not exceeding 180 days. Only the actual transit time, as admissible in case of journeys on tour, may be allowed.

6. The surplus staff transferred from one post to another under the Scheme Regulating Redeployment of Surplus Staff shall be eligible for joining time.

7. Government servants who are discharged due to reduction of establishment from one Central Government Office and reappointed to another Central Government Office shall be entitled to joining time, subject to certain conditions.

[Rule 4 of the [CCS \(Joining Time\) Rules, 1979](#)]

8. For appointment to posts under the Central Government on the results of a competitive examination and or interview open to Government servants and others, the Central Government employees and permanent/provisionally permanent State Government employees will be entitled to joining time under these rules, if such Government servants opt for having their past service in the Central Government or State Government counted for all purposes in the Central Government.

[Rule 4 and [Notification dated 27th March, 2015](#)]

9. Joining time is admissible in case of transfer in public interest. However, when a Government servant is transferred on his own request, the intervening period from relinquishment of charge at the old place of posting and taking charge of at new place, the period may be regularized by grant of leave applicable to him.

[OM No.19011/33/81-Allowances dated 29th January, 1983]

10. The joining time shall commence from the date of relinquishment of charge of the old post, if the charge is made over in the forenoon or the following date if the charge is made over in the afternoon.

11. Not more than one day's joining time shall be allowed to a Government servant to join a new post within the same station or which does not involve a change of residence from one station to another.

12. In cases involving transfer from one station to another and also involving change of residence, the Government servant shall be allowed joining time with reference to the distance between the old headquarters and the new headquarters by direct route and ordinary mode(s) of travel as indicated in the following schedule.

Distance between the Old headquarter and the new headquarter	Joining Time admissible	Joining Time admissible where the transfer necessarily involves continuous travel by road for more than 200 Kms.
1,000 Kms. or less More than 1,000 Kms. More than 2,000 Kms	10 days 12 days 15 days except in cases of travel by air for which the maximum will be 12 days.	12 days 15 days 15 days

13. Distance means actual distance travelled and not weighted mileage for which fare is charged by the Railways in certain ghat or hill regions. In case of transfer of a Government servant to or from North Eastern Region, including Sikkim, Andaman and Nicobar Islands, Lakshadweep and Ladakh, two days additional time shall be admissible over and above the normal joining time reckoned on the basis of actual distance between their old and new place of posting.

[Rule 5 and [Notification dated 27th March, 2015](#)]

14. Special provisions have been made to facilitate journey to and from remote localities, viz , Andaman and Nicobar Islands, Lakshadweep, and also powers have been given to the HoD and Administrators of UTs.

[OM No.21011/12/79-Allowances dated 16/11/1979 and O.M.No.19011/30/81-Allowances dated 13/10/81]

15. The period of unutilized joining time will be credited to Earned Leave account and shall be regulated in terms of the provisions of sub-clause (ii) of clause (a) of sub-rule (1) of rule 26 of the Central Civil Service (Leave) Rules, 1972. Joining time may be combined with vacation and/or regular leave of any kind or duration except casual leave.

16. If a Government servant in transit on transfer is directed to proceed to a place different from that indicated in the initial transfer orders; he shall be entitled to joining time already availed of upto the date of receipt of revised orders as fresh spell of full joining time from the date following the date of receipt of the revised orders.

[Rule 6 and [Notification dated 27th March, 2015](#)]

17. A Government servant on joining time shall be regarded as on duty during that period and shall be entitled to be paid joining time pay equal to the pay which was drawn before relinquishment of charge in the old post, he will also be entitled to DA, if any, appropriate to the joining time pay. In addition, he can also draw compensatory allowances like City Compensatory Allowance, House Rent Allowance as applicable to the old station from which he was transferred. He shall not be allowed Conveyance Allowance or permanent travelling allowance. The joining time pay shall be paid for by the new administrative authority where such Government servant joins on transfer.

[Rule 7 and [Notification dated 27th March, of 2015](#)]

In case any reference to the relevant OMs & Notification is required, the same may be accessed from DoPT's website and
<https://doptcirculars.nic.in/Default.aspx?URL=wj1jntjVG5sJ>
<https://doptcirculars.nic.in/Default.aspx?URL=ZM4K6qdVPd6t%20>

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List of OMs and Notifications mentioned in this Document

1. [Notification No. GSR 695 dated 8-5-1979](#)
2. [OM No.21011/12/79-Allowances dated 16-11-1979](#)
3. [OM No.19011/30/81-Allowances dated 13-10-1981](#)
4. [OM No.19011/33/81-Allowances dated 29-01-1983](#)
5. [Notification No. GSR 229\(E\) dated 27th March, 2015](#)

ANNEXURE 'D'

CENTRAL CIVIL SERVICES

(LEAVE) RULES, 1972.

(UPDATED AS ON 24.09.2024)

CCS (L) RULES 1972

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CENTRAL CIVIL SERVICES

LEAVE RULES

CHAPTER I- Preliminary

1. Short title and commencement

- (1) These rules may be called the Central Civil Services (Leave) Rules, 1972.
- (2) They shall come into force on the 1st day of June, 1972.

2. Extent of application

Save as otherwise provided in these rules, these rules shall apply to Government servants appointed to the civil services and posts in connection with the affairs of the Union, but shall not apply to-

- (a) Railway servants;
- (b) persons in casual or daily-rated or part-time employment;
- (c) persons paid from contingencies;
- (d) workmen employed in industrial establishments;
- (e) persons employed in work-charged establishments;
- (f) members of the All India Services;
- (g) persons locally recruited for service in Diplomatic, Consular or other Indian establishments in foreign countries;
- (h) persons employed on contract except when the contract provides otherwise;
- (i) persons in respect of whom special provisions have been made by or under the provisions of the Constitution or any other law for the time being in force;
- (j) persons governed, for purposes of leave, by the Fundamental Rules or the Civil Service Regulations;
- (k) persons serving under a Central Government Department, on deputation from a State Government or any other source, for a limited duration.

3. Definitions

- (1) In these rules, unless the context otherwise requires-
 - (a) Administrator means an Administrator of a Union Territory;
 - (b) Audit Officer means the Accounts and Audit Officer, whatever his official designation, in whose circle the office of the Government servant is situated;
 - (c) Authority competent to grant leave means the authority specified in Column (3) of the First Schedule to these rules, competent to grant the kind of leave specified in the corresponding entries in Column (2) of the said Schedule;

- (d) Completed years of service or one year's continuous service|| means continuous service of specified duration under the Central Government and includes the period spent on duty as well as on leave including extraordinary leave;
- (e) Date of retirement or date of his retirement in relation to a Government servant, means the afternoon of the last day of the month in which the Government servant attains the age prescribed for retirement under the terms and conditions governing his services.
(MOF Notification No. 5(7)-E.IV(A)/75 dated 02.12.1975)
- (f) Department of the Central Government means a Ministry or a Department of the Central Government as notified from time to time and includes the Planning Commission, the Department of Parliamentary Affairs, the President's Secretariat, the Vice-President's Secretariat, the Cabinet Secretariat and the Prime Minister's Secretariat;
- (fa) "disability" means "specified disability", "benchmark disability" and "disability having high support needs" as referred to in the Rights of Persons with Disabilities Act, 2016 (49 of 2016).
(DOPT Notification No. No. 18017/II/2014-Estt. (L), dated 03.04.2018)
- (g) Foreign service means service in which a Government servant receives his pay with the sanction of Government from any source other than the Consolidated Fund of India or the Consolidated Fund of any State [or the Consolidated Fund of a Union Territory];
- (h) Form means a Form appended to the Second Schedule to these rules;
- (i) Government servant in quasi-permanent employ|| means-
 - (A) an officer who, having been declared by the Union Public Service Commission to be eligible for appointment to the ministerial Services of the Government of India, has been appointed to a temporary or officiating vacancy on the understanding given to him in writing before he took up the appointment, that that vacancy is expected to become permanent but is not confirmed after completion of three years continuous service;
 - (B) an officer who may be declared as quasi-permanent under the Central Civil Services (Temporary Services) Rules, 1965.
- (j) Government servant in permanent employ means an officer who holds substantively or provisionally substantively a permanent post or who holds a lien on a permanent post or who would have held a lien on permanent post had the lien not been suspended;
- (k) Head of Mission means Ambassador, Charge d' Affaires, Minister, Consul-General, High Commissioner or any other authority declared as such by the Central Government, in the country in which the Government servant undergoes a course of study or training;
- (l) Military Officer means an officer of the Armed Forces who is-
 - (i) a Commissioned Officer of the Army, the Navy or the Air Force, or

- (ii) (a) a Junior Commissioned Officer (including an honorary commissioned officer), or an other rank' of the Army, or
 - (b) a Branch List Officer or rating of the Navy, or
 - (c) an airman including a Master Warrant Officer of the Air Force;
 - (m) Vacation Department means a department or part of a department, to which regular vacations are allowed, during which Government servants serving in the department are permitted to be absent from duty.
- (2) Words and expressions used herein and not defined but defined in the Fundamental Rules and Supplementary Rules shall have the meanings respectively assigned to them in the Fundamental Rules and Supplementary Rules.

4. Government servants on temporary transfer or on foreign service

- (1) Government servants to whom these rules apply shall continue to be governed by these rules while on temporary transfer to the Indian Railways or to a State Government or while on foreign service within India.
- (2) In the case of Government servants on foreign service outside India (including service with UN agencies within or outside India) or on temporary transfer to the Armed Forces of the Union, these rules shall apply only to the extent provided in the terms and conditions of foreign service or temporary transfer, as the case may be.

5. Transfer from services or posts governed by other leave rules

Unless it be otherwise provided in these rules, a permanent Government servant to whom these rules do not apply –

- (a) when transferred temporarily to a service or post to which these rules apply, shall remain subject to the leave rules which were applicable to him before such transfer; and

Provided that where a Military Officer not in permanent civil employ has elected to draw civil rates of pay, his leave shall be regulated as per the provisions under these rules:

Provided further that in the event of his release/discharge from the Armed Forces, he shall carry forward the annual leave due to him with effect from the date of such release/discharge.

(DOPT Notification No. 11012/1/85-Estt.(L) dated 23.06.1987)

- (b) when appointed substantively to a permanent post to which these rules apply, shall become subject to these rules from the date of such appointment, in which case the leave at his credit under the rules previously applicable to him shall be carried forward subject to the maximum limits of accumulation as laid down in Rule 26. The leave so carried forward shall first be exhausted before the leave earned under these rules is availed of. The leave salary in respect of the leave carried forward shall be borne by the (Department or the Government from which the Government servant proceeds on leave):

(DOPT Notification No. 14028/4/91-Estt.(L) dated 18.09.95)

Provided that in the case of Military Officer, half pay leave equal to the number of days of furlough shall also be carried forward in addition to the earned leave equal to the number of days of annual leave on the date he is so appointed, it would be permissible to grant him under the leave rules of the Armed Forces.

(DOPT Notification No. 11012/1/85-Estt.(L) dated 23.06.1987)

6. Transfer to industrial establishment

If a Government servant governed by these rules is appointed in an industrial establishment wherein his leave terms are governed by the Factories Act, 1948 (63 of 1948), the authority competent to grant leave shall, suo motu, issue an order granting cash equivalent of leave salary in respect of earned leave and half pay leave at his credit subject to a maximum of 300 days and the cash so granted shall be a sum equal to the leave salary as admissible for earned leave and leave salary as admissible for half pay leave plus dearness allowance admissible on that leave salary at the rate in force on the date the Government servant ceases to be governed by the provisions of the said rules:—

Provided that in the event of his return to a post or service to which the Central Civil Services (Leave) Rules, 1972 apply, the benefit of cash equivalent of leave salary payable under Rule 39 shall be modified as under—

- (a) On superannuation.— encashment of leave shall be subject to the condition that the number of days of both earned leave and half pay leave for which encashment has already been allowed under this rule and the number of days of earned leave and half pay leave to be encashed on superannuation does not exceed 300 days;
- (b) On premature retirement.— cash equivalent of unutilized earned leave and half pay leave should be subject to the condition that the number of days of earned leave and half pay leave for which encashment had already been allowed under this rule and the number of days of earned leave and half pay leave to be encashed on premature retirement shall not exceed 300 days.

(DOPT Notification No. 11012/1/2009-Estt.(L) dated 01.12.2009)

CHAPTER II- General Conditions

7. Right to leave

- (1) Leave cannot be claimed as of right.
- (2) When the exigencies of public service so require, leave of any kind may be refused or revoked by the authority competent to grant it, but it shall not be open to that authority to alter the kind of leave due and applied for except at the written request of the Government servant.

Provided that leave applied under Rule 20, shall not be refused or revoked without reference to the Medical Authority, whose advice shall be binding.

[DOPT Notification No. No. 18017/1/2014-Estt. (L), dated 03.04.2018]

8. Regulation of claim to leave

A Government servant's claim to leave is regulated by the rules in force at the time the leave is applied for and granted.

9. Effect of dismissal, removal or resignation on leave at credit

- (1) Except as provided in Rule 39 and this rule, any claim to leave to the credit of a Government servant, who is dismissed or removed or who resigns from Government service, ceases from the date of such dismissal or removal or resignation.
- (2) Where a Government servant applies for another post under the Government of India but outside his parent office or department and if such application is forwarded through proper channel and the applicant is required to resign his post before taking up the new one, such resignation shall not result in the lapse of the leave to his credit.
- (3) A Government servant, who is dismissed or removed from service and is reinstated on appeal or revision, shall be entitled to count for leave his service prior to dismissal or removal, as the case may be.
- (4) A Government servant, who having retired on compensation or invalid pension or gratuity is re-employed and allowed to count his past service for pension, shall be entitled to count his former service towards leave.

10. Commutation of one kind of leave into another

- (1) At the request of a Government servant, the authority which granted him leave may commute it retrospectively into leave of a different kind which was due and admissible to him at the time the leave was granted, but the Government servant cannot claim such commutation as a matter of right.

Provided that no such request shall be considered unless received by such authority, or any other authority designated in this behalf, within a period of 30 days of the concerned Government servant joining his duty on the expiry of the relevant spell of leave availed of by him.

[DOPT Notification No. 140 15/2/97-Estt. (L), dated 31.12.1997]

- (2) The commutation of one kind of leave into another shall be subject to adjustment of leave salary on the basis of leave finally granted to the Government servant, that is to say, any amount paid to him in excess shall be recovered or any arrears due to him shall be paid.

NOTE.- Extraordinary leave granted on medical certificate or otherwise may be commuted retrospectively into leave not due subject to the provisions of Rule 31.

11. Combination of different kinds of leave

Except as otherwise provided in these rules, any kind of leave under these rules may be granted in combination with or in continuation of any other kind of leave.

EXPLANATION.- Casual leave which is not recognized as leave under these rules shall not be combined with any other kind of leave admissible under these rules.

12. Maximum amount of continuous leave

(DOPT Notification No. No. 13026/2/20 10- Estt. (L), dated 29.03.2012)

- (1) No Government servant shall be granted leave of any kind for a continuous period exceeding five years
- (2) Unless the President, in view of the exceptional circumstances of the case, otherwise determines, a Government servant who remains absent from duty for a continuous period exceeding five years other than on foreign service, with or without leave, shall be deemed to have resigned from the Government service:

Provided that a reasonable opportunity to explain the reasons for such absence shall be given to that Government servant before provisions of sub-rule (2) are invoked.

Provided that this rule shall not apply to a case where leave is applied on medical certificate, in connection with a disability.

(DOPT Notification No. 18017/1/2014-Estt. (L), dated 03.04.2018)

13. Acceptance of service or employment while on leave

- (1) A Government servant (other than a Government servant who has been permitted a limited amount of private practice or who has been permitted to undertake casual literary work or service as an examiner or similar employment) while on leave, including leave preparatory to retirement shall not take up any service or employment elsewhere, including the setting up of a private professional practice as accountant, consultant or legal or medical practitioner, without obtaining the previous sanction of -
 - (a) the President, if the proposed services or employment lies elsewhere than in India; or
 - (b) the authority empowered to appoint him, if the proposed service or employment lies in India.
- (2)(a) No Government servant while on leave, other than leave preparatory to retirement shall ordinarily be permitted to take up any other service or employment.
- (b) If grant of such permission is considered desirable in any exceptional case, the Government servant may have his services transferred temporarily from his parent office to the office in which he is permitted to take up service or employment or may be required to resign his appointment before taking up any other service or employment.
- (c) A Government servant while on leave preparatory to retirement shall not be permitted to take up private employment. He may, however, be permitted to take up employment with a Public Sector Undertaking or a body referred to in Clause (a) of sub-rule (2) of Rule 38 and in that event also leave salary payable for leave preparatory to retirement shall be the same as admissible under Rule 40.
- (3)(a) In case a Government servant who has proceeded on leave preparatory to retirement is required, before the date of retirement for employment during such leave in any post under the Central Government in or outside India and is agreeable to return to duty, the unexpired portion of the leave from the date of rejoining shall be cancelled.
- (b) The leave so cancelled under Clause (a) shall be allowed to be encashed in the manner provided in sub-rule (2) of Rule 39.
- (c) Deleted.
(MOF Notification No. P-11012/1/77-E-IV(A) dated 21.11.1979)
- (d) Deleted.
(DOPT Notification No. 14028/9/80-Estt.(L) dated 01.10.1981)

CHAPTER III- Grant of and return from leave

14. Application for leave

Any application for leave or for extension of leave shall be made in Form 1 to the authority competent to grant leave.

Provided that where a Government servant is unable to submit an application or medical certificate on account of a disability, such application or medical certificate may be signed and submitted by

- (a) the spouse of the Government servant; or
- (b) the parents in case of an unmarried Government servant; or
- (c) the child including adopted child or brother or sister of the Government servant, who has attained the age of majority; or
- (d) any person who has been assigned limited guardianship of the Government servant in terms of Section 14 of the Rights of Persons with Disabilities Act, 2016 (49 of 2016), and the same shall be deemed to have been made and submitted by the Government servant himself.

(DOPT Notification No. 18017/1/2014-Estt. (L), dated 03.04.2018)

15. Leave account

Except as provided in the Note below, a leave account shall be maintained in Form 2 for each Government servant by the Audit Officer in the case of Gazetted Government servants and by the Head of Office or an officer authorized by him in the case of non-Gazetted Government servants.

NOTE.- In the case of Gazetted Government servants whose pay and allowances are drawn and disbursed by the Head of Office, the leave account shall be maintained by that Head of Office.

(MOF Notification No. 4(7)-E.IV(A)/72 dated 30.04.1973)

16. Verification of title to leave

- (1) No leave shall be granted to a Government servant until a report regarding its admissibility has been obtained from the authority maintaining the leave account.

NOTE.- The order sanctioning leave shall indicate the balance of earned leave/half pay leave at the credit of the Government servant.

(GSR No. 1422, F.No. 11012/1/77-E.IV(A) dated 21.11.1979)

- (2)(a) Where there is reason to believe that the obtaining of admissibility report will be unduly delayed, the authority competent to grant leave may calculate, on the basis of available information, the amount of leave admissible to the Government servant and issue provisional sanction of leave for a period not exceeding sixty days.

- (b) The grant of leave under this sub-rule shall be subject to verification by the authority maintaining the leave account and a modified sanction for the period of leave may be issued, where necessary.
- (c) In the case of Gazetted Government servants, the Audit Officer may, at the request of the authority competent to grant leave, issue a provisional leave salary slip for a period not exceeding sixty days.

NOTE.- In the case of leave preparatory to retirement or where cash payment in lieu of leave at credit is granted under Rule 39, an undertaking for recovery of the leave salary, if any, paid in excess, shall be taken from the Government servant.

(DOPT Notification No. 14028/9/80-Estt.(L) dated 01.10.1981)

17. Leave not to be granted in certain circumstances

Leave shall not be granted to a Government servant whom a competent punishing authority has decided to dismiss, remove or compulsorily retire from Government service.

18. Deleted.

19. Grant of leave on medical certificate to Gazetted and non- Gazetted Government servants

(1) An application for leave on medical certificate made by—

(DOPT Notification No. 13026/1/2002-Estt. (L), dated 15/16.01.2004)

- (i) a Gazetted Government servant, shall be accompanied by a Medical Certificate in Form 3 given by a doctor in a Central Government Health Scheme Dispensary if such a Government servant is a Central Government Health Scheme beneficiary or by a Government Hospital or by an Authorized Medical Attendant if he is not a Central Government Health Scheme beneficiary and by an Authorized Doctor of the private hospital recognized under Central Government Health Scheme or Central Services (Medical Attendance) Rules, 1944, in case of hospitalization or indoor specialized treatment in respect of any particular kind of disease like heart disease, cancer, etc., for the treatment of which the concerned hospital has been recognized by the Ministry of Health and Family Welfare:

Provided that the Gazetted Government servant who is a Central Government Health Scheme beneficiary, if at the time of illness, is away from Central Government Health Scheme area or proceeds on duty outside the Headquarters will produce Medical Certificate or Fitness Certificate in Form 3 and Form 5, as the case may be, given by an Authorized Medical Attendant;

- (ii) a non-Gazetted Government servant, shall be accompanied by a Medical Certificate in Form 4 given by a Central Government Health Scheme Dispensary if such a Government servant is a Central Government Health Scheme beneficiary or by Government Hospital or by an Authorized Medical Attendant if he is not a Central Government Health Scheme beneficiary; and by an Authorized Doctor of the private hospital, recognized under Central Government Health Scheme or Central Services (Medical Attendance) Rules, 1944, in case of hospitalization or indoor specialized treatment duly approved by the Competent Authority in respect of particular kind of disease like heart disease, cancer, etc., for the treatment of which the concerned hospital has been recognized by the Ministry of Health and Family Welfare:

Provided that the non-Gazetted Government servant who is a CGHS beneficiary, if at the time of illness is away from Central Government Health Scheme area or proceeds on duty outside the Headquarters will produce Medical Certificate or Fitness Certificate in Form 4 or Form 5, as the case may be, given by an Authorized Medical Attendant or by Registered Medical Practitioner if there is no Authorized Medical Attendant available within a radius of eight kilometers from his residence or place of temporary stay outside his Headquarters and also in the circumstances when he finds it difficult to obtain Medical Certificate or Fitness Certificate from a Doctor in a Central Government Health Scheme Dispensary or an Authorized Medical Attendant; defining clearly the nature and probable duration of illness.

NOTE.— In the case of non-Gazetted Government servant, a certificate given by a registered Ayurvedic, Unani or Homoeopathic medical practitioner or by a registered Dentist in the case of dental ailments or by an honorary Medical Officer may also be accepted, provided such certificate is accepted for the same purpose in respect of its own employees by the Government of the State in which the Central Government servant falls ill or to which he proceeds for treatment.

(DOPT Notification No. 13015/11/82-Estt. (L), dated 25.05.1984)

- (2) In case of a Government servant who has acquired disability, the Medical Authority shall certify, in Form 3-A,-

(DOPT Notification No. 18017/1/2014-Estt. (L), dated 03.04.2018)

- (a) the nature and extent of the disability;
- (b) the date from which such disability has occurred or manifested, to the extent it may be medically possible to indicate the same;
- (c) whether there are reasonable prospects for the Government servant to be fit to resume duties, and if not, categorically state that such Government servant is completely and permanently incapacitated for further service.

- (2-A) For the purposes of these rules, a doctor in Central Government Health Scheme *or* a Government Hospital, *or* a specialist in Government Hospital in cases requiring specialized treatment, *or* a Medical Board in a Government Hospital in the case of multiple disabilities shall, in addition to the authority certifying specified disability under the provisions contained in Chapter X of the Rights of Persons with Disabilities Act, 2016 (49 of 2016), be the Medical Authorities competent to issue certificate of disability in Form 3-A.
- (2-B) Notwithstanding anything in these rules, no reference from the Head of Office or any other authority may be required for issue of medical certificate of disability.
- (3) The authority competent to grant leave may, at its discretion, secure a second medical opinion by requesting a Government Medical Officer not below the rank of a Civil Surgeon or Staff Surgeon, to have the applicant medically examined on the earliest possible date.
- (4) It shall be the duty of the Government Medical Officer referred to in sub-rule (3) to express an opinion both as regards the facts of the illness and as regards the necessity for the amount of leave recommended and for that purpose may either require the applicant to appear before himself or before a Medical Officer nominated by himself.
- (5) The grant of medical certificate under this rule does not in itself confer upon the Government servant concerned any right to leave; the medical certificate shall be forwarded to the authority competent to grant leave and orders of that authority awaited.
- (6) The authority competent to grant leave may, in its discretion, waive the production of a medical certificate in case of an application for leave for a period not exceeding three days at a time. Such leave shall not, however, be treated as leave on medical certificate and shall be debited against leave other than leave on medical grounds.

20. Leave to a Government servant who is unlikely to be fit to return to duty

- (1)(a) When a Medical Authority has reported that there is no reasonable prospect that the Government servant will even be fit to return to duty, leave shall not necessarily be refused to such Government servant.
- (b) The leave may be granted, if due, by the authority competent to grant leave on the following conditions:—.

- (i) if the Medical Authority is unable to say with certainty that the Government servant, who has acquired a disability, will never again be fit for service, leave not exceeding twelve months at a time may be granted and such leave shall not be extended without further reference to a Medical Authority;
- (ii) if a Government servant is declared by the Medical Authority, as specified in Rule 19, as to have acquired such disability which may prevent him from discharging further service, leave or an extension of leave may be granted to him after the certificate of the Medical Authority has been received in Form 3-A:

Provided that any leave debited for the period(s) granted under sub-clause (i) of Clause (b), after receipt of the certificate of disability of the Medical Authority, shall be remitted back into the leave account of the Government servant:

Provided further that any leave granted to regulate the period of absence under sub-clause (ii) of Clause (b), after receipt of the certificate of the Medical Authority, shall not be debited to the leave account of the Government servant.

- (2) In the case of a Government servant who is granted leave in accordance with the provisions of Clause (b) of sub-rule (1), the provisions of Section 20 of the Rights of Persons with Disabilities Act, 2016 (49 of 2016) shall, *suo motu*, apply.

(DOPT Notification No. 18017/1/2014-Estt. (L), dated 03.04.2018)

21. Commencement and termination of leave

Except as provided in Rule 22, leave ordinarily begins on the day on which the transfer of charge is effected and ends on the day preceding that on which the charge is resumed.

22. Combination of holidays with leave

- (1)(i) When the day, immediately preceding the day on which a Government servant's leave (other than leave on medical certificate) begins or immediately following the day on which his leave expires, is a holiday or one of series of holidays, the Government servant shall be deemed to have been permitted (except in cases where for administrative reasons permission for prefixing/suffixing holidays to leave specifically withheld) to leave his station at the close of the day before, or return to it on the day following such holiday or series of holidays, provided that-

- (a) his transfer or assumption of charge does not involve the handling or taking over of securities or moneys other than a permanent advance;

- (b) his early departure does not entail a correspondingly early transfer from another station of a Government servant to perform his duties; and
 - (c) the delay in his return does not involve a corresponding delay in the transfer to another station of the Government servant who was performing his duties during his absence or in the discharge from Government service of a person temporarily appointed to it.
- (ii) In the case of leave on medical certificate-
(GSR No. 1422, F.No. 11012/1/77-E.IV(A) dated 21.11.1979)
- (a) When a Government servant is certified medically unwell to attend office, holiday(s), if any, immediately preceding the day he is so certified shall be allowed automatically to be prefixed to leave and the holiday(s) if any, immediately succeeding the day he is so certified (including that day) shall automatically be allowed to be suffixed to the leave, and holiday(s), if any, preceding the day he is so certified shall be treated as part of the leave; and
 - (b) When a Government servant is certified medically fit for joining duty, holiday(s) if any, succeeding the day he is so certified (including that day) shall automatically be allowed to be suffixed to the leave, and holiday(s), if any, preceding the day he is so certified shall be treated as part of the leave.
(DOPT Notification no. 11012/2/80-Estt.(L) dated 24.08.1981)
- (2) On condition that the departing Government servant remains responsible for the moneys in this charge, the Head of Department may, in any particular case, waive the application of Clause (a) of the proviso to sub- rule (1).
- (3) Unless the authority competent to grant leave in any case otherwise directs -
- (a) if holidays are prefixed to leave, the leave and any consequent rearrangement of pay and allowances take effect from the day after the holidays; and
 - (b) if holidays are suffixed to leave, the leave is treated as having terminated and any consequent rearrangement of pay and allowances takes effect from the day on which the leave would have ended if holidays had not been suffixed.

NOTE.- A compensatory leave granted in lieu of duty performed by a Government servant on Sunday or a holiday for a full day may be treated as a holiday for the above purpose.

23. Recall to duty before expiry of leave

- (1) Deleted.
- (2) Deleted.
(MOF Notification No. 11012/1/77-E.IV(A) dated 21.11.1979)
- (3) In case a Government servant is recalled to duty before the expiry of his leave, such recall to duty shall be treated as compulsory in all cases and the Government servant shall be entitled-
 - (a) if the leave from which he is recalled is in India, to be treated as on duty from the date on which he starts for the station to which he is ordered, and to draw -
 - (i) travelling allowance under rules made in this behalf for the journey; and
 - (ii) leave salary, until he joins his post, at the same rate at which he would have drawn it but for recall to duty;
 - (b) if the leave from which he is recalled is out of India, to count the time spent on the voyage to India as duty for purposes of calculating leave, and to receive-
 - (i) leave salary, during the voyage to India and for the period from the date of landing in India to the date of joining his post, at the same rate at which he would have drawn it but for recall to duty;
 - (ii) a free passage to India;
 - (iii) refund of his passage from India if he has not completed half the period of his leave by the date of leaving for India on recall or three months, whichever is shorter;
 - (iv) travelling allowance, under the rules for the time being in force, for travel from the place of landing in India to the place of duty.

24. Return from leave

- (1) A Government servant on leave shall not return to duty before the expiry of the period of leave granted to him unless he is permitted to do so by the authority which granted him leave.
- (2) Notwithstanding anything contained in sub-rule (1), a Government servant on leave preparatory to retirement shall be precluded from returning to duty, save with the consent of the authority competent to appoint him to the post from which he proceeded on leave preparatory to retirement.

- (3)(a) A Government servant who has taken leave on medical certificate may not return to duty until he has produced a medical certificate of fitness in Form 5.
- (b) If the Government servant is a gazetted officer the certificate under clause (a) shall be obtained from a Medical Board, except in the following cases:-
- (i) Cases in which the leave is for not more than three months;
 - (ii) Cases in which leave is for more than three months or leave for three months or less is extended beyond three months, and the medical Board states, at the time of granting the original certificate or the certificate for extension, that the Government servant need not appear before another Medical Board for obtaining the certificate of fitness.
- (c) In cases falling under clause (b) the certificate may be obtained from the Chief Medical Officer, the District Medical Officer, a Civil Surgeon, a Staff Surgeon or a Medical Officer of equivalent status including a Medical Officer of the Central Government Health Scheme or in a case covered by sub-rule (6) of 18, from the Authorised Medical Attendant or the Medical Superintendent of the hospital concerned.
- (d) In the case of a non-Gazetted Government servant, the authority under which the Government servant is employed on return from leave may, in its discretion, accept a certificate signed by a Registered Medical Practitioner.
- (4)(a) A Government servant returning from leave is not entitled, in the absence of specific orders to that effect, to resume as a matter of course the post which he held before going on leave.
- (b) Such Government servant shall report his return to duty to the authority which granted him leave or to the authority, if any, specified in the order granting him the leave and await orders.

NOTE.- A Government servant who had been suffering from Tuberculosis may be allowed to resume duty on the basis of fitness certificate which recommends light work for him.

25. Absence after expiry of leave

- (1) Unless the authority competent to grant leave extends the leave, a Government servant who remains absent after the end of leave is entitled to no leave salary for the period of such absence and that period shall be debited against his leave account as though it were half pay leave, to the extent such leave is due, the period in excess of such leave due being treated as extraordinary leave.
- (2) Wilful absence from duty after the expiry of leave renders a Government servant liable to disciplinary action.

CHAPTER IV – Kinds of leave due and Admissible

26. Earned leave for Government servants serving in Departments other than Vacation Departments

- (1)(a)(i) The leave account of every Government servant (other than a military officer) who is serving in a Department other than a Vacation Department, shall be credited with earned leave, in advance, in two installments of 15 days each on the first day of January and July of every calendar year.

(GSR No. 1422, F.No. 11012/1/77-E.IV(A) dated 21.11.1979)

- (ii) When a Government servant joins a new post without availing full joining time by reasons that -

[GSR No. 198 vide DOPT Notification No. 13012/12/86-Estt.(L) dated 25.03.1989]

- (a) he is ordered to join the new post at a new place of posting without availing of full joining time to which he is entitled,

or

- (b) he proceeds alone to the new place of posting and joins the post without availing full joining time and takes his family later within the permissible period of time for claiming traveling allowance for the family,

the number of days of joining time as admissible under sub-rule (4) of Rule 5 of the Central Civil Services (Joining Time) Rules, 1979, subject to the maximum of 15 days reduced by the number of days actually availed of, shall be credited to his leave account as earned leave:

Provided that the earned leave at his credit together with the unavailed joining time allowed to be so credited shall not exceed 300days.

("240 days substituted with 300 days" vide DOPT Notification No. 13026/1/99-Estt. (L), dated 18.04.2002)

- (b) The leave at the credit of a Government servant at the close of the previous half-year shall be carried forward to the next half-year, subject to the condition that the leave so carried forward plus the credit for the half-year do not exceed the maximum limit of 300 days.

Provided that where the earned leave at the credit of Government servant as on the last day of December of June is 300 days or less but more than 285 days, the advance credit of 15 days earned leave on first day of January or July to be afforded in the manner indicated under sub-rule (i) of Clause (a) of sub-rule (1) shall instead of being credited in leave account be kept separately and first adjusted against the earned leave that the Government servant takes during that half-year and the balance, if any, shall be credited to the leave account at the close of the half-year, subject to the condition that balance of such earned leave plus leave already at credit do not exceed the maximum limit of 300 days.

(225 days substituted with 285 days vide DOPT Notification No. 13026/1/99-Estt. (L), dated 18.04.2002)

(DOPT Notification No. 11012/1/2009-Estt.(L) dated 01.12.2009)

(DOPT Notification No. 13026/2/1990-Estt.(L) dated 22.10.1990)

- (c)(i) Where a Government servant not in permanent employ or quasi-permanent employ is appointed without interruption of service substantively to a permanent post or declared as quasi permanent, his leave account shall be credited with the earned leave which would have been admissible, if his previous duty had been rendered as a Government servant in permanent employ diminished by any earned leave already taken.
- (ii) Where a Government servant had availed of extraordinary leave since the date of permanent appointment or quasi-permanent appointment, such leave may, subject to the provisions of rule 10, be converted into earned leave to the extent it is due and admissible as a result of recasting of his leave account.
- (d) A period spent in foreign service shall count as duty for purposes of this rule, if contribution towards leave salary is paid on account of such period.

EXCEPTION.- The earned leave admissible to a Government servant of non-Asiatic domicile recruited in India, who is in continuous service from a date prior to the 1st February, 1949 and is entitled to leave passage, is one-seventh of the period spent on duty and he ceases to earn such leave when the earned leave due amounts to 180 days.

(2) Subject to the provisions of Rules 7 and 39 and sub-rules (1) and (3) of the rule, the maximum earned leave that may be granted at a time shall be -

- (i) 180 days in the case of any Government servant employed in India, or
(DOPT Notification No. 11014/3/89-Estt.(L) dated 02.05.1991)
- (ii) 150 days, in the case of any Government servant mentioned in the Exception to sub-rule (1)

- (3) Earned leave may be granted to a Government servant in Class I of Class II service or to a Government servant mentioned in the Exception to sub-rule (1), for a period exceeding 180 days but not exceeding 300 days if the entire leave so granted or any portion thereof is spent outside India, Bangladesh, Bhutan, Burma, Sri Lanka, Nepal and Pakistan:

Provided that where earned leave for a period exceeding 180 days, is granted under this sub-rule, the period of such leave spent in India shall not in the aggregate exceed the aforesaid limits.

27. Calculation of Earned Leave

- (1) Earned leave shall be credited to the leave account of Government servant at the rate of $2\frac{1}{2}$ days for each completed calendar month of service which he is likely to render in a half-year of the calendar year in which he is appointed.
- (2)(a) The credit for the half-year in which a Government servant is due to retire or resigns from the service shall be afforded only at the rate of $2\frac{1}{2}$ days per completed calendar month up to the date of retirement or resignation.
(MOF Notification No. 16(6)-E.IV(A)/74 dated 31.07.1976)
- (b) When a Government servant is removed or dismissed from service, credit of earned leave shall be allowed at the rate of $2\frac{1}{2}$ days per completed calendar month up to the end of the calendar month preceding the calendar month in which he is removed or dismissed from service;
- (c) When a Government servant dies while in service, credit of earned leave shall be allowed at the rate of $2\frac{1}{2}$ days per completed month of service up to the date of death of the Government servant.
(DOPT Notification No. F. No. 13026/1/2010-Estt. (L), dated 12.05.2011)
- (3) If a Government servant has availed of extraordinary leave and/or some period of absence has been treated as dies non in a half-year, the credit to be afforded to his leave account at the commencement of the next half-year shall be reduced by $1/10^{\text{th}}$ of the period of such leave and/or dies non subject to maximum of 15 days.
(MOF Notification No. 11012/1/77-E.IV(A) dated 21.11.1979)
- (4) While affording credit of earned leave, fractions of a day shall be rounded off to the nearest day.
(DoE Notification No. 16(6)-E.IV(A)/74 dated 31.07.1976)

28. Earned leave for persons serving in Vacation Departments

(DOPT Notification. No. 11020/01/2017- Estt. (L), dated 11.12.2018)

- (1)(a) The leave account of every Government servant (other than a military officer) who is serving in a Vacation Department shall be credited with earned leave, in advance in two instalments of five days each on the first day of January and July of every calendar year.
- (b) In respect of any year in which a Government servant avails a portion of the vacation, he shall be entitled to additional earned leave in such proportion of twenty days, as the number of days of vacation not taken bears to the full vacation, provided the total earned leave credited shall not exceed thirty days in a calendar year.
- (c) If, in any year, the Government servant does not avail any vacation, earned leave will be as per Rule 26 instead of Clauses (a) and (b).

EXPLANATION.— For the purpose of this rule, the term "year" shall be construed not as meaning a calendar year in which duty is performed but as meaning twelve months of actual duty in a Vacation Department.

NOTE 1.— A Government servant entitled to vacation shall be considered to have availed a vacation or a portion of a vacation unless he has been required by general or special order of a higher authority to forgo such vacation or portion of a vacation:

Provided that if he has been prevented by such order from enjoying more than fifteen days of the vacation, he shall be considered to have availed himself of no portion of the vacation.

NOTE 2.— When a Government servant serving in a Vacation Department proceeds on leave before completing a full year of duty, the earned leave admissible to him shall be calculated not with reference to the vacations which fall during the period of actual duty rendered before proceeding on leave but with reference, to the vacation that falls during the year commencing from the date on which he completed the previous year of duty.

- (2) Vacation may be taken in combination with or in continuation of any kind of leave under these rules:

Provided that the total duration of vacation and earned leave taken in conjunction, whether the earned leave is taken in combination with or in continuation of other leave or not, shall not exceed the amount of earned leave due and admissible to the Government at a time under Rule 26.

- (3) The earned leave under this rule at the credit of a Government servant at the close of the previous half year shall be carried forward to the next half year, subject to the condition that the leave so carried forward plus the credit for the half year shall not exceed the maximum limit of 300 days.

NOTE.— The facility of crediting of unavailed portion of joining time shall be admissible to persons serving in Vacation Departments, in accordance with the provisions of sub-clause (ii) of Clause (a) of sub-rule (1) of Rule 26.

(DOPT Notification No. 13012/12/86-Estt.(L) dated 25.03.1989)

29. Half pay leave

(DOPT Notification No. 11020/01/2017-Estt (L), dated 11.12.2018)

- (1) The half pay leave account of every Government servant (other than a military officer and a Government servant serving in a Vacation Department) shall be credited with half pay leave in advance, in two instalments of ten days each on the first day of January and July of every calendar year].
- (2)(a) The leave shall be credited to the said leave account at the rate of 5/3 days for each completed calendar month of service which he is likely to render in the half-year of the calendar year in which he is appointed.
- (b) The credit for the half-year in which a Government servant is due to retire or resigns from the service shall be allowed at the rate of 5/3 days per completed calendar month up to the date of retirement or resignation.
- (c) When a Government servant is removed or dismissed from service, credit of half pay leave shall be allowed at the rate of 5/3 days per completed calendar month up to the end of the calendar month preceding the calendar month in which he is removed or dismissed from service.
(DOPT Notification No. 13026/01/2010-Estt (L), dated 12.05.2011)
- (ca) When a Government servant dies while in service, credit of half pay leave shall be allowed at the rate of 5/3 days per completed month of service up to the date of death of the Government servant.
(DOPT Notification No.13026/1/2010-Estt. (L), dated 12.05.2011)
- (d) Where a period of absence or suspension of a Government servant has been treated as dies non in a half-year, the credit to be afforded to his half pay leave account at the commencement of next half-year, shall be reduced by one-eighteenth of the period of dies non subject to a maximum of ten days.
(DOPT Notification No. 13014/1/87-Estt.(L) dated 16.06.1987)
- (3) A Government servant who is eligible for Departmental leave under Rule 49, shall be entitled to half pay leave of twenty days on completion of twelve months of actual duty.

- (4) The leave under this rule may be granted on medical certificate or on private affairs.

(DOPT Notification No. 13014/1/85-Estt.(L) dated 03.12.1985)

- (5) While affording credit of half pay leave, fraction of a day shall be rounded off to the nearest day:

(DOPT Notification No. 13014/1/87-Estt.(L) dated 16.06.1987)

30. Commuted leave

- (1) Commuted leave not exceeding half the amount of half pay leave due may be granted on medical certificate to a Government servant (other than a military officer), subject to the following conditions:-

- (a) the authority competent to grant leave is satisfied that there is reasonable prospect of the Government servant returning to duty on its expiry:

- (b) Deleted.

- (c) Deleted.

- (d) when commuted leave is granted, twice the amount of such leave shall be debited against the half pay leave due;

- (e) Deleted.

(MOF Notification No. 16(5)-E.IV(A)/74 dated 11.04.1975)

- (1-A) Half pay leave up to a maximum of 180 days may be allowed to be commuted during the entire service (without production of medical certificate) where such leave is utilized for an approved course of study certified to be in the public interest by the leave sanctioning authority.

- (2) Where a Government servant who has been granted commuted leave resigns from service or at his request permitted to retire voluntarily without returning to duty, the commuted leave shall be treated as half pay leave and the difference between the leave salary in respect of commuted leave and half pay leave shall be recovered:

Provided that no such recovery shall be made if the retirement is by reason of ill-health incapacitating the Government servant for further service or in the event of his death.

NOTE.- Commuted leave may granted at the request of the Government servant even when earned leave is due to him.

31. Leave not due

- (1) Save in the case of leave preparatory to retirement, Leave Not Due may be granted to a Government servant in permanent employ or quasi-permanent employ (other than a military officer) limited to a maximum of 360 days during the entire service on medical certificate subject to the following conditions:-
 - (a) The authority competent to grant leave is satisfied that there is reasonable prospect of the Government servant returning to duty on its expiry;
 - (b) Leave Not Due shall be limited to the half pay leave he is likely to earn thereafter;
 - (c) Leave Not Due shall be debited against the half pay leave the Government servant may earn subsequently.
- (1-A) Leave Not Due may also be granted to such of the temporary Government servants as are suffering from TB, Leprosy, Cancer or Mental Illness, for a period not exceeding 360 days during entire service, subject to fulfillment of conditions in Clauses (a) to (c) of sub-rule (1) and subject to the following conditions, namely:-
(DOPT Notification No. 11012/1/85-Estt.(L) dated 06.06.1988)
 - (i) that the Government servant has put in a minimum of one year's service;
 - (ii) that the post from which the Government servant proceeds on leave is likely to last till his return to duty; and
 - (iii) that the request for grant of such leave is supported by a medical certificate as envisaged in Clauses (c) and (d) of sub- rule (2) of Rule 32.
(GSR No. 1422, F.No. 11012/1/77-E.IV(A) dated 21.11.1979)
- (2)(a) Where a Government servant who has been granted Leave Not Due resigns form service or at his request permitted to retire voluntarily without returning to duty, the Leave Not Due shall be cancelled, his resignation or retirement taking effect from the date on which such leave had commenced, and the leave salary shall be recovered.
- (b) Where a Government servant who having availed himself of Leave Not Due returns to duty but resigns or retires from service before he has earned such leave, he shall be liable to refund the leave salary to the extent the leave has not been earned subsequently:

Provided that no leave salary shall be recovered under Clause (a) or Clause (b) if the retirement is by reason of ill-health incapacitating the Government servant for further service or in the event of his death:

Provided further that no leave salary shall be recovered under Clause (a) or Clause (b), if the Government servant is compulsorily retired prematurely under Rule 48 (1) (b) of the Central Civil Services (Pension) Rules, 1972, or is retired under Fundamental Rule 56(j) or Fundamental Rule 56(l)

(MHA Notification No. 6(9)-E.IV(A)/76 dated 31.12.1980)

32. Extraordinary leave

- (1) Extraordinary leave may be granted to a Government servant (other than a military officer) in special circumstances-
 - (a) when no other leave is admissible:
 - (b) when other leave is admissible, but the Government servant applies in writing for the grant of extraordinary leave.
- (2) Unless the President in view of the exceptional circumstances of the case otherwise determines, no Government servant, who is not in permanent employ or quasi-permanent employ, shall be granted extraordinary leave on any one occasion in excess of the following limits:-
 - (a) three months;
 - (b) six months where the Government servant has completed one year's continuous service on the date of expiry of leave of the kind due and admissible under these rules, including three months' extraordinary leave under Clause (a) and his request for such leave is supported by a medical certificate as required by these rules;
 - (c) Deleted.
 - (d) eighteen months, where the Government servant who has completed one year's continuous service is undergoing treatment for -
 - (i) Pulmonary Tuberculosis or Pleurisy of tubercular origin, in a recognized sanatorium;

NOTE.- The concession of extraordinary leave up to eighteen months shall be admissible also to a Government servant suffering from Pulmonary Tuberculosis or Pleurisy of tubercular origin who receives treatment at his residence under a Tuberculosis Specialist recognized as such by the State Administrative Medical Officer concerned and produces a certificate signed by that Specialist to the effect that he is under his treatment and that he has reasonable chances of recovery on the expiry of the leave recommended.

- (ii) Tuberculosis of any other part of the body by a qualified Tuberculosis Specialist or a Civil Surgeon or Staff Surgeon; or

- (iii) Leprosy in a recognized leprosy institution or by a Civil Surgeon or Staff Surgeon or a Specialist in leprosy hospital recognized as such by the State Administrative Medical Officer concerned;
- (iv) Cancer or for mental illness, in an institution recognized for the treatment of such disease.

(MOF Notification No. P-11012/1/77-E-IV(A) dated 21.11.1979)

- (e) twenty-four months, where the leave is required for the purpose of prosecuting studies certified to be in the public interest, provided the Government servant concerned has completed three years' continuous service on the date of expiry of leave of the kind due and admissible under these rules, including three months' extraordinary leave under Clause (a).

(3)(a) Where a Government servant is granted extraordinary leave in relaxation of the provisions contained in Clause (e) of sub-rule(2), shall be required to execute a Bond in Form 6 undertaking to refund to the Government the actual amount of expenditure incurred by the Government during such leave plus that incurred by any other agency with interest thereon in the event of his not returning to duty on the expiry of such leave or quitting the service before a period of three years after return to duty.

(b) The Bond shall be supported by Sureties from two permanent Government servants having a status comparable to or higher than that of the Government servant.

(4) Government servants belonging to the Scheduled Castes or the Scheduled tribes may, for the purpose of attending the Pre-Examination Training Course at the centers notified by the Government from time to time, be granted extraordinary leave by Head of Department in relaxation of the provisions of sub-rule (2).

(5) Two spells of extraordinary leave, if intervened by any other kind of leave, shall be treated as one continuous spell of extraordinary leave for the purposes of sub-rule (2).

(6) The authority competent to grant leave may commute retrospectively periods of absence without leave into extraordinary leave.

33. Leave to probationer, a person on probation and an apprentice

(1)(a) A probationer shall be entitled to leave under these rules if he had held his post substantively otherwise than on probation.

(b) If, for any reason, it is proposed to terminate the services of a probationer, any leave which may be granted to him shall not extend -

- (i) beyond the date on which the probationary period as already sanctioned or extended expires, or
 - (ii) beyond any earlier date on which his services are terminated by the orders of an authority competent to appoint him.
- (2) A person appointed to a post on probation shall be entitled to leave under these rules as a temporary or a permanent Government servant according as his appointment is against a temporary or a permanent post:

Provided that where such person already holds a lien on a permanent post before such appointment, he shall be entitled to leave under these rules as a permanent Government servant.

- (3) An apprentice shall be entitled to-
- (a) leave, on medical certificate, on leave salary equivalent to half pay for a period not exceeding one month in any year of apprenticeship;
 - (b) extraordinary leave under Rule 32.

34. Persons re-employed after retirement

In the case of a person re-employed after retirement, the provisions of these rules shall apply as if he had entered Government service for the first time on the date of his re-employment.

35. Deleted.
(DOPT Notification No. 11012/1/85-Estt.(L) dated 23.06.1987)

36. Deleted.
(DOPT Notification No. 11012/1/85-Estt.(L) dated 23.06.1987)

37. Deleted.
(DOPT Notification No. 11012/1/85-Estt.(L) dated 23.06.1987)

38. Leave preparatory to retirement

- (1) A Government servant may be permitted by the authority competent to grant leave to take leave preparatory to retirement to the extent of earned leave due, not exceeding 300 days together with half pay leave due, subject to the condition that such leave extends up to and includes the date of retirement.

("240 days substituted with 300 days" vide DOPT Notification No. 13026/1/2002-Estt. (L), dated the 15/16.01.2004)

NOTE.- The leave granted as leave preparatory to retirement shall not include extraordinary leave.

- (2)(a) Where a Government servant who is on foreign service in or under any Local Authority or a Corporation or Company wholly or substantially owned or controlled by the Government or a Body controlled or financed by the Government (hereinafter referred to as the local body) applies for leave preparatory to retirement, the decision to grant or refuse such leave shall be taken by foreign employer with the concurrence of the lending authority under Central Government.

(DOPT Notification No. 14028/9/80-Estt.(L) dated 01.10.1981)

- (b) The Government servant on foreign service shall also be allowed to encash earned leave at his credit on the date of retirement in the manner provided in sub-rule (2) of Rule 39.

- (c) Deleted. (DOPT Notification No. 14028/6/82 -Estt.(L) dated 31.05.1985)

- (3) Where a Government servant is on foreign service in or under a local body other than the one mentioned in Clause (a) of sub-rule (2), leave preparatory to retirement shall be admissible to him only when he quits duty under the foreign employer:

Provided that where the Government servant continues in service under such foreign employer, the Government servant shall not be eligible for grant of cash payment in lieu of leave under Rule 39.

38-A. Encashment of Earned Leave along with Leave Travel Concession while in service.-

(DOPT Notification No. 14028/1/20 10- Estt. (L), dated 26.08.2011)

- (1) A Government servant may be permitted to encash earned leave up to ten days at the time of availing of Leave Travel Concession while in service, subject to the conditions that—
- (a) a balance of at least thirty days of earned leave is available to his credit after taking into account the period of encashment as well as leave being availed of:
- (b) the total leave so encashed during the entire career does not exceed sixty days in the aggregate;

- (2) The cash equivalent for encashment of leave under sub-rule (1) shall be calculated as follows, namely:—

Cash equivalent =	Pay admissible on the date of availing of the Leave Travel Concession plus Dearness Allowance admissible on that date. 30	X	Number of days EL subject to the maximum 10 days at one time
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- (3) No House Rent Allowance shall be included in the cash equivalent calculated under sub-rule (2);
- (4) The period of earned leave encashed shall not be deducted from the quantum of leave that can normally be encashed by the Government servant under Rules 6,39,39-A, 39-B, 39-C and 39-D.
- (5) If the Government servant fails to avail the Leave Travel Concession within the time prescribed under the Central Civil Services (Leave Travel Concession) Rules, 1988, then he shall be required to refund the entire amount of leave so encashed along with interest at the rate of two per cent above the rate of interest allowed by the Government as applicable to Provident Fund balances and shall also be entitled for credit back of leave so debited for leave encashment.

39. Leave/Cash payment in lieu of leave beyond the date of retirement, compulsory retirement or quitting of service

- (1) No leave shall be granted to a Government servant beyond-
- (a) the date of his retirement, or
 - (b) the date of his final cessation of duties, or
 - (c) the date on which he retires by giving notice to Government or he is retired by Government by giving him notice or pay and allowances in lieu of such notice, in accordance with the terms and conditions of his service, or
 - (d) the date of his resignation from service.

- (2)(a) Where a Government servant retires on attaining the normal age prescribed for retirement under the terms and conditions governing his service, the authority competent to grant leave shall, *suo motu*, issue an order granting cash equivalent of leave salary for both earned leave and half pay leave, if any, at the credit of the Government servant on the date of his retirement subject to a maximum of 300 days;
- (b) The cash equivalent of leave salary under Clause (a) shall be calculated as follows and shall be payable in one lumpsum as a one- time settlement,—

(i)

Cash equivalent for earned leave =	Pay admissible on the date of retirement plus Dearness Allowance admissible on that date	X	Number of days of unutilized earned leave at credit subject to the total of earned leave and half pay leave not exceeding 300 days
	30		

(ii)

Cash payment in lieu of half pay leave component =	Half pay leave salary admissible on the date of retirement plus Dearness Allowance admissible on that date	X	Number of days of half pay leave at credit subject to the total of earned leave and half pay leave at credit not exceeding 300 days
	30		

NOTE.— The overall limit for encashment of leave including both earned leave and half pay leave shall not exceed 300 days.

- (c) To make up the shortfall in earned leave, no commutation of half pay leave shall be permissible.]

(DOPT Notification No. 11012/1/2009- Estt. (L), dated 01.12.2009)

- (3) The authority competent to grant leave may withhold whole or part of cash equivalent of earned leave in the case of a Government servant who retires from service on attaining the age of retirement while under suspension or while disciplinary or criminal proceedings are pending against him, if in the view of such authority there is a possibility of some money becoming recoverable from him on conclusion of the proceedings against him on conclusion of the proceedings, he will become eligible to the amount so withheld after adjustment of Government dues, if any.

(DOPT Notification No. 14028/6/81 -Estt. (L), dated 17.10.1983)

- (4)(a) Where the service of a Government servant has been extended, in the interest of public service beyond the date of his retirement, he may be granted—

- (i) during the period of extension, any earned leave due in respect of the period of such extension plus the earned leave which was at his credit on the date of his retirement subject to a maximum of 180 days / 300 days as the case may be, as prescribed in Rule 26.

(DOPT Notification No. 14028/9/80 -Estt. (L), dated 01.10.1981)

(DOPT Notification No. 11014/3/89-Estt.(L) dated 02.05.1991)

- (ii) after expiry of the period of extension, cash equivalent in the manner provided in Clause (b) of sub-rule (2) in respect of both earned leave and half pay leave at credit on the date of retirement, plus the earned leave and half pay leave earned during the period of extension reduced by the earned leave and half pay leave availed of during such period, subject to a maximum of 300 days.]

(DOPT Notification No. 11012/1/2009-Estt. (L), dated 01.12.2009)

- (b) The cash equivalent payable under sub-clause (ii) of Clause (a) of this sub-rule shall be calculated in the manner indicated in Clause (b) of sub-rule (2) above

- (5) A Government servant who retires or is retired from service in the manner mentioned in Clause (c) of sub-rule (1), may be granted *suo motu*, by the authority competent to grant leave, cash equivalent of the leave salary in respect of both earned leave and half pay leave at his credit subject to a maximum of 300 days. The cash equivalent payable shall be the same as in sub-rule (2) of Rule 39.]

(DOPT Notification No. 1101211/2009-Estt. (L), dated 01.12.2009)

- (5-A) deleted.

(DOPT Notification no.14028/18/86-Estt.(L) dated 23.03.1988)

(DOPT Notification 14028/1/2004-Estt.(Leave) dated 13.02.2006)

- (6)(a)(i) where the services of a Government servant are terminated by notice or by payment of pay and allowances in lieu of notice or otherwise in accordance with the terms and conditions of his appointment, he may be granted, *suo motu*, by the authority competent to grant leave, cash equivalent in respect of both earned leave and half pay leave at his credit on the date on which he ceases to be in service subject to a maximum of 300 days and the cash equivalent payable shall be the same as in sub-rule (2) of Rule 39].

(DOPT Notification No. 11012/I/2009-Estt. (L), dated 01.12.2009)

- (ii) If a Government servant resigns or quits service, he may be granted, *suo motu*, by the authority competent to grant leave, cash equivalent in respect of earned leave at his credit on the date of cessation of service, to the extent of half of such leave at his credit, subject to a maximum of 150 days.

(DOPT Notification No. 14028/9/80 -Estt. (L), dated 01.10.1981)

("120 days substituted with 150 days" vide DOPT Notification No. 13026/1/99- Estt. (L), dated 18.04.2002)

- (iii) A Government servant, who is re-employed after retirement may, on termination of his re-employment, be granted, *suo motu*, by an authority competent to grant leave, cash equivalent in respect of both earned leave and half pay leave at his credit on the date of termination of re-employment subject to a maximum of 300 days including the period for which encashment was allowed at the time of retirement and the cash equivalent payable shall be the same as in sub-rule (2) of Rule 39.

(DOPT Notification No. 11012/I/2009-Estt. (L), dated 01.12.2009)

- (b) The cash equivalent payable under Clause (a) shall be calculated in the manner indicated in Clause (b) of sub-rule (2) and for the purpose of computation of cash equivalent under sub-clause (iii) of Clause (a), the pay on the date of the termination of re-employment shall be the pay fixed in the scale of post of re-employment before adjustment of pension and pension equivalent of other retirement benefits, and the Dearness Allowance appropriate to that pay.

(DOPT Notification No. 14028/6/82 -Estt.(L) dated 31.05.1985)

39-A. Cash equivalent of leave salary in case of death in service

In case a Government servant dies while in service, the cash equivalent of leave salary for both earned leave and half pay leave, if any, at the credit of the deceased Government servant on the date of his death, not exceeding 300 days shall be paid to his family in the manner specified in Rule 39-C and the cash equivalent payable shall be the same as in sub-rule (2) of Rule 39.

NOTE.- In addition to the cash equivalent of leave salary admissible under this rule, the family of the deceased Government servant shall also be entitled to payment of Dearness Allowance only as per orders issued in this behalf separately.

(Notification No. F. No. 11012/1/2009-Estt. (L), dated the 1st December, 2009)

39-B. Cash equivalent of leave salary in case of invalidation from service

- (1) A Government servant who is declared by a Medical Authority to be

completely and permanently incapacitated for further service may be granted, *suo motu*, by the authority competent to grant leave, cash equivalent of leave salary in respect of both earned leave and half pay leave, if any, at the credit of the Government servant on the date of invalidation from service, subject to a maximum of 300 days and the cash equivalent payable shall be the same as in sub-rule (2) of Rule 39.

- (2) A Government servant not in permanent employ or quasi permanent employ shall not, however, be granted cash equivalent of leave salary in respect of half pay leave standing at his credit on the date of his invalidation from service.

[DOPT Notification No. 11012/1/2009-Estt. (L), dated 01.12.2009]

39-C. Payment of cash equivalent of leave salary in case of death, etc., of Government servant

In the event of the death of a Government servant while in service or after retirement or after final cessation of duties but before actual receipt of its cash equivalent of leave salary payable under Rules 39,39-A and 39-B, such amount shall be payable-

(DOPT Notification No. 14028/1/81-Estt.(L) dated 19.07.1984)

- (i) to the widow, and if there are more widows than one, to the eldest surviving widow if the deceased was a male Government servant, or to the husband, if the deceased was a female Government servant;

EXPLANATION.- The expression —eldest surviving widow|| shall be construed with reference to the seniority according to the date of the marriage of the surviving widows and not with reference to their ages;

- (ii) failing a widow or husband, as the case may be, to the eldest surviving son; or an adopted son;
- (iii) failing (i) and (ii) above, to the eldest surviving unmarried daughter;
- (iv) failing (i) to (iii) above, to the eldest surviving widowed daughter;
- (v) failing (i) to (iv) above, to the father;
- (vi) failing (i) to (v) above, to the mother;
- (vii) failing (i) to (vi) above, to the eldest surviving married daughter;
- (viii) failing (i) to (vii) above, to the eldest surviving brother below the age of eighteen years;

(DOPT Notification No. 11012/1/2009-Estt. (L), dated 01.12.2009)

- (ix) failing (i) to (viii) above, to the eldest surviving unmarried sister;
- (x) failing (i) to (ix) above, to the eldest surviving widowed sister;
- (xi) failing (i) to (x) above, to the eldest child of the eldest predeceased son.

39-D. Cash equivalent of leave salary in case of permanent absorption in Public Sector Undertaking/Autonomous Body wholly or substantially owned or controlled by the Central/State Government

(DOPT Notification No. 13026/2/90-Estt. (L), dated 22.10.1990)

A Government servant who has been permitted to be absorbed in a service or post in or under a Corporation or Company wholly or substantially owned or controlled by the Central Government or State Government or in or under a body controlled or financed by one or more than one such Government shall be granted *suo motu* by the authority competent to grant leave cash equivalent of leave salary in respect of earned leave at his credit on the date of absorption subject to a maximum of 300 days. This will be calculated in the same manner as indicated in Clause (b) of sub-rule (2) of Rule 39.

(DOPT Notification No. 13026/2/90-Estt.(L), dated 20.04.1993)

NOTE.— The expression 'permanent absorption' used in Rule 39-D shall mean the appointment of a Government servant in a Public Sector Undertaking or an Autonomous Body, for which he had applied through proper channel and resigns from the Government service to take up that appointment.

(DOPT Notification No. 13026/3/2011-Estt.(L), dated 28.03.2012)

40. Leave Salary

- (1) Except as provided in sub-rule (7), a Government servant who proceeds on earned leave is entitled to leave salary equal to the pay drawn immediately before proceeding on earned leave.

(DOPT Notification No. 14028/9/80-Estt.(L) dated 01.10.1981)

NOTE :- In respect of any period spent on foreign service out of India, the pay which the Government servant would have drawn if on duty in India but for foreign service out of India shall be substituted for the pay actually drawn while calculating leave salary.

- (2) deleted

(MoF Notification No. F. 6 (3)-E. IV (A)/75, dated the 07.10.1976)

- (3) A Government servant on half pay leave or leave not due is entitled to leave salary equal to half the amount specified in sub-rule (1).
- (4) A Government servant on commuted leave is entitled to leave salary equal to the amount admissible under (sub-rule (1)).

(5) A Government servant on extraordinary leave is not entitled to any leave salary.

(6) Deleted.

(7) (a) Deleted.

(b) Deleted.

(DOPT Notification No. 14028/9/80 -Estt.(L) dated 1.10.1981)

(c). In the case of a Government servant who is granted leave earned by him during the period of re-employment, the leave salary shall be based on the pay drawn by him exclusive of the pension and pension equivalent of other retirement benefits.

(DOPT Notification No. 14028/6/82 -Estt.(L) dated 31.05.1985)

(8) In the case of a person to whom the Employees' State Insurance Act, 1948 (34 of 1948) applies, leave salary payable during leave, other than earned leave, shall be reduced by the amount of benefit payable under the said Act for the corresponding period.

(9) (a) If, in the case of a Government servant who retires or resigns from the service, the leave already availed of is more than the credit so due to him, necessary adjustment shall be made in respect of leave salary, if any, overdrawn.

(b) Where the quantum of earned leave already availed of by a Government servant who is dismissed or removed from service or who die while in service is in excess of the leave credit under Clause (b) of sub-rule (2) of Rule 27, the over payment of leave salary shall be recovered in such cases.

(MOF Notification No. 16(6)-E.IV(A)/74 dated 31.07.1976)

41. Drawal of leave salary

The leave salary payable under these rules shall be drawn in rupees in India.

42. Advance of Leave salary

A Government servant, including a Government servant on foreign service, proceeding on leave for a period not less than thirty days may be allowed an advance in lieu of leave salary up to a month's pay and allowances admissible on that leave salary subject to deductions on account of Income Tax, Provident Fund, House Rent, Recovery of Advances, etc.

(MOF Notification No. P-11012/1/77-E-IV(A) dated 21.11.1979)

CHAPTER V – Special kinds of leave other than study leave

43. Maternity Leave

- (1) A female Government servant (including an apprentice) with less than two surviving children may be granted maternity leave by an authority competent to grant leave for a period of (180 days) from the date of its commencement.

(MOF Notification No. P-11012/1/77-E-IV(A) dated 21.11.1979)

("135 days substituted by 180 days" vide DOPT Notification No. 1101 2/1/2009-Estt.(L), dated 01.12.2009).

- (2) During such period, she shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.

NOTE :- In the case of a person to whom Employees' State Insurance Act, 1948 (34 of 1948), applies, the amount of leave salary payable under this rule shall be reduced by the amount of benefit payable under the said Act for the corresponding period.

- (3) Maternity leave not exceeding 45 days may also be granted to a female Government servant (irrespective of the number of surviving children) during the entire service of that female Government in case of miscarriage including abortion on production of medical certificate as laid down in Rule 19:

(DOPT Notification No. 13018/7/94-Estt (L), dated 31.03.1995)

Provided that the maternity leave granted and availed of before the commencement of the CCS(Leave) Amendment Rules, 1995, shall not be taken into account for the purpose of this sub-rule.

- (4) (a) Maternity leave may be combined with leave of any other kind.
- (b) Notwithstanding the requirement of production of medical certificate contained in sub-rule (1) of Rule 30 or sub-rule (1) of Rule 31, leave of the kind due and admissible (including commuted leave for a period not exceeding 60 days and leave not due) up to a maximum of two year may, if applied for, be granted in continuation of maternity leave granted under sub-rule (1).
- (5) Maternity leave shall not be debited against the leave account.

(MOF Notification No. 16(3).E.IV(A)/74 dated 20.12.1974)

(DOPT Notification no. 11012/1/85-Estt.(L) dated 06.06.1988)

- (6) In case of surrogacy, the surrogate, as well as the commissioning mother with less than two surviving children, may be granted maternity leave of 180 days, in case either or both of them are Government servants.

(DOPT Notification No. A-24011/21/2023-ESTT-Leave, dated 18.06.2024)

Note 2:-The expression 'surrogate mother' shall mean the woman who bears the child on behalf of the commissioning mother.

43-A. Paternity leave

(DOPT Notification No. 13026/1/99-Estt. (L), dated 18.04.2002)

- (1) A male Government servant (including an apprentice) with less than two surviving children, may be granted Paternity Leave by an authority competent to grant leave for a period of 15 days, during the confinement of his wife for childbirth, i.e., up to 15 days before, or up to six months from the date of delivery of the child.
- (2) During such period of 15 days, he shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.
- (3) The paternity Leave may be combined with leave of any other kind.
- (4) The paternity leave shall not be debited against the leave account.
- (5) If Paternity Leave is not availed of within the period specified in sub-rule (1), such leave shall be treated as lapsed.
- (6) In case of a child begotten through surrogacy, the commissioning father who is a male Government servant with less than two surviving children may be granted paternity leave of 15 days within the period of 6 months from the date of delivery of the child.

(DOPT Notification No. A-24011/21/2023-ESTT-Leave, dated 18.06.2024)

NOTE:- the Paternity Leave shall not normally be refused under any circumstances.

Note 3:- The expression 'commissioning father' in this rule shall mean the intending father of the child born through surrogacy.

43-AA. Paternity Leave for Child Adoption

(DOPT Notification No. 110 I2/I/2009-Estt. (L), dated 01.12.2009)

- (1) A male Government servant (including an apprentice) with less than two surviving children, on accepting a child in pre-adoption foster care or on valid adoption of a child below the age of one year, may be granted Paternity Leave for a period of 15 days, within a period of six months, from the date of accepting the child in pre-adoption foster care or on valid adoption, as the case may be:

Provided that in a case where the pre-adoption foster care is not followed by valid adoption of the child, the Paternity Leave already availed shall be debited from any other kind of leave available to the credit of such male Government Servant.

- (2) During such period of 15 days, he shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.
- (3) The Paternity Leave may be combined with leave of any other kind.
- (4) The Paternity Leave shall not be debited against the leave account.

- (5) If Paternity Leave is not availed of within the period specified in sub-rule (1), such leave shall be treated as lapsed.

NOTE 1. — The Paternity Leave shall not normally be refused under any circumstances.

NOTE 2. — "Child" for the purpose of this rule will include a child taken as ward by the Government servant, under the Guardians and Wards Act, 1890 or the personal law applicable to that Government servant, provided such a ward lives with the Government servant and is treated as a member of the family and provided such Government servant has, through a special will, conferred upon that ward the same status as that of a natural born child.

(DOPT Notification No. 13026/5/2011-Estt. (L), dated 04.04.2012)

43-B. Child Adoption Leave

(DOPT Notification No. 13018/4/2004- Estt. (L), dated 31.03.2006)

- (1) A female Government servant, with fewer than two surviving children, on accepting a child in pre-adoption foster care or on valid adoption of a child below the age of one year, may be granted child adoption leave, by an authority competent to grant leave, for a period of 180 days, immediately after accepting the child in pre-adoption foster care or on valid adoption, as the case may be:

Provided that in a case where the pre-adoption foster care is not followed by valid adoption of the child, the leave already availed shall be debited from any other kind of leave available to the credit of such female Government Servant.

- (2) During the period of child adoption leave, she shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.
- (3) (a) Child adoption leave may be combined with leave of any other kind.
- (b) In continuation of the child adoption leave granted under subrule (1), a female Government servant on valid adoption of a child may also be granted, if applied for, 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 reduced by the age of the adopted child on the date of valid adoption, without taking into account child adoption leave.

Provided that this facility shall not be admissible in case she is already having two surviving children at the time of adoption.

- (4) Child adoption leave shall not be debited against the leave account.

NOTE.— "Child" for the purpose of this rule will include a child taken as ward by the Government servant, under the Guardians and Wards Act, 1890 or the personal law applicable to that Government servant, provided such a ward lives with the Government servant and is treated as a

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member of the family and provided such Government servant has, through a special will, conferred upon that ward the same status as that of a natural born child.

(DOPT Notification No. 13026/5/2011-Estt. (L), dated 04.04.2012)

43-C. Child Care Leave

(DOPT Notification No. 13018/4/2011-Estt. (L), dated 27.08.2011)

- (1) Subject to the provisions of this rule, a female Government servant and single male Government servant may be granted child care leave by an authority competent to grant leave for a maximum period of seven hundred and thirty days during entire service for taking care of two eldest surviving children, whether for rearing or for looking after any of their needs, such as education, sickness and the like.

(DOPT Notification No. 11020/01/2017-Estt. (L), dated 11.12.2018)

- (2) For the purposes of sub-rule (1), "child" means—

- (a) a child below the age of eighteen years: or
- (b) an offspring of any age with a minimum disability of forty per cent as specified in the Government of India in Ministry of Social Justice and Empowerment's Notification No. 16-18/97-N 1.1, dated the 1st June, 2001.

(DOPT Notification No. 13018/6/2013-Estt. (L), dated 06.06.2018)

- (3) Grant of child care leave to a female Government servant and a single male Government servant under sub-rule (1) shall be subject to the following conditions, namely:- (DOPT Notification No. 11020/01/2017-Estt. (L), dated 11.12.2018)

- (i) it shall not be granted for more than three spells in a calendar year;

[As a welfare measure, it has now been decided that, the leave sanctioning authorities in the Ministries or Departments under the Government of India are bestowed with the power to relax up to a maximum of three spells beyond the existing three spells of Child Care Leave in a calendar year, under Rule 43-C(3)(i) of the CCS(Leave) Rules 1972, to female Central Government employees and single male Central Government employees in case their child is admitted in a hospital as inpatient. vide DoPT's OM No. A-24011/5/2024-ESTT-Leave dated 29.07.2024.]

- (ii) in case of a single female Government servant, the grant of leave in three spells in a calendar year shall be extended to six spells in a calendar year.

- (iii) it shall not ordinarily be granted during the probation period except in case of certain extreme situations where the leave sanctioning authority is satisfied about the need of child care leave to the probationer, provided that the period for which such leave is sanctioned is minimal.

- (iv) child care leave may not be granted for a period less than five days at a time.

- (4) During the period of child care leave, a female Government servant and a single male Government servant shall be paid one hundred per cent of the salary for the first three hundred and sixty-five days, and at eighty per cent of the salary for the next three hundred and sixty-five days.

EXPLANATION.— Single Male Government servant' means — an

unmarried or widower or divorcee Government servant.

- (5) Child care leave may be combined with leave of any other kind.
- (6) Notwithstanding the requirement of production of medical certificate contained in sub-rule (1) of Rule 30 or sub-rule (1) of Rule 31, leave of the kind due and admissible (including Commuted Leave not exceeding sixty days and Leave Not Due) up to a maximum of one year, if applied for, be granted in continuation with child care leave granted under sub-rule (1).
- (7) Child care leave shall not be debited against the leave account.
- (8) In case of surrogacy, the commissioning mother with less than two surviving children may be granted child care leave.

Note 1:- The expression 'commissioning mother' shall mean the intending mother of the child born through surrogacy.

(DOPT Notification No. A-24011/21/2023-ESTT-Leave, dated 18.06.2024)

44. Work Related Illness and Injury Leave

(DOPT Notification No. 11020/01/2017-Estt. (L), dated 11.12.2018)

The authority competent to grant leave may grant Work Related Illness and Injury Leave (hereinafter referred to as WRIIL) to a Government servant (whether permanent or temporary), who suffers illness or injury that is attributable to or aggravated in the performance of her or his official duties or in consequence of her or his official position subject to the provisions contained in sub-rule (1) of Rule 19 of these rules, on the following conditions, namely:

- (1) Full pay and allowances shall be granted to all employees during the entire period of hospitalization on account of WRILL.
- (2) Beyond hospitalization, WRIIL shall be governed as follows:-
 - (a) A Government servant (other than a military officer) — full pay and allowances for the six months immediately following hospitalization and Half Pay for twelve months beyond the said period of six months. The Half Pay period may be commuted to full pay with corresponding number of days of Half Pay Leave debited from the employees leave account.
 - (b) For officers of Central Armed Police Forces — full pay and allowances for six months immediately following the hospitalization and full pay only for the next twenty-four months.
 - (c) For personnel below the rank of officer of the Central Armed Police Forces — full pay and allowances, with no limit regarding period.
- (3) In the case of persons to whom the Workmen's Compensation Act, 1923 applies, the amount of leave salary payable under WRIIL shall be reduced by the amount of compensation paid under the Act.

- (4) No Earned Leave or Half Pay Leave shall be credited during the period that employee is on WRIL.

45. Omitted.

46. Omitted.

47. Seamen's sick leave

- (1) A Government servant serving as an officer, warrant officer or petty officer on a Government vessel may, while undergoing medical treatment for sickness or injury, either on his vessel or in hospital, be granted leave, by an authority competent to grant leave, on leave salary equal to full pay for a period not exceeding six weeks:

Provided that such shall not be granted if a Government Medical officer certifies that the Government servant is malingering or that his ill- health is due to drunkenness or similar self-indulgence or to his own action in willfully causing or aggravating disease or injury.

- (2) A seaman disabled in the exercise of his duty may be allowed leave on leave salary equal to full pay for a maximum period not exceeding three months, if the following conditions are fulfilled, namely:-

- (a) a Government Medical Officer must certify the disability;
- (b) the disability must not be due to the seaman's own carelessness or inexperience'
- (c) the vacancy cause by his absence must not be filled.

- (3)(a) In the case of a person to whom the Workmen's Compensation Act, 1923 (8 of 1923), applies, the amount of leave salary payable under this rule shall be reduced by the amount of compensation payable under Clause (d) of sub-section (1) of Section 4 of the said Act.

- (b) In the case of a person to whom the Employees' State Insurance Act, 1948 (34 of 1948), applies, the amount of leave salary payable under this rule shall be reduced by the amount of benefit payable under the said Act for the corresponding period.

48. Special Leave connected to inquiry of sexual harassment

(DOPT Notification No. 13026/2/2016-Estt.(L), dated 15.03.2017.)

Leave up to a period of 90 days may be granted to an aggrieved female Government servant on the recommendation of the Internal Committee or the Local Committee, as the case maybe, during the pendency of inquiry under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and the leave granted to the aggrieved female Government servant under this rule shall not be debited against the leave account.

49. Departmental Leave

- (1) Departmental leave may be granted to :-
 - (a) Class III Government servants (other than Division I staff and Clerks) and to Class IV Government servants in the Survey of India, attached to Survey Parties with field and recess duties:
 - (b) members of the seasonal staff in the Posts and Telegraphs Department, whose duties are not continuous but are limited to certain fixed period in each year.
- (2) In addition to leave due and admissible, departmental leave may be granted only to Government servants whose services are temporarily not required.
- (3)(a) Departmental leave with leave salary may be granted during the recess by the Head of the Party or Office to which the Government servant belongs in the Survey of India or an authority not lower than the Divisional Superintendent of Post Offices in the Posts and Telegraphs Department, as the case may be provided the authority granting the leave considers in the case of a Class IV Government servant that it is desirable to re-employ the Government servant in the ensuing season.
- (b) Leave so granted may, in special cases, be extended by the Surveyor-General or the Postmaster-General or the Director of Posts and Telegraphs, as the case may be, up to a maximum of eighteen months in all.
- (4) (a) Departmental leave with leave salary may be granted at times other than the recess, for not more than six months at a time, by directors in the Survey of India, provided the leave is granted in the interests of Government and not at the request of the Government servant.
- (b) Leave so granted may, in special cases, be extended by the Surveyor-General up to a maximum of one year in all.
- (c) Leave on medical certificate shall not be regarded as granted in the interest of Government.
- (5) Where the President by general or special order so authorizes, departmental leave without leave salary may be granted by the Surveyor-General or the Postmaster-General or the Director of Posts and Telegraphs, as the case may be, in continuation of the departmental leave with leave salary.
- (6)(a) A Government servant on Departmental Leave with leave salary shall be paid leave salary equal to 25 per cent of the said salary admissible during the earned leave under sub-rule (1) of Rule 40. No allowance, other than Dearness Allowance, shall be admissible on such leave salary.

- (b) A Government servant while on departmental leave with leave salary shall be paid leave salary at the end of each month up to first six months and thereafter it shall be paid when the Government servant returns to duty:

(MOF Notification No. 16(5)-E.IV(A)/74 dated 11.04.1975)

(DOPT Notification no.14028/18/86-Estt.(L) dated 23.03.1988)

Provided that where a Government servant dies while on departmental leave, his leave salary up to the date of his death, or the last day of such leave with leave salary, whichever is earlier, shall be paid to his heirs.

- (7) Departmental leave does not count as duty and such leave shall not be debited to his leave account.
- (8) Departmental leave may be granted when no leave is due.
- (9) Departmental leave may be combined with any other kind of leave which may be due.

- (10)(a) When a Government servant to whom these rules apply, holds a post in which the Surveyor-General or the Postmaster-General or the Director pf {posts and Telegraphs, as the case may be (hereinafter in this sub-rule referred to as the authority) considers that he is unlikely to be eligible for departmental leave in future, the authority may, by order in writing, declare that, with effect from such date, not being earlier than the Government servant's last return from departmental leave, as the authority may fix, any balance of leave at debit in the Government servant's leave account shall be cancelled.

- (b) All leave earned after such date shall be credited as due in the Government servant's leave account and all leave taken after such date, including departmental leave with leave salary, if any, shall be debited in it.

NOTE :- this sub-rule applies to cases of Government servants who have debit balance in their leave account due to their availing of departmental leave before the 1st November, 1973, when departmental leave with leave salary used to be debited to leave account.

(MOF Notification No. 16(5)-E.IV(A)/74 dated 11.04.1975)

CHAPTER VI – Study Leave

50. Conditions for grant of study leave

- (1) Subject to conditions specified in this Chapter, study leave may be granted to a Government servant with due regard to the exigencies of public service to enable him to undergo, in or out of India, a special course of study consisting of higher studies or specialized training in a professional or a technical subject having a direct and close connection with the sphere of his duty.
- (2) Study leave may also be granted-

- (i) for a course of training or study tour in which a Government servant may not attend a regular academic or semi-academic course if the course of training or the study tour is certified to be of definite advantage to Government from the point of view of public interest and is related to sphere of duties of the Government servant; and
- (ii) for the purpose of studies connected with the framework or background of public administration subject to the conditions that-
 - (a) the particular study or study tour should be approved by the authority competent to grant leave; and
 - (b) the Government servant should be required to submit, on his return, a full report on the work done by him while on study leave;
- (iii) for the studies which may not be closely or directly connected with the work of a Government servant, but which are capable of widening his mind in a manner likely to improve his abilities as a civil servant and to equip him better to collaborate with those employed in other branches of the public service.

NOTE.- Application for study leave in cases falling under clause (iii) shall be considered on merits of each case in consultation with the Department of Expenditure of the Ministry of Finance.

- (3) Study leave shall not be granted unless-
 - (i) it is certified by the authority competent to grant leave that the proposed course of study or training shall be of definite advantage from the point of view of public interests;
 - (ii) it is for prosecution of studies in subjects other than academic or literary subject:

Provided that an officer of the Indian Economic Service or Indian Statistical Service may be granted study leave for prosecuting a course of study for obtaining Ph.D., on a research thesis, subject to the conditions that-

- (a) the subject of research and the institution at which such research is to be undertaken are got approved by the Chief Economic Adviser to the Government of India, in case the applicant is a member of the Indian Economic Service, or by the Director, Central Statistical Organization, in case the applicant is a member of the Indian Statistical Service;
- (b) the applicant obtains a certificate from the said authority to the effect that such study will be valuable in the matter of increasing the efficiency of the officer in the performance of his duties as a member of the Indian Economic Service or the Indian Statistical Service, as the case may be; and

- (c) in cases where the study is to be undertaken at a foreign university, the Applicant obtains a further certificate that the facilities for research on the particular subject chosen for study are not available at any University or other Institution in India:

Provided further that a Medical Officer may be granted study leave for prosecuting a course of postgraduate study in Medical Sciences if the Director-General of Health Services certifies to the effect that such study shall be valuable in increasing the efficiency of such Medical Officer in the performance of his duties:

Provided also that a specialist or a technical person may be granted study leave, on merits of each case for prosecuting a postgraduate course of study directly related to the sphere of his duty in case the Head of the Department or the Secretary to the Department or Ministry concerned certifies that the course of study shall enable the specialist or the technical person, as the case may be, to keep barest with modern development in the field of his duty, improve his technical standards and competence and thus substantially benefit the Department or Ministry.

(DoE Notification No. 16(8)-E.IV(A)/74 dated 26.05.1975)

- (iii) the Department of Economic Affairs of the Ministry of Finance agrees to the release of foreign exchange involved in the grant of study leave, if such leave is outside India:

Provided that in releasing foreign exchange to Government servants proceeding on study leave abroad, the Department aforesaid shall satisfy itself whether such Government servant comply with the minimum educational criteria as specified in the general orders issued by the said Department from time to time regulating release of foreign exchange to persons proceeding abroad for higher studies at their expense.

(DoE Notification No. 4(9)-E.IV(A)/76 dated 14.03.1977)

- (4) Study leave out of India shall not be granted for the prosecution of studies in subjects for which adequate facilities exist in India or under any of the Schemes administered by the Department of Economic Affairs of the Ministry of Finance or by the Ministry of Education.
- (5) Study leave may be granted to a Government servant—
 - (i) who has satisfactorily completed period of probation and has rendered not less than five years' regular continuous service including the period of probation under the Government;
 - (ii) who is not due to reach the age of superannuation from the Government service within [three years (five years in the case of Central Health Service Officer who has been granted thirty six months study leave under sub- rule (2) of Rule 51) from] the date on which he is expected to return to duty after the expiry of the leave; and

- (iii) who executes a Bond as laid down in Rule 53 (4) undertaking to serve the Government for a period of [three years (five years in the case of Central Health Service Officer who has been granted thirty-six months' study leave under sub-rule (2) of Rule 51)] after the expiry of the leave.

(DOPT Notification No. 13023/20/84-Estt.(L) dated 11.12.1986) (Notification No. 13026/5/20 10- Estt. (L), dated 05.08. 2011)

- (6) Study leave shall not be granted to a Government servant with such frequency as to remove him from contact with his regular work or to cause cadre difficulties owing to his absence on leave.

51. Maximum amount of study leave

(DOPT Notification No. 13023/3/98-Estt. (L), Vol. 11, dated 26.10.2007)

- (1) The maximum amount of study leave, which may be granted to a Government servant, other than Central Health Service Officers, shall be—
 - (a) ordinarily twelve months at any one time, and
 - (b) during his entire service, twenty-four months in all (inclusive of similar kind of leave for study or training granted under any other rules).
- (2) In respect of Central Health Service Officers, study leave may be granted for thirty-six months for acquiring postgraduate qualification, subject to the condition that a Central Health Service Officer who has been granted such study leave shall execute a bond under sub-rule (4) of Rule 53 to serve the Government for a period of five years after completion of the study course.

52. Applications for study leave

- (1) (a) Every application for study leave shall be submitted through proper channel to the authority competent to grant leave.
- (b) The course or courses of study contemplated by the Government servant and any examination which he proposes to undergo shall be clearly specified in such application.
- (2) Where it is not possible for the Government servant to give full details in his application, or if, after leaving India, he is to make any change in the programme which has been approved in India, he shall submit the particulars as soon as possible to the Head of the Mission or the authority competent to grant leave, as the case may be, and shall not, unless prepared to do so at his own risk, commence the course of study or incur any expenses in connection therewith until he receives the approval of the authority competent to grant the study leave for the course.

53. Sanction of study leave

- (1) A report regarding the admissibility of the study leave shall be obtained from the Audit Officer:

Provided that the study leave, if any, already availed of by the Government servant shall be included in the report.

- (2) Where a Government servant borne permanently on the cadre of one department or establishment is serving temporarily in another department or establishment, the grant of study leave to him shall be subject to the condition that the concurrence of the department or the establishment to which he is permanently attached is obtained before the leave is granted.
- (3) Where the study leave is granted for prosecution of studies abroad, the Head of the Mission concerned shall be informed of the fact by the authority granting the leave, provided that where such leave has been granted by an Administrator, the intimation shall be sent through the Ministry concerned.

NOTE :- The Head of the Mission shall be contacted by the Government servant for issue of any letters of introduction or for other similar facilities that may be required.

- (4)(a) Every Government servant in permanent employ who has been granted study leave or extension of such study leave shall be required to execute a Bond in Form 7 or Form 8, as the case may be, before the study leave or extension of such study leave granted to him commences.
- (b) Every Government servant not in permanent employ who has been granted study leave or extension of such study leave shall be required to execute a bond in Form 9 or Form 10 as the case may be, before the study leave or extension of such study leave granted to him commences.
- (c) The Authority competent to grant leave shall send to the Audit Officer a certificate to the effect that the Government servant referred to in Clause (a) or Clause (b) has executed the requisite bond.

- 5(a) On completion of the course of study, the Government servant shall submit to the authority which granted him the study leave, the certificates of examinations passed or special courses of study undertaken, indicating the date of commencement and termination of the course with the remarks, if any, of the authority in charge of the course of study.

- (b) If the study is undertaken in a country outside India where there is an Indian Mission, the certificates shall be submitted through the Head of the Mission concerned.

54. Accounting of study leave and combination with leave of other kinds

- (1) Study leave shall not be debited against the leave account of the Government servant.
- (2) Study leave may be combined with other kinds of leave, but in no case shall be grant of this leave in combination with leave, other than extraordinary leave involve a total absence of more than twenty eight months generally and thirty-six months for the courses leading to PhD. degree from the regular duties of the Government servant.

Explanation:-the limit of twenty-eight months/thirty six months of absence prescribed in this sub-rule includes the period of vacation.

(DOPT Notification No. 13026/2/1990-Estt.(L) dated 22.10.1990)

- (3) A Government servant granted study leave in combination with any other kind of leave may, if he so desires, undertake or commence a course of study during any other kind of leave.

(DOPT Notification No. 13023/1/2017-Estt.(L), dated 01.01.2018)

Provided that the period of such leave coinciding with the course of study shall not count as study leave.

55. Regular of study leave extending beyond course of study

When the course of study fall short of study leave granted to a Government servant, he shall resume duty on the conclusion of the course of study, unless the previous sanction of the authority competent to grant leave has been obtained to treat the period of shortfall as ordinary leave.

56. Leave Salary during study leave

(DOPT Notification. No. 13026/1/2002-Estt. (L), dated 15/16.01.2004)

- (1) Except as provided in sub-rule (6), during Study Leave availed of outside India, a Government servant shall draw Leave Salary equal to the pay that the Government servant drew while on duty with Government immediately before proceeding on such leave and in addition the Dearness Allowance and House Rent Allowance.
- (2) Except as provided in sub-rule (6), during Study Leave availed of in India, a Government servant shall draw Leave Salary equal to the pay that the Government servant drew while on duty with Government immediately before proceeding on such leave and in addition the Dearness Allowance and House Rent Allowance as admissible in accordance with the provisions of Rule 60.

- (3) Payment of leave salary at full rate under sub-rule-(2) shall be subject to furnishing of a certificate by the Government servant to the effect that he, is not in receipt of any scholarship, stipend or remuneration in respect of any part-time employment.
- (4) The amount, if any, received by a Government servant during the period of Study Leave as scholarship or stipend or remuneration in respect of any part-time employment, shall be adjusted against the Leave Salary payable under this sub-rule subject to the condition that the Leave Salary shall not be reduced to an amount less than that payable as Leave Salary during half-pay leave.
- (5) *Omitted.*
- (6) During the currency of Study Leave within or outside India on or after 1st day of January, 1996, a Central Government servant shall draw benefits of Revised Pay from the date such revision took place.

57. *Omitted.*

58. *Omitted.*

59. *Omitted.*

(DOPT Notification No. 13023/1/2017-Estt. (L), dated 01.01.2018)

60. Admissibility of allowances in addition to Study Allowance

- (1) For the first (180) days of the Study Leave, House Rent Allowance shall be paid at the rates admissible to the Government servant from time to time at the station from where he proceeded on study leave. The continuance of payment of House Rent Allowance beyond (180) days shall be subject to the production of a certificate as prescribed in Para.8 (d) of Ministry of Finance, O.M. No.2 (37)-E.II (B)/64, dated 27-11-1965, as amended from time to time.

(DOPT Notification No. 13023/1/82-Estt. (L), dated 16.04.1983)

(DOPT Notification No. 11014/3/89-Estt. (L), dated 21.01.1992)

- (2) Except for house rent allowance as admissible under sub-rule (1) and the Dearness Allowance, where admissible, no other allowance shall be paid to a Government servant in respect of the period of study leave granted to him.

(DOPT Notification No. 13023/1/2017-Estt.(L), dated 01.01.2018)

61. Travelling Allowance during study leave

A Government servant to whom study leave has been granted shall not ordinarily be paid Travelling Allowance but the President may in exceptional circumstances sanction the payment of such allowance.

NOTE- Where a Government servant serving in the Indian Audit and Accounts Department is on study leave in India, the Comptroller and Auditor-General of India may, in exceptional circumstances, sanction the grant of Travelling Allowance.

62. Cost of fees for study

A Government servant to whom study leave has been granted shall ordinarily be required to meet the cost of fees paid for the study but in exceptional cases, the President may sanction the grant of such fees:

Provided that in no case shall the cost of fees be paid to a Government servant who is in receipt of scholarship or stipend from whatever source or who is permitted to receive or retain, in addition to his leave salary, any remuneration in respect of part-time employment.

NOTE- Where a Government servant serving in the Indian Audit and Accounts Department is on study leave in India, the Comptroller and Auditor-General of India may, in exceptional circumstances, sanction the grant of the cost of fees paid for the study.

63. Resignation or retirement after study leave or non-completion of the course of study.

- (1) If a Government servant resigns or retires from service or otherwise quits service without returning to duty after a period of study leave or within a period of [three years (five years in the case of Central Health Service Officer who has been granted thirty-six months' leave under sub-rule (2) of Rule 51) after] such return to duty or fails to complete the course of study and is thus unable to furnish the certificates as required under sub-rule (5) of Rule 53, he shall be required to refund—

(DOPT Notification No. 1302615/2010-Estt. (L), dated 05.08.2011)

- (i) the actual amount of leave salary, cost of fees, travelling and other expenses, if any, incurred by the Government of India; and
(DOPT Notification No. 13023/1/2017-Estt.(L), dated 01.01.2018)
- (ii) the actual amount, if any, of the cost incurred by other agencies such as foreign Governments, Foundations and Trusts in connection with the course of study, together with interest thereon at rates for the time being in force on Government loans, from the date of demand, before his resignation is accepted or permission to retire is granted or his quitting service otherwise:

Provided that except in the case of employees who fail to complete the course of study nothing in this rule shall apply—

- (a) to a Government servant who, after return to duty from study leave, -is permitted to retire from service on medical grounds; or

- (b) to a Government servant who, after return to duty from study leave, is deputed to serve in any Statutory or Autonomous Body or Institution under the control of the Government and is subsequently permitted to resign from service under the Government with a view to his permanent absorption in the said statutory or Autonomous body or Institution in the public interest.
- (2)(a) The study leave availed of by such Government servant shall be converted into regular leave standing at his credit on the date on which the study leave commenced, any regular leave taken in continuation of study leave being suitably adjusted for the purpose and the balance of the period of study leave, if any, which cannot be so converted, treated as extraordinary leave.
- (b) In addition to the amount to be refunded by the Government servant under sub-rule (1), he shall be required to refund any excess of leave salary actually drawn over the leave salary admissible on conversion of the study leave.
- (3) Notwithstanding anything contained in this rule, the President may, if it is necessary or expedient to do so, either in public interest or having regard to the peculiar circumstances of the case or class of cases, by order, waive or reduce the amount required to be refunded under sub-rule (1) by the Government servant concerned or class of Government servants.

CHAPTER VII - Miscellaneous

64. Interpretation

Where any doubt arises as to the interpretation of these rules, it shall be referred to the Government of India in the Ministry of Personnel, Public Grievances and Pensions for decision.

(DOPT Notification no. 11012/1/85-Estt.(L) dated 06.06.1988)

65. Power to relax

Where any Ministry or Department of Government of India is satisfied that the operation of any of these rules causes undue hardship in any particular case, that Ministry or Department, as the case may be, may, by order, for reasons to be recorded in writing, dispense with or relax the requirements of that rule to such extent and subject to such exceptions and conditions as it may consider necessary for dealing with the case in a just and equitable manner:

Provided that no such order shall be made except with the concurrence of the Ministry of Personnel, Public Grievances and Pensions.

(DOPT Notification no. 11012/1/85-Estt.(L) dated 06.06.1988)

66. Repeal and saving

(1) On the commencement of these rules, every rule, regulation or order, including Office Memorandum (hereinafter referred to in this rule as the old rule) in force immediately before such commencement shall, in so far as it provides for any of the matters contained in these rules, cease to operate.

(2) Notwithstanding such cesser of operation, anything done or any action taken or any leave earned by, or granted to, or accrued to the credit of a Government servant, under the old rule, shall be deemed to have been done, taken, earned, granted or accrued under the corresponding provisions of these rules.

CCS (L) RULES 1972

THE FIRST SCHEDULE

[See Rule 3 (c)]

AUTHORITIES COMPETENT TO GRANT LEAVE

Sl. No. (1)	Kind of leave (2)	Authority competent to grant leave (3)
1.	Earned Leave, Half Pay Leave, Commuted Leave, Leave not Due, Extraordinary Leave, Maternity Leave, Hospital Leave, Seamen's Sick Leave, [Paternity Leave, Child Adoption Leave, Paternity Leave for Child Adoption and Child Care Leave.]	<p>(i) Ministry/ Department of the Central Government.</p> <p>(ii) Administrator.</p> <p>(iii) Comptroller and Auditor-General.</p> <p>(iv) Head of Department.</p> <p>(v) Any other authority which is the appointing authority.</p> <p>(vi) Any subordinate authority to which the authority at (i) to (v) may delegate the power, subject to any condition that may be specified in the delegation.</p> <p>NOTE 1.—If the Government servant is in foreign service,—</p> <p>(i) the authority which sanctioned the transfer to foreign service.</p> <p>(ii) Foreign employer — Power to be exercised only in respect of earned leave not exceeding 120 days and while taking decision to grant or refuse leave preparatory to retirement, prior concurrence of the lending authority under the Central Government shall be obtained as provided in sub-rule (2) of Rule 38.</p>

		<p>NOTE 2.—. If the Government servant is serving with a State Government, the State Government or such authority as may be specified by that Government:</p> <p>(a) While taking decision to grant or refuse leave preparatory to retirement prior concurrence of lending authority under the Central Government shall be obtained:</p> <p>(b) * Not printed.</p> <p>In case the lending authority under the Central Government is not agreeable to the refusal of leave preparatory to retirement, it shall be granted to the Government servant and if the State Government needs the services of the officer during that period, the Government servant may be re-employed by that Government concurrently with the leave preparatory to retirement and leave salary regulated in accordance with the provisions of sub-rule (6) of Rule 40.</p>
2.	Special Disability Leave	<p>(i) Ministry/Department of the Central Government.</p> <p>(ii) Administrator.</p> <p>(iii) Comptroller and Auditor-General.</p> <p>(iv) Head of Department.</p> <p>(v) Any other authority which is the appointing authority.</p>
3.	Study Leave	<p>(i) Ministry/Department of the Central Government.</p> <p>(ii) Administrator.</p> <p>(iii) Comptroller and Auditor-General.</p>

THE SECOND SCHEDULE

[See Rule 3 (h)]

FORM 1

[See Rule 14]

APPLICATION FOR LEAVE OR FOR EXTENSION OF LEAVE

1. Name of applicant
2. Post held
3. Department, Office and Section
4. Pay
5. House Rent and other Compensatory Allowances drawn in the present post
6. Nature and period of leave applied for and date from which required
7. Sundays and holidays, if any, proposed to be prefixed/suffixed to leave
8. Grounds on which leave is applied for
9. Date of return from last leave, and the nature and period of that leave
10. I propose/do not propose to avail myself of leave travel concession for the block years during the ensuing leave
11. Address during leave period

Signature of Applicant
(with date)

12. Remarks and/or recommendation of the Controlling Officer

Signature (with date)
Designation

CERTIFICATE REGARDING ADMISSIBILITY OF LEAVE

13. Certified that(nature of leave) for.....
(period) fromtois admissible under Rule
.....of the Central Civil Services (Leave) Rules, 1972.

Signature (with date)
Designation

- *14. Orders of the authority competent to grant leave ...

Signature (with date)
Designation

* If the applicant is drawing any compensatory allowance, it should also be indicated in the orders on the expiry of leave, the Government servant is likely to return to the same post or to another post carrying similar allowance.

FORM 2
[See Rule 15]
FORM OF LEAVE ACCOUNT

Name of Government servant Date of Birth

Date of commencement of continuous service

Date of Quasi-Permanent / Permanent employment Date of retirement / resignation

EARNED LEAVE											HALF PAY LEAVE								
Particulars of service in the calendar half-year		Completed months of service in the Calendar half-year	E.L. credited at the beginning of half-year	No. of days of E.O.L. (Col. 36) availed of during the previous calendar half-year	E.L. to be deducted (1/10th of the period in Col. 5)	Total E.L. at credit in days (Cols. 4 + 11 — 6)	LEAVE TAKEN			Balance of E.L. on return from leave (Cols. 7 — 10)	Completed month of service in the half-year of a calendar year	H.P.L. credited at the beginning of half-year	No. of days treated as <i>dies non</i> during the previous half-year	H.P.L. to be deducted (1/18th of the period in Col. 14)	Total H.P.L. at credit in days (Cols. 13 + 35 — 15)	LEAVE			
From	To						From	To	No. of days							Against the earnings on half pay	From	To	No. of days
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	

(On Private Affairs and on Medical Certificates including Commuted Leave and Leave Not Due)

TAKEN						Leave Not Due limited to 360 days in entire service										
Commuted leave on Medical Certificate on full pay			Commuted Leave without M.C. for studies certified to be in public interest (limited to 180 days half pay leave converted into 90 days commuted leave in entire service)			Commuted leave converted into half pay leave (Twice of Cols. 22 & 25)	On Medical Certificate			Otherwise than on Medical Certificates limited to 180 days			Total of Leave Not Due (Cols. 29 + 32)	Total of Half Pay Leave taken (Cols. 19 + 26 + 33)	Balance of Half Pay Leave on return from leave (Cols. 16 - 34)	Other kinds of Leave taken
From	To	No. of days	From	To	No. of days		From	To	No. of days	From	To	No. of days				
20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36

NOTE 1. — The Earned Leave due should be expressed in days.

NOTE 2. — When a Government servant is appointed during the course of a particular half-year, E.L. should be credited @ $2\frac{1}{2}$ days for each completed month and the fraction of a day will be rounded off to the nearest day.

NOTE 3. — The entries in Col. 11 should be in complete days. Fraction of a day will be rounded off to the nearest day.

NOTE 4. — The period of extraordinary leave should be noted in red ink.

FORM 3

(See Rule 19)

**MEDICAL CERTIFICATE FOR GAZETTED OFFICERS
RECOMMENDED LEAVE OR EXTENSION OF LEAVE OR
COMMUTATION OF LEAVE**

Signature of the Government
Servant.....

Iafter careful personal examination of the case hereby
certify that Shri/Shrimati/Kumari.....whose signature is given
above, is suffering fromand I consider that a period of absence from
duty of with effect fromis absolutely necessary for the
restoration of his/her health.

Civil Surgeon / Staff Surgeon /
Authorized Medical Attendant

Dated

.....Dispensary

NOTE 1.—Deleted.

NOTE 2.—This form should be adhered to as closely as possible and
should be filled in after the signature of the Government servant has been
taken. The certifying officer is not at liberty to certify that the Government
servant requires a change from or to a particular locality or that he is not fit to
proceed to a particular locality. Such certificates should only be given at the
explicit desire of the administrative authority concerned to whom it is open to
decide, when an application on such grounds has been made to him, whether
the applicant should go before a 2[Civil Surgeon/Staff Surgeon/Authorized
Medical Attendant/to decide the question of his / her fitness for service.

NOTE 3.— No recommendation contained in this certificate shall be
evidence of a claim to any leave not admissible to the Government servant.

FORM 3-A

(See Rules 19 and 20)

**MEDICAL CERTIFICATE FOR GOVERNMENT SERVANTS
WHO ARE TO BE RECOMMENDED LEAVE UNDER RULE 20**

Signature / thumb impression of the Government servant.....

It is certified that Shri / Shrimati / Kumari..... (designation and
place of work may also please be indicated) is under my medical supervision
since..... and is suffering from.....*.

2. The aforesaid medical condition can be reasonably estimated to have
manifested itself with effect fromand that-

- (i) it cannot be said with certainty that the Government servant will
never again be fit for service; or

- (ii) there is no reasonable prospect that the Government servant will ever be fit to return to duty.

#3. In view of the fact that it cannot be said with certainty as to when the Government servant shall be fit for service, I recommend that Shri/Shrimati/ Kumari may be granted leave on medical grounds with effect fromto(up to a period of one year).

[#Please strike out if a certificate is being issued under 2 (ii) above]

FORM 4
[See Rule 19]
**MEDICAL CERTIFICATE FOR LEAVE OR EXTENSION
OF LEAVE OR COMMUTATION OF LEAVE**

Signature of the Government servant.....

I, after careful personal examination of the case hereby certify that Shri / Shrimati / Kumari..... whose signature is given above, is suffering fromand I consider that a period of absence from duty ofwith effect fromis absolutely necessary for the restoration of his / her health.

Authorized Medical Attendant
.....Hospital / Dispensary
or other Registered Medical
Practitioner

Dated.....

NOTE 1- The nature and probable duration of the illness should be specified.

NOTE 2- This Form should be adhered to as closely as possible and should be filled in after the signature of the Government servant has been taken. The certifying officer is not at liberty to certify that the Government servant requires a change from or to a particular locality, or that he is not fit to proceed to a particular locality. Such certificates should only be given at the explicit desire of the administrative authority concerned, to whom it is open to decide, when an application on such grounds has been made to him, whether the applicant should go before a Civil Surgeon or Staff Surgeon to decide the question of his/her fitness for service.

NOTE 3.- Should a second medical opinion be required, the authority competent to grant leave should arrange for the second medical examination to be made at the earliest possible date by a Medical Officer not below the rank of a Civil Surgeon or Staff Surgeon, who shall express an opinion both as regards the facts of illness and as regards the necessity for the amount of leave recommended and for this purpose he may either require the Government servant to appear before himself or before a Medical Officer nominated by himself.

NOTE 4.- No recommendation contained in this certificate shall be evidence of a claim to any leave not admissible to the Government servant.

FORM 5

[See Rule 24 (3)]

MEDICAL CERTIFICATE OF FITNESS TO RETURN TO DUTY

Signature of the Government servant

We, the members of Medical Board

I, Civil Surgeon/Staff Surgeon.
Authorized Medical Attendant of....
Registered Medical Practitioner

do hereby certify that we / I have carefully examined Shri / Shrimati I Kumariwhose signature is given above, and find that he/she recovered from his I her illness and is now fit to resume duties in Government service. We / I also certify that before arriving at this decision, we If have examined the original medical certificate(s) and statement(s) of the case (or certified copies thereof) on which leave was granted or extended and have taken these into consideration in arriving at our / my decision.

Members of the Medical Board

(1).....

(2).....

(3).....

Civil Surgeon / Staff Surgeon

Authorized Medical Attendant

Registered Medical Practitioner

Dated.....

NOTE.- The original medical certificate(s) and statement(s) of the case on which the leave was originally granted or extended shall be produced before the authority required to issue the above certificate. For this purpose, the original certificate(s) and statement(s) of the case should be prepared in duplicate, one copy being retained by the Government servant concerned.

FORM 6

[See Rule 32 (3)]

**BOND FOR TEMPORARY GOVERNMENT SERVANTS
GRANTED EXTRAORDINARY LEAVE IN RELAXATION OF
RULE 32 (2) (e) FOR STUDY**

KNOW ALL MEN BY THESE PRESENTS THAT WE residents..... of in the District of..... at present employed asin the Ministry/Office of..... (hereinafter called "the Obligor") and Shri / Shrimati / Kumari.....son/daughter of.....of..... and Shri / Shrimati / Kumarison/daughter of..... of..... (hereinafter called "the Sureties"), do hereby jointly and severally bind ourselves and our respective heirs, executors and administrators, to pay to the President of India, his successors and assigns (hereinafter called the "Government") on demand the sum of Rs..... (Rupees only) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans or, if the payment is made in a country other than India, the equivalent of the said amount in the currency of that country converted at the official rate of exchange between that country and India AND TOGETHER with all costs between the attorney and client and all charges and expenses that shall or may have been incurred by the Government.

WHEREAS the Government has at the request of the above bounden Shri / Shrimat / Kumari.....employed as a....., granted him/her regular leave, followed by extraordinary leave without pay and allowances, for a period of..... months..... days with effect from..... in order to enable him / her to study at.....

AND WHEREAS the Government has appointed / will have to appoint a substitute to perform the duties of..... during the period of absence of Shri/Shrimati/Kumari on extraordinary leave.

AND WHEREAS for the better protection of the Government, the Obligor has agreed to execute this bond with two Sureties with such condition as hereunder written:

AND WHEREAS the said Sureties have agreed to execute this Bond as sureties on behalf of the bounden.....

NOW THE CONDITION OF THE ABOVE WRITTEN OBLIGATION IS THAT, in the event of the above bounden, Shri/Shrimati/Kumari..... failing to rejoin on the expiry of the period of extraordinary leave, the post originally held by him I her and serve the Government after rejoining for such period not exceeding a period of..... years as the Government may require or refusing to serve the Government in any other capacity as may be required by the Government on a salary to which he / she would be entitled under the rules, the said Shri/Shrimati/Kumari... or his/ her executors

and administrators shall forthwith pay to the Government on demand the said sum of (Rupees..... only) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans.

AND upon the Obligor Shri/Shrimati/Kumari..... and or Shri/Shrimati/Kumari..... and, or Shri/Shrimati/Kumari.....the Sureties aforesaid making such payment the above written obligation shall be void and of no effect, otherwise it shall be and remain in force and virtue:

PROVIDED ALWAYS that the liability of the Sureties hereunder shall not be impaired or discharged by reason of time being granted or by any forbearance, act or omission of the Government or any person authorized by them (whether with or without the consent or knowledge of the Sureties) nor shall it be necessary for the Government to sue the Obligor before suing the Sureties
Shri/Shrimati/Kumariand Shri/Shrimati/Kumari.....or any of them for amounts due hereunder.

The Bond shall in all respects be governed by the laws of India for the time being in force and the rights and liabilities hereunder shall where necessary be accordingly determined by the appropriate Courts in India.

Signed and dated this..... day oftwo thousand and.....

Signed and delivered by the Obligor
above named Shri/Shrimati/ Kumar
.....
in presence of.....

Witnesses: 1.....
2.....

Signed and delivered by the Surety
above named Shri / Shrimati / Kumari
in the presence of

Witnesses: 1.....
2.....

Signed and delivered by the Surety
above named Shri/Shrimati/Kumari
.....
in the presence of

Witnesses: 1.....
2.....

ACCEPTED
for and on behalf of the
President of India

FORM 7

[See Rule 53 (4)]

**BOND TO BE EXECUTED BY A GOVERNMENT SERVANT
IN PERMANENT EMPLOY, WHEN PROCEEDING
ON STUDY LEAVE**

KNOW ALL MEN BY THESE PRESENTS THAT I,..... resident of..... in the District of..... at present employed as..... in the Ministry/Office of do hereby bind myself and my heirs, executors and administrators to pay to the President of India (hereinafter called "the Government") on demand the sum of Rs..... (Rupees..... only) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans or, if payment is made in a country other than India, the equivalent of the said amount in the currency of that country converted at the official rate of exchange between that country of India AND TOGETHER with all costs between attorney and client and all charges and expenses that shall or may have been incurred by the Government.

WHEREAS I.....am granted study leave by Government.

AND WHEREAS for the better protection of the Government, I have agreed to execute this Bond with such condition as hereunder is written;

NOW THE CONDITION OF THE ABOVE WRITTEN OBLIGATION IS THAT in the event of my failing to resume duty, or resigning or retiring from service or otherwise quitting service without returning to duty after the expiry or termination of the period of study leave or failing to complete the course of study or at any time within a period of three years/five years after my return to duty, I shall forthwith pay to the Government or as may be directed by the Government, on demand the said sum of Rs..... (Rupees..... only) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans.

NOW FURTHER THE CONDITION OF THE ABOVE WRITTEN OBLIGATION IS THAT the period of my bond mandating putting in service for the period as specified above, after expiry of the study leave availed by me, shall be extended by a comparable period, equivalent to the aggregate periods of leave of any kind availed by me during the currency of the bond period.

AND upon my making such payment, the above written obligations shall be void and of no effect, otherwise it shall be and remain in full force and virtue.

The Bond shall in all respects be governed by the laws of India for the time being in force and the rights and liabilities hereunder shall, where necessary, be accordingly determined by the appropriate Courts of India.

Signed and dated this..... day of..... two thousand and.....

Signed and delivered by

.....

In the presence of.....

Witnesses 1.....

2.....

ACCEPTED

For and on behalf of the
President of India

EXPLANATION. — The term 'currency of bond' means the period during which the liability of the Government servant is activated and the right of the Government is alive to claim the predetermined and stipulated amounts from the Government servant who fails to discharge his obligation.

FORM 8

[See Rule 53 (4)]

**BOND TO BE EXECUTED BY A GOVERNMENT SERVANT
IN PERMANENT EMPLOY, WHEN GRANTED
EXTENSION OF STUDY LEAVE**

KNOW ALL MEN BY THESE PRESENTS THAT
I..... resident of..... in the
District ofat present employed as
.....in the Ministry/Office of.....do hereby
bind myself and my heirs, executors and administrators to pay to the President
of India (hereinafter called "the Government") on demand the sum of
Rs..... (Rupees..... only) together with interest thereon from
the date of demand at Government rates for the time being in force on
Government loans or if payment is made in a country other than India, the
equivalent of the said amount in the currency of that country converted at the
official rate of exchange between that country and India AND TOGETHER with
all costs between attorney and client and all charges and expenses that shall or
may have been incurred by the Government.

WHEREAS I..... was granted study leave by Government for
the period to..... in consideration of which I
executed a Bond, dated..... for (Rupees..... only) in
favour of the President of India.

AND WHEREAS the extension of study leave has been granted to me at
my request until.....

AND WHEREAS for the better protection of the Government, I have
agreed to execute this Bond with such conditions as hereunder are written.

NOW, THE CONDITION OF THE ABOVE WRITTEN OBLIGATION IS
THAT in the event of my failing to resume duty of resigning or retiring from
service or otherwise quitting service without returning to duty after the expiry
or termination of the period of study leave so extended or failing to complete
the course of study or at any time within a period of three years/five years after
my return to duty. I shall forthwith pay to the Government or as may be
directed by the Government, on demand the said sum of Rs.....
(Rupees.....only) together with interest thereon from the date of demand
at Government rates for the time being in force on Government loans.

NOW FURTHER THE CONDITION OF THE ABOVE WRITTEN
OBLIGATION IS THAT the period of my bond mandating, putting in service
for the period as specified above, after expiry of the study leave availed by me,
shall be extended by a comparable period, equivalent to the aggregate periods
of leave of any kind availed by me, during the currency of the bond period.

AND upon my making, such payments, the above written obligations shall be void and of no effect, otherwise it shall be and remain in full force and virtue.

The Bond shall in all respects be governed by the laws of India for the time being in force and the rights and liabilities hereunder shall, where necessary, be accordingly determined by the appropriate Courts in India.

Signed and dated this.....day of..... two thousand and.....

Signed and delivered by.....
.....

In the presence of

Witnesses 1.....
2.....

ACCEPTED

For and on behalf of the
President of India

EXPLANATION.— The 'currency of bond' means the period during which the liability of the Government servant is activated and the right of the Government is alive to claim the predetermined and stipulated amounts from the Government servant who fails to discharge his obligation.

FORM 9

[See Rule 53 (4)]

**BOND TO BE EXECUTED BY A GOVERNMENT SERVANT
NOT IN PERMANENT EMPLOY,
WHEN PROCEEDING ON STUDY LEAVE**

KNOW ALL MEN BY THESE PRESENTS THAT WE..... residents ofin the District of..... at present employed as..... in the Ministry / Office of..... (hereinafter called "the Obligor") and Shri /Shrimati/Kumari..... son/daughter of and Shri/ Shrimati/Kumari..... son/daughter of and Shri/Shrimati/Kumarison/daughter of..... (hereinafter called "the Sureties") do hereby jointly and severally bind ourselves and our respective heirs, executors and administrators to pay to the President of India (hereinafter called "the Government") on demand the sum of Rs.....(Rupees..... only) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans or, if payment is made in a country other than India, the equivalent of the said amount in the currency of that country, converted at the official rate of exchange between that country and India AND TOGETHER with all costs between attorney and client and all charges and expenses that shall or may have been incurred by the Government.

WHEREAS the Obligor is granted study leave by the Government:

AND WHEREAS for the better protection of the Government, the Obligor has agreed to execute this Bond with such condition as hereunder is written.

AND WHEREAS the said Sureties have agreed to execute this Bond as Sureties on behalf of the above bounden.....

NOW THE CONDITION OF THE ABOVE WRITTEN OBLIGATIONS IS THAT, in the event of the Obligor Shri /Shrimati/Kumari failing to resume duty, or resigning from service or otherwise quitting service without returning to duty after the expiry or termination of the period of study leave or failing to complete the course of Study or at any time within a period of three years/five years after his return to duty, the Obligor and the Sureties shall forthwith pay to the Government or as may be directed by the Government, on demand the said sum of Rs..... (Rupees only) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans.

NOW FURTHER THE CONDITION OF THE ABOVE WRITTEN OBLIGATION IS THAT, the period of bond, mandating putting in service by the Obligor for the period as specified above, after expiry of the study leave availed by him or her, shall be extended by a comparable period, equivalent to the aggregate periods of leave of any kind availed by him or her during the currency of the bond period.

AND upon the Obligor Shri/Shrimati / Kumari and or Shri / Shrimati / Kumari..... and or Shri / Shrimati / Kumari....., the Sureties aforesaid making such payment the above written obligation shall be void and of no effect, otherwise it shall be and remain in full force by virtue.

PROVIDED ALWAYS that the liability of the Sureties hereunder shall not be impaired or discharged by reason of time being granted or by any forbearance act or omission of the Government or any person authorized by them (whether with or without the consent or knowledge of the Sureties) nor shall it be necessary, for the Government to sue the Obligor before suing the Sureties Shri / Shrimati / Kumariand Shri / Shrimati / Kumari.....or any of them for amounts due hereunder.

The Bond shall in all respects be governed by the laws of India for the time being in force and the rights and liabilities hereunder shall where necessary be accordingly determined by the appropriate Courts in India.

Signed and dated this..... day of..... two thousand and.....

Signed and delivered by the Obligor
Above-named Shri / Shrimati / Kumari

.....
In the presence of

Witnesses 1.
2.

Signed and delivered by the Obligor
above-named Shri/Shrimati/Kumari

.....
In the presence of.....

Witnesses 1.
2.

Signed and delivered by the Obligor
above-named Shri / Shrimati / Kumari

.....
In the presence of.....

Witnesses 1.
2.

ACCEPTED
For and on behalf of the
President of India

EXPLANATION.— The term 'currency of bond' means the period during which the liability of the Government servant is activated and the right of the Government is alive to claim the predetermined and stipulated amounts from the Government servant who fails to discharge his obligation.

FORM 10
[See Rule 53 (4)]
BOND TO BE EXECUTED BY A GOVERNMENT, SERVANT
NOT IN PERMANENT EMPLOY, WHEN
GRANTED EXTENSION OF STUDY LEAVE

KNOW ALL MEN BY THESE PRESENTS THAT WE.....residents of in the District of..... at present employed as..... in the Ministry/Office of.....(hereinafter called "the Obligor") and Shri/ Shrimati/Kumari Son/daughter of..... ofand Shri/Shrimati/Kumari.....son/daughter of.....(hereinafter called "the Sureties") do hereby jointly and severally bind ourselves and our respective heirs, executors and administrators to pay to the President of India (hereinafter called "the Government") on demand the sum of Rs..... (Rupees..... only) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans or, if payment is made in a country other than India, the equivalent of the said amount in the currency of that country converted at the official rate of exchange between that country and India AND TOGETHER with all costs between attorney and client and all charges and expenses that shall or may have been incurred by the Government.

WHEREAS the Obligor was granted study leave by the Government from the period from..... to..... in consideration of which he executed a Bond, dated... for Rs.....(Rupees..... only) in favour of the President of India:

AND WHEREAS the extension of study leave has been granted to the Obligor at his request until.....

AND WHEREAS for the better protection of the Government the Obligor has agreed to execute this Bond with such condition as hereunder is written:

AND WHEREAS the said Sureties have agreed to execute this Bond as Sureties on behalf of the above bounden.....

NOW THE CONDITION OF THE ABOVE WRITTEN OBLIGATION IS THAT in the event of the Obligor Shri/Shrimati/Kumarifailing to resume duty, or resigning from service or otherwise quitting service without returning to duty after the expiry or termination of the period of study leave so extended or failing to complete the course of study or at any time within a period of three years / five years after his return to duty, the Obligor and the Sureties shall forthwith pay to the Government, on demand the said sum of Rs..... (Rupees..... only) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans.

NOW FURTHER THE CONDITION OF THE ABOVE WRITTEN OBLIGATIONS IS THAT the period of bond, mandating putting in service by the Obligor for the period as specified above, after expiry of the Study Leave availed by him or her, shall be extended by a comparable period, equivalent to the aggregate periods of leave of any kind availed by him or her, during the currency of the bond period.

AND upon the Obligor Shri/ Shrimati/Kumari..... and, or Shri/Shrimati /Kumari..... and, or Shri/Shrimati/Kumari.....the Sureties aforesaid making

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such payment the above written obligation shall be void and of no effect, otherwise it shall be and remain in full force and virtue;

PROVIDED ALWAYS that the liability of the Sureties hereunder shall not be impaired or discharged by reason of time being granted or by any forbearance, act or omission of the Government or any person authorized by them (whether with or without the consent or knowledge of the Sureties) nor shall it be necessary, for the Government to sue the Obligor before suing the Sureties Shri/Shrimati/Kumariand Shri/Shrimati/Kumari or any of them for amounts due hereunder.

The Bond shall in all respect be governed by the laws of India for the time being in force and the rights and liabilities hereunder shall where necessary be accordingly determined by the appropriate Courts in India.

Signed and dated this.....day of..... two thousand and.....

Signed and delivered by the Obligor
above named Shri/Shrimati/ Kumar

.....
in presence of.....

Witnesses: 1.....
2.....

Signed and delivered by the Surety
above named Shri / Shrimati / Kumari
in the presence of

Witnesses: 1.....
2.....

Signed and delivered by the Surety
above named Shri / Shrimati / Kumari
in the presence of

Witnesses: 1.....
2.....

ACCEPTED
for and on behalf of the
President of India

Explanation. — The term 'currency of bond' means the period during which the liability of the Government servant is activated and the right of the Government is alive to claim the predetermined and stipulated amounts from the Government servant who fails to discharge his obligation.

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