

Central Civil Services (Leave) Rules, 1972

Rule-1. Short Title and commencement

- CCS (Leave) Rules, 1972 come into force from 1st June, 1972.

Rule-2. Extent of Application

- These rules, these rules shall apply to Government servants appointed to the civil services and posts in connection with the affairs of the Union.
- These rule does not apply to:**
 - (a) Railway Servants,
 - (b) Persons in casual and daily rated employment.
 - (c) Persons paid from contingencies
 - (d) workmen employed in industrial establishments;
 - (e) persons employed in work-charged establishments
 - (f) Members of All India Services (IAS, IPS & IFS).
 - (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 serving under a Central Government Department, on deputation from a State Government or any other source, for a limited duration.

Rule-3. Definition (1)

- (a)** “Administrator” means an Administrator of a Union Territory;
- (b)** “Audit Officer” means the Accounts and Audit Officer.
- (c)** “Authority competent to grant leave” means the authority specified in the First Schedule to these rules, competent to grant the kind of leave specified.
- (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.
- (f)** “Department of the Central Government” means a Ministry or a Department of the Central Government.



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- (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).
- (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-
 - (1) an officer who, having been declared by the UPSC 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.
 - (2) 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 or had the lien not been suspended.
- (k) “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.

Rule-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.

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

- (1) Permanent Govt. Employee to whom these rules do not apply — when transferred temporarily to service or post, which were applicable to him before such transfer.
- (2) When appointment or transferred on substantive or permanent post to which these rules apply, these rules apply to him from date of appointment.



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Rule-6. Transfer to industrial establishment

- If a Government servant governed by these rules is appointed in an industrial establishment, the authority competent to grant leave shall suo motu issue an order granting cash equivalent of leave salary in respect of earned leave at his credit subject to a maximum of 300 days.

Chapter II- General Conditions

Rule-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.
- (3) Authority competent can't alter the kind of leave due and applied for except at the written request of the Government servant.

Govt. Decisions

- a) Govt. servants to be encouraged to take leave regularly by sanctioning authority.
- b) Leave should not be ordinarily be denied during the last 10 years of service.

Rule-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.

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

- 1) **Removal, Dismissal or Resignation** – Any claim of leave shall be ceased from the date of such dismissal or removal or resignation.
- 2) **Resignation through proper channel to another appointment**- 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.

Rule-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



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him at the time the leave was granted, **but the Government servant cannot claim such commutation as a matter of right.**

- 2) The request for commutation of one kind of leave into another kind of leave should be submitted to the leave sanctioning authority **within 30 days from the Government servant joining his duty** on the expiry of the relevant spell of leave availed of by him.

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

Govt. Decisions

- (a) Commutation of leave of one kind into leave of another kind cannot be done after the **employees cease to be in service.**

Rule-11. Combination of different kinds of leave

- 1) 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.
- 2) **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.

Govt. Decisions

- a) **Casual Leave** can be combined with Special Casual leave, but where it is permissible to grant regular leave in combination with special casual leave, casual leave should not be granted in combination with both special casual leave and regular leave.
- b) **Combining half a day's casual leave** – If any Govt. servant avail half CL in second half but unable to resume the duty next working day due to sickness and other compelling grounds.

Rule-12. Maximum amount of continuous leave

- 1) No Government servant shall be granted leave of any kind for a continuous period exceeding **five years**.
- 2) **The President** may grant leave of continuous exceeding **5 years** in exceptional circumstances.
- 3) If any Govt. Servant who remains absent from duty for a continuous period exceeding **five years** other than foreign service, with or without leave, shall be deemed to have resigned from the Govt. service.
- 4) These rules shall not apply to a case where leave is applied on medical certificate, **in connection with a disability.**



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Rule-13. Acceptance of service or employment while on leave

- 1) A Government servant, 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 service or employment lies elsewhere than in India.
 - (b) The authority competent to appoint him, if the proposed service or employment in India.
- 2) No Government servant while on leave, other than LPR shall ordinarily be permitted to take up any other service or private employment.

Chapter III-Grant of and return from leave

Rule-14. Application for leave

- 1) Any application for leave or for extension of leave shall be made in **Form 1(SR 1)** to the authority competent to grant leave.
- 2) 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 Govt. servant
 - b) The parents in case of an unmarried Govt. servant
 - c) The child including adopted child or brother or sister of the Govt. servant, who has attained the age of majority.
 - d) Any person who assigned limited guardianship of the Govt. servant.
And the same shall be deemed to have been made and submitted by the Government servant himself.

Rule-15. Leave Account

- 1) A leave account shall be maintained in Form 2 for each Government servant by the Audit Officer in the case of Gazetted Government servants.
- 2) The Head of Office or an officer authorized by him in the case of non-Gazetted Government servants.

Rule-16. Verification of title of 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.



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

Rule-17. Leave not to be granted in certain circumstances

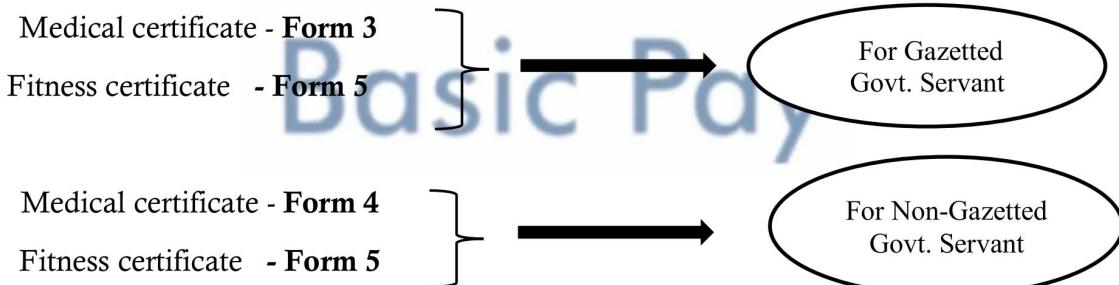
- Leave shall not be granted to a Government servant whom the competent punishing authority has decided to **dismiss, remove or compulsorily retire from Government service.**

Govt. Decisions

- No leave during suspension-** Leave may not be granted to a Govt. Servant under suspension.
- Leave sanctioning authority shall get prior approval before sanctioning leave for “**Going Abroad**”.

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

- For Gazetted or non- Gazetted Government servant-** Medical certificate given by a doctor in CGHS Dispensary if Govt servant is beneficiary of CGHS or by a doctor of Govt. Hospital or AMA, and an authorized Doctor of private hospital recognized under CGHS.



- Defining as clearly as possible 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 may also be accepted.

- In case of a Govt. servant who has acquired disability, the Medical Authority shall certify, in Form 3-A**
 - Nature and extent of disability
 - Category of disability permanent or temporary or official will incapacitated for further service.

- (c) Disability specified under the Rights of persons with disabilities Act, 2016 (49 of 2016).
- 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) The authority competent to grant leave may, in its discretion, waive the production of a medical certificate in case of leave for a period not exceeding three days (3 days) at a time. Such leave shall be debited against leave other than leave on medical grounds.

Rule-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 will never again be fit for service, leave not exceeding 12 months in all 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 a Medical Authority to be completely and permanently incapacitated for further service, leave or an extension of leave may be granted to him after the report of the Medical Authority has been received, provided the amount of leave as debited to the leave account together with any period of duty beyond the date of the report of the Medical Authority does not exceed 12 months.

Rule-21. Commencement and termination of leave

- Leave ordinarily begins on the day on which the transfer of charge is affected and ends on the day preceding that on which the charge is resumed.

Rule-22. Combination of holidays with leave

- (1) Except medical conditions, prefix, suffix and any public Holiday are allowed respectively before of leave and after of leave.
- (2) In the case of leave on medical Certificate:
 - 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. (Sunday+ medical....) here Sunday is prefix.
 - b) When a Government servant is certified medically fit to joining duty, 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. (**Fitness produced on Sunday**)
Sunday is suffixed he can resume the duty from Monday.

Note: - Restricted Holiday can be prefixed or suffixed to regular leave or Casual leave.

Rule-23. Recall to duty before expiry of leave.

- 1) 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.
- **SR 142 and 143 is related to T.A. to whom recall return to duty.**

Rule-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) 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.
- 3) 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.

Rule-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



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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) Willful absence from duty after the expiry of leave renders a Government servant liable to **disciplinary action.**

Govt. Decisions

- a) **Action for unauthorized absence from duty or overstyal of leave:** -
 - No pay and allowance will be paid for the period.
 - The competent authority may treat as “**dies-non**” if the competent authority not satisfied with the ground of overstyal.
 - If competent authority **is satisfied with the grounds of overstyal**, he may permit to Govt. servant to apply suitable leave.
- b) **Proviso to FR 17(1):** - The said provision stipulates that an officer who is absent from duty without any authority shall not be entitled to any pay and allowance during the period of such absence.
- c) **FR 17-A:** - The said provision inter alia provides that where an individual employee remains absent unauthorizedly or deserts the post, the period of such absence shall be deemed to cause an interruption or break in service of the employee, unless otherwise decided by the competent authority for the purpose of LTC and eligibility for appearing in departmental examinations, for which a minimum period of service is required.
- d) **Period of overstyal of leave does not count for increment.**

Chapter IV-Kinds of Leave due and admissible

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

- 1) The leave account of every Government servant shall be credited with earned leave, in advance, in **two instalments** of **15 days** each **on the first day of January** and **July** of every calendar year.
- 2) Un-availed portion of joining time shall be credited to his Earned leave account.
- 3) Maximum leave in earned leave account may be accumulated up to **300 days** only. More earned leave shall be shown in **leave account as 300+15 days.**
- 4) The maximum **180 days** earned leave may be granted at a time when a Govt. servant employed in India.
- 5) A period **spent in foreign service** shall count as duty for purposes of this rule (**for credit EL and HPL**), if contribution towards leave salary is paid on account of such period.



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- 6) Earned leave may be granted period exceeding **180 days** but not exceeding **300 days for Group A and B officer** if the Employee entire leave so granted or any portion thereof spent out of India, Bangladesh, Bhutan, Burma, Sri Lanka, Nepal, and Pakistan.

Rule-27. Calculation of Earned leave.

- 1) Earned leave shall be credited to the leave account of Government servant at the rate of **2½ days** for each **completed calendar month**.
- 2) **Retirement or resignation or death** - The rate of **2½ days** per **completed calendar month** up to the date of retirement or resignation.
- 3) **Removed or dismissed from service:** - The rate of **2½ days** per **completed calendar month** up to the end of the calendar month preceding calendar month which he is removed or dismissed from service.
- 4) 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 reduced in next half year by **1/10th** of the period of such leave and/or dies non subject to maximum of **15 days**.
- 5) While affording credit of earned leave, fractions of a day shall be rounded off to the nearest day.

Example: - If any Govt. servant availed (July-23 to Dec-23) EXOL 84 days or 84 days dies-non. What is the amount of earned leave credit in next half year on 1st January-2024?

- **Reduced= 84 x1/10= 8.4 days** rounded off to nearest day is **8 days**
- **Earned leave will credit in next half on 1st January-24 = 15-8 = 7 days.**

Rule-28. Earned leave for persons serving in Vacation Departments-

- 1) The leave account of every Government servant, who is serving in a Vacation Department shall be credited with earned leave, in advance' in two installments of **5 days** each on the **first day of January** and **July of every calendar year**.
- 2) In respect of any year in which a Govt. servant avails a portion of the vacation, he shall be entitled to earned leave in **proportion of 20 days**.
- 3) If any year, the Govt. servant does **not avail any vacation**, earned leave shall be admissible to him in respect of that year under Rule 26. (**Max. earned leave 30 days in a calendar year.**)
- 4) Vacation may be taken in combination with or in continuation of any kind of leave under these rules.
- 5) Maximum limit for accumulation of earned leave not exceeding **300 days**.

Govt. Decisions

- a) Combination of vacation with casual leave permissible.



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Rule-29. Half pay leave

- (1) The leave account of every Government servant shall be credited with **HPL**, in advance, in **two instalments** of **10 days** each **on the first day of January** and **July** of every calendar year.
- (2) Half pay leave shall be credited to the leave account of Government servant at the rate of **5/3 days** for each **completed calendar month**.
 - a) **Retirement or resignation or death in service** - The rate of **5/3 days** per **completed calendar month** up to the date of retirement or resignation.
 - b) **Removed or dismissed from service:** - The rate of **5/3 days** per **completed calendar month** up to the end of the calendar month preceding calendar month which he is removed or dismissed from service.
- (3) Where a period of absence or suspension of a Government servant has been treated as **dies non in a half-year**, the credit shall be reduced in next half year by **one eighteenth (1/18TH)** of the period of **dies-non** subject to a maximum of **ten days (10 days)**.
- (4) The leave under this rule may be granted on medical certificate or on private affairs.
- (5) While affording credit of half pay leave, fractions of a day shall be rounded off to the nearest day.

Example: - A **85 days** period of un authorized absence of a Govt. servant (in half year July-23 to Dec-23) treated as **dies-non**. What is the amount of **HPL** credit in next half year on 1st January-24?

- **Reduced= 85 x 1/18 = 4.72** days rounded off to nearest day is **5 days**
- **HPL** will credit in next half on 1st January-24 = 10-5 = **5 days**.

Rule-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.
- (2) When commuted leave is granted, **twice the amount of HPL** shall be debited against the half pay leave due.
- (3) Half pay leaves 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.
- (4) 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**.



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- (5) 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 be granted at the request of the Government servant even when earned leave is due to him.

Govt. Decisions

- (a) Commuted leave up to 60 days without medical certificate to female Govt. servant on adoption of child.
- (b) Medical certificate is not necessary for commuted leave in continuation of maternity leave.

Rule-31. Leave not due (LND)

- (1) LND may be granted to a government servant in permanent employ or quasi-permanent employ 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.
- (2) 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 fulfilment of conditions in Clauses (a) to (c) of sub-rule (1) and subject to the following conditions, namely
 - (a) that the Government servant has put in a minimum of one year's service;
 - (b) that the post from which the Government servant proceeds on leave is likely to last till his return to duty
 - (c) that the request for grant of such leave is supported by a medical certificate
- (3) Where a Government servant who has been granted LND resigns from service or at his request permitted to retire voluntarily without returning to duty, the LND 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.
- (4) Where a Government servant who having availed himself of LND returns to duty but resigns or retires from service before he has earned such leave, he shall be liable to refund the leave salary.



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- (5) **No leave salary shall be recovered**, if the retirement is by reason of **ill-health incapacitating** the Government servant or **Government servant is compulsorily retired prematurely** for further service or in the event of his death.

Govt. Decisions

- (a) **LND** can be granted without medical certificate to an adoptive mother also.
- (b) Medical certificate is not necessary for **LND** in continuation of **maternity leave**.
- (c) **LND** can be granted as Child care leave without production of medical certificate.

Rule-32. Extraordinary leave (EXOL or EOL)

- (1) **EXOL** may be granted to a government servant 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) **3 Months**- Normal condition.
 - (b) **6 Months**- With one-year continuous service (including three months EXOL as per clause-a) and production of medical certificate.
 - (c) **18 Months**- Completed **one year's** service and undergoing treatment for- **Pulmonary Tuberculosis, Leprosy, cancer and mental illness**.
 - (d) **24 Months** – **Three year's** completed service (including three months EXOL as per clause-a) for the purpose of **prosecuting studies certified** to be in the **public interest**.
- (3) In the case of prosecuting studies, if the Govt. servant **does not return** to duty or **quitting the service before a period of 3 years after return to duty**, the Department shall be required to execute a bond in **Form 6** undertaking to **refund** to the Govt. the actual amount of expenditure incurred by Govt. during such leave plus that incurred by any other agency with interest.
- (4) 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.
- (5) Government servants belonging to **the SC or the ST 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.
- (6) **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)



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

Govt. Decisions

- (a) Notice of VRS can be accepted from a Govt. Servant already on EXOL.
- (b) If the limits prescribed in that rule are hereby, exceeded, EXOL may be granted in relaxation of the rule in consultation with Govt. of India, Ministry of Finance.

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

- (1) A probationer shall be entitled to leave under these rules if he had held his post substantively otherwise than on probation.
- (2) Where any Govt. servant holds a lien on a permanent post, he shall be entitled to leave under these as permanent Govt. 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.

Rule-34. Person 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.

Rule-38. Leave preparatory to retirement

- (1) Leave preparatory to retirement (LPR)- Maximum 300 days, includes the date of retirement to the extent of earned leave due together with half pay leave due.
- (2) Where a Government servant who is on foreign service in Body controlled or financed by the Government applies for LPR, the decision to grant or refuse such leave shall be taken by foreign employer with the concurrence of the lending authority under Central Government.
- (3) The Government servant on foreign service shall also be allowed to encash earned leave at his credit on the date of retirement.
- (4) Where a Government servant is on foreign service in or under a local body other than the one mentioned of sub-rule (2), leave preparatory to retirement shall be admissible to him only when he quits duty under the foreign employer.

Rule-38-A. Encashment of Earned Leave along with LTC while in service

- (1) 10 days encashment at time of availing LTC.



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- (2) A balance of at **least 30 days** of earned leave may be available to his credit after taking into account the period of encashment as well as leave.
- (3) The total leave so encased during the entire career does **not exceed 60 days** in the aggregate.
- (4) Formula for Cash equivalent for encashment is as under: -

Cash equivalent = (Basic pay + D.A) x Number of days EL (Max. 10 days)

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- (5) If the Govt. servant **fails to avail the LTC within the time prescribed**, then he shall **require to refund** the entire amount of leave so encashed with interest at the **rate 2% above the GPF fund balance** and shall also be entitled for credit back of leave so debited for leave encashment.

Govt. Decisions

- (a) When the one and the same LTC is being availed by the Govt. servant and his family members separately in a block year, encashment of leave would be restricted to **one occasion only**.
- (b) **Re-employed pensioner** will be entitled to encashment of earned leave along with LTC during the period re-employment up to the limit **60 days**.

Rule-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,
 - (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
 - (d) the date of his resignation from service.
- (2) Where a Govt servant retires on **superannuation, compulsorily, voluntarily (both condition notice by the Government servant or by the department) or re-employed pensioner on retirement**, are eligible for cash equivalent of leave salary for both EL and HPL, subject to a maximum of **300 days**.

Cash Equivalent for EL= (Last Basic Pay+D.A) x No. of unutilized EL at credit (Max. 300 days)

30

Cash Equ. for HPL= (Half of Last Basic Pay+D.A.) x No. of unutilized HPL at credit (Max. 300 days)

30

Note: -The over limit for encashment of leave including both EL and HPL shall not exceed **300 days**.

Example: - A Govt. servant have **275 EL** and **60 HPL** in his leave account.



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- Govt. servant is entitled to cash equivalent to EL up to 275 and cash equivalent to HPL up to 25 days.
- (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.
- (4) 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 180 days and cash equivalent up to maximum 300 days.
- (5) If a government servant resigns or quits service, he may be granted cash equivalent in respect of only 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.

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

- Maximum of 300 days cash equivalent of leave salary for both EL and HPL, if any, at the credit of deceased Govt. employee on the date of his death shall be paid to his family.

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

- (1) Cash equivalent of leave salary in respect of both EL and HPL, if any, at the credit of Govt. servant on the date of his invalidation from service, subject to maximum 300 days shall be paid to the Govt. servant.
- (2) A Govt. 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.

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

- (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;
- (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;



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- (vi) failing (i) to (v) above, **to the mother;**
- (vii) failing (i) to (vi) above, to the eldest surviving **brother below the age of eighteen years.**
- (viii) failing (i) to (vii) above, to the eldest surviving **unmarried sister;**
- (ix) failing (i) to (viii) above], to the eldest surviving **widowed sister;**
- (x) failing (i) to (ix) above, to the eldest surviving **married daughter;** and
- (xi) failing (i) to (x) above, to the eldest child of the **eldest predeceased son.**

Govt. Decisions

- (a) **Benefit of increment** falling due during leave in the case of death while on leave.
- (b) **DA increase** with retrospective effect also admissible.
- (c) **Exemption** from income tax on retirement of EL encashment and other retirement benefits.

Rule-40. Leave salary

- (1) **Earned Leave/Commutted leave-** Entitled to **leave salary equal** to the **pay drawn immediately before proceeding** on earned leave/ commuted leave.
- (2) **HPL or LND-** Entitled to leave salary equal to **half pay drawn immediately before proceeding** on HPL or LND.
- (3) **EXOL-** Govt. servant is not entitled to any **leave salary**

Rule-41. Drawl of Leave salary

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

Rule-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 (30days)** 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.**

Chapter-V-Special kinds of leave other than study Leave

Rule-43. Maternity leave

- (1) A Female Govt. servant with less than **two surviving children** may be granted maternity leave for a period of **180 days** from the date of its commencement.
- (2) During maternity leave, she shall be paid leave salary **equal to the pay drawn immediately** before proceeding on leave.
- (3) **In case of miscarriage or abortion-** Only **45 days entire service (irrespective number of children)** maternity leave may be granted on production of medical certificate.



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- (4) Maternity leave may be **combined** with leave of **any other kind**.
- (5) In continuation of maternity leave, leave of kind due and admissible (Including commuted leave for period **of 60 days** and LND) up to maximum of **Two years (2 years)** granted. If applied.
- (6) Maternity leave shall not be debited against the leave account.

Govt. Decisions

- (a) **Unmarried female** Government servants also eligible for maternity.
- (b) No maternity leaves for threatened abortion.

Grant of 60 days Special Maternity Leave in case of death of a child soon after birth/ still birth OM Dated 02.09.2022.

- 1) If maternity leave availed by female employee till the death of child converted in other kind of leave due and admissible without medical certificate.
- 2) Special Maternity Leave of **60 days** may be granted from the date of expiry of child soon after birth / Stillbirth.
- 3) In case the maternity leave has not been availed by a female Central Government servant, 60 days of Special Maternity Leave may be granted from the date of expiry of child soon after birth/ stillbirth.
- 4) The condition for death of a child soon after birth may be defined as up to **28 days after birth**.
- 5) A baby born with no signs of life at or **after 28 weeks of gestation** may be defined as Stillbirth.
- 6) Benefits up to less than **2 surviving child** and delivery in authorized hospital or private hospital in case of emergency justified.

Rule-43-A. Paternity leave

- (1) A male Government servant with **less than two surviving children**, may be granted Paternity Leave for a period of **15 days**, during the confinement of his wife for childbirth, **up to 15 days before**, or up to **6 months** from the date of **delivery of the child**.
- (2) During the paternity leave, 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**.



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Rule-43-AA. Paternity leave for child adoption.

- (1) A male Government servant with less than two surviving children, on accepting a child in pre-adoption foster care or on valid adoption of a child below age one year may be granted paternity leave for a period of 15 days, within a period of 6 months from the date of accepting a child in pre-adoption foster care or on valid adoption, as the case may be.
- (2) In a case where the pre-adoption foster care is not followed by the valid adoption of the child. The paternity leave already availed shall be debited from any other kind of leave available to credit of such male Govt. Servant.

(All remaining conditions will as per Rule 43-A paternity leave.)

Rule-43-B. Leave to a female Government servant on adoption of a child

- (1) A female Government servant with less than two surviving children, on accepting a child in pre-adoption foster care or on valid adoption of a child below age one year may be granted Child adoption leave for a period of 180 days immediately after the date of on accepting a child in pre-adoption foster care or valid adoption, as the case may be.

Note- In a case where the pre-adoption foster care is not followed by the valid adoption of the child. The maternity leave already availed shall be debited from any other kind of leave available to credit of such female Govt. Servant.

- (2) During child adoption leave, she shall be paid leave salary equal to the pay drawn immediately before proceeding on leave
- (3) The Child adoption Leave may be combined with leave of any other kind.
- (4) The Child adoption leave shall not be debited against the leave account
- (5) In continuation of Child adoption leave, leave of kind due and admissible (Including commuted leave for period of 60 days and LND) for a period up to one year reduced by the age of the adopted child on the date of valid adoption.

| S.L. No. | Child age on date of adoption. | Duration of leave |
|----------|---|-------------------|
| 1 | Less than one month | 1 year |
| 2 | Six months and above but less than 7 months | 6 months |
| 3 | 9 months and above but less than 10 months | 3 months. |

Rule-43-C. Child Care Leave (CCL)

- (1) A woman Government servant may be granted Child care leave for a maximum 730 days during her entire service to taking care of her two eldest surviving children for looking any of their needs, such as education, sickness etc.



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- (2) A Child below the age of eighteen years and child of any age with a disability minimum 40%.
- (3) It shall not be granted for more than three spell in a calendar year and CCL should be granted to single mother for six spells in a calendar year.
- (4) CCL extended to single male parent also.
- (5) CCL should be granted at 100% salary for first 365 days and 80% of salary for next 365 days.
- (6) The CCL ordinarily shall not be granted during the probation period except in case of certain extreme situations where the leave sanctioning authority is satisfied.
- (7) Child care leave may not be granted for a period less than 5 days at a time.
- (8) Child care leave may be combined with leave of any other kind.
- (9) In continuation of CCL on production of medical certificate leave of kind due and admissible (including commuted leave up to 60 days and LND) up to maximum 1 year may be granted.
- (10) Child care leave shall not be debited against the leave account.

Govt. Decisions

- (a) LTC may be availed while an employee is on CCL.
- (b) An employee on CCL may be permitted to leave HQ.
- (c) An employee on CCL may proceed on foreign travel with advance permission of competent authority.

Rule-44. Work related Illness and Injury leave (WRIIL)

- 1) The authority competent to grant leave may grant Work Related Illness and Injury Leave to a government servant (whether permanent or temporary), who suffers illness or injury that is attributable to the performance of her or his official duties or in consequence of her or his official position-
 - Full pay and allowance will be granted to all employee during the entire period of hospitalization on account of WRIIL.
 - **Beyond hospitalization, WRIIL will be governed follows:** -
 - (a) **A Govt. Servant (other than Military officer)-** Full pay and allowance for the 6 months immediately following hospitalization and Half pay leave only for 12 months beyond that.
 - (b) **For officer of Central Armed Police forces-** Full pay and allowance for the 6 months immediately following hospitalization and full pay only for next 24 months.
- 2) No earned leave or HPL will be credited during the period that employee is on WRIIL.

Rule-47 Seamen's sick leave

- 1) A Government servant serving as an officer, warrant officer or petty officer on a



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government vessel may, while undergoing medical treatment for sickness or injury, either on his vessel or in hospital- **full pay for a period not exceed six weeks.**

- 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.**

Rule-48 Special Leave connected to inquiry of sexual Harassment.

- On the recommendation of complaint committee under the sexual harassment of women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 to the aggrieved female Govt. servant may granted up to **90 days leave** during pendency of inquiry under this rule shall not be debited against the leave account.

Rule-49 Departmental leave

Govt. servant Survey of India, attached with survey parties

- Departmental leave with leave salary granted **not more than 6 months** at a time. Leave so granted may, in special cases, be extended by surveyor General up to a maximum of one in all.
- Maximum **18 months** by the surveyor General/PMG in DOP in special case.
- Departmental leave does not count as duty and such leave shall not be debited to his leave account.
- Department leave with leave salary shall be paid **25% of equal to earned leave**. For first six month thereafter returns of duty.
- Department leave may be granted when no leave is due.
- Departmental leave may be combined with any other kind of leave.

Chapter VI- Study leave

Rule-50. Conditions for grant of Study leave

- Study leave may be granted to a government servant a special course of study consisting of higher studies or specialized training in a professional or a technical subject in or out of India.
- the particular study or study tour should be approved by the authority competent to grant leave.
- 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 in public services.
- 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;



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- (5) Study leave out of India shall not be granted for the prosecution of studies in subjects for **which adequate facilities exist in India**
- (6) 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.
- (7) Who is not due to reach the age of superannuation from the Government service within **three years (five year in case of health service)** from the date on which he is expected to return to duty after the expiry of the leave.
- (8) Who executes a Bond undertaking to serve the Government for a period of **three years (five year in case of health service)** after the expiry of the leave.

Rule-51. Maximum amount of Study leave

- (1) The maximum amount of study leave, which may be granted to a Government servant, other than Central Health Service officer, shall be –
 - (a) **12 months** at any one time.
 - (b) During his entire service, **24 months**
- (2) In respect of Central Health Service officer leave up to **36 months for postgraduation.**

Govt. Decisions

 - (a) Study leave may be taken in more than one spell also.
 - (b) Ministries/Departments can sanction study leave exceeding **12 months up to maximum of 24 months** at a stretch.

Rule-53. Sanction of study leave

- (1) The study leave may be granted by the competent authority after obtaining report by the audit office when required study in India.
- (2) Where the study leave is granted for prosecution of studies abroad, Head of mission concerned informed by the granting authority, such leave may be granted by an administrator, the intimation shall be sent to ministry concerned.

Rule-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.



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Rule-56. Leave Salary during study leave

- (1) 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, House Rent Allowance.
- (2) Payment of leave salary at full rate 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.**
- (3) The amount, if any, received by a Government servant during the period of Study leave as scholarship or stipend or remuneration in respect 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.**

Rule-60. Admissibility of allowances in addition to Study allowance.

- (1) For the **first (180) days** of the Study Leave, HRA 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 HRA beyond (180) days shall be subject to the production of a certificate as prescribed.
- (2) Except for HRA as admissible and the Dearness Allowance under sub rule-1, where admissible no other allowance shall be paid to a Government servant in respect of the period of study leave granted to him.

Rule-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 sanction in exceptional circumstances.

Rule-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.

Rule-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 after such return to duty or fails to complete the course of study and is thus unable to furnish the certificates, he shall be required to refund-



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- (a) the actual amount of leave salary, Study Allowance, cost of fees, traveling and other expenses, if any, incurred by the Government of India;
- (b) the actual amount, if any, of the cost incurred by other agencies such as foreign Government, Foundations and Trusts in connection with the course of study
- (2) 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.

Keys

First Schedule -Authorities competent to grant leave.

Second Schedule -Various type of forms.



Order Regarding Granting of Casual leave and Special Casual Leave

- Casual Leave-** Casual leave is not a recognized form of leave. An official on casual leave is not treated as absent from the duty and his not intermitted.
- (1) Casual leave can be combined with Special Casual Leave but not with the any other kind of leave.
 - (2) It cannot be combined with joining time.
 - (3) Casual leave can be taken while on tour, but no daily allowance will be admissible for the period.
 - (4) Casual leave can be taken for half day also.
 - (5) CL should not normally be granted for more than 5 days at any one time.
 - (6) LTC can be availed during Casual leave.
 - (7) Officials joining during the middle of a year may avail casual leave proportionately or the full period at the discretion of the competent authority.
 - (8) **Entitlement (per calendar year)**
 - (a) 8 days – for those entitled to 17 holidays
 - (b) 12 days- for disabled employee with 4 Additional SCL.
 - (c) 10 days- For those not entitled to 17 holidays.
 - (9) **Half day's casual leave to be debited for late attendance-** late attendance more than an hour not more than 2 occasion in a month may be condoned by Competent authority.

Special Casual Leave

- (1) **Sports event:** - Not exceeding **30 days** in a calendar year for participating sportive event of national/international, attendance couching in Patiala etc.
 - **Inter-ministerial or Inter-Departmental Tournament-** up to 10 days SCL.
- (2) **For family planning**
 - **In the case of male employee-** For Vasectomy operation not exceeding 5 working days. If first operation is failed, male Govt. servant entitled to second time not exceeding **5 working days**.
 - **In the case of Female employee-** For Tubectomy operation not exceeding **10 working days**. If first operation is failed, female Govt. servant entitled to second time not exceeding **10 working days**.
 - **IUCD/IUD insertion-** one day SCL day of insertion.
 - **Medical Termination of Pregnancy (MTP)-** not exceeding 10 working days.
 - **Male Govt. servant whose wives undergo Tubectomy operation-** 3 working day special casual leave.
 - **Special casual leave to women employees when their husbands undergo Vasectomy operation-** One day special casual leave.



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- **For recanalization operation:** - 21 days special casual leave to female.
- (3) Grant of Special Casual Leave to Organ Donors employee-**
- a) **Maximum of 42 days Special Casual Leave** to a Central Government servant for donating their organ(s) to another human being, as a special welfare measure in public interest.
 - b) the provisions of grant of **Special Casual Leave not exceeding 30 days in any one calendar year is not applied here.**
 - c) The SCL shall not be combined with any other leave except in exceptional circumstances of complications of surgery on medical recommendation by the Government registered medical practitioner / Doctor.
 - d) Special Casual Leave shall normally be taken in one stretch starting from the day of admission in the hospital, however, in case of requirement it can be availed starting maximum **one week prior to surgery on the recommendation** of Government registered medical practitioner / Doctor.
- (4) Heads of department may grant SCL in case of **natural calamities, bandh, etc.**
- (5) Special casual leave to employees who could not attend office on account of bandh, curfew, failure of transportation etc.
- (6) SCL enhanced up to 7 days to employees associated with activities of St. John Ambulance Brigade.
- (7) Donation to recognized blood banks only one day SCL on day the of donation.
- (8) Employee with disabilities shall entitled to 4 additional Special casual leave.

Special Casual Leave for Union/Association Activities

- Government servants who are union office bearers and delegates of the Central Government employees' unions/associations may be granted special casual leave to attend the activities of Unions/Associations.
- a) An office bearer of a recognized service association/union of Central Government employees - **20 days in a calendar year.**
 - b) Outstation/delegate members of executive Committee of recognized All India Association/ Federation- **10 days in a calendar year.**
 - c) Similarly, the local delegates/local members of executive committees of all recognized Associations/unions Federations -**5 days in a calendar year.**



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