

Education Leave Rule:

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**Government of Jharkhand**

**Department of School Education & Literacy**

No.-07/ V. 109/2019 9126 Department of School Education and Literacy, Jharkhand, Ranchi is working towards adopting online leave management module on Manav Sampada Portal (HRMS) for all permanent government employees of the department. In order to ensure smooth implementation of the above Online Leave Management Module, it is necessary that the Online Leave Management Module adheres to the various leave rules/ service conditions applicable to the employees of Departmental Office/ Headquarters as well as Regional Offices. As a result, after identifying certain deficiencies in the existing leave management system, the following online leave management system is notified to remove the said deficiencies.

**Chapter-1**

**1. Short title, extent and commencement:-**

- a) This online leave management system will be known as 'Standing Order for Approval of Leave of Permanent Government Servants', which includes all permanent Government Servants of Education Department, such as Jharkhand Education Service Officers in the State Office

(Regional Education Joint Director, District Education Officer, District Superintendent of Education, REO, BEEO other officials), Principals/ Teachers and non- teaching staff of Higher Secondary/ Secondary/ Middle/ Primary Schools.

- b) It shall extend to the whole of the State of Jharkhand.
- c) This notification will be effective from the date of publication. Online leave management system will be implemented through portal/ app prepared on this basis after publication of this notification.

## **Chapter 2**

All commonly used leave in the education department in the online management system along with the categories of leave, other categories of leave mentioned in the Jharkhand Service Code are included, which are as follows-

1. Casual Leave (CL)
2. Earned Leave (EL)
3. Leave on half pay
4. Commuted leave
5. Compensatory leave
6. Detention Leave
7. Special Casual Leave (ACL)

8. Maternity Leave
9. Paternity Leave
10. extraordinary leave
11. study leave
12. Medical Leave
13. Special Disability Leave
14. Undue Leave

In the process of availing the present leave when the Government servant submits to the concerned leave sanctioning authority submits the leave application, the following are the possible scenarios: -

1. The application is accepted, and leave is granted for the specified period.
2. Leave sanctioning authority not granting leave for full period applied for leave and grants leave for a revised period,
3. Leave application is rejected assigning reasons for rejection.
4. Leave sanctioning authority absent or not on duty, unable to process the application.
5. The leave sanctioning authority does not take action, i.e. neither approves nor rejects the application despite being on duty.

In addition to the above, steps should be taken to diagnose the deficiencies in the current leave approval system. The following serious points have been reflected in the study done –

1. Delay in approval/ rejection of leave application. Due to this, in many cases the vacation period, there is a hindrance in the payment of salary.

2. Government servant proceeding on leave without approval/ acceptance of leave application. Instances of post facto approval of leave applications were also found excessive.
3. Problems faced in calculating the total number of earned leave applied for, it creates problems in the correct calculation of encashment of accumulated earned leave after retirement of a Government Servant. This increases the chances of court cases.
4. Those governing some of the categories of leave not generally applicable due to lack of awareness about rules.

There is a need to validate the online leave management module due to the above deficiencies and potential issues in the current leave approval process. This online leave acceptance module has been prepared based on relevant provisions of Jharkhand Service Code, Jharkhand Education Code, service condition rules/ rules of various cadres and relevant letters/ circulars of Department of Personnel, Administrative Reforms and Official Language, Jharkhand, Ranchi.

In this online leave management module, the present Leave Management as applicable has been compiled as under for all the permanent government servants of the education department: -

- (a) Maximum Allowable Leave Period for each Leave Category
- (b) the leave sanctioning authority to be prescribed for every Government servant.
- (c) Special provision for specific leave categories.

In addition, certain changes have been made in the existing leave sanction procedure, which are as follows:

- a) Time limit for acceptance/ rejection of leave application
- b) Procedure has been defined in case the leave sanctioning authority does not take any action on the leave application even after the prescribed time limit.

These changes have resulted in delay in acceptance/ rejection of leave applications, curbing the practice of going on leave without obtaining approval of leave applications and pay etc. for the leave period improvements are expected in preventing mergers in payments.

### **Chapter 3**

- a) The categories and conditions of leave generally availed are as follows-

S.No	Leave Categories	Conditions
1	Casual Leave	
2	Earned Leave	
3	Leave on Half Pay	
4	Converted Leave	In Medical Cases only
5	Compensatory Leave	Applied within one year from of earning leave
6	Detention Leave	
7	Special Casual Leave	Only for women employees
8	Paternity Leave	Only for two kids

		From 15 days before the birth of the child to 6 months after the birth of the child
9	Maternity Leave	Only for two kids From 6 months before the birth of the child to 6 months after the birth

b) The categories and conditions of leave to be availed under special circumstances are as follows-

S.No	Leave Categories	Conditions
1	Extraordinary Leave	In exceptional circumstances when no other leave is available.
2	Study Leave	Course certified by the Government of India, which is related to the work of the Government
3	Medical Leave	In the event of illness/injury, which occurs in the course of the official duty of the Govt. Servent
4	Special Disability Leave	Disability caused by accident/injury/trauma, which occurred in the course of the official duty of the Government servant.

5	Leave not Due	when no other leave is available. It is deducted from the leave account.
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## Chapter 4

1. The maximum admissible leave period for each category of leave mentioned in the above tables is determined as under:-

a) Categories of leave commonly availed and maximum leave period admissible as follows:-

S No	categories of leave	maximum estimated duration
1	Casual Leave	<p>Maximum 12 days in one application (including Saturday/ Sunday/ Government holiday up to a total of 12 days at any one time)</p> <ul style="list-style-type: none"> <li>- Total 14 days in a calendar year (State Office)</li> <li>- Total 16 days in a calendar year (Regional Offices and Teacher/ Non- Teacher personnel)</li> </ul>
2	Earned Leave	1/11 of the period spent on duty (State Office and Regional Office for government servants)

		<ul style="list-style-type: none"> <li>- Total 14 days in a calendar year (for teachers)</li> <li>- Maximum 180 days in one application</li> <li>- Maximum 300 days accumulation in total service period</li> </ul>
3	Leave on Half Pay	Total 20 days in a calendar year
4	Converted Leave	Total 180 days in service
5	Compensatory Leave	Maximum total of 12 days in one application (Maximum 12 days at any a time including Saturday/Sundays/ Official Holidays/occasional holiday) <ul style="list-style-type: none"> <li>- Total 20 days in a calendar year</li> </ul>
6	Detention Leave	Maximum 21 days in a calendar year
7	Special Casual Leave	Total 02 days in a month (only for women government servant)
8	Paternity Leave	Maximum 15 days in one application (only for two children)
9	Maternity Leave	Maximum 180 days in one application (only for two children)

b) Categories of leave to be availed in special circumstances and maximum permissible leave periods are as follows-

S No	categories of leave	maximum estimated duration
1	Extraordinary Leave	Maximum 180 days in one application



2	Study Leave	Total 24 months in service period
3	Medical Leave	Maximum 180 days in one application. - Total 360 days in service period
4	Special disability leave	- Maximum 03 months in one application - Total 06 months in service period. - Total 28 months in service period if leave is taken due to medical reasons.
5	Leave not due	Total 24 months in service period

## Chapter 5

1. For sanctioning leave for the permanent government servants of the State Education Service under the Directorate of Secondary Education, the leave acceptance authority and conditions have been determined as follows

S No	Holiday Applicant	Leave sanctioning Authority	Condition
1	Regional Joint Director of Education	Director, Secondary Education	Leave of all categories (It is mandatory to give information to the Divisional Commissioner by RDSO)

2	Deputy Director, Secondary Education	Director, Secondary Education	all categories of leave

2. For sanctioning leave for the permanent government servants of the State Education Service under the Directorate of Primary Education, the leave acceptance authority and conditions have been determined as follows

S No	Leave Applicant	Leave sanctioning Authority	Condition
1	Deputy Director, Elementary Education	Director, Elementary Education	all categories of leave

3. Determine the leave acceptance authority and conditions for sanctioning leave for permanent government servants of all categories at district, subdivision and block level.

S No	Leave Applicant	Leave sanctioning Authority	Condition
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1	District Education Officer	Deputy Commissioner	Casual Leave, Compensatory Leave, Detention Leave, Special Casual Leave
		Director, Secondary Education	Leave all categories other than above
2	District Superintendent of Education	Deputy Commissioner	Casual Leave, Compensatory Leave, Detention Leave, Special Casual Leave
		Director, Primary Education	Leave all categories other than above
3	Area Education Officer	District Education Officer	All categories of leave
4	Block Education Extension Officer	area education officer	Casual Leave, Compensatory Leave, Detention Leave, Special Casual Leave
		District Superintendent of Education	Leave all categories other than above
5	Group C and Group D government servants	Concerned District Superintendent of Education/	All categories of leave

		District Education Officer	
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4. The leave sanctioning authority and conditions for sanctioning leave for all categories of permanent government servants (teachers and non-teaching staff) at the school level are determined as follows:

S No	Leave Applicant	Leave sanctioning Authority	Condition
1	Headmaster (+2/ Secondary School)	District Education Officer	Casual Leave, Compensatory Leave, Detention Leave, Special Casual Leave, Maternity Leave - For other categories of leave for a period upto 30 days
		Regional Joint Director of Education	For other categories of leave for a period exceeding 30 days
2	Teacher (TGT/ PGT/ Laboratory Assistant)	Headmaster	Casual Leave, Compensatory Leave,

	(+2/ Secondary School)		Detention Leave, Special Casual Leave, Maternity Leave
		District Education Officer	Leave for all categories other than above
3	Non- Teaching Staff (- 2/ Secondary School)	Headmaster	Casual Leave, Compensatory Leave, Detention Leave, Special Casual Leave, Maternity Leave - For other categories of leave for a period upto 30 days
		District Education Officer	For other leave categories for a period of more than 30 days
4	Teacher (Middle School)	I/C Headmaster	Casual Leave, Compensatory Leave, Detention Leave, Special Casual Leave, Maternity Leave

		Area education officer	For other leave categories for a period up to 60 days
		District Superintendent of Education	For other leave categories for a period more than 60 days
5	Teacher (primary school)	I/C Headmaster / Head Teacher	Casual Leave, Compensatory Leave, Detention Leave, Special Casual Leave, Maternity Leave
		Area education officer	For other leave categories for a period up to 60 days
		District Superintendent of Education	For other leave categories for a period more than 60 days
6	In-charge Headmaster / Head Teacher  (primary school )	Block Education Extension Officer	Casual Leave, Compensatory Leave, Detention Leave, Special Casual Leave, Maternity Leave

			For other leave categories for a period up to 60 days
		District Superintendent of Education	For other leave categories for a period more than 60 days

## Chapter 6

There are certain irregularities in the present leave approval process, in respect of which specific provision is not defined in the Jharkhand Service Code, Jharkhand Education Code and service condition rules/ rules of various cadres. The major irregular areas in the current leave approval process are as follows-

- a) There is no time limit prescribed for acceptance/ rejection of leave application by the leave sanctioning authority.
- b) no procedure has been defined in the scenario where the leave sanctioning authority does not take any action on the leave application, i.e. neither approves the applications, nor does it disapproves.

**1. There is no time- limit for accepting/ rejecting leave application:-**

The following time- limit is fixed for accepting/ rejecting the application submitted by the applicant to solve the above problem. It will be mandatory for the leave sanctioning authority to comply with this time limit:-

<b>S. No.</b>	<b>Leave Categories</b>	<b>Time limit for sanction of leave by leave sanctioning authority</b>
1.	Casual Leave	Up to the date of commencement of leave or within two days of submission of application, whichever is earlier.
2.	Compensatory Leave	
3.	Detention Leave	
4.	Special Casual Leave	
5	Earned Leave	Upto 02 days before the commencement of leave or within 07 days of submission of application, whichever is earlier.
6.	Leave On Half Pay	
7.	Converted Leave	
8	Maternity Leave	
9	Paternity Leave	
10.	Study Leave	Within 07 days of submission of application.
11	Extraordinary Leave	
12	Medical Leave	
13.	Special Disability Leave	
14	Leave Not Due	

**2 No process test has been conducted in the scenario where the leave sanctioning authority** non-taking actions on the application for leave.



To solve the above problem, the following instructions are prescribed.

- a) If it is found that the leave sanctioning authority has not taken any action on the leave application within the prescribed time limit despite being present on duty, the leave application will be considered accepted.
- b) It shall be ensured by the Controlling Officer of the Leave Sanctioning Authority that the Leave Sanctioning Authority processes the leave applications regularly.
- c) If it is found that the Leave Sanctioning Authority has not taken any action on the leave applications within the prescribed time limit for 03 consecutive times, inform the Controlling Officer of the Leave Sanctioning Authority through Human Resource Management System (HRMS).
- d) Time period prescribed on leave application due to leave sanctioning authority being on leave in case of no action, the said application will be sent to the preferred/Senior officer for action. In cases like those of regional offices, in the absence of the leave sanctioning authority, the leave application will definitely be sent to the officer- in- charge carrying out his duties for action.
- e) The leave application applied for being on leave of the leave sanctioning authority will be forwarded to the concerned officiating officer for action on the date of application itself.
- f) Once the leave application is forwarded to the concerned authority for processing, the rules and guidelines applicable to the concerned leave

sanctioning authority in this regard will be applicable to the concerned officiating authority too.

- g) In the leave application, the date of submission of the application should be mentioned and it is mandatory to mention the date of receipt of the application by the receiving clerk. Leave application without date will be rejected.

## **Chapter 7**

1. After the issue of this notification, all the procedures prescribed earlier for applying for leave for all permanent government servants of Education Department and acceptance of said application will be considered repealed.
2. Other matters in respect of which no provision has been made in this notification, the Jharkhand Service Code or other statutory provisions/ relevant rules applicable to Government servants of the State Government shall be applicable.
3. In case of any hindrance in giving effect to the above provisions, the Department of School Education and Literacy may pass such action or order to remove the said hindrance, which appears necessary and such action taken or passed order shall be notified in this notification, shall be considered as part of this rule.