

CHAPTER XII

LEAVE

1. General

1:1 Leave is a privilege, and not a right. It is granted subject to the exigencies of service and may be curtailed or cancelled at any time by the authority granting the leave.

1:2 An application for leave must be made on the proper form,-

In the Island-Form General 125a.

Out of the Island-Form General 126.

1:3 An application for leave must normally reach the office of the authority granting leave at least seven (07) days before the date from which the leave is to commence.

1:4 An application for leave out of the Island should, when possible, be made not less than three (03) months before the date from which the leave is to commence.

1:5 An officer who desires a reply by telegram should pre-pay the reply.

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1:6 A telephone call requesting leave which is not duty leave is "Private" and must be paid for by the caller.

1:7 A register of leave granted should be kept in Form General 190.

1:8 A return of leave granted to an acting officer during which he is not entitled to draw the acting pay or additional remuneration normally payable to him, should be rendered to the Auditor General monthly on Form General 196 (suitably amended, where necessary).

1:9 When an officer is transferred, the Head of the Department from which he is transferred should furnish to the Head of the new Department :-

the total vacation/sick leave, leave on half-pay and leave on no pay availed of by the officer during each year since his first appointment; and all casual leave taken by him during the year.

1:10 In calculating Casual Leave, Public Holidays, Saturdays and Sundays should be excluded. Vacation leave when it is to be spent outside the island includes Saturdays, Sundays and Public Holidays falling within the period of such leave.

1:10:1 A Saturday, a Sunday or a Public Holiday falling within a period of leave on half-pay or no-pay will be counted as on half-pay or no-pay respectively.

1:10:2 When public officers who are required to report five and half days (5½) per week for duty, obtain leave on Saturday, only half days' leave should be deducted from their annual leave.

New Inclusion

2. Authority for granting leave

2:1 A Head of Department may grant to a subordinate, leave of absence on full-pay to be spent in the Island in accordance with the provisions of this Chapter, provided that proper arrangements are made for the performance of his duties, which, it is expected, will be carried out by the other officers of the Department. The Head of the Department is responsible for making satisfactory arrangements for the performance of the absent officer's duties.

2:2 Leave to a Head of Department will similarly be granted by the Secretary concerned.

3. Leave of absence from station

3:1 An officer may not absent himself from his station, without leave.

3:2 An application for leave of absence from station should be made to the authority granting leave, even though permission may have been obtained verbally or demi-officially, and although the day for which leave of absence from station is sought a holiday.

4. Leave for part of a day

4:1 The shortest period of leave to be granted is short leave (see Section 35).

4:2 If an officer works a minimum of three and a half hours (whether in the morning session alone, or in the afternoon session alone, or in the morning and afternoon sessions together), exclusive of his lunch interval, and is on leave for the rest of the day, his leave for that day should be counted as a half day. If he works for less than three and a half hours, it would count as one day's leave.

4:3 Sub-section 4:2 will apply to an officer whose working hours are from 8.30 a.m. to 4.15 p.m.

5. Casual Leave

5:1 The Head of the Department may grant casual leave to be spent in the Island in periods of not more than six (06) days at a time up to a maximum of twenty one (21) days in the year.

5:2 Casual leave will be in addition to the vacation leave under Section 8.

5:3 Casual leave is intended to enable an officer to be absent, for short periods at a time as necessitated by purely casual circumstances. It should not, except in unavoidable circumstances, precede or follow a spell of vacation leave or half-pay leave.

5:4 The Head of the Department is responsible for ensuring that the grant of such leave does not affect the work of the Department.

5:5 An officer newly appointed to the Public Service should not be required to serve a minimum period to become eligible for the casual leave of that year as in the case of vacation leave. However, the authority granting leave will be guided by the rules in Sub-section 5:3 above in granting leave.

6. Sick Leave

6:1 When leave is requested on grounds of illness or when an officer cannot attend office on account of illness for more than two (02) days, the officer must have himself examined by the nearest Medical Officer. Where the Medical Officer who examines the officer is a Government Medical Officer, such Medical Officer will forward a certificate on Form Medical 70 or Ayurveda 44, or where the Medical Officer who examines the officer is a Private Medical Practitioner registered under the Ayurveda Act or Medical Ordinance, such Medical Practitioner will forward a certificate on a form specially prepared by him, to the Head of the Department or Sub-office in which the officer works.

6:1:1 Sick leave on full-pay, half-pay or no-pay for any period may be granted on a medical certificate mentioned in the preceding Sub-section.

6:1:2 Instructions regarding medical certificates are issued by the Department of Health Services.

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6:2 A short period of leave up to six (06) days at a time on account of illness may, if the officer so desires it, be counted against casual leave.

The Head of the Department may decide in any particular case, to deduct any short period of absence from an officer's vacation leave.

6:3 A Head of the Department or the Authority, granting leave is empowered, where he deems it necessary in regard to an officer's leave, to call for the submission of a medical certificate from a Government Medical Officer, where under normal circumstance such a medical certificate is not necessary.

7. Lieu Leave

7:1 If the Head of the Department considers it necessary that an officer should perform his duties on any Public Holiday or a "weekly-off-day", the officer may be granted, at the discretion of the Head of the Department, leave of absence in lieu of, and not exceeding the term of, such a Public Holiday or "weekly off-day". Leave so granted will not be counted against the leave for which the officer is ordinarily eligible. A Head of Department who finds it necessary to work on a Public Holiday or "weekly off-day" and intends to claim lieu leave must report the facts to the Secretary.

7:1:1 Where an employee is required to work only for a part of a Public Holiday or a "weekly off-day" lieu leave as provided for above, should be allowed only for the actual number of hours worked. The hours that may be reckoned for this purpose are only those falling within the normal working hours of the officer concerned.

7:2 Leave should not be granted in lieu of any public holiday unless during that holiday,-

the officer concerned actually attended his office or other place of work, or was compelled to remain in his station and hold himself available for duty.

7:3 The Head of the Department is responsible for seeing that the grant of lieu leave does not involve any expenses to Government, or interfere with the normal work of the Department.

7:4 Lieu Leave should be availed of within one (01) year of the holiday in respect of which it was earned, and will lapse thereafter.

7:5 Lieu Leave may be combined with either casual or vacation leave to be spent within the Island but not with any form of leave to be spent out of the Island.

8. Vacation Leave

8:1 An officer may be granted a maximum of twenty-four (24) days vacation leave each year. In respect of officers who are required to work seven (07) days per week (e.g.:- Medical Officers, Nurses, Police Officers, Prison Officers etc.), it should be a maximum of twenty-eight (28) days.

8:2 He may be allowed the accumulated vacation leave of two years, that is, the unused leave of the year in which he takes the leave and of the preceding year. He will thus be entitled to a maximum of forty-eight (48) days leave in a year.

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8:2:1 A Staff Officer may be allowed the accumulated leave of three years, that is the year in which he takes the leave and of the two preceding

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years if the leave is to be spent out of the Island. He will thus be entitled to a maximum of seventy-two (72) days leave.

8:3 A Saturday, Sunday or a Public Holiday falling within a period of vacation leave will not be counted as leave, if the vacation leave is to be spent within the Island, but will be counted if the leave is to be spent outside the Island. (See also Sub-section 1:10)

8:4 An officer who has availed himself of his accumulated vacation leave under the preceding Sub-sections in any year may, nevertheless, subject to Sub-section 8:8, be granted vacation leave in respect of twenty-four (24) working days.

8:5 An officer who returns to duty after leave out of the Island and desires to avail himself again of leave out of the Island in the year in which he returns to duty or in the following year and before he has completed the period of nine (09) months continuous duty specified in sub section 8:6 may be granted leave as follows :-

Proportionate vacation leave at the rate of one-ninth (1/9)th of a year's vacation leave for each month of service, performed, in the year in which he returns from leave, provided that he has not already availed himself of any vacation leave of that year, plus one-third (1/3rd) of one year's vacation leave for every complete month's service performed in the following year, up to a limit of twenty-four (24) days leave in respect of that year.

8:6 An officer on first appointment should serve for nine months before twenty-four (24) days vacation leave on full-pay can be allowed. An exception may, however, be made in cases of illness medically certified, or in other cases of grave urgency, when the Head of Department may allow in the first year of service proportionate vacation leave at the rate one-ninth (1/9th) of an year's vacation leave for every month's service.

8:7 On completion of two (02) years' service from the date of appointment, an officer may be allowed, during the remainder of the calendar year in which he completes such service, proportionate vacation leave calculated at the rate of one-twelfth (1/12th) of an year's vacation leave for each month of service up to the end of that year. The officer's vacation leave should, from 1st January of the following year, be computed on the basis of the calendar year.

Example

An officer is appointed on 15.03.2009 and completes two years' service on 14.03.2011. For the period from 15.03.2011 to 31.12.2011 he may be granted nineteen (19) days vacation leave. From 01.01.2012 his leave will be on the basis of the calendar year.

8:8 Subject to Sub-sections 8:6 and 8:7, vacation leave in respect of a year cannot ordinarily be granted unless the officer has performed the duties of his office for at least three (03) months during that particular year. If, however, the grant of leave before completion of three months is considered necessary, proportionate leave at the rate of 1/3rd of a year's vacation leave for each month of service may be allowed by the Head of the Department.

9. Accident Leave and Special Sick Leave

9:1 Accident Leave

9:1:1 Accident Leave may be granted by the Secretary to the Ministry concerned, up to one year on full pay and a further six (06) months on half pay, according to the nature of injury and the recommendations of the Medical Board, to a public officer or a judicial officer (other than a member of the Armed Services), whether holding a permanent and pensionable appointment or not,.

- (a) while on duty,
or
- (b) while not on duty, but in the performing an act which is within the scope of his ordinary duties,
or
- (c) in consequence of any act performed in the execution of his duties,
or
- (d) while on a journey -
 - (i) from his place of residence to his place of work to report for duty,
or
 - (ii) from his place of work to his place of residence after duty,
or
- (e) while on a journey from his place of work to attend to official work, or while on the return journey to his place of work, provided that the officer-
 - (i) has not met with the injury acting in violation of any law or departmental rule or regulation;
and/or
 - (ii) there is no contributory negligence on the part of the officer.

9:1:2 The leave so granted should not be deducted from the normal leave of the officer.

9:1:3 In addition to the one year leave prescribed under 9:1:1 above, the officer has the permission to obtain his lapsed leave.

9:1:4 An application for Accident Leave should be made on Form General 5.

9:2 Special Sick Leave

9:2:1 An officer who contracts an illness in the actual discharge of his duties, may be granted special sick leave up to six (06) months on full-pay and a further six (06) months on half-pay provided that the Secretary to the Ministry concerned is satisfied on a certificate furnished by a Government Medical Officer that the illness was contracted;

in the actual discharge of his official duties without his own default;

and in the circumstances specifically attributable to the nature of his official duties.

9:2:2 The leave so granted should not be deducted from the normal leave of the officer.

9:2:3 Secretary to a Ministry may grant special sick leave on full pay according to the recommendation of a Medical Board to a public officer, judicial officer or a police officer, who is holding a permanent and pensionable appointment or not, who suffers injury in an unforeseen disaster whilst not on duty if the Director General of Establishments decides that such disaster warrants the grant of such concession.

9:2:4 The leave so granted should not be deducted from the normal leave of the officer.

10. Lapsed Leave

10:1 If an officer who has exhausted all the vacation leave under Sub-section 8:2 requires further leave, he may be allowed, at the discretion of the Head of the Department, the unused vacation leave of any period of two years, subject to the following Sub-sections.

10:1:1 If an officer requires to obtain further leave on medical grounds, the total of balance lapsed vacation leave of whichever past two (02) years (consecutive or not) that is beneficial to him could be granted.

10:1:2 If an officer requires to obtain further leave on non-medical grounds, the total of balance lapsed vacation leave of whichever past two (02) consecutive years could be granted.

10:1:3 In any one year, an officer can avail himself of the lapsed leave of such period of two years only.

10:1:4 The total of lapsed leave so granted to an officer during two (02) consecutive years should not exceed his normal leave for two (02) years, viz., forty-eight (48) days.

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10:1:5 If an officer, whose attendance otherwise has been regular and whose work and conduct have been good, requires a leave due to an illness or an accident caused to him, the Secretary may, if he is personally satisfied with the *bona fides* of the case, at his discretion allow the officer to avail himself of a second period of unused lapsed leave of two years during any one year.

10:1:6 In such circumstances, the total lapsed leave granted to an officer during two consecutive years should not exceed his normal leave for four years viz., ninety-six (96) days.

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10:2 Lapsed leave under the preceding Sub-section may be granted only for the following reasons :-

- Illness of the officer;
- Illness in the family;
- Death in the family;
- Religious ceremony in connection with any of the above;
- Officer's marriage;
- Infectious disease in the office's household;

To attend court on summons in a case not arising out of the actual discharge of official duties.

10:3 In an application for lapsed leave the period of two years (which is consecutive or not) against which the leave applied for is to count and the amount of leave available in that period should be clearly stated.

10:4 When lapsed leave is granted, a Head of Department should ensure that a note is made in the officer's leave record of the grant of the lapsed leave against the years on account of which it was granted, the period being finally marked-off when all the leave has been used up.

10:5 Reference should always be made to any previously sanctioned applications for lapsed leave which was set-off against the period of two years against which the leave applied for is to count.

10:6 Lapsed leave should not be granted to an officer who will not return to duty at the end of such leave for a reasonably long period, for further service under Government. If an officer to whom lapsed leave has been granted, retires or is compulsorily retired without returning to duty, or having returned to duty, retires or is retired before completing a period of service which is not less than the period of the lapsed leave granted, the lapsed leave so granted should be converted to half-pay leave unless the lapsed leave was granted on account of sickness.

10:6:1 A Head of Department should obtain instructions on all such cases from the Secretary before submitting the pension papers of the officer concerned.

10:6:2 When lapsed leave is converted into half-pay leave under this Sub-section, the half salary to be refunded may be deducted from any pension or retiring allowance for which the officer may be eligible, in such installments as the Director General of Establishments may direct.

11. Leave preparatory to retirement

11:1 A public officer eligible to obtain vacation leave under Section 8 and a Minor Employee who is granted leave under Section 26 of this Chapter can be granted Vacation/ Medical Leave available in any two preceding years as leave preparatory to retirement, at the time of his retirement.

11:2 He can be also granted Vacation/ Medical Leave to which he is entitled in the current year in addition to leave preparatory to retirement.

11:3 At the time of retirement, a Daily Paid Public Employee who is granted leave under section 27 of this Chapter can be granted Medical Leave available in the year of his retirement and the preceding year under above section, as leave preparatory to retirement. If he has worked during the year of retirement, he can be granted all unused casual leave available in the year in addition to the above leave.

11:4 An officer who is retired for inefficiency is not eligible for leave preparatory to retirement, unless special circumstances exist which would make it equitable or desirable to grant him such leave. In such a case an application for the grant of such leave should be forwarded to the Secretary with an explanation of the circumstances, which justify it.

11:5 An officer who has tendered his resignation from his appointment is not eligible for any vacation leave or casual leave from the date he tenders his resignation.

12. Special Leave

12:1 Special leave not exceeding two hours, commencing at 1.00 p.m. may be granted at the discretion of the Head of the Department, and subject to the exigencies of service, to a Muslim Public Officer for the purpose of religious observance on Fridays.

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12:1:1 This special leave is granted on condition that the officer may, if necessary, be required to work outside normal office hours to make up from the time spent on such special leave.

12:1:2 In the case of an officer engaged in an essential public utility or allied service, the grant of this concession will be subject to the over-riding consideration of the need for the officer's service on such a day.

12:2 Permission may be granted at the discretion of the Head of the Department to an officer to attend study classes at a recognized Institution during office hours without such absence being debited against his leave, provided that,

the total amount of leave does not exceed 1 hour on any day;

the leave does not extend beyond 9.30 a.m. or commence earlier than 3.15 p.m.;

the officer is held responsible for all the work entrusted to him; (The concession should be withdrawn if it is found that the work of the officer is adversely affected);

the number of officers seeking such leave at a particular time is not excessive;

the circumstances of each individual case should be such as to merit the concession;

the officer gives an undertaking to work, if so required, outside office hours for a period equivalent to the period of his absence.

12:2:1 The concession granted in sub section 12:2 can be extended to an officer attending a study class conducted by a Trade Union, Welfare Society, or an organized group of Public Officers, to sit an Examination for promotion, provided the arrangement is approved by the Head of the Department.

12:3 A public officer, including a casual officer should be granted special leave without loss of pay for such a continuous period as he may deem necessary, to enable him to cast his vote at an Election, the minimum period being,-

Presidential Election	..	4 hours
Parliamentary Election	..	4 hours
Referendum	..	4 hours
Provincial Council Election	..	2 hours
Local Authority Election	..	2 hours

12:4 A Secretary may grant special leave on full-pay to a public officer who is selected by a Scientific or Professional Association or Institution which is recognized by the government, to represent Sri Lanka at an International Conference provided the Government has approved of his going abroad. For the purpose of this Sub-section, scientific or professional associations 'recognized by the Government' means the institutions or associations which receive aid annually by the Government.

The duration of the conference and the minimum period required for the travel should be included in the special leave granted in the above manner.

12:5 Special full-pay leave should be granted to a public officer who takes part in sports or other activities related to sports when he-

- (a) is selected to represent Sri Lanka in any branch of sport in Sri Lanka or abroad as a player;
- (b) functions as an official of a national team in Sri Lanka or abroad;
- (c) attends a coaching camp held immediately prior to an International Competition; or
- (d) attends an International Seminar or an International Course in Coaching or refereeing as approved by the Ministry in charge of the Subject of Sports.

New Inclusion

12:6 Such leave could be granted at the discretion of the Head of the Department to such a public officer when he,

- (a) as a national player, recognized as such by the Ministry in charge of the subject of sports, attends a normal training session;
- (b) takes part in a local competition organized by a Sri Lanka Government Services Sports Society; and
- (c) officiates as an Umpire or as a Referee in such a Competition,

12:7 A member of a Trade Union is eligible for leave provided for in Chapter XXV.

12:7:1 Special leave may be granted to a Trade Union Official to follow a Workers' Education Course conducted by the Department of Labor, on the days on which the lectures are held.

12:8 Officers suffering from certain illnesses are entitled to leave provided for in Chapter XXIII.

12:9 When a contact of a quarantinable disease is segregated, the necessary leave will count as special leave on full pay. (See Sub-section 13:1:2 of Chapter XXVIII).

12:10 A member of the Sri Lanka Medical Association, Institute of Engineers Sri Lanka, Sri Lanka Association for the Advancement of Science, Sri Lanka Library Association, Institute of Chemistry Ceylon, Surveyors Institute of Sri Lanka and Sri Lanka Institute of Architects, Institute of Town Planners, Institute of Engineering Diplomats of Sri Lanka, may be permitted to attend the Annual Sessions of such a body, provided he could be spared without unduly disturbing the work of the Department. Such an absence should not count against his leave. He may also be

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issued a free railway warrant for the purpose, but no other travelling expenses are payable.

12:11 Special Leave may be granted to a Public Officer undergoing sterilization as follows :-

Seven (07) days leave for a female sterilization (Tubectomy)

Three (03) days leave for a male sterilization (Vasectomy)

only on the production of a Medical Certificate from a Registered Medical Practitioner that the officer has undergone sterilization.

12:12 Leave for the observance of Iddah - A Muslim married female officer in the Public Service upon the decease of her husband may be allowed, on that account, leave for a period of 04 months and 10 days, setting off such leave against her vacation leave of the relevant year as well as the unused vacation (accumulated and lapsed) leave accrued during her entire Public Service; and leave not exceeding three (03) months may be allowed upon her being divorced by her husband or upon divorce obtained by her. Any leave beyond such number of days shall be on "Half-pay".

12:13 A Public Officer, who is a member of Seva Vanitha, should be given leave of one (01) hour per month, to attend Seva Vanitha meetings.

12:14 Special Leave can be granted under this Section to a Public Officer who, having left his station after obtaining leave, finds it impossible to report for duty on the expiry of his leave owing to the military operations launched by the Security Forces of the Government. Before approving this leave, the officer approving leave should make inquiries from the respective District Secretary/Government Agent and get confirmation of the genuineness of the said situation. In case of uncertainty, the Secretary to the Ministry of Defence should be contacted.

12:15 Special leave may be approved to an officer who is attending a formal disciplinary inquiry as an accused officer but without being interdicted. This leave may be deducted from the leave to which the officer is entitled if he is not cleared and acquitted from all charges.

13. Duty Leave

13:1 Duty Leave may be granted for the period of duty and the minimum period required for travel when an officer is sent abroad by the Government strictly on Government business as, for example, attending a conference, negotiating purchases or supplies, inspection of stores and equipment, signing an agreement.

13:2 An officer who is a member of a Volunteer Force of the Sri Lanka Army, Navy or Air Force should be granted duty leave when he is called out for duty or when required to attend an annual training camp, weekend camp and military training exercises.

13:3 An officer who is a member of the Special Police Reserve should be granted duty leave when he is called out for duty or when he is required to attend a training camp.

13:4 An officer permitted to represent an accused officer at a disciplinary inquiry should be granted duty leave for attending the inquiry and also a reasonable number of days duty leave for examining the documents. An official witness summoned through the Head of Department will be granted duty leave to attend such an inquiry.

13:4:1 An officer permitted to represent an accused employee of a Statutory Board/ Public Corporation at a disciplinary inquiry conducted subjected to the rules and regulations of the said establishment should be granted duty leave for attending the inquiry and also a reasonable number of days duty leave for examining the documents, provided that, the request is received through the Head of the Institution concerned. Permission for such representation will be limited to disciplinary proceedings within the control of the Institution.

Chapter XIV Sub-section 29:8 of this Code is however not applicable to such an officer but he may obtain traveling expenses from the Institution concerned.

13:5 Duty-Leave may be granted to an officer to attend Courts when he is summoned in his official capacity and when the necessity to attend courts arises out of the officer's duties. Duty leave may also be granted to a public officer to attend Courts as a state witness.

13:6 Duty-Leave may be granted to an officer for attending a Seminar by in his capacity as a member of a Trade Union or if the Seminar is of relevance to the activities of the Department in which he is employed.

13:7 A public officer who while being a Chairman of a Gramodaya Mandalaya is appointed as a Patron of a Sub-office of a Development Council should, as long as he continues as such patron, be granted one day duty leave per week.

13:8 Duty leave not exceeding three days (03) per month may be granted to a public officer who is also a registered Ayurvedic Medical Practitioner who treats patients requiring immediate medical attention, provided the Head of Department is satisfied that the officer has actually treated such patients.

14. Full Pay Study Leave

14:1 Full pay study-leave abroad or in the Island may be granted to an officer for the period of study or training (and the minimum necessary period of travel) only under the following circumstances:

14:1:1 If he is selected under an approved Departmental Scheme of training or scholarship for the purpose of obtaining a prescribed qualification at the expense of Government;

14:1:2 If he is sent on a scholarship secured at the instance of the Government in terms of sub section 1:5:3 of Chapter XV;

14:1:3 If he is sent abroad at the expense of the Government or of a foreign Government or Agency for a Course of study/training, in terms of the scheme of recruitment/promotion applicable to his post;

14:1:4 If he secures on his own initiative a scholarship offered by a foreign Agency or foreign Government in terms of sub section 1:5:1 or 1:5:2 of Chapter XV for a course of study or training which is included in the Department's programme of training and for which the officer would have been sent in the normal course of events at the expense of the Government some time in his career;

14:1:5 For attending a Seminar, training programme, technical training course, vocational guidance course, study tour, etc., which is sponsored by a foreign Government or Agency. However full pay study leave can be granted strictly provided the invitation to participate is extended to the Government and the Government nominates that officer for the Purpose.

14:2 A temporary officer is not eligible full pay study leave. An officer on probation is also not eligible for full pay study leave except in the circumstances stated in Sub-section 14:1:3. An officer on probation may, however, be sent abroad for training in connection with the duties he is performing provided the Secretary in charge is satisfied that the provisions of sub section 14:4 and 14:5 of this Chapter and Section 4 of Chapter XV are complied with.

14:3 A Secretary may grant full pay study leave to a public officer subject to the provisions of this Section.

14:3:1 The prior permission of the Secretary to the Ministry in charge of the subject of Public Administration should be obtained in the case of an officer in a Combined Service.

14:3:2 A Head of Department not falling under a Ministry may grant such leave to an officer of his Department. When the Head of such a Department himself requires full pay study leave, the application should be referred to the Secretary, Ministry in charge of the subject of Public Administration.

14:3:3 A request for study leave with full pay which does not fall under any of the categories referred to in Sub-section 14:1:1 to 14:1:5 should be referred to the Director General of Establishments.

14:4 An officer who is granted full-pay study leave should be required to enter into an Agreement (see Section 4 of Chapter XV) before he is allowed to proceed on leave.

14:5 Before leave is granted, the authority granting leave should satisfy himself that the permission of H.E. the President/ Hon. Prime Minister/ Hon. Minister/ Hon. Governor has been obtained in terms of Section 10 of Chapter XV.

14:6 The period of obligatory service for full pay study leave within the Island should be determined as follows:-

- (i) no obligatory service for a period leave of less than six (06) months.
- (ii) in respect of a period of six (06) months and over, the period of obligatory service should be twice the period of leave subject to a maximum of five (05) years.
- (iii) the period of obligatory service should be calculated to the nearest whole month. New Inclusion

15. No Pay Study Leave in the Island

15:1 A permanent officer is eligible for the grant of no-pay study leave for a specific course of study in the Island except for a Doctorate provided the course of study is approved by the Head of the Department who must certify that –

- (a) the officer is competent to follow the proposed course of study;
- (b) it is relevant to his field of work; and
- (c) it would be beneficial to him in the discharge of his duties.

15:1:1 However, No Pay Study Leave in the Island up to a period of three (03) years, may be granted to public officers who would study for a Doctorate after following a study course leading to a Master's degree or equivalent. Revision

15:2 Such leave will be granted only for pursuing a regular course of study at a recognized institution, conducted during the officer's normal working hours and which he would not therefore be able to attend but for the grant of leave.

15:2:1 No-pay study leave will not be allowed for preparing for an examination, or doing reference for research studies, at home or in a library or laboratory.

15:3 The period of no-pay leave so granted should in the first instance not exceed one year but subsequent extensions not exceeding one (01) year at a time may be granted from time to time, if necessary, but such as not to exceed a total of three (03) years.

15:4 A public officer who is granted no-pay study leave for the purpose of study or training within the island should enter into an agreement to be served an obligatory service as follows:-

- I. No obligatory service for a period less than one (01) year.

- II. In respect of a period of no pay leave of one (01) year or exceeding one year period of obligatory service should be equivalent to the period of no pay leave.
- III. The period of obligatory service should be calculated to the nearest whole month.

15:5 The form to be used for the purpose of the Agreement should be that in Appendix 9. This form should not be amended without the prior approval of the Director General of Establishments.

15:6 When an extension of leave beyond the period originally allowed is granted, the period of obligatory service and the penalty stipulated in the Agreement should be proportionately increased. The officer should be informed of the corresponding amendments and his consent thereto should be obtained in writing and filed of record along with the agreement.

15:7 If the officer fails to discharge the period of obligatory service under the Agreement, he will be subjected to a monetary penalty at the rate of one third (1/3rd) of his monthly salary as at the time of departure for each month of the undischarged obligatory period of service.

15:8 Leave under this section must be sanctioned by the relevant Secretary and in a Department not falling under a Ministry, by the Head of Department. In the case of an officer of a Combined Service, the application should be referred by the Secretary through the Director General of Combined Services/Engineering Service Board to the Secretary in charge of the subject of Public Administration.

15:9 No pay leave is granted for a specific course of study. After no pay leave is granted, an officer should not change his course of study or curtail the course of study or use the unexpired period of leave for any other purpose without the prior sanction of the Authority who granted the leave.

15:10 Before no pay leave is granted, the Head of the Department should ensure that satisfactory arrangements are made for the recovery of the monthly installments due on any loan or advance granted to the officer.

15:10:1 An officer applying for no pay leave for employment abroad should settle the loan before he is granted the leave (see Sub-section 3:18:1 of Chapter XXIV).

15:11 Before the officer proceeds on the leave the Authority granting leave should satisfy himself that relevant permission has been obtained in terms of Section 10 of Chapter XV.

15:12 The officer should be required to enter into the Agreement referred to in Sub-section 15:4 before he is allowed to proceed on leave.

16. No pay leave for study and/or employment abroad

16:1 Time periods which could be granted in respect of no-pay leave for study and/or employment abroad are as follows.

16:1:1 A confirmed Public Officer may be granted no pay leave for study or for taking up employment abroad or both (i.e. study followed by employment or vice versa) for a total period of five (05) years in his career. This concession may be extended, to an officer who is temporary or who has not been confirmed, only for the purpose of study.

16:1:2 Continuous time duration which is granted for study should not exceed three (03) years and only for employment, continuous time duration can be five (05) years.

16:1:3 However, a continuous period of up to five (05) years no pay study leave abroad may be granted to Public Officers who would study for a Doctorate, after following a study course leading to a Master degree.

16:1:4 A confirmed public officer may also be granted no pay leave for a total period not exceeding five (05) years for taking up employment in Foreign Agencies such as UNDP, WHO etc. established in Sri Lanka with the Government concurrence. This provision is also applicable to taking up employment in Foreign Funded Projects, under the Ministries approved by the Government.

16:1:5 The total number of such leave under Sub-section 16:1:1 and 16:1:4 will be limited to five (05) years in an officer's career.

16:1:6 All other conditions given under Section 16 in respect of officers granted no pay leave for taking up employment abroad are applicable to officers when granting no pay leave under Sub-section 16:1:4.

16:1:7 No-pay foreign leave may be granted to Buddhist Priests in Public Service who are confirmed in their posts, subject to a maximum period of two (02) years to engage in Buddhist missionary activation abroad.

Revision

16:1:8 All other conditions stated under Section 16 in respect of granting no-pay foreign leave for employment abroad shall also be applicable for, when granting leave under Sub-section 16:1:7.

New Inclusion

New Inclusion 2

16:2 In the case of no pay leave for study abroad, the Head of Department should certify that :-

Revision

- (i) the training/study is required for due performance of the Departmental work or for the promotional prospects of the officer;
- (ii) no scholarship arrangements for the purpose is available in the Department;
- (iii) no facilities are available in the country for the purpose.

16:2:1 Such leave will be granted only for pursuing regular course of study at a recognized institution.

Revision

New Inclusion

16:3 Before an application for study leave abroad under this provision is considered, the Head of Department should satisfy himself, after consulting the Controller of Exchange, that the applicant for study leave will be granted the foreign exchange necessary for the purpose.

16:4 When leave is granted for the purpose of study or includes a period of study, the officer is entitled to the earned leave of Section 17 of this Chapter for the whole or part of the study leave. The period of earned leave is not liable to obligatory service but should be reckoned to form part of the leave entitlement given under this section.

16:5 The officer should be called upon to sign an Agreement as in Appendix 9 if the leave is granted for the purpose of study or as in Appendix 10 if the leave is for the purpose of employment; the form to be used when the leave is for the combined purpose of employment and study will be as in Appendix 11.

Revision

16:6 Where the leave is granted to an officer who is temporary or who has not been confirmed, he should be called upon to enter into a bond as provided for under sub section 4:2 of Chapter XV in addition to the Agreement as in Appendix 9.

16:7 Leave given in terms of the above rules may be reckoned for purposes of increments. An officer may be placed, on his return, on the salary point he would have reached had he not gone abroad, provided that the Authority that would normally have granted him his increments has no report regarding his work and conduct during the period of his no pay leave which would, under normal circumstances, have disqualified him from being paid his increments.

16:8 The period of leave given in terms of this section should, however, not be reckoned for pension purposes.

16:9 An officer on no pay leave granted under this section should not be considered for promotion to any vacancies which may arise during the period of his no pay leave.

16:10 Where a scheme of recruitment specifies a minimum period of service as a qualification for promotion, the period of no pay leave so granted should not be reckoned for computing the minimum period of service.

16:11 Where a scheme of recruitment stipulates that a certain salary point should be reached for eligibility for consideration for promotion, any increment granted in terms of Sub-section 16:7 above should not be taken into account in reckoning the salary point for purposes of promotion.

16:12 The provisions in Sub-sections 16:9, 16:10 and 16:11 should not apply to any part of leave which is treated as Earned Leave, under Sub-section 17:2 above.

16:13 Each Ministry/Department will formulate its own scheme for release of officers and each such release will be subject to the exigencies of service and the approval of the relevant Minister.

16:14 When a request for no pay leave from an officer under Sub-section 16:1 above, is made, the letter conveying the consent of the relevant Minister on such a request, be signed personally by the Secretary to a Ministry.

16:15 The obligatory period of service should be twice the period of no pay leave taken by an officer. However, the obligatory period of service should be reduced by one (01) month in respect of each complete year of permanent and pensionable service of the officer as at the time of availing himself of the no pay leave subject to-

- (i) the reduction being in respect of years of such service in which no pay leave has not been taken; and
- (ii) there being a minimum period of one (01) year of obligatory service.

New Inclusion

17. Earned Leave

17:1 An officer entitled to obtain no pay study leave under section 15 and 16 may utilize, in lieu thereof or of a portion thereof, any earned leave available to him.

17:2 "Earned Leave" for the purpose of this section only, is as follows :-

17:2:1 In the case of a subordinate officer "Earned Leave", whether to be spent in Sri Lanka or abroad, will be the available vacation leave of the current year and of the year preceding, together with any lapsed vacation leave of a period of two (02) consecutive years.

17:2:2 In the case of a Staff Officer, "Earned Leave", if to be spent abroad, will be the available vacation leave of the current year and of the two (02) preceding years, together with any available commuted half pay leave under Sub-section 21:4:1 subject to a maximum of six (06) months.

17:2:3 If the leave is to be spent in Sri Lanka, the "Earned Leave" of a Staff Officer will be, the available vacation leave and lapsed leave as in Sub-section 17:2:1; or

17:2:4 Vacation leave under sub section 8:3 and commuted half pay leave under sub sections 21:4:1 and 21:4:3 to which he is eligible provided that the period of leave so allowed does not exceed three (03) months,

Any unused vacation leave of the current year and of the two (02) preceding years is first utilized before commuted half pay leave is availed of.

18. Maternity Leave

18:1 Female Public Officers whether permanent, temporary, casual or trainee are entitled to maternity leave under this section.

18:2 Maternity Leave with Full Pay

18:2:1 A female officer is entitled to eighty-four (84) working days of full pay leave in respect of every live childbirth and they will not be allowed to resume duties before the expiry of four (04) weeks after the date of birth of the child. For the purpose of obtaining leave under this section a medical certificate or the birth certificate of the child should be produced.

18:2:2 In calculating maternity leave, Public Holidays, Saturdays and Sundays falling within such period should not be included.

18:2:3 This period of leave should not be set off against the balance leave available to the officer, and should be treated as special leave with full pay.

18:2:4 In the case of a stillbirth or the death of the child before the expiry of 6 weeks from the childbirth, six (06) weeks leave from the date of childbirth should be granted as special full pay leave on the production of the death certificate of the child or a medical certificate.

18:3 Maternity Leave on Half Pay

18:3:1 After the exhaustion of leave in terms of sub section 18:2:1 above, the officer is entitled to eighty-four (84) days leave on half pay for her to look after the child.

18:3:2 Public holidays, Saturdays and Sundays falling within the period of half pay leave should be treated as half pay leave.

18:4 Maternity Leave on No Pay

18:4:1 After the end of leave approved under Sub-section 18:3:1 above, it is possible to grant eighty-four (84) days no pay leave only if such leave is required for the purpose of looking after the child.

18:4:2 When calculating leave under this section, Public Holidays, Saturdays and Sundays falling within that period should be included.

18:4:3 Before granting this leave the Head of Department should satisfy himself that satisfactory arrangements have been made to recover without interruption any monthly installment in respect of loans or advances granted to the officer.

18:5 In the case of a miscarriage, the officer can avail herself of the vacation leave that she is entitled to on the production of a medical certificate.

18:6 After the expiration of the maternity leave obtained under Sub-section 18:2:1, the officer should be allowed to leave office one (01) hour before the normal time of departure enabling the officer to breastfeed the child provided no leave mentioned in sub section 18:3:1 has been availed of. This concession should continue only till the child completes the age of six (06) months.

18:7 Further, when the officer reaches the fifth (05) month of pregnancy she should be allowed to attend office half an hour later than the normal time of attendance and leave office half an hour before the normal time of departure. This concession is available only till maternity leave is granted.

18:8 Leave referred to under Sub-sections 18:3:1 and 18:4:1 is granted only when the child is alive. However if the child dies for some reason or other, such leave will be cancelled after seven (07) days of such death as such leave has been granted for the purpose of looking after the child.

18:9 Leave granted in terms of sub sections 18:3:1, 18:4:1 above should not have any adverse effect on salary increments and pensions. Also such periods of leave should not adversely affect the filling of vacancies and granting of promotions occurring during such period of no pay leave.

18:10 If the officer wishes to get a portion of the leave under Sub-sections 18:3:1, 18:4:1 cancelled and to report for duty, she can do so after informing the Head of the Department.

18:11 Paternity Leave

18:11:1 A permanent, temporary, casual or trainee public officer is entitled to a period of three (03) working days paternity leave in the occasion of the birth of a child to his wife.

18:11:2 The leave available under 18:11:1 above should be made use of within a period of three (03) months from the date of birth of the child.

18:11:3 The officer who obtains leave under Sub-section 18:11:1 should get confirmed the rights for such special leave, with submission of the marriage certificate of the officer, the medical certificate relating to the birth of the child or the birth certificate of the child, later.

New Inclusion

19. Leave to attend a Government Examination

19:1 An officer who is required to sit an examination such as an Efficiency Bar Examination may be granted duty leave for the period of the examination but for the

first sitting only. He will not be entitled to the reimbursement of travelling expenses or for the payment of any combined allowance. If he fails to pass the examination at the first sitting he will not be allowed duty leave for any subsequent attempt. If the subjects in the examination are taken separately, duty leave may be granted for the first time an officer sits for such subject.

20. Compulsory Leave

20:1 Where on medical or other special grounds it is considered that it is not in the public interest that an officer should continue to exercise the functions of his office, the Appointing Authority personally may place the officer on compulsory leave.

20:2 The leave will first be set off against any available leave, any leave thereafter will be on full pay.

21. Half pay Leave

21:1 When an officer has exhausted his normal vacation leave and requires further leave on grounds of illness, leave on half pay may be allowed subject to the following rules.

Revision

21:2 The maximum amount of half pay leave which may be allowed under this section is one sixth (1/6th) of the officer's total service.

21:3 Half pay leave should not ordinarily be granted for more than twelve (12) months at a time.

21:4 A Staff Officer may be permitted, subject to the exigencies of service, to avail himself of such half pay leave for leave outside the Island, after he has exhausted the accumulated leave under Sub-section 8:2:1.

21:4:1 At the request of such an officer the authority granting leave may, solely at his discretion commute the whole or any portion of leave on half pay available to him, into one half the period on full pay.

21:4:2 Commuted half pay leave should not be granted to be spent in Sri Lanka except as provided for in Sub-section 21:4:3.

21:4:3 Commuted half pay leave may be allowed to be spent in Sri Lanka as an alternative to leave abroad on the following conditions:

that the whole period of leave including vacation leave and commuted half-pay leave so allowed does not exceed three (03) months; and

any unused vacation leave of the current year and of the two (02) preceding years is first utilized before commuted half pay leave is availed of.

21:4:4 When an officer retires or otherwise ceases to be in service, while on leave, he will be liable to be called upon to refund the half salary in respect of any commuted half pay leave taken since his last period of service.

21:5 A Head of a Department may allow a subordinate officer leave of absence on half-pay to be spent in Sri Lanka, on account of sickness on a medical certificate from a Government Medical Officer up to the limit to which he is eligible under Sub- section 21:2 and in no case for more than twelve (12) months at a time.

21:6 When an officer receives in addition to the salary of his appointment, an allowance granted to himself personally, and not permanently attached to his office, he may, when absent on half pay leave, draw only a half of such personal allowance.

21:7 Leave on half pay begun in one year and running into the next year must be treated as a continuous period and must be all on half pay.

21:8 A period of vacation leave on full pay cannot follow immediately upon a period of half pay leave, but half pay leave may be allowed to follow immediately a period of vacation leave on full pay.

21:9 Only half the period of any leave on half pay will be reckoned as service.

21:10 A Saturday, Sunday or a Public Holiday falling within a period of leave on half pay should be reckoned as on half pay.

21:11 Half pay leave should be reported by the Head of Department to the Auditor- General monthly on Form General 96. A similar return as regards officers in the Combined Services should be sent to the Secretary to the Ministry in charge of the subject of Public Administration or Director General of Combined Services, as the case may be. In the Remarks Column, the name of the Medical Officer certifying to the sickness and the date of his certificate must be quoted.

A “Nil” return need not be sent, but the information that there was nothing to report for the months following the date of last return, should be included in the next return.

22. No pay Leave

22:1 Leave without pay to be spent in the Island may be allowed at the discretion of the Head of the Department for a period not exceeding three months, for very urgent personal reasons or on medical grounds if supported by a medical certificate from a Government Medical Officer, provided that the Head of the Department is satisfied that the officer's services can be spared without disrupting the work of the Department.

Chapter XII]

22:1:1 Such leave may be spent abroad in exceptional circumstances with the approval of the Secretary concerned.

22:2 No pay leave will be granted only after all available full pay and half pay leave has been utilized.

22:3 A Saturday, Sunday or a Public Holiday falling within a period of leave on no pay should also be reckoned as on no pay.

22:4 All no pay leave should be reported to the Auditor General monthly on form General 96. A similar return in regard to officers of the Combined Services should be sent to Secretary to the Ministry in charge of the subject of Public Administration or the Director General of Combined Services as the case may be. In the Remarks Column, the name of the Medical Officer certifying to sickness and the date of his certificate must be quoted. A 'Nil' return need not be sent but the information that there was nothing to report for the months following the date of the last return should be included in the next return.

22:5 Leave to pursue private studies should not be granted on the ground of urgent private affairs under Sub-section 22:1 and may be allowed only in terms of section 15.

22:6 Temporary release on no pay leave for service outside the Public Service can be allowed only in terms of Sub-sections 2:2 and 2:4 of Chapter V. (Provisions in Chapter XII, Volume I of the Procedural Rules of the Public Service Commission shall be applicable for the officers in Central Government from 02.04.2009).

New Inclusion

New Inclusion 2

Revision

23. Leave to be spent out of the Island

23:1 Application for leave to be spent out of the Island must be made to the authority granting such leave through the Head of the Department on Form General 126.

23:2 Leave to be spent out of the Island to an officer of a Combined Service will be granted by the Secretary, Ministry in charge of the subject of Public Administration, if the applicant is a Staff Officer and by the Director General of Combined Services, if the applicant is not a Staff Officer. Application for such leave should be made through the Head of the Department and the Secretary to the ministry concerned. In the case of a Department not categorized under a Ministry, the application should be sent through the Head of Department.

23:3 Leave to be spent out of the Island to a Staff Officer (i.e., accumulated vacation leave under Sub-section 8:2:1 supplemented by half pay leave commuted into full pay leave under Sub-section 21:4:1 or leave on half pay under Sub-section 21:4) should not exceed six (06) months, except in cases where special reasons are adduced e.g., medical grounds.

When special reasons are urged, leave in excess of six (06) months should be granted only with the authority of the Secretary to the Ministry in charge of the subject of Public Administration and in such circumstances the period in excess of six (06) months should be on half pay or no pay as the case may be.

23:3:1 When special reasons are urged, a subordinate officer may be permitted to spend outside the Island the available vacation leave of the current year and the accumulated leave of the preceding year. In case of illness supported by a proper Medical certificate, in addition to the above, lapsed leave may also be granted.

23:3:2 A minor employee may be allowed to spend out of the island the available sick leave of the current year and the unutilised sick leave of the preceding year on full-pay.

23:4 Subject to Sub-section 23:4:1 an officer should not ordinarily be granted leave to be spent out of the Island under this Section until he has completed four (04) years' service. There should also be an interval of at least four (04) years since his last return from leave abroad before an officer is granted further long leave outside the Island.

23:4:1 However, after a less duration of service than stipulated in Sub-section 23:4, an officer may be granted such leave in case of illness or for very urgent personal reasons, if the Authority granting the leave is satisfied that such leave is essential to the officer. In case of illness, the officer's state of health and the necessity for medical treatment abroad should be certified by a Government Medical Officer, or by a Medical Board, if so required, by the Authority granting the leave. An officer who pleads urgent personal reasons must explain them (confidentially if he so chooses) to the Authority granting the leave through the Head of his Department.

23:5 The Authority sanctioning leave to be spent outside the Island should forward a copy of the letter sanctioning the leave to the Secretary to the Prime Minister. The letter should give the purpose, for which the leave has been treated, e.g. holiday, pilgrimage, conference, etc.

23:5:1 Except as provided for in Sub-section 23:5:2 an officer must not leave his station until he has handed over the public properties under his custody to the officer who has been appointed to act for him during his absence, or to some other officer authorized by the Head of Department or in the case of a Head of a Department, by the Secretary.

23:5:2 If an officer has to obtain his successor's receipt for Government cash, he may, if the arrival of his successor is delayed, hand over and account for his cash to any Staff Officer who may be in the station. The officer who has

signed the acknowledgement will, in turn, handover to the successor of the officer proceeding on leave, on his arrival and obtain an acknowledgment from him.

23:6 The leave will commence on the date of departure from the Island, provided that, not more than four (04) days elapsed since the date on which the officer handed over the duties of his office; but if the officer attends work on the day of the departure the leave will commence on the following day.

23:7 Before an officer proceeds on leave abroad, he must make suitable arrangements with his Head of Department for his salary in respect of his period of leave abroad, either to be credited to his Bank Account or to be paid to his dependant/nominee in Sri Lanka. He should also forward following documents to his Head of Department as required by F.R. 269 at the end of each month.

A "Life Certificate" attested by a responsible person to the effect that the officer is alive; and a stamped receipt for the payment.

23:8 On arrival at his destination the officer should report his arrival in person or by letter to the Mission of Sri Lanka in that country, if any, or to the approved Agent of the Government of Sri Lanka, if any, furnishing his address or a forwarding address. He should also notify immediately any change in that address. The officer should also keep his Head of the Department informed of his address and any changes therein. If a communication to an officer at the address given by him fails to reach him promptly, he should be held responsible for the consequences.

23:9 If an officer falls ill while on leave abroad for a week or more, he should report the fact to the Mission of Sri Lanka in that country, if any, or the approved Agent of the Government of Sri Lanka, if any. In case of prolonged illness, he should keep his Head of the Department also informed.

23:9:1 Any medical certificate required to be furnished by the officer to his Head of Department in support of his illness, which should be obtained at the officer's own expense, should be from a Medical Practitioner nominated for that purpose by the Mission of Sri Lanka or the approved Agent, as the case may be.

23:10 Except in unforeseen urgent circumstances, extension of leave out of the Island will not be allowed, unless the officer concerned has, before leaving the Island, obtained the consent of the Authority granting leave to apply for such an extension.

23:10:1 The officer seeking an extension must apply in sufficient time. Leave will not be extended as a matter of course, nor unless the exigencies of the service permit.

23:10:2 In the case of an application for extended leave on grounds other than ill-health, leave on half pay under Section 21 will not be granted unless the continued absence can be conveniently allowed.

23:11 An officer may be given permission to cancel a portion of the leave already granted.

23:12 When an officer retires or otherwise ceases to be in service while on leave out of the Island, the leave granted to him under Sub-section 8:3 may be cancelled and he may be granted from the date on which such leave commenced, the leave on full pay which he could have been granted under Sub-section 8:2. Similarly, any half pay leave commuted into full pay under Sub-section 21:4:1 or lapsed leave availed of as part of the leave out of the Island may be converted to half pay leave.

23:13 An officer may be required to discharge a specific duty or to go through a specified course of instructions during his leave, and will not be entitled to any additional remuneration in consideration of such work. Allowances, may however, be granted to cover necessary out of pocket expenses, and extensions of leave may be granted where appropriate.

23:14 The allowances and concessions specified below will normally be paid and granted to an officer who, while on leave, is required to undertake or who undertakes with the specific prior approval of Government, a course of instruction or a course of study designed to fit him for his specific post.

23:14:1 Tuition fees on production of a receipt.

23:14:2 Examination fees, if the officer passes an examination in connection with the approved course of study, on production of evidence of success at the examination. The fee for the certificate should be paid where such a fee is charged.

23:14:3 Third class travelling expenses between the officer's place of residence and the place where the course is held, once at the beginning and once at the end of the course.

23:14:4 Lodging allowance (to be fixed by the Director General of Establishments), if the officer has to reside away from his usual place of residence in order to follow the course.

23:14:5 Training allowance (to be fixed by the Director General of Establishments) for the full period of the course (including, if necessary, any examination). This is payable at the conclusion of the course on production of a certificate of satisfactory progress signed by a competent authority, and after signature of the agreement referred to in Sub-section 23:15.

23:14:6 As an alternative to the payments mentioned under Sub-sections 23:14:3 and 23:14:4 daily travelling expenses not exceeding the amount of those payments will be paid for every day of attendance at the course if the officer stays at his usual place of residence during the course of instruction or study.

23:15 The officer will be required to sign an Agreement with the Sri Lanka Mission or the approved Agent of the Sri Lanka Government in that Country or with the Head of his Department, in terms of which he will, in certain circumstances, be liable to refund the sums paid to him in respect of his training.

23:16 An officer returning from leave out of the Island must report his arrival either in person or by letter to the Secretary concerned. A Staff Officer of a Combined Service must, if attached to the Ministry of Public Administration while on leave, report in person to the Secretary to the Ministry of Public Administration. The date of arrival of an officer of the Sri Lanka Engineering Service and Sri Lanka Scientific Service should be reported by the Secretary of the Ministry concerned through the Director, Engineering Service Board or Secretary, Scientific Service Board to the Secretary, Ministry of Public Administration.

23:17 An officer returning to duty from leave will be entitled to draw full salary from the date of his arrival in the Island, unless he has returned before the expiration of the leave granted to him, in which event the question of the salary to be paid will be decided on a consideration of the circumstances of each individual case.

23:18 A return of leave spent out of the Island by Public Officers should be forwarded by the Head of Department concerned to the Auditor General, monthly.

24. Leave to Teachers

24:1 A Teacher will normally be entitled to vacation leave only during the school vacation, and not at any other time of the year except as provided for in the following Sub-sections.

24:2 When a Teacher is granted leave to be spent out of the Island, a period equivalent to the aggregate of all the school vacations which occur during that spell of leave, or within ten (10) months from the commencement of that leave, whichever is less may be allowed on full pay, provided that:

24:2:1 such full pay leave will be allowed only in a single uninterrupted period.

24:2:2 the full pay leave will commence from the beginning of the full period of leave allowed.

Example

A teacher wishes to obtain leave to be spent out of the Island from 01.07.1979 to 07.10.1980. Within this period there are four (04) recognized school vacations aggregating one-hundred and two (102) days.

In the period of ten (10) months commencing on 01.07.1979, there are three (03) recognized school vacations totaling seventy two (72) days, he will be entitled only to the less of the two (02) periods, viz., seventy-two (72) days.

He will, therefore, be granted seventy-two (72) days full pay leave commencing from 01.07.1979 the balance leave period being on no pay.

24:3 If leave is required for private reasons of very grave urgency or on grounds of illness, casual leave on full pay, may, at the discretion of the Head of the Department, be allowed in periods of not more than six (06) days at a time up to a maximum of twenty-one (21) days in the year.

24:4 When leave in excess of the period permitted in Sub-section 24:3 is required during a school term on grounds of illness, the Head of the Department may grant full pay leave up to a maximum of one (01) month in any one year, provided that arrangements are made to the satisfaction of the Head of the Department for covering the duties of the absent Teacher.

24:5 A teacher who has exhausted all the leave under Sub-sections 24:3 and 24:4 and requires further leave during a school term on grounds of illness, he may be allowed, at the discretion of the Head of the Department, the unused leave entitlement under Sub-section 24:4, of any one consecutive period of two (02) years during any one (01) year.

24:6 Except as provided for in the preceding Sub-sections, leave granted during a school term on grounds of illness or for any other purpose will be on no pay.

24:7 A teacher may be allowed accident leave and leave for illness contracted in the course of his duties in terms of Section 9.

24:8 In the case of a female teacher, provisions of Section 18 of this chapter are applicable for the purpose of maternity leave.

24:9 A Muslim widow teacher is entitled to leave under Sub-section 12:12 to observe "Iddah".

25. Leave to a Subordinate Officer

25:1 The provisions of Section 8 other than of the Sub-section 8:2:1 are applicable to a subordinate officer.

25:2 A subordinate officer should be allowed casual leave as in Section 5.

25:3 Lapsed leave should be granted to a subordinate officer as in Section 10.

25:4 Leave on half pay should be granted to a subordinate officer as in Sub-section 21:5.

25:5 A subordinate officer should be granted Accident leave and leave for illness contracted in the course of his duties as in Section 9.

25:6 Leave preparatory to retirement to a subordinate officer should be granted as in Section 11.

26. Leave to a Minor Employee

26:1 A Minor Employee on a monthly salary, whose services warrant the concession may, at the discretion of the Head of the Department, be allowed sick leave on full pay up to a maximum of twenty four (24) days in a year.

When leave is required on account of sickness for more than two (02) days, the provisions of sub sections 6:1 and 6:2 should apply.

26:1:1 If a Minor Employee has exhausted the leave for which he is eligible under the preceding sub section and he requires further leave on account of illness medically certified, he may be allowed any unused sick leave of the previous year, and the lapsed sick leave of any two (02) consecutive years. A Minor Employee cannot, however, in any one year avail himself of the lapsed leave of more than one such period of two (02) consecutive years. The total of such lapsed sick leave granted to minor employee during two (02) consecutive years would not exceed the employee's normal quota of sick leave for two (02) years, viz., forty eight (48) days. (See example in Sub-section 10:1:1 and 10:1:2).

26:1:2 When a minor employee is accommodated in a temporary camp he may, at the discretion of the Head of the Department, be allowed sick leave on full-pay in excess of twenty four (24) days but not exceeding one (01) month in any one (01) year.

26:1:3 During the first nine (09) months of his service, a Minor Employee will be eligible for only such proportion of his sick leave under Sub-section 26:1 as his service bears to nine (09) months.

26:2 A Minor Employee may be granted accident leave according to the provisions of Sub-section 9:1.

26:3 A Minor Employee who contracts an illness in the actual discharge of his duties may be granted special leave subject to the same conditions as in Sub-section 9:2.

26:4 A Minor Employee who has continuous service for a period of one (01) year or more and whose service warrants the concession may, at the discretion of the Head of Department, be allowed casual leave as in Sub-section 5:1.

26:4:1 Casual leave should not normally be allowed on the grounds of illness, but this rule may be relaxed at the discretion of the Head of the Department in the case of a minor employee who has exhausted his sick leave available on the Sub-sections 26:1 to 26:1:3.

Casual leave granted in such a case may follow immediately on the sick leave allowed under those Sub-sections.

26:5 A minor employee who has continuous service for a period of five (05) years or more and whose services warrant the concession may, at the discretion of the Head of the Department, be allowed half pay leave not exceeding one (01) month in any one (01) year for sickness supported by a medical certificate, when he has exhausted all the leave available under the preceding Sub-sections.

26:5:1 Leave in terms of this Sub-section may also be granted (Irrespective of the length of service) to a minor employee who is suffering from an infectious disease listed in Sub-section 13:1 of Chapter XXVIII.

26:5:2 Leave on half pay granted under this Sub-section should be reported to the Auditor General monthly, on form General 96. In the Remarks Column the name of the Medical Officer furnishing the certificate and the date of his certificate must be quoted. A 'Nil' return need not be sent but the information that there was nothing to report for the months following the date of the last return should be included in the next return sent.

26:6 The employees of this category may be granted leave preparatory to retirement as in Section 11.

27. Leave to a Daily Paid Officer

27:1 A daily paid officer who has continuous service for a period of two (02) years or more and whose service warrants the concession may, at the discretion of the Head of the Department, and on the production of a medical certificate, be allowed sick leave on full pay up to a maximum of fourteen (14) days in a year.

27:1:1 If an officer has exhausted the leave for which he is eligible under the preceding Sub-section and he requires further leave on account of illness medically certified, he may be allowed any unused sick leave of the previous year, and the lapsed sick leave of any two (02) consecutive or nonconsecutive

years. An officer cannot, however, in any one (01) year, avail himself of the lapsed leave of more than one such period of two consecutive years. The total of such lapsed sick leave granted to an officer during two (02) consecutive years should not exceed the officer's normal quota of sick leave for two (02) years, viz., twenty eight (28) days, (See examples in Sub-sections 10:1:1 and 10:1:2).

27:1:2 When such an officer is accommodated in a temporary camp he may, at the discretion of the Head of the Department, be allowed sick leave on full pay in excess of fourteen (14) days but not exceeding one month in anyone year.

27:2 Twenty one (21) days casual leave in a year may be granted to a daily paid officer on the following conditions:

27:2:1 The leave will be granted as and when the exigencies of work permit, and at the discretion of the Head of the Department or Head of the Sub -office or work-site, to whom the Head of Department has delegated this power.

27:2:2 The full period of twenty-one (21) days will be granted if the officer has attended for at least two hundred and fifty (250) days, during the preceding twelve (12) months. This quota of twenty-one (21) days will be reduced by one (01) day for every period of three (03) days or part thereof by which his attendance falls short of two hundred and fifty (250) days.

27:2:3 In calculating the number of days attendance, absence on full pay (including sick leave and casual leave) owing to an injury sustained in the course of employment, and absence on the day following a night shift should be counted as attendance.

27:2:4 The leave year will be a calendar year and leave in respect of any year can be taken at any time during that year. Any casual leave unspent at the end of the year will lapse. An employee who has not completed twelve (12) months service at the commencement of the year can be granted proportionate leave in respect of the year in which he completes twelve months service, provided he completes it by the 30th September, according to the following table:-

	days
If twelve months service is completed by 31st March,	16
If twelve months service is completed by 30th June,	10
If twelve months service is completed by 30th September.	05

27:2:5 Casual leave should not normally be allowed on grounds of illness but this rule may be relaxed as in Sub-section 26:5:1.

27:3 A daily paid officer may be granted leave for illness contracted in the course of his duties, in terms of Sub-section 26:3.

27:4 A daily paid officer may be granted leave preparatory to retirement as in Sub-section 11.

28. Leave to a temporary officer serving under contract for a definite term which leave should form part of the Agreement

28:1 Except as provided for in this section, the rules in this Chapter will not apply to a temporary officer serving under a contract for a fixed term.

28:2 The provisions of section 1 will apply to such an officer.

28:3 He will not be entitled to leave on half pay or commuted half pay leave out of the Island unless-

he is subsequently appointed to the permanent establishment, whereupon service under the agreement will be included as service for the purpose of Section 21,

or

under the original agreement or the combined period of the original agreement and any immediately subsequent agreement or agreements he serves for more than five (05) years without interruption.

28:3:1 In such a case, for the purpose of return leave, but not for the purposes of leave on termination of employment, an officer may be granted half pay leave up to a limit which together with any half pay leave previously taken should not exceed one-sixth of the officer's service.

28:3:2 The Secretary, may at his discretion, commute the whole or any part of such leave on half pay, into one half the period on full pay, provided the total period of commuted and uncommuted leave together with any period of vacation leave, which may be granted, does not exceed six (06) months at a time.

28:4 An officer qualified under the preceding Sub-section for half pay or commuted leave out of the Island, may, for the purposes of returning from leave, but not for the purposes of leave on termination of employment, be granted in addition, vacation leave under Sub-section 8:1 to 8:3 less any leave taken under Sub-section 28:5 during the current and the two previous years.

28:5 In case of illness, or on the certificate of the Head of the Department that the leave is deserved and desirable in the interests of government, leave to be spent in the Island not exceeding one month in all in any one (01) year may be granted by the

Head of the Department. Such leave will be on full pay, unless additional expense is thereby caused to Government, in which case it will be on half pay. This leave cannot be accumulated.

28:5:1 Leave in terms of this Sub-section may, with the sanction of the Secretary, be spent out of Sri Lanka.

28:6 In addition to leave under Sub-section 28:5 leave on half pay, on account of sickness certified by a Government Medical Officer may be granted up to a limit which, together with any half pay leave previously taken, does not exceed one sixth of the officer's total service under the Agreement.

28:7 An officer of this category is eligible for casual leave as in Section 5.

28:8 An officer of this category may, at the discretion of the Secretary be granted full pay leave preparatory to the termination of his agreement at the rate of two weeks for each year of service, subject to a maximum of two (02) months.

28:8:1 If such an officer has taken, return leave out of the Island, under sub section 28:3:1, 28:3:2 and 28:4 the amount of full pay leave available to him as leave on termination of employment under this sub section will be computed on the period of his service in Sri Lanka since the date of his return from such leave.

28:8:2 An officer who determines his Agreement before the expiry of the full period of the agreement is not entitled to any leave under this Sub-section.

29. Leave to a Temporary Officer not serving under contract on definite terms

29:1 A temporary officer (other than a minor employee, daily paid employee and casual employee) whose conditions of employment are not determined by Agreement, may be granted leave on full pay and half pay in terms of sub sections 28:5 and 28:6 respectively, provided he has continuous service of over nine (09) months.

29:2 Casual leave may be granted to such an officer in terms of Section 5.

29:3 An officer of this category may be allowed leave for illness contracted in the course of his duties in terms of Sub-section 9:2.

30. Leave to Police Sergeants and Constables

30:1 A Police Sergeant/ Police Constable is eligible for vacation leave under Section 8.

30:2 A Police Sergeant/ Police Constable is not eligible for casual leave under Section 5.

30:3 A Police Sergeant/ Police Constable, who is hospitalized may be allowed leave on full-pay up to two (02) month in any year, provided he has not taken any vacation leave. If he had taken any vacation leave, it will be reduced from the period of two (02) months to which he is entitled.

30:3:1 A Police Sergeant/ Police Constable who is ill and who is allowed to be off-duty to take ayurvedic treatment may be allowed his vacation leave and such half pay leave as he is eligible for.

30:4 A Police Sergeant/ Police Constable is eligible for leave on half pay under Sub-Section 21:5.

30:5 A Police Sergeant/ Police Constable is eligible for lapsed leave under section 10, but subject to the following additional conditions:

30:5:1 Lapsed leave may not be granted except as an alternative to hospital leave, that is, in a case where an officer is actually unfit for duty owing to illness but cannot for some good and sufficient reason enter Hospital or is taking treatment out of hospital, with the approval of the Inspector General of Police.

30:5:2 The total hospital leave plus vacation leave and/or lapsed leave granted should not exceed two (02) months in any one (01) year.

30:6 A Police Sergeant/ Police Constable is eligible for accident leave and leave for illness contracted in the course of his duties in terms of Section 9.

30:7 Leave preparatory to retirement should be allowed to a Police Sergeant/ Police Constable as in Section 11.

31. Leave to a Prison Officer below the rank of Jailor

31:1 Sub-sections 30:1, 30:2, 30:3, 30:4, 30:6, and 30:7 are applicable to a Prison Officer below the rank of Jailor.

31:2 A Prison Officer below the rank of Jailor is not eligible for lapsed leave under Section 10.

32. Leave to an Apprentice/ Trainee

32:1 An Apprentice/ Trainee who is paid an allowance during the period of training is eligible for seven (07) days casual leave and fourteen (14) days sick leave a year on completion of nine (09) months service.

32:2 An Apprentice/Trainee whose apprenticeship or training is less than nine months will not be eligible for any paid leave during the period of apprenticeship or training.

32:3 An Apprentice/ Trainee following lectures should not be allowed leave during term time.

33. Leave to a Casual Officer

33:1 A casual officer may be granted casual leave and sick leave as in Section 27.

33:2 A Casual officer is not entitled to accident leave under Sub-section 27:3 or Section 9.

A Casual Officer is however, entitled to claim half pay for a period of temporary disablement following an accident arising out of and in the course of his employment but subject to a limit of six (06) months,

33:3 No compensation is paid for the waiting period of seven (07) days. He may be granted any available earned leave in terms of Sub-section 33:1 to cover that period.

34. Leave to an Officer released for service in a public Corporation

34:1 A Public Officer released for service in a Corporation is not eligible for leave in terms of this Code while in the service of the Corporation. He will have to earn leave by service in the Corporation according to the leave regulations of the Corporation and will have no claim for any leave earned in the Public Service before his employment in the Corporation.

34:2 On his reversion to the Public Service, he will have no claim for any leave earned while in the service of the Corporation.

35. Short Leave

35:1 An officer may be granted short leave not exceeding one and half hours on each occasion, subject to the number of occasions being restricted to two (02) per month.

36. No pay leave for a spouse of an officer posted abroad

36:1 Where a spouse of a confirmed public officer posted abroad for duty, is granted no pay leave for the purpose of joining the officer.

36:1:1 The leave should be reckoned for the purposes of increments. Such officer should be placed, on his return, on the salary point he would have reached had he not gone abroad, provided that the authority that would normally have granted him the increments has no report regarding his work and conduct during the period of his no pay leave which would, under normal circumstances have disqualified him from being paid his increments.

36:1:2 No arrears should be paid in respect of the increments obtained during such period of no pay leave.

36:1:3 When the period of no pay leave given in terms of this Section, exceeds the gross service of twenty (20) years, only such period of service exceeded may be set off in respect of no pay leave and be reckoned for pension purposes.

For instance, a spouse of a confirmed Public Officer posted abroad on duty, having a gross service period of twenty-eight (28) years, if having gone on no pay leave for a period of ten (10) years would have eight (08) years to officer's credit be reckoned for pension purposes and the balance two (02) years will not be reckoned for such purposes.

36:1:4 Subject to the following provisions, the seniority of such an officer will not be affected as a result of obtaining this no-pay leave.

- (i) an officer who is granted no pay leave under this Section should not be considered for promotion to any vacancies which may arise during the period of his no pay leave.
- (ii) where a scheme of recruitment specifies a minimum period of service as a qualification for promotion, the period of no pay leave granted under this section should not be reckoned for computing the minimum period of service.

36:1:5 Where a scheme of recruitment stipulates that a certain salary point should be reached for eligibility for consideration for promotion, any increment granted in terms of Sub-section 36:1:1 should not be taken into account in reckoning the salary point for the purpose of promotion.

37. Leave to an officer re-employed after retirement

37:1 An Officer, re-employed after retirement,

37:1:1 Without a break in service may be granted,

- (i) in the calendar year of re-employment, the balance leave from the post he held before re-employment, and
- (ii) in subsequent calendar years, the leave relevant to the post.

37:1:2 with a break in service may be granted,

- (i) the proportionate leave of the post for the period of re-employment in the calendar year of re-employment, and,
- (ii) in subsequent calendar years, the leave of the post.

