

## CHAPTER 17

### LEAVE RULES

1. Various kinds of leave as mentioned below may, subject to the discipline laid down in Reg.30, be granted to employees (Reg.60B),
  - 1) Casual Leave 2) Privilege Leave 3) Sick Leave, Special Sick Leave & Converted Sick Leave 4) Extra-ordinary Leave 5) Maternity Leave 6) Special Leave 7) Quarantine Leave.

#### I. CASUAL LEAVE (REG.62)

- a) **Quantum:** 15 days during a period of 12 months from 1st July to 30th June in the next year.
- b) **Additional Casual Leave:** The quantum will be 23 1/2 minus the number of holidays declared under N.I. Act in a calendar year (Jan. to Dec.) Additional Casual Leave may be availed during the period of six months from 1st January to 30<sup>th</sup> June of the following calendar year. According to the number of holidays declared under the Negotiable Instruments Act, the quantum of Additional Casual Leave will vary from State to State. Hence adjustments will be necessary in the case of employees transferred from one State to another. It may also be noted that subsequent holidays declared in a particular state should also be considered. Not more than 6 days including intervening Sundays/Holidays may be granted at a time.
- c) As per CO Circular ZD/602/ASP/86 dated 03.02.1986, an employee who is on tour / training in a State other than that of his / her headquarters and enjoyed holidays declared under NI Act in the State of tour / training, he / she may be granted Additional Casual Leave for the number of days by which the holidays were observed under NI Act only by the office of his permanent posting falling short of 23 1/2 days in a calendar year as per provisions of Regulation 62 (2) of Staff Regulations, 1960. Similarly, if an employee/Officer is attending a training programme/on duty in another State on a day, for which holiday has been declared under NI Act in the headquarters of the employee, he will not be entitled to any additional casual leave, on the pretext that he was on duty on a holiday.
- d) An employee who is due to retire from the services of the Corporation between January to June of a calendar year is entitled to full Additional Casual Leave. However, only proportionate Casual Leave is to be credited.
- e) Unavailed Casual Leave/Additional Casual Leave balance as on 30th June is converted into Sick Leave on full pay subject to such Converted Sick Leave not exceeding 60 days (i.e.120 days on Half pay) during the entire period of service.
- f) Those joining service in the middle of the year will be entitled to proportionate Casual Leave only. The proportionate leave will be at the rate of 1 1/4 days for each month of service in the rest of the Casual leave year (July to June).
  - (i) Any employee joining service (i.e. whose probation begins) on or before the 15th will be treated as having joined on the first of the month.
  - (ii) If the date of joining service is later (i.e. after 15th) that month is to be ignored.

For example, if an employee joins on the 17th April and the Additional Casual Leave admissible for 12 months is say 8 1/2 days. Thus, an employee joining on 17th April will be eligible for Casual Leave for 2 months @ 1 1/4 days p.m. i.e. 2 1/2 days. Additional Casual Leave will also in the case mentioned above be proportionate to the number of Additional Casual Leave admissible to an employee who has put in full 12 months service.

N.B.: C.L. and Additional Casual Leave are to be rounded off to the lower half.

- g) **C.L. on retirement/resignation etc.:** In case of retirement/resignation etc. during the Casual Leave year, the employee is eligible only for proportionate Casual Leave upto the date of exit. Wages for excess C.L. availed have to be recovered.
- h) **Casual Leave of employees who die while in service:** CL need not be calculated on proportionate basis upto the date of death. Even if they were granted leave in excess of the notional proportionate days, the CL already granted to such employees need not be reverted. (Ref: CO Circular Personnel/V Circular No D 22/78-79 dated 25.12.1978)
- i) **Half-a-day Casual Leave and Casual Leave on Saturday:** If an employee applies for C.L. for half a day, he has to work continuously for 3 1/2 hrs. However, in the case of Class IV employee he has to work for 4 1/2 hrs continuously. Casual Leave on Saturday will be full day.

- j) **Casual Leave for Temporary/Badli workers:** Though by the terms of appointment they are not eligible for any leave, the Competent Authority may at his discretion grant C.L. to them at the rate of 1 1/4 days for each completed month of service.
- k) **Casual Leave for Regular Part-Time Employees:** *10 days in a year.*

## II. PRIVILEGE LEAVE (REG.63)

- a) **Quantum:** 1/11th part of duty, i.e. for every 11 days of service (including holidays) one day PL will be added to the credit. Duty for this purpose will be the service minus the period of leave of all kinds except C.L. and Quarantine Leave.
- b) Accumulation allowed upto 240 days.
- c) Grant of P.L.-Conditions:
  - 1) 15 days notice (Shortage may be waived).
  - 2) May be curtailed/refused for office exigencies.
  - 3) Reasons for waiving notice to be recorded.
- d) **P.L. for short duration:** Casual Leave is intended to cover casual contingencies and therefore the occasions for short period P.L. should not normally arise. In rare cases where it becomes necessary due to unforeseen contingencies, P.L. for short period may be considered on genuine grounds. Such occasions should not exceed two in a year. The Competent Authority to sanction the third and subsequent occasions is the Sr. Divisional Manager-in-charge of the Division for Branch and Divisional Office employees and Secretary (OS) for Central Office and Zonal Office employees. PL on medical grounds for 6 days and less should not be considered as short duration PL. Short duration PL can be sanctioned in a Casual Leave Year i.e. from July to June.
- e) **P.L. for half day:** P.L. for 1/2 day should not be ordinarily considered. In exceptional cases and rare occasions it may be considered.
- f) **PL for Regular Part-Time employees:** One day for every completed month of service. Accumulation may be allowed upto 30 days.

## III. SICK LEAVE (REG.64)

- a) **Quantum:** At the rate of 30 days for each completed year of service, subject to maximum of 16 months (480 days) with half pay during the entire period of service.
- b) **Additional Sick Leave/Converted Sick Leave:** Unavailed Casual Leave as on 30th June will be converted into Additional Sick Leave with full pay subject to maximum of 60 days (or 120 days half pay) during the whole service.
- c) Sick Leave/Converted Sick Leave can be considered for sanction only against Medical Certificate from a Registered Medical Practitioner. Medical Certificate must be with Registration number of Medical Practitioner. In case of illness, the employee should intimate the Office immediately of his absence followed by proper Medical Certificate of Treatment with his leave application. The Certificate should mention (1) the patient's name (2) nature of illness (3) probable duration of treatment. His application should also specify whether the Sick leave applied for is on full pay or Half pay.

On resuming duty, Medical Certificate of Fitness is to be produced.

N.B.: In case of suspicion/doubt: the Competent Authority may refer the employee to a Named doctor or Panel doctor for obtaining fresh medical opinion, either for grant of leave or in connection with fitness to resume duty. Cost of such medical examination will be borne by the LIC. Sick Leave applications forwarded to OS department should have the recommendations of the department/section concerned.

- d) **Sick Leave for Regular Part-Time employees:** At the rate of 10 days on half-pay for each completed year of service subject to a maximum of 160 days on half-pay throughout the entire service period.
- e) **Special Sick Leave:** Employees suffering from major diseases of cancer, leprosy, tuberculosis, cardiac ailments/ mental diseases, paralysis, brain tumours, kidney disorders and AIDS may be allowed Special Sick Leave not exceeding six months on half-pay if they do not have any Sick Leave or converted Sick Leave to their credit.

- f) **Special reports for Tuberculosis:** Before allowing the employee who was suffering from T.B. to resume duties, arrangements should be made to obtain at LIC's cost an X-Ray, ESR, Sputum Report (Culture Report is not necessary). Such reports are to be referred to authorised Medical Examiner and the employee is not allowed to resume duties unless the Medical Examiner's report is clear and unambiguous. Even after the resumption, the employee should, after a lapse of three months produce necessary X-Ray, sputum report etc. to confirm that the disease has not relapsed in case of Pulmonary TB cases only. (Please refer to Circular Ref: Per/C/KSR- Cir No. 46 dt. 10.05.1979 and Circular No. 3576/ASP/78 dt. 30.03.78)
- g) **Special Report: Leprosy** - Employee suffering from infectious leprosy should not be allowed to resume duties unless the competent Medical Examiner/Hospital certifies him bacteriological-negative judged by three conversion techniques carried out at monthly intervals. He should also continue treatment as advised by the Medical Examiner/Hospital with periodical check-up once in 3 months.

As per Circular Ref: Personnel/IR/G/102 dated 27.06.1991, the Competent Authority to sanction Special Sick Leave is given below:

Extent of Power	Competent Authority
In respect of Class III & IV employees	Officer-in-charge not below the rank of DM/Dy Secretary or an officer not below the rank of DM/Dy Secretary (A & I) authorised by ZM/D(P)/Chief(A&I)
In respect of Class II Officers	Appointing Authority
In respect of Class I Officers upto the rank of DM/SDM/DZM in the Zones	Zonal Manager
Officers in Central Office / Audit Departments upto the rank of DZM	Executive Director (E & OS) Executive Director (Co-ord)
Zonal Managers and above	Chairman

#### IV. MATERNITY LEAVE (REG.66)

Lady employees are eligible for Maternity Leave for a period of six months from the date of its commencement. Total maternity leave during service not to exceed one-year i.e., 360 days. Maternity leave may be granted in cases of miscarriage and abortion including medical termination of pregnancy. The leave should not exceed six weeks from date of miscarriage/abortion and leave application should be supported by proper medical certificate.

When a lady employee not having any children adopts a child who is below one year of age, the Maternity Leave for maximum period of two months or till the child reaches the age of one year, whichever is earlier, shall be granted. The leave shall be granted for adoption of only one child and subject to submission of Certified true copy of Adoption Deed to the Corporation. This leave may be granted only once during the service.

**Maternity leave for Regular Part-Time employees:** Maximum six months to be availed of on two occasion's of 3 months each. It will be admissible only after completion of two years of continuous service.

#### V. SPECIAL LEAVE (REG.67)

Chairman is the authority to grant Special Leave, which will not be debited to any other leave account. Chairman has issued instructions in respect of the following circumstances when Special Leave may be granted:

- a) Family Planning Special Leave as follows:
- (i) 6 days for sterilisation operation or vasectomy.
  - (ii) 14 days to lady employees for Non-Puerperal Operation / Tubectomy. Not exceeding 14 days for the 2nd time may be granted if the operation is for the 2nd time due to the failure of the first operation.
  - (iii) One day to lady employees for IUCD insertion. One day for re-insertion of IUCD may be granted.
- b) Defence Service:
- (i) During any period of emergency, employees joining any branch of Army, Navy or Air Force are treated as on special leave for the duration of:  
Interviews, test or medical examination as a preliminary to joining defence service, training, joining time and duty / embodiment.

- (ii) Employees joining the Home Guards Organisation or the Civil Defence Organisation are granted special leave for the duration of training and/or duty.

The above special leave may be sanctioned by the Officer-in-charge of the office in which the employee is working.

c) Sports:

- (i) Upto 30 days (in a calendar year) for participation in National/International events.
- (ii) Upto 30 days (in a calendar year) for participation in important State event if the employee is sponsored by LIC.
- (iii) Upto 30 days for Trekking programme approved by Indian Mountaineering Foundation or Youth Hostels Association of India. However, there is no provision for undertaking Desert Trekking Expeditions (ref: ER/Sports/88 dated 21<sup>st</sup> March 2006).

Note: Total of (i), (ii) and (iii) should not exceed 30 days in a calendar year.

d) Trade Union Activity:

Applicable only for Class I -Delegates:

- (i) For annual Conference at Zonal level is 3 days (limited to 12 persons)
- (ii) For annual Conference at All India level 4 days (limited to 70 persons) (a+b) maximum 7 days in a year including journey period.

e) **Special Leave in lieu of Joining Time:**

Special Leave in lieu of joining time (Reg.73) Joining time may be granted to all classes of employees on his/her transfer. Six days are allowed for preparation and in addition a period to cover actual journey as under.

<b>Journey By</b>	<b>Time Allowed</b>
Air	Actual time
Train	For 400 kms – one day
Steamer	For 320 kms – one day
Motor Vehicle	For 128 kms – one day

Special leave in lieu of joining time may be availed at a later date with a prior approval of Competent Authority. The number of days of special leave admissible shall be number of days of joining time he is eligible less the number of days of joining time actually availed of (including journey period) excluding Sundays. No Privilege leave will accrue for the period of special leave availed.

Where joining time is curtailed by Competent Authority, Special Leave in lieu of the period curtailed, may be granted to enable the employee to go back to his earlier place of duty for winding up the establishment there or for any other connected purpose.

Some of the important provisions as per the Travelling and Transfer Allowances in India Instructions, 1977 & Central Office Circular Ref: No.ZDB/7/88 dt. 18.10.88 is given below:

- (1) Trip to old headquarters should be made only after the officer has taken over charge of the post at the new headquarters
- (2) The trip should be completed and the special leave availed of, as the case may be, within a period of six months from the date of handing over charge by the officer at the old headquarters or within such time as may have been allowed to him by the Competent Authority for shifting his family.
- (3) The benefits are admissible to the officer
  - (i) for the purpose of shifting his family or any member of his family from the old headquarters to the new headquarters and / or
  - (ii) for the purpose of shifting his personal belongings provided at least 5 quintals of the personal belongings, reckoned in weight, are transported during such second trip and not for any other purpose.

- (4) The benefit of special leave and trip to old head quarters can also be availed of for the purpose of attending to matters connected with winding up or settling the affairs in the old head quarters. However, this benefit for the purpose of winding up the establishment at the old head quarters can be availed of only within six months of transfer and cannot be availed during the extended period (beyond six months)

Further, prior sanction for extension beyond six months should be obtained before expiry of six months from the date of handing over charge at the old headquarters, for shifting the family and to avail of Special Leave, if any. Under no circumstances will any request for relaxation of time limit not sought before the expiry of six months from the date of handing over charge at the old headquarters be granted. Beyond one year no case could be considered for claiming the fares for members of the family and the dependents as well as the cost of transporting personal belongings, etc., and no reference be made to Zonal Office /Central Office for such relaxation.

It is further clarified that specific permission should be obtained for shifting family beyond six months from the Competent Authority even if approval for retention of Staff quarters / extension of leased accommodation beyond six months has been obtained.

f) I.I.I. Examination invigilation:

Invigilators are eligible for Special Leave on the day/s they invigilate.

g) I.I.I. Annual Conference/Council Meetings:

- (i) Annual Conference: Special Leave for not more than 3 delegates from each Division for the days of Conference and the actual to and fro journey time.
- (ii) Council Meeting: Special Leave to representatives of local institutes twice a year for attending Council meeting period as in (i).
- (iii) Prize Winners who are invited by the Institute to read their papers. Period as in (i). They are eligible for TA/ DA also.

h) Special Leave may be granted to an employee who donates blood voluntarily at a Hospital/Blood Bank, for the day he donates Blood. Employee to produce Certificates from Hospital/Blood Bank certifying that no payment was made to him. Such occasions shall not exceed 10 days in a year.

i) Accident while on duty:

- (i) Employee to produce within 3 days certificate from the Hospital/Doctor about the admission and probable period of treatment, if admitted.
- (ii) If out-patient, certificate showing the likely period of treatment and if the recommended period is over a week, the employee to be directed to appear before an authorised Medical Examiner to ascertain the extent of injury and probable period of treatment.
- (iii) If treated by a private doctor as in (ii).

As per Central Office Circular IR/3797/ASP/91 dated 06.07.1991, the Competent Authority to sanction Special Leave for Accident while on duty is given below:

Period of Leave	Employees in the cadre of	Authority
Upto 90 days	Class III & IV employees, Class II employees and Class I Officers upto the rank of ADM	<ol style="list-style-type: none"> <li>1. Divisional Manager / Senior Divisional Manager-in-charge</li> <li>2. Zonal Manager in respect of employees in the Zonal Office</li> <li>3. Secretary (Audit) / Secretary (OS) in respect of employees in Audit Centres and in Central Office</li> </ol>
	Class I Officers in the rank of Divisional Manager and Dy Zonal Manager	<ol style="list-style-type: none"> <li>1. Zonal Manager in the Zone</li> <li>2. Executive Director (Co-ord) in respect of Class I Officers in the Audit Department, Central Office</li> <li>3. Executive Director (E &amp; OS) in respect of Class I Officers in Central Office</li> </ol>

Over 90 days	All Class II, III & IV employees and Class I Officers upto the rank of Dy Zonal Manager	Zonal Manager in the Zone / Executive Director (Co-ord) in respect of Audit Centres and Audit Department of Central Office / Executive Director (E & OS) in respect of Central Office
	Zonal Manager & above	Chairman

- j) Special Study Leave for Examinations of Institute of Actuaries, London and Actuarial Society of India: (CO Circular ZD/1040/ASP/2004 dated 01.04.2004)

Special Study Leave may be sanctioned for a period of two weeks for preparation of examination subject to the following conditions:

- (i) The employee may avail of Special Study Leave facility either for the Institute of Actuaries, London Examination or for Actuarial Society of India but not for both.
- (ii) If an employee had availed special study leave for say Actuarial Society of India Examination during the previous study session, he may in the next study session avail of special leave for either Institute of Actuaries, London Examination or for Actuarial Society of India Examination.
- (iii) An employee who has been sanctioned Special Study Leave should appear in the examinations for atleast one paper, failing which, leave shall be debited to his account for the number of days he was sanctioned Special Study Leave.
- (iv) The employees who are granted Special Study Leave are entitled for Salary / Stipend for the period.
- (v) The Special Leave may be granted to the employees who apply for the Special Study Leave for the first time.
- (vi) The Special Leave may be granted to the employees who have passed atleast one subject in the previous examination with or without availing Special Study Leave.
- (vii) If an employee has not passed any of the papers in the previous examination after availing Special Leave he shall not be eligible for Special Leave subsequently unless he passes atleast one paper again. This shall be subject to para (viii) below.
- (viii) If an employee after availing Special Leave in the previous attempt had not passed but appeared for any of the 300 series (301 to 304) or 400 series (401 to 404) for the first time he shall be eligible for Special Leave again provided he appears for any of the 300 or 400 series papers in the corresponding examination. This means if an employee after availing Special Leave for any 300 or 400 series papers does not clear any such paper he shall be allowed Special Leave one more time provided he applies for any of 300 or 400 series paper.  
If he fails to clear any of 300 or 400 series again he shall be allowed Special Study Leave subsequently only when he passes atleast one subject of the series.
- (ix) The Competent Authority to grant Special Study Leave shall be the Head of the Department where the employee / Office is working in case of Central Office and Regional Manager (Actuarial) for employees in the offices under the jurisdiction of Zonal Office which shall include Audit Centres also for this purpose. This leave may be sanctioned as per need of each candidate depending upon office exigencies.
- (x) Those employees who are availing of this facility should give undertaking in writing that they shall serve the Corporation for the next three years, failing which amount spent on them by LIC towards cost of Special Leave and Training, etc. would be recovered from the terminal dues.
- (xi) Those employees who are on deputation to other institutions may apply for two weeks special leave to the Institutions where they have been deputed. Their sanction of Special Leave may be considered by the respective Institutions.
- (xii) An employee desirous of availing Special Leave is required to submit his application as per the annexed proforma.

These instructions are applicable for the employees appearing for examinations of Institute of Actuaries, London / Actuarial Society of India and shall continue to be in force till further instructions.

**APPLICATION FOR SANCTION OF SPECIAL STUDY LEAVE**

Name :  
S.R.No. :  
Designation :  
Place of Posting :

1) Details of Special Leave/Study Session availed of :

- i) Specify the immediate previous examination for which special study leave already availed :  
(Specify Month and Year of Exam.)
- ii) Subject for which appeared in the :  
Aforementioned exam.
- iii) Subject passed in the aforementioned exam. :

2) Details of the last subject passed

<u>Subject</u>	<u>Month/ Year of Exam</u>	<u>Whether Spl.Leave Availed (Yes/No)</u>
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3) Please specify the subjects in which you are appearing in the ensuing Examination.

I, \_\_\_\_\_ undertake to serve the Corporation for the next three years from the date of availing special study leave, failing which the amount spent on me by LIC towards the cost of special study leave and training if so, etc., may be recovered from the terminal dues.

\_\_\_\_\_  
Signature of the employee

**FOR OFFICE USE ONLY**

The Special Leave for \_\_\_\_\_ days sanctioned/rejected

\_\_\_\_\_  
Signature of Competent Authority

**NOTE:**

- i) The competent authority must satisfy himself with respect to the provisions contained in the circular ref: ZD/1040/ASP/2004 Dt. 01.04.2004 before considering special study leave.
- ii) One copy of this form is required to be filed in A-File of the employee

## **VI. QUARANTINE LEAVE (REG.68)**

- a) Quarantine Leave is absence from duty necessitated by orders not to attend Office in consequence of presence of infectious disease in the household of the employee (not the employee himself).
- b) Quarantine Leave may be granted on the Certificate of Medical/Public Health Officer, Government Doctor, Government Hospital or qualified Medical Practitioner appointed by LIC.
- c) Period of leave is normally not exceeding 21 days. However, in exceptional circumstances it may extend to 30 days.
- d) Cholera, Diphtheria, Plague, Small Pox, Cerebrospinal Meningitis and Typhus fever are considered infectious diseases for the purpose of Quarantine Leave. In case of Chicken-Pox Quarantine Leave should not be sanctioned unless the Medical Officer responsible considers that because of doubt as to the true nature of the disease, there is reason for the grant of such leave. In the case of a Corporation employee stationed in areas under the administration of State Governments, such other diseases, as may have been declared by leave rules may also be considered as infectious diseases for the purpose of Quarantine Leave. Such Corporation employee will, however, be eligible for quarantine leave for any diseases mentioned above even though it has not been declared in orders issued by the State Government concerned to be an infectious disease.
- e) On resuming duty a certificate should be produced to show that the patient has been cured and is no more in infectious stage and that the employee himself is fit to resume duty.
- f) The term "Medical or Public Health Officer" includes medical officer-in-charge of any Government (Civil or Military) or Municipal Hospital or Dispensary, or a qualified medical practitioner appointed by the Corporation. In the case of an employee at whose place of duty there is no Government or Municipal Hospital or Dispensary, the certificate is to be issued by the Medical Officer-in-charge of a Government or Municipal Hospital or Dispensary situated nearest to his/her place of duty or a qualified medical practitioner appointed by the Corporation.
- g) In granting Quarantine Leave, the following procedure should be followed:
  - (i) The employee must, in first instance, report the presence of the infectious disease in his household immediately it is detected, supported by a medical certificate acceptable to the Corporation in terms of the Staff Regulations. On production of such a certificate, the Competent Authority would pass orders that the employee should not attend office for the relevant period recommended in the medical certificate subject to the maximum period permissible for Quarantine Leave under the Staff Regulations, i.e. 21 days or 30 days, as the case may be. Any privilege leave sanctioned to the employee for that particular period would be cancelled. If the employee does not promptly intimate the detection of the infectious disease in his household he would not be eligible to have the earlier period, i.e. the period prior to the intimation to the office of the disease, to be treated as quarantine leave. This would mean that if an employee reports about the presence of an infectious disease after he rejoins duty, he would not be eligible to have his absence for the period treated as quarantine leave.
  - (ii) An employee in whose household the presence of an infectious disease is detected, should produce a certificate prior to resuming duty that the concerned patient has been cured and is no more in an infectious stage and the employee himself is fit to resume duties.

Further, apart from the infectious diseases mentioned above, such diseases as have been declared by the State Government for the purpose of Quarantine Leave have also to be considered as infectious diseases for the purposes of granting Quarantine Leave. The concerned offices of the Corporation should obtain the list of such prescribed diseases from the respective State Governments to eliminate doubts as to which diseases are considered infectious in a particular territory by the State Authority concerned.

## **VII. EXTRA-ORDINARY LEAVE (REG.65)**

- a) EOL is normally granted when no other leave is due.
- b) The Competent Authority has every right to treat any period of unauthorised absence/overstayal as EOL.
- c) Duration of EOL shall not exceed in exceptional circumstances beyond 3 months on any one occasion and 12 months during the entire service period. EOL exceeding 12 months may be granted on grounds of illness. Where the E.O.L. exceeds 90 days at a stretch or 365 days during the entire period of service or where it exceeds 365 days for reasons other than own sickness-then refer to the Competent Authority as per Schedule VI of Staff Regulations. Half day EOL should not normally be granted.



## VIII. MISCELLANEOUS

a) Leave to Trainees:

During the training period employee is not eligible for any leave. Any absence will amount to proportionate stipend cut.

b) Leave to Probationers:

As service commences on the day the probation commences they are eligible for C.L./P.L. etc. C.L. will be on proportionate basis.

c) SC/ST - IAS/IPS Coaching:

SC/ST employees receiving coaching in Pre-examination. Courses from Government for IAS/IPS etc. are eligible for P.L. and if there is no P.L., E.O.L should be granted for the period of training and journey period.

d) I.I.I./Actuarial Examinations & MBA Exams by a Recognised University.

(i) Employees of the Corporation appearing for prescribed examinations for which the Corporation grants special allowances/increments may be treated as on duty.

(ii) All employees are treated as 'on duty' for the period of examination. To and fro journey period for outstation employees to the place of examination (which shall be the nearest Centre) is also treated as 'on duty', but no TA/DA shall be paid.

(iii) In the case of employees working at the examination centre, if the examination is in the forenoon and if there is no examination on the following day they must attend the office in the afternoon or take half day leave.

e) Promotion Test/Interview:

Treated as on duty on the date/s of test/interview and for the periods of to and fro journey. T.A./D.A will also be paid as per rules.

f) Forfeiture of Leave [(Reg. 30(3))]:

(i) An employee habitually late in attendance shall forfeit one day leave for every three days he is late in a month. If he has no C.L., then P.L or EOL will be debited.

(ii) Where due to circumstances beyond his control an employee is late and the Competent Authority is satisfied about the circumstances, he may condone late attendance. Such condonation may be allowed not more than twice a month. Late attendance so condoned will not be taken into account in forfeiting leave.

(iii) Notice of resignation will be proper only if the employee remains on duty during notice period. Any Leave cannot be set off against Notice. (No leave accrues during notice period).

g) Special Sick Leave to Part-Time Employees:

Central Office letter Ref: PER/ER/G/104 dated 18/03/2004, clarifies that regular part-timers cannot be granted special sick leave.

h) Sanction of leave during notice period in case of Voluntary Retirement under Regulation 19(2A) of Staff Regulations, 1960 or Rule 31 of Pension Rules, 1995:

(i) Casual Leave / Privilege Leave/Sick Leave can be sanctioned during the period of notice for Voluntary Retirement under the above-mentioned rules, and such leave does not affect the validity of notice. However, while sanctioning sick leave, one has to exercise a lot of caution in order to rule out the misuse of sick leave and ensure that the same is not availed of in a programmed way. By way of precaution, any request for sick leave for more than a weeks duration during the notice period should be examined closely to make sure that it is for genuine sickness. For this purpose recourse may be taken to verifying the medical certificate, relevant prescription papers and Mediclaim, if any, and in case of doubt a second medical opinion from ZMR / DMR or any other nominated physician may be obtained.

(ii) In case any employee is sanctioned EOL during the period of notice for any reason whatever, the same will not affect the validity of notice, and consequently the date of retirement will not be postponed to the extent of the duration of EOL.

- (iii) In case any employee gives notice for voluntary retirement for more than three months, such notice will be deemed to be valid.
- (iv) If any employee is not able to , or does not give three months notice and desires relief earlier, and the competent authority does not agree to waive the notice / balance notice period, the employee may be allowed to retire earlier provided he agrees to pay salary in lieu of the notice / balance notice period.

**General conditions governing leave (Reg.61)**

- a) Duty or service earns leave.
- b) Leave cannot be claimed as a matter of right. In cases of exigencies, the Corporation can refuse or revoke leave. Sanction of leave may not be presumed and leave shall not be availed of unless specifically sanctioned.
- c) All unavailed leave excepting the PL subject to maximum limit lapses on retirement, death, dismissal, resignation or other form of termination. (Encashment of unavailed portion of PL shall not be paid in case of dismissal, resignation or other form of termination.)
- d) No outside service or employment can be taken up during the leave period except during L.P.R. (Leave preparatory to retirement) which the Chairman may permit.
- e) Leave granted is to be fully availed unless (i) the employee is recalled (ii) allowed by the Competent Authority to join before expiry. In such events –
  - 1) Officiating arrangement, if any, has to be reviewed,
  - 2) Advance salary and PL encashment, if paid, is to be refunded.
- f) Overstayal after expiry of sanctioned leave will be E.O.L. unless otherwise directed by the Competent Authority. Willful absence will attract Disciplinary Action under Regulation 39.
- g) In case of sickness, the Office is to be intimated immediately, say, in a day or two followed by Medical Certificate of treatment. On resuming duty, Medical Certificate of fitness is essential.
- h) Leave may be prefixed or suffixed to a holiday. Intervening Holiday (i.e. holiday between two periods of leave) will also be treated as leave.
- i) Employee under suspension may not be granted leave.
- j) Leave to the credit or due is always the leave earned minus the leave availed.
- k) Leave is to be availed only after sanction thereof except that one-day casual leave may be availed without prior sanction in case of unforeseen emergency.
- l) P.L. requires 15 days' notice; otherwise it may be refused.
- m) Employees shall furnish his address while on leave.
- n) Casual Leave cannot be combined with any other leave except Special Leave. Other kinds of leave may be combined.
- o) Change in nature of leave: Sanctioning Authority can refuse leave applied for but cannot change or alter the kind of leave. e.g. EOL or other leave cannot be granted against an application for Privilege leave not submitted in time. P.L., may however be refused. In spite of this, if the employee remains absent, the absence may be treated as E.O.L./Dies non. Moreover, disciplinary action may also be initiated against the employee.
- p) If extension of leave is applied after resuming duty, unless the reasons for extension are such as would have prevented the employee from applying for extension in time, the overstayal shall be treated as E.O.L/ Dies non.
- q) Leave on false pretexts: If it comes to light that if leave sanctioned was taken under false pretext, the Competent Authority should reopen the case and treat the absence as E.O.L./Dies-non. However, such treatment of absence as EOL/dies-non should be only after calling for necessary explanation from the employee and also after giving show-cause notice regarding the proposed treatment of absence as EOL/ Dies-non.

**UNAUTHORISED ABSENCE (REG. 30)**

- a) No employee shall absent himself/herself from duty without prior permission of the Competent Authority.

- b) In case of sickness or accident he/she should send an intimation to the Office within 3 days. Such intimation shall be followed at the earliest by written application supported by Medical Certificate of Treatment when absence is due to sickness.
- c) In an unforeseen emergency an employee may be allowed to avail a day's Casual Leave without prior approval. Even in such cases the Competent Authority has to be advised of the circumstances in which prior sanction could not be obtained.
- d) An employee remaining absent without leave or overstays is not entitled to any salary for the period of absence/overstayal.
- e) The Competent Authority may, depending on the circumstances, treat the period of absence/overstayal, as PL/S.L./E.O.L The employee has no right for such treatment of absence/overstayal.
- f) If not treated as above in (e) the absence/overstayal will be 'dies-non'.
- g) The employee remaining unauthorisedly absent or overstays also renders himself liable for disciplinary Action under Reg.39.

**LEAVE AND SALARY (REG.69) :** Ref: Per/E/29 dated 1<sup>st</sup> August, 1978.

<b>KIND OF LEAVE</b>	<b>HOW SALARY IS AFFECTED</b>
Casual Leave	Not affected
Privilege Leave	Not affected
Sick Leave a) Full Pay b) Half Pay	a) Not affected b) Half of the aggregate Basic Pay + DA, HRA, CCA, Hill Allowance (appropriate to half of the basic pay)
Maternity Leave	Not affected
Special Leave	Not affected
Quarantine Leave	Not affected
EOL	No Salary
Dies-Non	No Salary

**Re: Effect of 'Dies Non' on the rate of accrual of Casual Leave / Additional Casual Leave.**

Whenever an absence of the employee is treated as 'Dies Non', besides other effects, the employee is entitled to only proportionate casual leave and additional casual leave. The method for calculating such proportionate casual leave on account of the effect of 'Dies Non' on the rate of accrual of Casual Leave/Additional Casual Leave is given below:

Proportionate casual leave/additional casual leave may be calculated on the basis of the aggregate period for which an employee has been treated as on 'Dies Non' at a given time. 'Dies Non' for a fraction of month upto 15 days may be ignored and 'Dies Non' for 16 days or more may be taken as complete month. The proportionate casual leave/additional casual leave may be calculated on the basis of the months so arrived. If the resulting product is a number with a fraction, the casual leave/additional casual leave should be rounded off to the lower half.

However, where the casual leave/additional C.L. has already been availed of in excess of the proportionate entitlement calculated as per the above instructions before a decision to treat any absence as 'Dies Non' is taken, such cases need not be reopened.

The period treated as 'Dies Non' may be noted on the top of the casual leave registers in red ink immediately on receipt of the advice from the Department. In case the period treated as 'Dies Non' happens to be before 30th June of the year, it should be recorded in the casual leave register for the next year so that proper action in regard to calculation of proportionate casual leave/additional casual leave could be taken.

At the end of the casual leave year, it should be ensured that the effect of 'Dies Non' on the accrual of casual leave/ additional casual leave has been taken care and that there is no pending case.

**LEAVE AND INCREMENTS (REG.56 & REG.69)**

The leave availed by the employee will affect the release of the Normal Grade Increment as shown below:

Nature of Leave	Effect
CL / PL / SL	Does not affect the release of NGI
EOL	The NGI will fall due on the first of the month following that in which the employee completes 12 months
Dies-Non	Period of Dies-Non is not treated as service and is excluded from the period elapsed for considering the grant of NGI

**N.B:**

Competent Authority, on written application from the employee, may condone EOL availed owing to own sickness for the purpose of release of Normal Grade Increment. His decision will be based on the nature of illness, length of service and past leave record.

Dies-non means the period that does not count for service. Therefore, where any benefit accrues or service conditions is dependent on 'service', the period of service should be arrived at after excluding the period treated as 'Dies-non'.

The period 'Dies-non' has therefore to be excluded in arriving service period for the following purpose.

- a) Payment of Gratuity
- b) Provident Fund
- c) Medical Benefit for Class III & IV (Annual payment)
- d) Competing for promotion
- e) Calculation of C.L./Add1.C.L.
- f) Release of Normal Grade Increment/Stagnation Increment.
- g) Privilege Leave/Sick Leave.

Notice of resignation will be proper only if the employee remains on duty during notice period. Any leave cannot be set off against notice. (No leave accrues during notice period).

**ENCASHMENT OF PRIVILEGE LEAVE WHILE IN SERVICE**

(Ref. C.O. Circular Dept. Per/ER Cir No 3806/ASP/92 dated 21-4-1992) and C.O. Circular Ref.Per/ER/A/G/87(iii) dated 25.5.92

1. Once in a block of 2 calendar years, an employee will be allowed to encash Privilege leave upto a maximum of 15 days out of the Privilege Leave standing to his credit but not availed of.
2. To be eligible for encashment of leave, as aforesaid, the employee must also avail of a minimum of 15 continuous days Privilege Leave during the relevant block. The cash payment is to be made alongwith the advance salary, if requested by the employee, otherwise on the working day immediately prior to the date on which his leave commences. The employee has to give in writing his intention to encash Privilege Leave.
3. The first block commenced from 1-4-1992 and ended on 31-12-1993. The subsequent blocks of 2 calendar years were 1-1-1994 to 31-12-1995, 1-1-1996 to 31-12-1997, ....., 01.01.2006 to 31.12.2007 and so on.
4. It is required to proceed on leave at least from the last day of the encashment block. It is not necessary to avail the minimum number of days, i.e., 15 days Privilege Leave before the last date of the block, i.e., 31<sup>st</sup> December. (Memo Ref.: ER/A/G/87 dt. 15.02.1996)
5. The block to which the encashment relates will be decided with reference to the date of commencement of the Privilege Leave availed of by the employee. For example, an employee avails of leave from 17.12.2005 to 18.1.2006. In this case, the encashment of leave will relate only to the block 2004-2005.

6. When an employee avails of the benefit of encashment of Privilege Leave, the leave account of the employee shall be debited by the amount of leave so encashed (maximum 15 days) in addition to the number of days Privilege Leave (subject to a minimum of 15 days) that he actually avails of.
7. The encashment of Privilege Leave upto the maximum permissible period of leave shall be allowed only on one occasion in the stipulated block. For example, if an employee avails encashment of Privilege Leave, say, for 14 days or less at a time during any particular block, he shall not be eligible to avail encashment of leave for the balance any time thereafter. This shortfall cannot also be carried forward and added to the next block.
8. The salary for the purpose of encashment shall consist of Basic Pay, Special Allowance, Personal Allowance (if any) and other Allowances drawn by the employee on the date prior to the date on which he proceeds on leave but excluding Officiating Allowance, Functional Allowance, Conveyance Allowance, Entertainment Allowance and House Rent Allowance. If there is any change in the quantum of benefit due to change in the rate of Dearness Allowance, after the payment has been made, consequent excess/shortage is to be adjusted in the ensuing months' salary.
9. No Contribution to the Provident Fund or Pension Fund, if any, or other deductions except towards taxes shall be effected from the amount payable to the employees towards the encashment of Privilege Leave.
10. Privilege Leave is calculated only on the basis of the number of days the employee has been on duty. The days of Privilege Leave for which encashment is allowed should not be treated as period actually spent on leave and should therefore, not be treated as Privilege Leave availed while calculating further P.L.
11. An employee who has been allowed encashment may not be allowed to curtail the leave that he has taken if such curtailment reduces the amount of leave availed of by the employee to less than 15 days.
12. A separate register should be maintained indicating the name of the employee who has availed encashment, number of days of leave encashed, the period of leave availed of by him and the amount of salary that has been paid towards encashment.
13. As the salary paid towards encashment of leave is liable for Income Tax, suitable remark has to be made in the Earning Record Sheet/Salary Master with regard to the amount that has been paid by way of encashment of leave.
14. The Competent Authority to allow encashment of leave will be the authority who is empowered to sanction Privilege Leave.
15. The quantum of salary for the number of days of P.L. encashed is to be decided as follows:

$$\begin{array}{r}
 \text{Salary + Allowance} \\
 \text{included for encashment}
 \end{array}
 \times
 \begin{array}{r}
 \text{No. of days of P.L.} \\
 \text{surrendered}
 \end{array}$$


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30 days (for all months)

The above formula should be followed irrespective of the month in which P.L is availed and surrendered.

### **ATTENDANCE REGISTER AND LEAVE RECORDS OF EMPLOYEES**

1. Every employee who attend the Office after the appointed time for commencement of the Office (10.00 / 10.30 a.m for Class III and 9.30 / 10.00 a.m. for Class IV) should invariably mark the time of reporting for duty in the Attendance Register. It is also essential to mark the time of reporting for duty in the Attendance Register when an employee avails half day leave in the forenoon session to determine whether the employee has worked for 3 1/2 hours in the case of Class III and 4 1/2 hours in the case of Class IV employees.
2. Exactly at 10.00 a.m. a horizontal line in red ink should be put indicating the absence of the employee at 10.00 a.m. sharp. At 10.10 a.m. a vertical line is to be drawn in a manner that will make the horizontal line L-shaped and it should be drawn on the left end of the muster roll block showing that the employee has not attended the Office within the grace period. At 10.10 a.m the Attendance Register must be placed before the Branch Manager/Sr.Branch Manager/AO/AS/ADM or the senior most Officer/ Supervisory person of the Office looking after the O.S.Dept. At 10.30 / 11.00 a.m. the Attendance Register should be closed with a mark to make the "L" mark into a triangle to indicate that the employee has not attended the Office even after the expiry of one hour from the commencement of Office hours and the Attendance Register should be kept in the custody of the Head of the Office/Department or an Officer authorised by him.

Note: In case of Class III & IV employees the above timings should be read as 10.30 a.m. and 10.00 a.m. respectively wherever the office hour commences at 10.00 a.m. Above timings may vary from zone to zone.

3. The Departmental Head in the Divisional Office and Sr/Branch Manager/AS/ADM in the Branches/CO/ZO/ will be responsible for the proper maintenance of the Attendance Registers of the Divisional Office/Branch Office/CO/ZO respectively. He should nominate one of the Officers/Supervisory Personnel to be in charge of the Attendance Register and person so nominated should see whether all employees in the Department/Office have attended the Office and signed the Attendance Register, noting the time of reporting for duty, wherever necessary.
4. The authorised Official should see that marking of late attendance is done in time regularly. To ensure that this is being done, senior Officer should make surprise inspection. A record of the surprise check made, shortcomings noticed and the corrective action that has been initiated is to be maintained. The Officer concerned should daily initial the Attendance Register for having checked the attendance regularly. The Branch Manager/Asst. Branch Manager/AO/AAO should also attend the Office in time and joint calls except during the month or year-end should be so arranged as to enable at least one Officer to attend the Office in time.

#### **LATE ATTENDANCE AND EARLY GOING :**

1. In order to exercise proper control over the late attendance as well as early going of the employee, it is necessary to obtain appropriate form duly filled by the concerned employee on each occasion he attends Office late beyond grace time or leaves the Office early with prior permission. A register should be maintained and all cases of late attendance/early going should be entered so that the number of occasions in any particular month in respect of any particular employee can be found out easily and correctly.
2. An employee who attends the Office after the expiry of the grace period will be considered late for the purpose of regulation 30(3) of (Staff) Regulations, 1960 if he attends the Office within one hour from the commencement of the office hours.
3. Sub-Regulation 3 of Regulation 30 of the (Staff) Regulations, 1960 empowers the Competent Authority to condone late attendance by an employee for 2 days in a month. Such condonation, however, is intended only for delay in the attendance, merited by circumstances of the case. The power to condone is to be exercised at the discretion of the competent Authority-not to condone the late attendance if he is not satisfied that the late attendance was justified by the circumstances prevailing. The provision for condoning the late attendance on two days in a month is, in fact, quite liberal and no further condonation is to be granted.
4. In terms of the same sub-regulation of Regulation 30 of the (Staff) Regulations, 1960, if an employee is habitually late in attendance, he forfeits one day's Casual Leave for every 3 days he is late in a month. Some employees take undue advantage of this provision by coming late to the Office by one hour from the commencement of Office hours on two days every month. It should be realised that the provision regarding late attendance is intended to cover late attendance in exceptional circumstances only. An abuse of this provision would not be conducive to Office discipline and, therefore, should be actively discouraged. Where an employee is found to be making it a practice to come late habitually on 2 days every month and thereby avail himself of the maximum concession permissible under the Regulation, he should be cautioned and if improvement is not noticed, even after a warning is issued, suitable disciplinary action should be taken against him.
5. Further, if an employee attends Office during grace period for more than 5 times a month, he should be given a letter advising him to maintain the punctuality and not to abuse the facility extended by the Office.
6. In case of employees attending the Office late with prior permission of the Competent Authority, the time limit for coming late to the Office should be the same as for coming late without prior permission. Viz., by 1 hour. Even though an employee who attends the Office late with prior permission of the Competent Authority stands on a different footing from an employee attending the Office late without prior permission, special sanction should not ordinarily be given more than once in a month and, of course, it cannot be given every month. In any event, such special sanction should not be given for more than two times a month. As mentioned above, late attendance with prior permission stands on a different footing in as much as the Competent Authority having exercised his discretion and allowed the employee to attend late must necessarily condone such late attendance. Late attendance with prior permission should not, therefore, be considered as an additional privilege and in terms of Regulations 30 (3), the Competent Authority cannot condone late attendance either with or without prior permission for more than two times in a month.

7. In so far as forfeiture of leave is concerned, if an employee attends Office late for 3 days in a month (other than those which have been condoned) he will forfeit a day's Casual Leave as the case may be. For instance, if an employee attends Office late 3 times more in a month excluding those, which the Competent Authority has already, condoned (twice in a month), the employee will forfeit a day's leave for every 3 such late attendance.

#### **PERMISSION TO LEAVE OFFICE EARLY**

An Employee who wants to leave Office early will have to obtain permission from his immediate superior Officer before leaving Office. The employee may be permitted to leave Office early upto an hour at the discretion of the Competent Authority. The Competent Authority will consider each such request on merits, and if satisfied that the reason given by an employee for leaving the Office early such that it would be necessary to allow him to leave early, grant such request. It is not possible to lay down any hard and fast rule, which should govern the grant of such permission. However, allowing an employee to leave Office early even once a month as a regular feature is undesirable. It is, therefore, necessary that the Officers or Supervisory personnel in charge of the Department exercise utmost caution, judgement and discretion to see that this concession is not abused.

The Officers should require the employee, who wants to leave the Office early, to fill in a standard form with requisite particulars. These forms with the orders of the Competent Authority should be filed with the Casual Leave record of the employee.

#### **LATE ATTENDANCE/EARLY GOING ON HALF-A-DAY LEAVE**

When an employee applies for half-a-day Casual Leave either in the forenoon or afternoon, he has to put in 3 1/2 hours (4 1/2 hours in the case of Class IV employee) continuous work in the afternoon or forenoon as the case may be. As such the question of allowing to attend Office late by one hour does not arise in such cases. So, an employee reporting for work in the afternoon session must report at 2.00.p.m. If the commencement of working hours is 10.30 a.m. for Class III / 10.00 a.m. for Class IV. (1.30 p.m. in the case of Class IV employee.) On the same principle, an employee attending late should not be allowed to leave Office early by one hour on the same day.

#### **PERMISSION TO LEAVE OFFICE EARLY ON A SATURDAY**

An employee may be allowed to go early by one hour before closing of office hours on a Saturday, as on other weekdays provided it is necessary for him to do so for exceptional reasons which could not be anticipated in advance. Otherwise, the employee should avail of Casual Leave.

There should be no laxity in the proper maintenance of Register/Permission for early going/late coming etc. as per instructions.

#### **EMPLOYEES GOING ABROAD**

Some of the employees were going abroad ostensibly for the purpose of meeting members of their family, visiting places, etc., but fail to return and resume duty for a long period. In such cases extension of leave applied for must not be granted. However, after reviewing the matter Per/ER department, Central Office had vide their circular reference PER/ER/G/169/MKK dated 27.2.1998 instructed as follows. Where an employee has gone abroad and asks for extension of leave, the Competent Authority may sanction the extension provided it is satisfied that the reasons given are genuine and such leave can be granted subject to office exigencies. Where no extension of leave can be granted, the employee should be asked to resume duty immediately on the expiry of the leave already sanctioned and also be informed that no extension of leave will be considered until he/she resumes duty. If employee fails to resume duty within a period of 1 week, a chargesheet-cum-show cause notice may be issued to the employee stating the fact that the employee has overstayed unauthorisedly and as such, is liable for action under Regulation 31 of the Staff Regulations. The show cause notice may also propose a penalty of removal from service. In case the employee resumes duty and offers a valid explanation for the overstay of the leave, the Competent Authority may either grant leave or proceed with the disciplinary proceedings taking into account whether the leave was necessary or for reasons beyond the control of the employee. For taking such action, no reference need be made to the Central Office and the Zones/Divisions may take appropriate action at their end.

Where an employee has been asked to resume duty immediately on the expiry of the leave already sanctioned and also been informed that no extension of leave will be considered until he/she resumes duty, resignation, if submitted by the employee on resumption of duty, may be accepted by the Competent Authority subject to rules under Regulation 18(1) of the Staff Regulations.

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