

CCS(LEAVE) RULES

SESSION OVERVIEW

- To familiarize the participants with the various provisions of the CCS (Leave) Rules, 1972 or CCS (Leave) Second Amendment Rules 2014 .
- Correct understanding and application of the CCS (Leave) Rules.
- Widen learner's knowledge in matters of Leave.

CCS(LEAVE) RULES

■ General Principles

- Leave cannot be claimed as a matter of right.
- The leave sanctioning authority may refuse or revoke leave of any kind but cannot alter the kind of leave due and applied for.
- Earned leave should not ordinarily be denied during the last ten years of service.
- Leave of one kind taken earlier may be converted into leave of a different kind at a later date at the request of the official and at the discretion of the authority who sanctioned the leave.

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- Conversion of one kind of leave into leave of different kind is permissible only when applied for by the official while in service and not after quitting service.
- Leave sanctioning authority may commute retrospectively periods of absence without leave into Extra Ordinary Leave.
- No leave of any kind can be granted for a continuous period exceeding five years.

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- An official on leave should not take up any service or employment elsewhere without obtaining prior sanction of the C.A.
- Wilful absence from duty after the expiry of leave renders a G.S. Liable to disciplinary action.
- If a G.S. is transferred to foreign service while on leave, he ceases, from the date of such transfer, to be on leave and to draw leave salary.

CCS (LEAVE) Rules

■ Earned Leave –

1. Credit – Credit is afforded in advance a uniform rate of 15 days on the 1st of January and 1st of July every year. The credit to be afforded will be reduced by 1/10th of EOL availed and/or period of dies non during the previous half year, subject to a maximum of 15 days and to the extent of such credit only.
2. Accumulation–Can be accumulated up to 300 days in addition to the number of days for which encashment has been allowed with LTC.

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3. While limiting the max. of 300 days, where the balance at credit is 286-300 days, further advance credit of 15 days on 1st January/1st July will be kept separately and set off against the EL availed during that half year ending 30th June/31 December. However, if the leave availed is less than 15 days, the remainder will be credited to the leave account subject to the ceiling of 300 days at the close of that half year.

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4. The credit for the half year in which a G.S. Is appointed will be afforded at the rate of 2 and a half days for each completed calendar month of service.
5. The credit for the half year in which a G.S. is due to retire/resign will be afforded at the rate of 2 and a half days for each completed calendar month in that half year up to the date of retirement/resignation.
6. If the G.S. Retires/resigns/dies in the middle of a calendar month, the EL credited should be reduced at the rate of $1/10^{\text{th}}$ of any EOL taken in that half year and the leave account regularised. ⁷

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7. The HPL credited every half year will be reduced at the rate of $1/18^{\text{th}}$ of the period of dies non/suspension treated as dies non, during the preceding half year, subject to a max. of 10 days.
8. While affording credit, fractions of a day should be rounded off to the nearest day.
9. EL on account of un-availed Joining Time –
Un-availed J.T. i.e. the number of days admissible reduced by the actual number of days availed, shall be credited to the earned leave account subject to conditions.

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10. One day J.T. Admissible for transfer within the same station, if not availed, cannot be credited to EL account.

11. EL can be availed up to 180 days at a time.

Half Pay Leave –

1. Credit is afforded in advance a uniform rate of 10 days on the 1st of January and 1st of July every year. The advance credit for the half year in which the G.S. is appointed will be at the rate of 5/3 days for each completed calendar month.

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2. The HPL credited every half year will be reduced at the rate of $1/18^{\text{th}}$ of the period of dies-non/suspension treated as dies non, during the preceding half year, subject to a max. of 10 days.
3. The credit for the half year in which a G.S. is due to retire/resign will be afforded at the rate of $5/3$ days for each completed calendar month of service in that half year up to the date of retirement/resignation.
4. HPL can be availed either with or without medical certificate.
5. While affording credit, fraction shall be rounded off to the nearest day.

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Commuted Leave –

1. C.L. not exceeding half the amount of HPL due can be taken on medical certificate.
2. C.L. can be taken without MC –
 - (a) Up to a max. of 90 days in the entire service if utilised for an approved course of study certified to be in public interest.
 - (b) Up to a max. of 60 days by a female G.S. if it is in continuation of maternity leave.
 - (c) Up to a max. of 60 days by a female G.S.

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with less than two surviving children if she adopts a child less than one year old.

3. If C.L. is taken, twice the number of days availed should be debited in the half pay leave account.
4. Where a G.S. granted C.L. quits service voluntarily without returning to duty, the C.L. shall be treated as HPL and the excess leave salary recovered. If the retirement is due to ill-health incapacitating him for further service or in the event of death, recovery should not be made.

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5. C.L. may be granted at the request of the G.S. even when EL is available.
6. CL on medical grounds may be allowed to a GS who has opted out of CGHS, on the basis of certificates issued by the Hospitals/Medical Practitioners approved by the employer of the spouse.

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Leave Not Due –

1. May be granted to a permanent GS with no HPL at credit.
2. Temporary officials with minimum of one year's continuous service and suffering from TB, Leprosy, Cancer or mental illness may also be granted LND.
3. It is granted on MC, Exceptions –
 - (a) In continuation to maternity leave
 - (b) To a female GS with less than two surviving children on adoption of child less than a year old.

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4. LND during the entire service is limited to a maximum of 360 days.

5. LND will be debited against the HPL that the GS earns subsequently.

6. It cannot be granted in the case of leave preparatory to retirement.

7. When a GS granted LND resigns from service or is permitted to retire voluntarily without returning to duty, LND should be cancelled. The resignation or retirement will take effect from the date on which such leave

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had commenced and the leave salary should be recovered.

8. It can be granted to an officer whose leave account shows a debit balance in consequence of the grant of LND on previous occasion.

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Extra Ordinary Leave –
EOL is granted to a GS

- (a) When no other leave is admissible
- (b) When other leave is admissible, but the GS applies in writing for EOL

EOL cannot be availed concurrently during the notice period when going on Voluntary Retirement.

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Limit –

1. No leave of any kind can be granted to a GS for a continuous period exceeding five years. Subject to this limitation, any amount of EOL may be sanctioned to a permanent GS
2. For temporary GS, the limit on any one occasion is
 - (a) All officials – up to 3 months with or without MC.
 - (b) Officials with one year continuous service – up to 6 months with MC for common ailments.

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Up to 18 months with MC for cancer, mental illness, pulmonary tuberculosis or pleurisy of tubercular origin and leprosy.

(c) Officials with three or more years continuous service – up to 24 months, where the leave is required for the purpose of prosecuting studies certified to be in public interest.

(d) Officials belonging to SC/ST – HODs may grant leave exceeding 3 months for attending pre-examination training course notified by Government from time to time.

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3. Two spells of EOL intervened by any other kind of leave should be treated as one continuous spell for the purpose of maximum limit.

4. EOL may also be granted to regularise periods of absence without leave retrospectively.

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Maternity Leave –

1. Admissible to married/unmarried female GS during –
 - (a) pregnancy: 180 days from 01.09.2008 – Admissible only to employees with less than two surviving children.
 - (b) Miscarriage/Abortion: Total of 45 days in the entire service irrespective of number of children.

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2. The leave is not debited to leave account.
3. It is granted on full pay.
4. It may be combined with leave of any kind.
5. Any leave (including CL up to 60 days and LND may be taken without MC up to two years in continuation.
6. Counts as service for increments.
7. Counts as service for pension.

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8. Not admissible for threatened abortion.

9. Admissible only for induced abortion.

Paternity Leave –

Eligibility – Male GS with less than two surviving children. Also granted on valid adoption of a child below the age of one year.

Duration – 15 days during the wife's confinement i.e. Up to 15 days before or up to 6 months from the date of delivery of the child and for 15 days from the date of valid adoption of a child.

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Leave Salary: equal to last pay drawn.

Not to be debited to the leave account. May be combined with any other kind of leave except casual leave.

Not to be refused normally.

To be applied up to 15 days before or up to 6 months from the date of delivery or from the date of valid adoption. If the leave is not availed of within this period, it should be treated as lapsed.

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Child Care Leave –

1. Women employees having minor children may be granted CCL for a maximum of 730 days during their entire service for taking care of up to two children, whether for rearing or to look after any of their needs like examination, sickness etc.
2. CCL shall not be admissible if the child is 18 years of age or older. In respect of disabled/mentally challenged children , it is permitted up to the age of 22 years.

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3. Leave salary equal to the pay drawn immediately before proceeding on leave is admissible.
4. CCL shall not be debited against the leave account.
5. It may be combined with leave of the kind due and admissible.

Conditions –

1. Requires prior sanction.
2. Intervening holidays will count as CCL as in the case of EL.

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3. CCL may not be granted in more than 3 spells in a calendar year.
4. There is no requirement of minimum period for grant of CCL.
5. Should not be sanctioned during probation period except in cases of extreme situations and minimal leave should be sanctioned.
6. LTC cannot be availed during CCL.

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Study Leave –

1. Granted to GS with not less than 5 years of service for undergoing special course consisting of higher studies or specialised training in a professional or technical subject having a direct and close connection with the sphere of his duties or being capable of widening his mind in a manner likely to improve his ability as a civil servant.
2. Course should certified to be in public interest.

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3. The study should be approved by the authority competent to grant leave.

4. Not granted –

- (a) For studies out of India if facilities for such studies exist in India.
- (b) To an official due to retire within three years of return from the study leave.
- (c) To same official with such frequency as to remove him from contact with his regular work or cause cadre difficulties owing to his absence on leave.

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5. Maximum period is 36 months in entire service. May be granted at a stretch or in different spells.

6. This leave is not debited against the leave account. May be combined with any other leave due.

7. Requisite bonds in the prescribed forms are required to be executed by the official.

8. Leave salary – (a) outside India: Pay last drawn plus DA, HRA and study allowance admissible.

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(b) In India: Leave salary will be equal to pay last drawn plus DA and HRA. No study allowance admissible. Stipend, Scholarship or remuneration for any part-time employment during the period of study leave should be adjusted against the leave salary.

- HRA is payable for the first 180 days at the rates applicable at the last place of duty; continuance beyond 180 days will be subject to the production of prescribed certificates.

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9. Officials granted study leave shall not be paid TA but the President may sanction in exceptional cases.

10. Cost of fees paid for study shall ordinarily be met by the GS but in exceptional cases the President may sanction the grant of such fees.

11. If the GS resigns or does not complete the course of study, he should refund (a) the actual amount of leave salary, study allowance, cost of fees, TA etc.

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Casual Leave –

1. Not a recognised form of leave. An official on CL is not treated as absent from duty.
2. Can be combined with Special CL but not with any other kind of leave.
3. Sundays/Public holidays/RH can be prefixed/suffixed to casual leave.
4. Can be taken on tour but no DA will be admissible for the period.
5. Can be taken for half a day also.

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Casual Leave –

6. Essentially intended for short periods, should not be normally granted for more than 5 days at any one time, except under special circumstances.
7. LTC can be availed during Casual leave.
8. Half day's CL should be debited for each late attendance. Late attendance up to an hour for not more than two occasions in a month can be condoned by the CA.

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Casual Leave –

9. In cases where even debiting half days CL does not ensure punctual attendance of the official, disciplinary action can be taken in addition to debiting half days CL
10. Officials who have got only half days CL at credit, when applying for half days CL for the afternoon of a day should ensure that they attend office next day since CL cannot be combined with EL. However, if due to sickness or other compelling grounds, he is

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Casual Leave –

Unable to attend office the next day, combining with EL can be permitted as an exception.

Special Casual Leave –

1. In sports events

(a) Admissible up to a maximum of 30 days in a calendar year for attending –

(1) Coaching or training camps of All India coaching or training schemes.

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(2) Coaching or training camps at the NIS, Patiala.

(3) Coaching camps in sports organised by the National Sports Federation/Sports boards recognised by Government.

Players injured during sporting events –SPCL may also be granted to sportspersons getting seriously injured or being hospitalised subject to a overall ceiling of 30 days.

2. In cultural activities –

(a) Admissible to employees taking part in the

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cultural activities like dance, drama, music etc., of an All India or Inter State character subject to overall limit of 30 days.

(b) Admissible to employees participating in events at Regional, National or International level organised by GOI/Government sponsored bodies subject to a maximum of 15 days in a calendar year.

3. Mountaineering/Trekking Expeditions – Expeditions approved by the Indian Mountaineering Foundation – 30 days.

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4. For family planning –

(a) Male employee

- (i) Maximum of 5 working days for vasectomy operation
- (ii) Maximum of 21 days for undergoing recanalization operation.
- (iii) Maximum of 3 working days if his wife undergoes tubectomy, laproscopy operation. The leave should follow the date of operation.

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(b) female employee –

- (i) Maximum of 10 working days for tubectomy/laproscopy.
- (ii) Maximum of 21 days for undergoing recanalization operation.
- (iii) For one day on the day of operation when her husband undergoes vasectomy operation.
- (iv) Can be extended on account of post operational complications.

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5. Union/Association Activities –

Up to a maximum of 20 days in a year is admissible to –

- (i) Office bearers of recognised Service Associations.
- (ii) 10 days to outstation delegates/executive committee members for attending meetings.
- (iii) 5 days to local delegates for attending meetings.

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6. Natural Calamities/Bandhs – Admissible to employees residing at places 3 miles away from office when they are unable to attend office due to dislocation of traffic arising out of natural calamities, bandhs etc. If the disturbance is due to curfew, SPCL may be granted irrespective of the distance.
7. During Elections –Employees enrolled as voters in a constituency but having offices in another constituency are entitled to a days SPCL on the day of Election for exercising their franchise.

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8. LTC can be availed during SPCL.

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That's all

Thanks!!!!