

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

- These rules may be called the Central Civil Services (Leave) Rules, 1972.
- They shall come into force on the 1st day of June 1972.
- These rules shall apply to Government Servants appointed to the civil services and posts in connection with the affairs of the Union.

CCS(LEAVE) RULES

- **These rules shall not apply to –**
 - (a) Railway servants;
 - (b) Persons in casual or part-time employment;
 - (c) Persons employed in industrial establishment;
 - (d) Persons paid from contingencies;
 - (e) Members of the All India Services;
 - (f) Persons employed on contract;
 - (g) Persons serving under a Central Government Department, on deputation from a State Government or any other source, for a limited duration.

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 be ordinarily denied during the last ten year 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.

CCS(LEAVE) RULES

- 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.

CCS(LEAVE) RULES

- An official on leave should not take up any service or employment elsewhere without obtaining prior sanction of the C.A.
- The period of absence not covered by grant of leave shall be treated as dies-non for all purposes.
- 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

- GS (Gazetted or Non-Gazetted) –
- (1) who is a CGHS beneficiary and residing within the limits of CGHS at the time of illness should produce medical certificate/fitness certificate from a CGHS doctor.
- (2) In respect of GS who has opted out of CGHS facilities and availing the medical facilities by his/her spouse's employment, MC issued by the hospital approved by that employer is allowed.

CCS(LEAVE) RULES

- GS who is not a CGHS beneficiary and CGHS beneficiaries who proceed outside the Hqrs on duty, leave etc., should produce the certificate from AMA and in such cases, a NG GS may produce certificate from RMP if there is no AMA available within a radius of 8 Kms. of his residence.
- Where a NG GS finds it difficult to obtain MC/FC from CGHS/AMA, the leave sanctioning authority may consider his leave on the basis of the certificate from an RMP taking into account the circumstances of the case.

CCS(LEAVE) RULES

- Leave sanctioning authority may secure second medical opinion, if considered necessary.
- Overstayal of leave without proper sanction will be debited against the HPL account of the GS to the extent HPL is due and the excess treated as EOL. No leave salary is admissible for the entire period of overstayal and the period of such overstayal will not count for increment, leave and pension.
- Absence without leave not in continuation to any unauthorised leave will constitute interruption of service unless it is regularised.

CCS(LEAVE) RULES

- Leave shall not be granted to a GS whom a competent punishing authority has decided to dismiss, remove or compulsorily retire from government service.
- Leave should not be granted to a GS under suspension.
- Leave should not ordinarily be denied during the last ten years of service.

CCS (LEAVE) Rules

■ Earned Leave (Rule 26) –

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.

CCS (LEAVE) RULES

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.

CCS (LEAVE) RULES

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. ¹³

CCS (LEAVE) RULES

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.

CCS (LEAVE) RULES

10. One day J.T. Admissible for transfer within the same station, if not availed, cannot be credited to EL account.
11. If transfer to an office is within the same premises, no JT is admissible.
12. EL can be availed up to 180 days at a time.

CCS (LEAVE) RULES

Encashment of EL with LTC while in service –

A GS shall be permitted by the CA to take to encash 10 days EL for availing LTC subject to the following conditions –

1. A balance of at least 30 days of EL is available to his credit taking into account the period of encashment as well as leave.
2. Total leave encashed during the entire career should not exceed 60 days.
3. Cash equivalent = Pay plus DA/30xNo. of days of EL
(subject to a max. of 10)

CCS (LEAVE) RULES

Encashment of EL on retirement, compulsory retirement or quitting of service—

1. On superannuation, the CA shall *suo motu* issue an order granting cash equivalent of leave salary for EL at the credit of the GS subject to a maximum of 300 days excluding the number of days for which encashment has been allowed for LTC.

2. Cash equivalent = Pay plus DA/30xNo. of days of EL subject to a max. of 10)

3. The CA may withhold whole or part of CELS in case a GS who retires from service on attaining the age of retirement while disciplinary or criminal

CCS (LEAVE) RULES

proceedings pending against him.

4. From 1.1.2006, encashment will be for EL and HPL subject to overall limit of 300 days.

5. Where services are terminated, same procedure as in the case of retirement.

6. If the GS resigns or quits service, he shall be granted *suo motu* CELS by the CA, subject to a maximum of 150 days.

7. In case of death in service, same procedure as in the case of retirement.

8. In case of invalidation from service, same procedure as in the case of retirement.

CCS (LEAVE) RULES

Half Pay Leave (Rule 29) –

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.
2. The HPL credited every half year will be reduced at the rate of 1/18th of the period of dies-non/suspension treated as dies non, during the preceding half year, subject to a max. of 10 days.

CCS (LEAVE) RULES

3. The credit for the half year in which a G.S. is due to retire/resign will be afforded at the rate of $\frac{5}{3}$ 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.

CCS (LEAVE) RULES

Commuted Leave (Rule 30) –

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.

CCS (LEAVE) RULES

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.

CCS (LEAVE) RULES

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.

CCS (LEAVE) RULES

Leave Not Due (Rule 31) –

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.

CCS (LEAVE) RULES

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

CCS (LEAVE) RULES

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.

CCS (LEAVE) RULES

Extra Ordinary Leave (Rule 32) –

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.

CCS (LEAVE) RULES

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.

CCS (LEAVE) RULES

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.

CCS (LEAVE) RULES

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.

CCS (LEAVE) RULES

Maternity Leave (Rule 43) –

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.

CCS (LEAVE) RULES

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.

CCS (LEAVE) RULES

8. Not admissible for threatened abortion.
9. Admissible only for induced abortion.

CCS (LEAVE) RULES

Paternity Leave (Rule 43-A) –

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.

CCS (LEAVE) RULES

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.

CCS (LEAVE) RULES

Child Adoption Leave (Rule 43-B)

1. May be granted to female GS with fewer than two surviving children on valid adoption of a child below the age of one year may be granted Child Adoption Leave for 180 days immediately after the date of valid adoption.
2. During the period of child adoption, she will be paid leave salary equal to the pay drawn immediately before proceeding on leave.
3. This leave may be combined with leave of any other kind.

CCS (LEAVE) RULES

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.

CCS (LEAVE) RULES

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.

CCS (LEAVE) RULES

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.

CCS (LEAVE) RULES

Study Leave (Rule 50) –

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.

CCS (LEAVE) RULES

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.

CCS (LEAVE) RULES

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.

CCS (LEAVE) RULES

(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.

CCS (LEAVE) RULES

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.

CCS (LEAVE) RULES

12. Leave salary-

- (i) During earned leave and commuted leave – equal to pay drawn before proceeding on leave;
- (ii) During half pay leave or leave not due – equal to half the amount of leave salary on earned leave.
- (iii) Extraordinary leave – Not entitled to any leave salary.

CCS (LEAVE) RULES

13. Leave salary advance

Eligibility-

- All officials if the leave taken is for not less than 30 days are eligible to draw this advance.
- Limit- Advance not exceeding the leave salary including allowances for the first 30 days of leave after deducting the recoveries.
- Recovery – To be recovered in full from the leave salary bill. If the period of leave falls in

CCS (LEAVE) RULES

two months, the advance will be adjusted in two instalments viz., a part of the advance will be adjusted in the first month to the extent of leave salary drawn and the balance in the next bill.

- No surety bond is required for sanction of this advance to temporary employees.

CCS (LEAVE) RULES

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.

CCS (LEAVE) RULES

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.

CCS (LEAVE) RULES

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

CCS (LEAVE) RULES

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.

CCS (LEAVE) RULES

(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

CCS (LEAVE) RULES

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.

CCS (LEAVE) RULES

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.

CCS (LEAVE) RULES

(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.

CCS (LEAVE) RULES

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.

CCS (LEAVE) RULES

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.

CCS (LEAVE) RULES

8. LTC can be availed during SPCL.

CCS (LEAVE) RULES

Exercise

Calculation of leave (EL and HPL)

Date of appointment	06.02.2009
Availed EL for 50 days from	01.08.2011
Availed HPL for 44 days from	01.02.2012
Dies-non for 15 days from	16.08.2012
Availed EL for 15 days for availing LTC and also en-cashed EL for 10 days	01.03.2013
Find out EL & HPL at credit on 01.07.2015	

CCS (LEAVE) RULES

Exercise

Calculation of leave (EL and HPL)

Balance of EL/HPL as on 27.11.2002	EL-40 days/HPL-10 days
Availed EL for 12 days from	28.06.2005
Availed EL for 45 days from	01.02.2008
EOL for 180 days from	03.01.2009
Dies-non for 15 days from	01.03.2013
Availed LTC encashment for 10 days from	05.06.2014
Availed LND for 90 days from	01.01.2015
Availed LND for 65 days from	03.03.2015
Find out EL & HPL at credit on 01.07.2015	

CCS (LEAVE) RULES

Interpretations of leave rules

1. Can one spell of casual leave combining two calendar years be allowed?
2. Can casual leave be commuted into any other kind of leave?
3. Can maternity leave be granted to a female GS if a still born child is born?
4. Does the commuted leave sanctioned in continuation to ML without MC counts as QS for increment/pension?

CCS (LEAVE) RULES

Interpretations of leave rules

5. Is encashment of EL admissible in respect of dismissal/removal of employees?
6. While calculating Special Casual leave for undergoing family planning, should the intervening holidays be ignored?

CCS (LEAVE) RULES

That's all

Thanks!!!!