

CHAPTER 7

LEAVE RULES, RULES REGARDING FACULTY DEVELOPMENT, SECONDMENT FACULTY EXCHANGE, DEPUTATION ETC.

7.1 LEAVE RULES – PROVISION IN THE STATUTES

Statute 17 provides that employees of the Institute shall be entitled to vacation and leave as laid down in Schedule 'D' of the Statute.

Schedule 'D' provides for various kinds of leave mentioned below :

- | | |
|-------------------------|--------------------------|
| (a) Casual leave | (b) Special Casual leave |
| (c) Special leave | (d) Half-pay-leave |
| (e) Commuted leave | (f) Earned leave |
| (g) Extraordinary leave | (h) Maternity leave |
| (i) Hospital leave | (j) Quarantine leave |
| (k) Leave not due | (l) Sabbatical leave |
| (m) Paternity leave | |

Schedule 'D' also gives details of various other matters concerning leave e.g. right to leave, authority empowered to sanction leave, commencement and termination of leave, combination of leave, grant of leave beyond retirement/resignation, conversion of one kind of leave to another kind, increment during leave, rejoining of duty, vacation and leave salary, limit of total absence and commutation of leave etc.

Statutes also provide that when an employee joins the Institute from any of the other Institutes or Central University, the leave to his credit on the date immediately before the date of such joining shall be carried forward and credited to his leave account in the Institute, subject to the prescribed limit of accumulation of leave.

7.2 DECISIONS OF THE BOARD WITH REGARD TO LEAVE

Besides the provisions in the Statutes, the following decisions have been taken by the Board from time to time on the subject :

7.2.1 Half-day Casual Leave

Employees of the Institute can be granted half day casual leave.

7.2.2 Special Casual Leave

Clause 14 (1) of Schedule D provides that Special Casual Leave, not counting towards ordinary casual leave, may be granted to a member of the staff when he is ...

- (1) summoned to serve as a Juror or Assessor or to give evidence before a court of law as a witness in a civil or a criminal case in which his private interests are not at issue;
- (2) deputed to attend a reference library of other institutes or conferences and scientific gatherings of learned and professional societies in the interest of the Institute;
- (3) required to be absent for any other purposes approved by the Board of Governors.

The periods of such leave admissible in a year shall ordinarily not exceed fifteen days but should, however, be sufficient to cover the period of absence necessary. The conditions under which such leave will be granted, if necessary, be laid down by the Board.

The Board of Governors have approved granting of Special Casual Leave to :

- (1) staff for attending official meetings in outside organizations i.e. for selections, academic planning, research management, coordinating committee meetings, invited lectures, conducting of Ph.D. oral examinations.
- (2) any staff member who is to present a paper or is to function as an office bearer of the conference etc. (office bearer of the conference includes chairman of a session, general reporter of a session, member of executive committee etc.)
- (3) any staff member who wishes to attend a conference etc. but who is neither presenting a paper nor is an office bearer of the conference etc.

The Board has also decided that :

- i) Before the sanction of Special Casual Leave, it should be ensured & certified that due to grant of Special Casual Leave, teaching & research commitments and other work of the Institute will not be adversely affected, and
- ii) the power to sanction Special Casual Leave may be delegated to respective Head of Department/Centre in the case of Faculty and Dy. Director (F) in the case of Heads of Departments/Centres.

- iii) the number of days for which a staff member is deputed to attend international conferences/seminars/workshops be not counted towards Special Casual Leave since the period of such absence cannot be covered within 15 days.
- iv) Faculty members deputed by the Institute in connection with Institute work will be treated on duty and the period will not count towards Special Casual Leave.

Special Casual Leave may also be granted to :

- (4) re-employed disabled Military pensioners when called upon to attend Resurvey Medical Board to assess their disability element.
- (5) staff members for participation in sporting events of National or International importance.
- (6) employees for participation in any National Programme at par with the Central Government decision from time to time.
- (7)
 - i) upto 6 days to an employee who undergoes sterilization operation;
 - ii) upto 14 days to a female employee who undergoes non-puerperal sterilization, and
 - iii) for the day of insertion in case of woman employees who have IUCD insertion.
- (8) A faculty member could be permitted to go outside the Institute on Special Casual Leave for four days in any one month (non-cumulative) either for Sponsored Projects or for Consultancy or for both, but without affecting his classes or other academic work in the Institute. This will be in addition to the 15 days of Special Casual Leave that he/she is authorized vide Clause 14 of Schedule 'D' of the Statues.

The record of Special Casual Leave granted to the Faculty/Staff will be maintained, in the manner similar to that for Casual Leave, as :

- (i) For all Faculty members/except Dy. Director, Deans and Heads of Deptts./Centres.....Heads.
- (ii) For Heads.....Office of Dy. Director (F).
- (iii) For Dy. Directors and Deans.....Office of Director.

7.2.3 Special Leave

Special leave may be granted when a staff member wishes to attend Conferences/Seminars/Symposia etc. both within India and abroad in his individual capacity and not as a representative or a delegate of the Institute.

7.2.4 Leave on Medical Grounds

The Institute employees are governed by the Government rules on the sanction of leave on medical grounds.

Rule 19 of Central Civil Services (Leave Rules) provides as under:

“An application for leave on medical certificate, made by non-gazetted Government servant, shall be accompanied by a medical certification in Form 4 given by an Authorized Medical Attendant or a Registered Medical Practitioners, defining as clearly as possible the nature and probable duration of the illness. :

Note: A certificate given by a Registered Ayurvedic, Unani or Homeopathic medical practitioner or by a Registered Dentist in the case of dental ailments or by an honorary medical officer may also be accepted provided such certificate is accepted for the same purpose in respect of its own employees by the Government of a State in which the Central Government servant falls ill or to which he proceeds for treatment.

7.2.5 Sabbatical Leave

Clause 21-C of Schedule D lists the objects for which sabbatical leave may be granted and the conditions under which this leave can be given. The Board of Governors have approved the following vis-à-vis Sabbatical Leave :

- (1) the requirement of sureties for bonds be waived in respect of those employees whose Institute subscription to the Provident Fund is sufficient to cover the amount of salary payable to them for the duration of the Sabbatical leave.
- (2) The requirement of serving the Institute for a minimum period of three years after availing sabbatical leave in terms of Clause 21-C-(e) of Schedule 'D' to the Institute statutes be reduced to two years in cases where the staff member is unable to serve the Institute for a period of three years on the expiry of the sabbatical leave due to superannuation provided he/she had been called upon to shoulder a major administrative responsibility such as Head, Dean or Dy. Director immediately prior to the sabbatical leave.
- (3) no ceiling in terms of money for fellowship/scholarship be prescribed in granting sabbatical leave to academic staff, in terms of provision of the Statutes.

- (4) Sabbatical leave cannot be granted for studies leading to higher degrees.
- i) For taking up prestigious visiting assignments as proposed by the Senate.
 - ii) The grant of Sabbatical Leave (till such time the statute get amended) should be according to norms as prescribed under Clause 21-C(2) (d) of Schedule 'D' of Institute Statutes. The interpretation regarding regular appointment etc. may be left to the discretion of the Director who may in case of doubt consult the Deans' Committee.
 - iii) It is clarified that while on sabbatical leave, the Faculty staying in the Campus could carry-on with his/her academic work but he/she cannot hold any administrative/financial position/responsibility in the Institute or of any other Body/Committee constituted/recognized by the Institute.

It has also been also decided that the Faculty on return to the Institute after availing sabbatical leave for writing a book etc. should submit a report of the work done during the sabbatical leave.

7.2.6 Terminal Leave

The Director is empowered to grant terminal leave to temporary employees including re-employed persons, on the merit of each case, in accordance with the Government rules. Further, all such cases be placed before the Board in subsequent meeting for information/ratification.

7.2.7 Leave for Assignments in India or Abroad

- (a) Leave upto two years may be granted in the case of staff members offered assignments abroad by the developing countries depending upon the merits of each case.
- (b) Staff members accepting full time assignments in India or abroad be granted extraordinary leave without pay.
- (c) GOI's rules be adopted 'mutatis mutandis' to regulate the requests from staff members for voluntary retirement after return from extraordinary leave on foreign assignment.

A provision be incorporated in the undertaking/agreement to be executed by a staff member before proceeding on Extra-Ordinary Leave (EoL) abroad on foreign assignment.

7.2.8 Counting of E.O.L. for Increment & Pension

The Extra-Ordinary Leave spent on acquisition of teaching/research experience be treated at par with extraordinary leave spent exclusively to pursue higher studies, for the purpose of sanction of increment and pension in terms of para 19(2) of Schedule 'D'.

7.3 GUIDELINES FOR GRANT OF LEAVE TO THE FACULTY

- (1) "Long Leave" is defined as leave, of any kind, including 'sabbatical' whose duration exceeds six months, and will be subject to other rules for restrictions currently in practice such as 15% quota, Sabbatical Rules, etc.
- (2) "Medium Leave i.e. leave of a duration of more than 3 months but upto 6 months, will count towards 15% quota and also towards determining his entitlement for leave as per clause 5 below.
- (3) "Short leave" i.e. leave of the duration upto 3 months will not count towards 15% quota. Such leave may be granted during vacation periods on the recommendations of the Head of concerned Department/Centre subject to following guidelines :
 - (a) Leave upto 2 months – No limit on visits.
 - (b) Leave upto 3 months – Once in two years.
- (4) No faculty member will be eligible for long leave during the first three years of his service in the Institute.
- (5) The period for which a Faculty member shall be entitled to medium or long leave will be determined as one fifth of his/her total service in the Institute less the period he/she has already availed of as medium and/or long leave. However, in the case of staff members accepting full time assignments in Government Departments/ Public Undertakings/Universities/Research Laboratories with a view to getting absorbed therein, above provision will not apply. In such cases, lien upto 2 years may be granted in accordance with the norms laid down by the Board of Governors in this behalf. In case he returns from lien, the period of lien shall be counted towards future entitlement of leave.
- (6) No more than two years' long leave can be availed of by a faculty member at a time; however, an extension upto a maximum of three months may be permitted if extension period is covered by vacation.
- (7) There must be a minimum interval of three years between two consecutive periods of long leave.

- (8) Before availing long leave of more than one year's duration, a Faculty must transfer, permanently, his project /thesis supervision responsibilities to another competent Faculty member. He will be relieved only on production of proof of such transfer, duly certified by the concerned Head of the Department/Centre.
- (9) Other formalities relating to Estate Office, Library etc. must be completed by the faculty member proceeding on long leave, as currently in practice, before he is relieved by the Institute. For short and medium leave, such clearances will not be required.
- (10) Faculty on leave for more than one year must vacate their offices and hand over the keys to the Head of the Department/Centre. For leave less than one year in duration, the faculty members should leave their keys with the Head of the Department for emergency utilization.
- (11) Faculty exchange between IITs and faculty deputation to industry and collaborative projects will be treated as on duty and will not count towards leave entitlement.

7.4 RULES REGARDING SECONDMENT/LEAVE FOR FACULTY DEVELOPMENT

- (1) The proposals for secondment/leave in connection with Faculty development will be made by the Head of the Department/Centre in consultation with other Professors of the Dept./Centre.
- (2) These proposals may be divided into two broad categories :
 - (i) secondment under the collaborative programmes of the Institute and sponsorship by Institute under the Government of India schemes.
 - (ii) Grant of leave to members of staff for their academic development not covered under (i) above.
- (2)(a)
 - (i) Members of staff seconded for higher training under collaborative arrangements will be treated as on 'duty' and will be entitled to usual pay and allowances during the period of deputation.
 - (ii) During the period of training, leave rules of the Organization (where staff member is under training) would apply and no credit of leave for this period will, therefore be given at the Institute.
 - (iii) The staff members will execute a bond as explained at para 7.9, in this chapter.
- (2)(b)
 - (i) Members of staff awarded scholarship for studies/training under the schemes administered through the Government of India, not covered by the

collaborative programmes of the Institute, can be considered for being 'Sponsored' to avail of the scholarship.

- (ii) If sponsored, they shall be eligible for the same terms and conditions as applicable to the staff deputed for higher training under 2(a). If they are not sponsored, their case will fall under category 3(i).
- (3) Members of staff may at their own request be also granted leave for any of the purposes specified below :

Purpose

Nature/Quantum of leave

(i) To pursue a course of study/ instruction training or get suitable experience (not covered under 2(a) and 2(b))

(ii) To accept adhoc teaching/ research assignment or fellowship/scholarship offered by a University/ Institute/organization.

Leave of the kind due and admissible. The period of leave ordinarily not to exceed one year but may be longer in individual cases, to be decided on merit.

(iii) Any purpose contributing to the academic growth of the faculty member and in the interest of the Institute.

(4) General :

(a) Normally a member of staff should have rendered at least 2 years of service before he could be considered for sponsorship leave except under 2(a).

(b) A member of staff who has been granted leave earlier, will not be granted such leave unless 3 years have elapsed from the date of his return from the previous leave.

(c) During the period of leave/secondment, the staff members concerned may retain the Institute accommodation on terms and conditions approved by BOG under the House Allotment Rules.

(5) In the context of rule (3) (ii) above, the sanction of leave of kind due is to be regulated in terms of 7.2.7.

7.5 PROCEDURE FOR DEPUTATION OF FACULTY ABROAD FOR SHORT/LONG PERIOD AND COMPETENT AUTHORITY FOR APPROVING THE SAME

The procedure for selection of staff for the purpose of higher training abroad is regulated as per the following guidelines.

- (1) No person will be sponsored without the permission of the Head of the Department concerned. In case of Project employees, the Coordinator can sponsor the visit.
- (2) All persons who are sent abroad should be screened through a Committee under the Chairmanship of the Director .
- (3) In case of faculty, the person should have at least one year's experience on the project evidenced by research publications, study leading to state of art publication, seminars or participation in conference.
- (4) For employees of the project, they should have atleast two year's experience in similar work with a six months direct involvement in the project after appointment.
- (5) For training in special techniques, maintenance and use of special equipment, a person can be sent if such a training is not available in India.
- (6) No student should be deputed under such programmes.
- (7) For every person proposed to be sent abroad, definite programme of work should be laid down in consultation with the counterpart abroad. All background study (including language) should be completed in India before going, so as to obtain full benefit from the visit.
- (8) The Screening Committee as in (2) above will satisfy itself regarding above points before approving the visit.
- (9) The period of deputation will be treated as duty.
- (10) During the period of secondment, the leave rules of the organization where a staff member is under training would apply to him. No credit of earned leave for the period of secondment will accrue to the staff member at this Institute.
- (11) The period of secondment of the staff member should normally be for six months. However, in a special case the secondment of maximum 12 months can be considered.
- (12) The secondment of staff for more than 3 months should be within the laid down percentage criteria of Faculty to be out of the Institute at any given time.
- (13) The staff deputed for training abroad shall be required to execute the bonds to

serve the Institute as per the following details :

- | | | |
|------|---|---------|
| (i) | If the secondment is for a period of more than three months | 2 years |
| (ii) | If the secondment period is less than 3 months | No Bond |

NOTE: Visits undertaken during vacation period shall be considered as on deputation only if these are against any of the approved collaborative programmes/projects.

7.6 POLICY REGARDING PERCENTAGE OF STAFF MEMBERS WHO COULD BE DEPUTED/GRANTED LEAVE AT ANY GIVEN TIME

- (1) Not more than 15% of the Faculty based on the sanctioned strength be allowed to be out of the Department at any given time under any scheme, including visiting appointments abroad, for periods of over 6 months in each case. No such restriction shall apply to cases where the period of deputation/leave is upto 6 months.
- (2) The condition regarding grant of leave after the lapse of three years from the date of the return from the previous leave shall apply only in the cases of leave granted for the periods of over six months.
- (3) The slots occupied by Faculty members on deputation against the 15% quota would stand vacated after the expiry of two years or the deputation period even if the faculty member has not returned to the Institute.

7.7 RULES FOR STUDY LEAVE FOR TECHNICAL/MINISTERIAL/ADMINISTRATIVE STAFF AT IIT DELHI

- (1) Short title, commencement & application
 - 1.1 These rules may be called the "Study Leave Rules for Technical, Ministerial and Administrative Staff, 1964:
 - 1.2 These rules shall come into force immediately.
 - 1.3 They shall apply to all employees of the Institute falling in the category of Technical and Ministerial supporting staff, Administrative staff and shall not apply to faculty members.
- (2) Conditions for grant of Study Leave
 - 2.1 Subject to the conditions specified in these rules, study leave may be granted to an Institute employees with due regard to exigencies of service to enable

him to undergo in India a special course of study, consisting of higher studies or specialized training in a professional or a technical subject having a direct and close connection with the sphere of his duty.

2.2 Study leave shall not be granted unless it is certified by the Head of the Department/Centre/Section/School to which the employee is attached that the proposed course of study or training shall be a definite advantage from the point of view of the interest of the Institute, and that no relief would be required during the period of the absence of the employee.

2.3 Study leave shall not ordinarily be granted to an employee of the Institute who has rendered less than five years of service, or who is due to retire from the Institute service within 5 years after return from such leave.

(3) Period of Leave

3.1 The maximum amount of study leave, which may be granted to an Institute employee shall be :

(a) Twelve months for those employees who have completed an uninterrupted service of five years at the Institute.

(b) Twenty four months for those employees who have completed an uninterrupted service of ten years at the Institute and have not previously been granted any study leave.

(4) Adjustment of Leave

4.1 The study leave granted would be adjusted towards the leave of the kind due to the employee concerned.

(5) Allowance and Residential Accommodation

5.1 No separate allowance including TA/DA would be admissible to the employee for the period of the Study leave.

5.2 An employee granted Study Leave shall be entitled to keep the residential accommodation allotted to him/her in the campus for the period of the Study leave on payment of usual rent.

5.3 An employee shall not undertake, during the period of leave, any regular appointment under another organization; he shall however be free to receive a scholarship, fellowship or part time job or any other form of assistance other than regular appointment.

(6) Maximum Number of Staff on Study Leave

6.1 The maximum number of employees belonging to the ministerial cadre sanctioned study leave shall not exceed 15% of the strength of the individual cadre at any point of time on the Institute basis, inclusive of staff on deputation, assignments/secondments abroad.

6.2 The maximum number of technical staff sanctioned study leave in any department/center/section/school shall not exceed 15% of the total technical supporting staff in the Department/Centre/Section/School inclusive of staff on deputation/assignments/secondments abroad, subject to a minimum of one and maximum of six at any point to time.

(7) Processing of Application for Leave

7.1 Application for Study Leave may be sent to the Registrar with the requisite certificate as required in 7.7 (2.2) through the concerned Head of the Department/Centre/Section/School. Each application will normally be received twice in a year namely 30th of June and 30th of November for those who desire study leave to start during the period January and June respectively of the following year.

7.2 Grant of leave to applicants will be made in accordance with Section 3.1 and seniority of service in the Institute will be the deciding criterion when the number of employees seeking study leave exceed the limit stipulated in Section 6.

7.8 APPLICABILITY OF RULES REGARDING GRANT OF PERMISSION/LEAVE FOR FOREIGN ASSIGNMENTS TO THE NON-ACADEMIC STAFF

The rules applicable to academic staff regarding grant of permission/leave for taking up foreign assignments would also apply to the non-academic staff of the Institute.

7.9 SERVICE BOND

(1) Staff members who are granted leave of the type due for taking up outside assignment need not execute any bond to serve the Institute on return from leave.

(2) All staff members (both Academic and Non-Academic) who are sponsored/deputed by the Institute for higher training/study abroad under collaborative arrangement and /or Government of India scholarship schemes etc. should execute service bond for the period as specified below :

- | | | |
|------|--|---------|
| (i) | If the secondment is for a period of more than 3 months. | 2 years |
| (ii) | If the secondment period is less than 3 months. | No Bond |

- (3) All bonds will be signed by the staff member concerned with the sureties from two persons acceptable to the Institute for the purpose.
- (4) For sabbatical leave, rules 7.2.5 would apply.

7.10 SCHEME FOR DEPUTATION OF FACULTY TO THE INDUSTRY FOR PRACTICAL EXPERIENCE

(1) Short Title

This scheme may be called "Scheme for deputation of faculty to industry for practical experience".

(2) Definition

In this scheme unless there is anything repugnant in the subject or context :

"Industry" means any systematic activity carried on by cooperation between an employer and workmen (whether such workmen are employed by such employer directly or through agency, including a contractor) for production, supply or distribution of goods services with a view to satisfy human wants/wishes (not being wants or wishes which are merely spiritual or religious in nature), whether or not –

- (i) any capital has been invested for the purpose of carrying on such activity; or
- (ii) such activity is carried on with a motive to make any gain or profit. and includes –
 - (a) Field Agencies promoting rural development and with a view to encourage R&D efforts relevant to the rural sector;
 - (b) Consultancy firms;
 - (c) Manufacturing firms.

(3) Procedures for regulating the Scheme

- (3.1) The faculty members deputed to industry under the scheme will be treated on duty and will be paid to and fro travel expenses by IIT Delhi.
- (3.2) There will be no hard and fast rule regarding payment to the faculty members by industry. The scheme will be used for strengthening the areas identified by the Institute.
- (3.3) The period of deputation will range from 6 to 12 months and will be limited to 5% of faculty strength in a Department.

- (3.4) The industry should be apprised of the expertise and consultancy capabilities of the faculty members of the Institute through suitable information bulletins.
- (3.5) To and fro traveling allowance for the family members of the faculty members should also be allowed in case the faculty member is deputed to the industry for practical experience for a period of six months or more. This to-and fro-TA for the family members may be allowed only once during the deputation. In addition to the to and fro TA for family of Faculty on deputation of 6 months or more, moving allowance as per actuals may also be allowed.
- (3.6) Faculty members concerned may be considered for grant of one additional increment on satisfactory completion of one year practical experience in industry/industrial in-house R&D on the basis of the report of the host industry/industrial in-house R&D.
- (3.7) No bond may be required to be executed by the Faculty member deputed to the industry for practical experience.

(4) Interpretation of Rules :

Any doubt arising about the interpretation of these rules shall be referred to the Chairman, Board of Governors whose decision shall be final.

7.11 TERMS FOR DEPUTATION UNDER INTER-IIT FACULTY EXCHANGE PROGRAMME AND DEPUTATION TO ENGINEERING COLLEGES IN THE NEIGHBORHOOD

- (1) The duration of the exchange will be between 3-12 months.
- (2) The faculty member will be paid TA by the host Institute for self and family.
- (3) In addition to TA for self and family, the faculty member will be paid by the host Institute an expense allowance equivalent to 20% of his basic salary.
- (4) Expenses on the salary of the faculty member during the period of exchange will be met either by the parent IIT or the host Institution as may be mutually agreed.
- (5) The faculty member be provided with a suitable license fee free accommodation, furnished or unfurnished depending upon the availability by the host Institute.

Deputation to Engineering Colleges in the neighborhood will be made to help those Institutes.

7.12 LEAVE ENCASHMENT

As per BOG Resolution No. BG.19/98 any order issued by the Govt. of India will be made applicable mutatis-mutandis at the Institute. The details are given in **Annexure 7.1**.

7.13 LEAVE TO EMERITUS FELLOWS/CHAIR PROFESSORS/WHOLE-TIME VISITING PROFESSORS/FACULTY

Emeritus Fellows/Chair Professors/Whole-Time Visiting Professors/ Faculty serving the Institute are allowed to avail Vacation/Earned/Casual Leave as admissible to regular faculty members of the Institute except that such Leave (s) shall lapse at the end of the year and no carry forward/encashment etc. for the same shall be admissible.

**ANNEXURE
CHAPTER 7**

Annexure	Title	Page
7.1	Copy of the Govt. of India, Deptt. of Personnel & Training O. M. No. 14028/7/10-Estt. (L), dated the 7.10.92 Leave/Cash Payment in lieu of leave beyond the Date of retirement or quitting of service.	7-17

ANNEXURE 7.1

(Refers 7.12)

G.I. Dept. of Per. & Trg. O.M. No. 14028/7/97-Estt. (L),

Dated 7.10.1997

Recommendations of the Fifth Central Pay

Commission-Decisions relating to Enhancement of the ceiling on accumulation and encashment of Earned Leave in respect of Central Government employees

The undersigned is directed to say that consequent upon the decisions taken by the Government on the recommendations of the Fifth Central Pay Commission relating to leave, the President is pleased to decide that the existing provisions of the Central Civil Services (Leave) Rules, 1972, may be modified as follows in respect of civilian employees of the Central Government :-

- (a) The existing ceiling of 240 days on accumulation of earned leave provided in Rules 26 & 28 ibid shall be enhanced to 300 days.
- (b) The existing ceiling of 240 days for availing of the benefit of encashment of unutilized earned leave shall be increased to 300 days in respect of the following categories;
 - (i) retirement on attaining the age of superannuation [Rule 39 (2)];
 - (ii) cases where the service of a Government servant has been extended, in the interest of public service, beyond the date of retirement on superannuation [Rule 39 (4)];
 - (iii) voluntary/premature retirement [Rule 39 (5)];
 - (iv) where the services of a Government servant are terminated by notice or by payment of pay and allowances in lieu of notice, or otherwise in accordance with the terms and conditions of his appointment [Rule 39 (6) (a) (i)];
 - (v) in the case of termination of re-employment after retirement [Rule 39 (6) (a) (iii)];
 - (vi) in the case of death of a Government servant while in service, to the family of the deceased [Rule 39 (4)];
 - (vii) in the case of leave preparatory to retirement [sub-rule (1) of Rule 38];
 - (viii) in the case of transfer of a Government servant to an industrial establishment [Rule 6]; and

- (ix) on absorption of a Government servant in the Central Public Sector Undertaking/autonomous body wholly or substantially owned or controlled by the Central/State Government [39-D];
- (c) A Government servant who resigns or quits service shall be entitled to cash equivalent in respect of earned leave at credit on the date of cessation of service, to the extent of half of such leave at his credit subject to a maximum of 150 days [Rule 39 (6) (a) (ii)]
- 2. The above orders shall take effect from 1st July, 1997.
- 3. The Fifth Pay Commission has also recommended that all employees may be permitted to encash 10 days earned leave at the time of availing of Leave Travel Concession, subject to the conditions that -
 - (a) the total leave so encashed during the entire career does not exceed 60 days in the aggregate;
 - (b) earned leave of atleast an equivalent duration is also availed of simultaneously by the employee;
 - (c) a balance of at least 30 days of earned leave is still available to the credit of the employee after taking into account the period of encashment as well as leave; and
 - (d) the period of leave encashed shall be deducted from the quantum of leave that can be normally encashed by him at the time of superannuation.

This recommendation has also been accepted by the Government and, accordingly, encashment of earned leave may be allowed by the Ministries/Departments subject to the prescribed conditions. The total encashment of Earned Leave allowed to a Government servant along with LTC while in service and as per the provisions of the Central Civil Services (Leave) Rules, 1972, should not exceed the maximum limit/ceiling of 300 days of 150 days, as the case may be.

- 4. The orders in paragraph 3 above shall take effect from the date of issue.
- 5. The orders as per paragraphs 1 to 4 above shall also apply to Government servants serving in Vacation Departments.
- 6. Formal amendments to the Central Civil Services (Leave) Rules, 1972, are being issued separately.
- 7. In so far as persons serving in the Indian Audit and Accounts Departments are concerned, these orders issue in consultation with the Comptroller and Auditor-General of India.

**SUMMARY OF GOVT. OF INDIA DECISIONS/ORDERS AS APPROVED BY THE BOG. III
DELHI VIDE BG/19/98**

Sr. No. Item	Pre-5 th Pay Commission	Post 5 th Pay Commission	Date of implementation as approved by the BOG	Govt. of India reference letters
LEAVE				
1. Earned Leave				
a) Accumulation of EL for Encashment on Retirement/Death.	240 days	300 days	1.7.1997	GI Deptt. of Per. & Trg. O.M. No.-14028/7/97-Estt (L) dated 7.10.1997.
b) Encashment of 10 days EL at the time of LTC	NIL	10 days	-do-	Subject to condition mentioned in the O.M. Dated 7.10.1997.
2. Casual Leave in a Calendar year Deptt.	12 days	8 days	w.e.f. the calendar year, 1998	O.M.No.12.09.94-JCA dated 14.1.1998 of Per. & Trg.
3. Conversion of one kind of leave into another 31.12.97.	At the discretion of the authority who granted leave (Rule 10 of the CCS (leave) Rules 1972	within 30 days of the expiry of the relevant leave (Rule 10 of the CCS (Leave) Rules 1972	w.e.f. date of the Board decision i.e. 7.8.1998.	GI Deptt. of Per & Trg. O.M. No. 14015/2/97-Estt. (L) dated
4. Maternity Leave	90 days	135 days	-do-	GI Deptt. of Per & Trg. O.M. No. 13018/1/97-Estt. (Leave) dated 7.10.1997.
5. Paternity leave	NIL	15 days (only those Govt. servants with less than two surviving children are eligible)	-do-	-do-