



इण्डियन एसोसिएशन फॉर द कल्टीवेशन ऑफ साइंस

INDIAN ASSOCIATION FOR THE CULTIVATION OF SCIENCE

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सं./No.: 1.2/638

दिनांक/Dated: May 19, 2023

NOTICE

This is to inform all concerned that, with the approval of the Competent Authority, a 'Leave Guidelines', following the Central Civil Services (Leave) Rules, 1972 as amended from time to time, has been prepared. The said guideline is posted on IACS website at the following link :

1) Resource > Administrative Form > Leave Form

(Link http://www.iacs.res.in/modules/fileupload/images/fileupload_19-05-233972.pdf)

2) News & Updates

(Link http://www.iacs.res.in/modules/news/images/news_19-05-237903.pdf)

(Sarbani Saha)

कुलसचिव / Registrar

Copy forwarded to :-

1) Director, 2) All Deans, 3) All Chairs of Schools, 4) Head/In-Charge of Units/Centers/Sections, 5) Central Secretariat, 6) Finance & Accounts Officer, 7) Internal Audit Wing, 8) Establishment Section, 9) Hindi Cell, 10) Webmaster for broadcast.



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INDIAN ASSOCIATION FOR THE CULTIVATION OF SCIENCE

[मानद विश्वविद्यालय / Deemed to be University]

LEAVE GUIDELINES:

[Note: This guideline has been prepared in line with the Central Civil Services (Leave) Rules, 1972 as amended from time to time, to give a basic idea. However, it may be noted that if there is any cloudiness, the decision of the Governing Council is final and binding.]

- Leave cannot be claimed as a matter of 'Right' as per provision of Rule 7.
- When the exigencies of public service so require, leave of any kind may be refused or revoked by the competent authority, but the leave sanctioning authority cannot alter the kind of leave due and applied for except at the written request of the employee. Provided that leave applied under Rule 20 of CCS (Leave) Rules, 1972 shall not be refused or revoked without reference to the Medical Authority, whose advice shall be binding.
- Leave shall not be granted to an employee under suspension.
- An employee's claim to leave is regulated by the rules in force at the time the leave is applied for and granted.
- In terms of Govt. of India, Ministry of Personnel, Public Grievances and Pensions, Department of Personnel & Training O.M. No. 14028/19/86-Estt. (Leave), dated 29.09.1986, earned leave should not ordinarily be denied to any employee, especially in the last ten years of his career.
- Except as provided in Rule 39 of CCS (Leave) Rules, 1972, any claim to leave to the credit of an employee, who is dismissed or removed or who resigns from service, ceases from the date of such dismissal or removal or resignation.
- Where an employee applies for another post under the Government of India but outside his present office or department and if such application is forwarded through proper channel and the applicant is required to resign his post before taking up the new one, such resignation shall not result in the lapse of the leave to his credit. The balance of unutilized Child Care Leave (CCL) as well as all other leaves of the kind due and admissible will be carried forward [Rule 9 (2)].
- At the request of employee, leave of any kind taken earlier can be converted into leave of any other kind at a later date on an application within 30 days of joining duty after leave by the employee, and at the discretion of the leave sanctioning authority subject to adjustment of leave salary on the basis of leave finally granted to the employee, that is to say, any amount paid to him in excess shall be recovered or any arrears due to him shall be paid. Conversion of one kind of leave into leave of a different kind is permissible only when applied for by the official while in service and not after quitting service (Rule 10).

NOTE:- Extraordinary leave granted on medical certificate or otherwise may be commuted retrospectively into leave not due subject to the provisions of Rule 31.

- Any kind of leave may be granted in combination with or in continuation of any other kind of leave (Rule 11).

NOTE :- (1) Casual leave which is not recognized as leave shall not be combined with any other kind of leave admissible under CCS (Leave) Rules.

(2) As a general rule, it is open to the Competent Authority to grant casual leave in combination with special casual leave but in cases where it is permissible to grant regular leave in combination with special casual leave, casual leave should not be granted in combination with both special casual leave and regular leave. [GoI, MHA, O.M. No. 46/8/57-Ests.(A), dated 22.07.1967].

- No employee shall be granted leave of any kind for a continuous period exceeding five years (Rule 12).
- An employee who remains absent from duty for a continuous period exceeding five years, with or without leave, shall be deemed to have resigned from the service: Provided that a reasonable opportunity to explain the reasons for such absence shall be given to that employee before this provision is invoked. This rule shall not apply to a case where leave is applied on medical certificate, in connection with a disability [Rule 12 (2)].
- As per provisions of Rule 14, if an employee is unable to submit any leave application or medical certificate on account of a disability, such application or medical certificate may be signed and submitted by:-
 - (a) the spouse of the employee; or
 - (b) the parents in case of an unmarried employee; or
 - (c) the child including adopted child or brother or sister of the employee, who has attained the age of majority; or
 - (d) any person who has been assigned limited guardianship of the employee in terms of Section 14 of the Rights of Persons with Disabilities Act, 2016 (49 of 2016), and the same shall be deemed to have been made and submitted by the employee himself.
- No leave shall be granted to an employee until a report regarding its admissibility has been obtained from the authority maintaining the leave account [Rule 16 (1)].
- Leave shall not be granted to an employee whom a competent punishing authority has decided to dismiss, remove or compulsorily retire from Government service (Rule 17).

COMBINATION OF HOLIDAYS WITH LEAVE:

- Leave ordinarily begins from the date on which leave as such is actually availed of and ends on the day preceding the date on which duty is resumed. Saturdays, Sundays, Restricted Holidays and other Holidays or the vacation may be prefixed as well as suffixed to any leave, subject to any limit of absence on leave prescribed under each category of leave (Rule 22).

NOTE.- A compensatory leave granted in lieu of duty performed by an employee on Sunday or a holiday for a full day may be treated as a holiday for the above purpose.

In the case of leave on medical certificate-

- (a) When an employee is certified medically unwell to attend office, holiday(s), if any, immediately preceding the day he is so certified shall be allowed automatically to be prefixed to leave and the holiday(s) if any, immediately succeeding the day he is so certified (including that day) shall automatically be allowed to be suffixed to the leave, and holiday(s), if any, preceding the day he is so certified shall be treated as part of the leave; and
 - (b) When an employee is certified medically fit for joining duty, holiday(s) if any, succeeding the day he is so certified (including that day) shall automatically be allowed to be suffixed to the leave, and holiday(s), if any, preceding the day he is so certified shall be treated as part of the leave.
- An employee who has been granted leave on medical certificate is required to produce a medical certificate of fitness before resuming duty. Leave sanctioning authority may secure second medical opinion, if considered necessary.
 - Leave should always be applied for and sanctioned before it is taken, except in cases of emergency and for satisfactory reasons.
 - Willful absence from duty after the expiry of leave renders an employee liable to disciplinary action.
 - Absence without leave will constitute an interruption in service.
 - A staff on leave should not take up any service or employment elsewhere without obtaining prior sanction of the competent authority (Rule 13).

REGULATION OF LEAVES:

- **CASUAL LEAVE** is not earned by duty. An employee on CL is not treated as absent from duty. CL cannot be claimed as of right and is subject to a maximum of 8 days in a calendar year. For employees with disabilities, additional 4 days as Special Casual Leave for specific requirement relating to the disability of the official.
- In addition, each employee will also be allowed to avail himself/herself of any two holidays from the list of Restricted holidays declared by the IACS.
- CL can be combined with Special Casual Leave/Vacation/Restricted Holidays but not with any other kind of leave. Saturdays, Sundays, Restricted Holiday and holidays, whether intervening, prefixed or suffixed, shall not be counted as Casual Leave.
- CL shall not be granted for more than 5 days at any time.
- CL can be taken for half a day also.
- LTC can also be availed during CL.
- CL cannot be combined with joining time.

- Officials joining during the middle of a year may avail of CL proportionately or to the full extent at the discretion of the competent authority.
- Half-day's CL should be debited to the CL account for each late attendance. However, late attendance up to one hour for not more than three occasions in a month can be condoned by the competent authority.
- There is no objection to grant of half-day's casual leave in conjunction with full day's casual leave, if so applied for.
- **Combination of half a day's Casual Leave** - Since, Casual Leave cannot be combined with Earned Leave, an employee who has only half a day's casual leave to his credit should satisfy himself that he would be in a position to attend office on the next working day, before he avails of half a day's casual leave in the afternoon. Nevertheless, it is possible, in some cases, that an officer who avails of half a day's casual leave in the afternoon may be unable to resume duty on the next working day, because of unexpected illness, or some other compelling grounds and is thus constrained to take leave for that day. It has been decided that an employee, may, as an exception to the general rule, be permitted to combine half a day's casual leave with other admissible leave if his absence on the next working day was due to sickness or other compelling grounds. Those who have only half a day's casual leave at their credit and who will not attend office on the next working day (having already applied for leave of the kind due and admissible to cover their absence for that working day and for subsequent days, if any) shall not be allowed the last half a day's casual leave for the afternoon. [GoI, M.H.A., O.M. No. 60/45/65-Ests. (A), dated 04.02.1966]
- **EARNED LEAVE** as per rule 26, is admissible to an employee shall be 30 days in a calendar year. 15 days of EL is credited in advance on the 1st January and 1st July every year. The credit will be reduced by 1/10th of EOL and or period of *dies non* during the previous half-year, subject to a maximum of 15 days. The advance credit for the half-year in which an employee is appointed will be at the rate of 2½ days for each completed calendar month of service. EL credit for the half-year in which the employee retires/resigns/removed/dismissed or dies in service will be afforded at the rate of 2½ days per completed calendar month up to the end of the calendar month preceding the last calendar month of service.
- While affording credit, fraction shall be rounded off to the nearest day. EL can be accumulated up to 300 days (excluding the number of days for which encashment has been allowed along with LTC).
- Encashment of EL while availing LTC upto 10 days on each occasion and a maximum of 60 days in the entire service are permissible. The encashment so availed will not be taken into account while computing the maximum admissible leave encashment at the time of quitting service.
- **HALF PAY LEAVE** as per rule 29, is admissible to a member of the staff in respect of each completed year of service shall be 20 days. Service includes periods of duty and leave including extraordinary leave with or without medical certificate, but does not include periods of suspension treated as *dies non*, overstays of leave/joining time unless otherwise regularized. HPL is credited in advance at the rate of 10 days on the 1st January and 1st July every year. The advance credit for the half-year in which a staff is appointed will be at the rate of 5/3 days for each completed calendar month of service. The advance credit will be reduced by 1/18th of the period of *dies non*/suspension treated as *dies-*

non during the preceding half-year, subject to a maximum of 10 days. HPL credit for the half-year in which the staff retires/resigns/removed/dismissed or dies in service will be afforded at the rate of 5/3 days per completed calendar month up to the end of the calendar month preceding the last calendar month of service.

- HPL may be availed of either on medical certificate or on private affairs.
- **COMMUTED LEAVE** (Rule 30) not exceeding half the amount of half pay leave due may be granted on medical certificate to an employee, subject to the following conditions:
 - (a) the authority competent to grant leave is satisfied that there is reasonable prospect of the employee returning to duty on its expiry;
 - (b) when commuted leave is granted, twice the amount of such leave shall be debited against the half pay leave due;
 - (c) Half pay leave up to a maximum of 180 days may be allowed to be commuted during the entire service (without production of medical certificate) where such leave is utilized for an approved course of study certified to be in the public interest by the leave sanctioning authority.
 - (d) Commuted Leave may be granted at the request of the employee even when Earned Leave is due to him.
 - (e) Medical Certificate is not necessary for commuted leave in continuation of maternity leave.
- **LEAVE NOT DUE (LND)** [Rule 31] may be granted to an employee in permanent employment or quasi-permanent employment limited to a maximum of 360 days during the entire service on medical certificate subject to the following conditions:-
 - i) Leave Not Due may be granted only on medical grounds to a permanent staff with no HPL at his/her credit.
 - ii) Temporary staff with minimum of one year service and suffering from TB, Leprosy, Cancer or Mental illness may also be granted LND if the post from which the staff proceeds on leave is likely to last till his/her return.
 - iii) LND is granted only if the leave sanctioning authority, i.e. Director, is satisfied that there is a reasonable prospect of the staff returning to duty on expiry of the leave.
 - iv) LND may be granted without medical certificate to a female staff in continuation of maternity leave, or for adoption of a child.
 - v) The amount of leave should be limited to the half pay leave that the staff is likely to earn subsequently.
 - vi) LND during the entire service is limited to a maximum of 360 days.
 - vii) LND will be debited against the half pay leave that the staff earns subsequently and in fact LND is HPL taken in advance.

- viii) LND cannot be granted in the case of Leave preparatory to retirement.
- ix) When a staff granted LND resigns from the service or is permitted to retire voluntarily without returning to duty, the LND should be cancelled. The resignation/retirement will take effect from the date on which such leave had commenced and the leave salary should be recovered.

➤ **EXTRAORDINARY LEAVE** as per rule 32, may be granted to an employee in special circumstances:-

(a) when no other leave is admissible:

(b) when other leave is admissible, but the employee applies in writing for the grant of extraordinary leave.

Unless the Competent Authority in view of the exceptional circumstances of the case otherwise determines, no employee, who is not in permanent employ or quasi-permanent employ, shall be granted extraordinary leave on any one occasion in excess of the following limits:-

(a) three months;

(b) six months where the employee has completed one year's continuous service on the date of expiry of leave of the kind due and admissible under these rules, including three months' extraordinary leave under Clause (a) and his request for such leave is supported by a medical certificate as required by these rules;

(c) eighteen months, where the employee who has completed one year's continuous service is undergoing treatment

(d) Two spells of extraordinary leave, if intervened by any other kind of leave, shall be treated as one continuous spell of extraordinary leave for the purposes.

The authority competent to grant leave may commute retrospectively periods of absence without leave into extraordinary leave.

MATERNITY LEAVE (Rule 43):

(1) A female employee with less than two surviving children may be granted maternity leave by an authority competent to grant leave for a period of 180 days during pregnancy.

(2) During such period, she shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.

(3) Maternity leave not exceeding 45 days may also be granted to a female employee (irrespective of the number of surviving children) during the entire service of that female Government in case of miscarriage including abortion on production of medical certificate.

(4) (a) Maternity leave may be combined with leave of any other kind.

(b) Notwithstanding the requirement of production of medical certificate, leave of the kind due and admissible (including commuted leave for a period not exceeding 60 days and leave not due) up to a maximum of two year may, if applied for, be granted in continuation of maternity leave granted under sub-rule (1).

(5) Maternity leave shall not be debited against the leave account.

(6) Maternity Leave counts as service for increments and pension (if any).

(7) Maternity Leave is **NOT** admissible for 'threatened abortion'.

(8) Maternity Leave is admissible for induced abortion.

PATERNITY LEAVE (Rule 43-A):

(1) A male employee with less than two surviving children, may be granted Paternity Leave by an authority competent to grant leave for a period of 15 days at a stretch, during the confinement of his wife for childbirth, i.e., up to 15 days before, or up to six months from the date of delivery of the child.

(2) During such period of 15 days, he shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.

(3) The paternity Leave may be combined with leave of any other kind.

(4) The paternity leave shall not be debited against the leave account.

(9) If Paternity Leave is not availed of within the period specified, otherwise such leave shall be treated as lapsed.

NOTE:- The Paternity Leave shall not normally be refused under any circumstances.

PATERNITY LEAVE FOR CHILD ADOPTION (Rule 43-AA):

(1) A male employee with less than two surviving children, on valid adoption of a child below the age of one year, may be granted Paternity Leave for a period of 15 days at a stretch within a period of six months from the date of valid adoption.

(2) During such period of 15 days, he shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.

(3) The Paternity Leave may be combined with leave of any other kind.

(4) The Paternity Leave shall not be debited against the leave account.

(5) If Paternity Leave is not availed of within the period specified otherwise such leave shall be treated as lapsed.

NOTE 1.— The Paternity Leave shall not normally be refused under any circumstances.

CHILD ADOPTION LEAVE (Rule 43-B):

(1) A female employee, with fewer than two surviving children, on valid adoption of a child below the age of one year may be granted child adoption leave, by an authority competent to grant leave, for a period of 180 days immediately after the date of valid adoption.

(2) During the period of child adoption leave, she shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.

(3) (a) Child adoption leave may be combined with leave of any other kind.

(b) In continuation of the child adoption leave granted under subrule (1), a female employee on valid adoption of a child may also be granted, if applied for, leave of the kind due and admissible (including leave not due and commuted leave not exceeding 60 days without production of medical certificate) for a period up to one year reduced by the age of the adopted child on the date of valid adoption, without taking into account child adoption leave.

Provided that this facility shall not be admissible in case she is already having two surviving children at the time of adoption.

(4) Child adoption leave shall not be debited against the leave account.

CHILD CARE LEAVE (Rule 43-C):

(1) Subject to the provisions of this rule, a female employee and single male employee may be granted child care leave by an authority competent to grant leave for a maximum period of seven hundred and thirty days during entire service for taking care of two eldest surviving children, whether for rearing or for looking after any of their needs, such as education, sickness and the like.

(2) For the purposes of sub-rule (1), "child" means :- (a) a child below the age of eighteen years: or (b) an offspring of any age with a minimum disability of forty per cent.

(3) Grant of child care leave to a female employee and a single male employee under sub-rule (1) shall be subject to the following conditions:-

- (i) CCL cannot be demanded as a matter of right. Under no circumstances can any employee proceed on CCL without prior proper approval of the leave by the leave sanctioning authority.
- (ii) Saturdays, Sundays, Gazetted holidays etc. falling during the period of leave would also count for CCL, as in the case of Earned Leave.
- (iii) It shall not be granted for more than three spells in a calendar year.
- (iv) In case of a single female employee, the grant of leave in three spells in a calendar year shall be extended to six spells in a calendar year.
- (v) It shall not ordinarily be granted during the probation period except in case of certain extreme situations where the leave sanctioning authority is satisfied about the need of child care leave to the probationer, provided that the period for which such leave is sanctioned is minimal.

- (vi) Child care leave may not be granted for a period less than five days at a time.
- (vii) Child Care Leave may be extended to single male parent who may include an unmarried or widower or divorcee employee.

(4) During the period of child care leave, a female employee and a single male employee shall be paid one hundred per cent of the salary for the first three hundred and sixty-five days, and at eighty per cent of the salary for the next three hundred and sixty-five days.

(5) Child care leave may be combined with leave of any other kind.

(6) Notwithstanding the requirement of production of medical certificate, leave of the kind due and admissible (including Commuted Leave not exceeding sixty days and Leave Not Due) up to a maximum of one year, if applied for, be granted in continuation with child care leave granted under sub-rule (1).

(7) Child care leave shall not be debited against the leave account.

Note:- LTC may be availed while an employee is on CCL. (DoPT O.M. No. 13018/6/2023-Estt(L) dt. 03.04.2018)

SPECIAL LEAVE CONNECTED TO INQUIRY OF SEXUAL HARASSMENT (Rule 48):

Leave up to a period of 90 days may be granted to an aggrieved female employee on the recommendation of the Internal Complaint Committee, as the case maybe, during the pendency of inquiry under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and the leave granted to the aggrieved female employee under this rule shall not be debited against the leave account.

SPECIAL CASUAL LEAVE:

- Special Casual Leave for all staff members of the Association will be regulated under Central Civil Services (Leave) Rules, 1972 as amended from time to time.

LEAVE SALARY (Rule 40):

- (a) Outside India: Pay last drawn plus Dearness Allowance and House Rent Allowance; (b) In India: Leave Salary will be equal to pay last drawn plus Dearness Allowance and House Rent Allowance. 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 subject to the condition that the leave salary will not be less than that admissible during half pay leave.

Transport Allowance will not be admissible to an employee if the calendar month is wholly covered by any kind of leave.

Interpretation:- This is a very brief summary of Leave Guidelines and Regulations prepared keeping in mind the FAQ by staff members. The complete rules and regulations can be obtained from the Central Civil Services (Leave) Rules, 1972 as amended from time to time.



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GUIDELINES FOR ACADEMIC LEAVES:

(For Faculty members)

- In pursuance of recommendation of the Governing Council in its meeting dated 08.11.2016 and in terms of O.M. No. 1.2/1874 dated 29.12.2016, the Director/Governing Council may grant leaves like Deputation Leave, Duty Leave, Study Leave and Special Duty Leave as in vogue in other similar national research institutions, considering the academic/research purpose of the leave.
- For the academic leaves, Director (or the Deans by applying the power delegated to them), may grant leave upto three months in a year and for leaves more than three months, Governing Council will be the deciding authority.

****Note:-** Before applying such leave in Online Leave Application Portal, the faculty member must ensure that he/she has obtained approval of the Competent Authority in writing with supporting document(s). While applying the leave, the faculty member has to mandatorily upload the scan copy of such approval.
