

No. P. 18011/3/80-Estt(L)  
Government of India/Bharat Sarkar.  
Ministry of Home Affairs/Grih Mantralaya.  
Department of Personnel & Administrative Reforms.  
(Karmik Aur Prashasnik Sudhar Vibhag)

New Delhi, the 12 July 1984

NOTIFICATION

In exercise of the powers conferred by the proviso to article 309 read with clause (5) of article 148 of the Constitution and after consultation with Comptroller and Auditor-General in relation to the persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules further to amend the Central Civil Services (Leave) Rules, 1972, namely :-

1. (1) These rules may be called the Central Civil Services (Leave) (Second amendment) Rules, 1984.
- (2) They shall come into force on the date of their publication in the official Gazette.

2. In the Central Civil Services (Leave) Rules, 1972 -

(i) for rule 28 the following rule shall be substituted, namely :-

'28. Earned leave for persons serving in Vacation Departments.'

- (1) (a) The leave account of a teacher, principal, headmaster, librarian, laboratory assistant or a waterman working in a school shall be credited in advance with Earned leave in two instalments of five days each on the first day of January and July, of every calendar year.
- (b) If a teacher, principal, Headmaster, librarian, Laboratory Assistant or a waterman working in a school has availed of extraordinary leave and/or some period of absence has been treated as dies non during a half year the credit to be afforded to his leave account at the commencement of the next half year shall be reduced by 1/30th of the period of such leave and/or dies non subject to a maximum of 5 days.
- (c) The credit for the half year in which a teacher, principal, headmaster, librarian, Laboratory Assistant or a waterman working in a school is appointed/ceases to be in service shall be allowed at the rate of 5/6th day for each completed month of service which he had rendered or is likely to render in the half year in which he is appointed/ceases to be in service.

(2) Subject to provisions of sub-rule (1), a Government servant (other than a military officer) serving in a Vacation Department shall not be entitled to any earned leave in respect of duty performed in any year in which he avails himself of the full vacation.

(3) (a) In respect of any year in which a Government servant avails himself of a portion of the vacation he shall be entitled to earned leave in such proportion of 30 days or 45 days when governed by the Exception to sub-rule (1) of rule 26, as the number of days of vacation not taken bears to the full vacation :

Provided that no such leave shall be admissible to a Government servant not in permanent employ or quasi-permanent employ in respect of the first year of his service.

(b) If, in any year, the Government servant does not avail himself of any vacation, earned leave shall be admissible to him in respect of that year under rule 26.

Explanation:- For the purposes of this rule, the term 'year' shall be construed not as meaning a calendar year in which duty is performed but as meaning twelve months of actual duty in a vacation Department..

Note 1 : A Government servant entitled to vacation shall be considered to have availed himself of a vacation or a portion of a vacation unless he has been required by general or special order of a higher authority to forego such vacation or portion of a vacation :

Provided that if he has been prevented by such order from enjoying more than fifteen days of the vacation, he shall be considered to have availed himself of no portion of the vacation.

Note 2 : When a Government servant serving in a Vacation Department proceeds on leave before completing a full year of duty, the earned leave admissible to him shall be calculated not with reference to the vacations which fall during the period of actual duty rendered before proceeding on leave but with reference to the vacation that fall during the year commencing from the date on which he completed the previous year of duty.

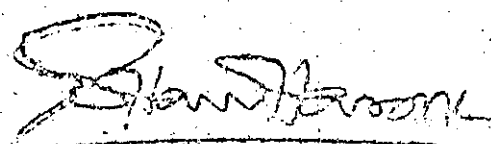
Note 3 : In the case of a teacher, principal, headmaster, librarian, laboratory assistant or a waterman, working in a school the earned leave, if any, admissible under sub-rule (3) will be in addition to the earned leave admissible under sub-rule (2).

(4) Vacation may be taken in combination with or in continuation of any kind of leave under these rules :

Provided that the total duration of vacation and earned leave taken in conjunction, whether the earned leave is taken in combination with or in continuation of other leave or not, shall not exceed the amount of earned leave due and admissible to the Government servant at a time under rule 26.

(5) The earned leave under this rule at the credit of a Government servant at the close of the previous half year shall be carried forward to the next half year, subject to the condition that the leave so carried forward plus the credit for the half year do not exceed the maximum limit of 180 days.

(ii) In rule 29 in sub-rule (1) for the brackets and words (other than Military Officer) the brackets and words (other than Military Officer), and those covered by rule 28 (1).



(S. Hariharan)

Under Secretary to the Government of India.

Note:- List of earlier amendments to Principal Rules is appended.

To

The Manager,  
Government of India Press,  
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New Delhi.