

MOST IMMEDIATE

No.13018/1/82-Estt.(L)
Government of India/Bharat Sarkar
Ministry of Personnel, Public Grievances
and Pensions
(Department of Personnel and Training)

.....
New Delhi, the 24 July, 1986

OFFICE MEMORANDUM

Subject: Grant of leave to ad-hoc employees in the Govt.

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The undersigned is directed to refer to this Department's O.M.No.13018/1/85-Estt.(L) dated 16th September, 1985 on the above subject wherein it was clarified that ad-hoc employees who do not hold any regular post under Government are not governed by the Central Civil Services (Leave) Rules, 1972.

2. Several instructions have been issued in the past emphasising that ad-hoc appointments to any grade should be kept down to the minimum and should be made only under unavoidable circumstances. In this connection, specific attention is drawn to Memo No. 39021/5/83-Estt.(B) dated 9.7.1985. The need for making appointments on ad-hoc basis can arise due to several reasons. Ad-hoc appointments are made for brief periods to meet urgent requirements. Sometimes the appointments made to the post have to be treated for technical reasons as ad-hoc even though the recruitment was in accordance with the prescribed procedure e.g., regular appointments cannot be made due to a court injunction.

3. The question of allowing some leave to ad-hoc employees has been under consideration of this Ministry. Since ad-hoc employees are not regular employees they are not entitled to any leave under the CCS (Leave) Rules, 1972. As the services of ad-hoc employees can be terminated at any time, they cannot also be made entitled for all kinds of leave which can be availed of by regular employees.

4. Taking all factors into account the President is now pleased to decide that employees whose appointment is treated as ad-hoc for purely technical reasons may be extended the benefit admissible to temporary employees under the CCS (Leave) Rules, 1972. In all other cases of ad-hoc appointments, which are for brief periods the ad-hoc employees may be allowed earned leave at the rate of 27 days per month of completed service. While granting the leave, the leave should be for full days and not half a day. They will also not be entitled to the benefit of encashment of earned leave on termination of their service.

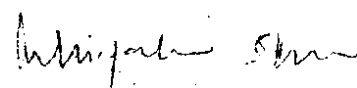
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5. In accordance with the instructions contained in O.M.No. 39021/5/82-Estt.(B) dated 9.7.1985 ad-hoc employment is not likely to continue beyond a period of one year. If ad-hoc appointments made for brief periods initially however, for some reasons, though rarely, continue beyond a period of three years without break such ad-hoc employees may be extended the benefit of all kinds of leave as admissible to temporary employees under the CCS(Leave) Rules, 1972 from the date of their initial employment.

6. These orders issued in consultation with the Ministry of Finance.

7. They will come into force from 1st July, 1986. Past cases decided otherwise need not to be reopened.

8. In so far as employees belonging to Indian Audit and Accounts Department are concerned, this issues in consultation with the Comptroller and Auditor General of India.


(S.S. RAV)
DIRECTOR
Tel.No.301 5272

No.13018/1/82-Estt.(L) New Delhi, the 24 July, 1986

All Ministries/Departments of the Govt. of India etc. etc.

Copy also forwarded to:-

1. The Comptroller & Auditor General of India and all States under his control, with reference to their I.D.No.392-Audit.I/8-82 dated 30th May, 1986.
2. Controller General of Accounts/Controller of Accounts, Ministry of Finance.
3. Secretaries to Union Public Service Commission/ Supreme Court of India/Election Commission/Lok Sabha Secretariat/Rajya Sabha Sectt./Cabinet Sectt./Central Vigilance Commission/President's Sectt./Vice President's Sectt./Prime Minister's Office/Planning Commission.
4. Department of Personnel and Training (AIS Dvn.)/ JCA/Admn. Section.
5. Additional Secretary (Union Territories), MHA.
6. All State Govts. and Union Territories.

7. Governors of all States/Lt. Governors of Union Territories.
8. Secretary, National Council (Staff Side), 13-C Faroze Shah Road, New Delhi.
9. All members of the Staff Side of the National Council of JCM/Departmental Council.
10. All Officers/Sections of the Department of Personnel & Training/Department of Administrative Reforms & Public Grievances/Department of Pension & Pensioners' Welfare/Ministry/Home Affairs/Department of Official Language.
11. Ministry of Finance, Department of Expenditure vide their I.D.No.1872/EV/86 dated 18.1.1986.
12. Commission on Centre State Relation, Vigyan Bhawan/Registrar General of India, 2A Mansingh Road/New Delhi
Municipal Committee, Parliament Street/
Office of SC & ST Commissioner, R.K.Puram/
Central Translation Bureau, Moti Bagh I/ Pay & Accounts Officer, Department of Personnel and Training.
13. 500 spare copies.

(Signature)
(S.S. RAV)
DIRECTOR