

(2) In addition to leave due and admissible, departmental leave may be granted, only to Government servants whose services are temporarily not required.

(3) (a) Departmental leave with leave salary may be granted during the recess by the head of the Party office to which the Government servant belongs in the Survey of India or an authority not lower than the Divisional Superintendent of Post Offices in the Posts and Telegraphs Department, as the case may be, provided the authority granting the leave considers in the case of a Class IV Government servant that it is desirable to re-employ the Government servant in the ensuing season.

(b) Leave so granted may, in special cases, be extended by the Surveyor General or the Postmaster General or the Director of Posts and Telegraphs, as the case may be, upto a maximum of eighteen months in all.

(4) (a) Departmental leave with leave salary may be granted at times other than the recess, for not more than six months at a time, by Directors in the Survey of India, provided the leave is granted in the interests of Government and not at the request of the Government servant.

(b) Leave so granted may, in special cases, be extended by the Surveyor General upto a maximum of one year in all.

(c) Leave on medical certificate shall not be regarded as granted in the interests of Government.

(5) Where the President by general or special order authorises, departmental leave without leave salary may be granted by the Surveyor General or the Postmaster General or the Director of Posts and Telegraphs, as the case may be, in continuation of the departmental leave with leave salary.

(6) (a) Departmental leave with leave salary may be granted on such leave salary, not exceeding half pay but not less than ten per cent of the pay on duty as the authority granting the leave may think fit.

(b) The leave salary is not payable unless the Government servant returns to duty when required by his superior officer to do so:

Provided that where a Government servant dies while on departmental leave, his leave salary upto the date of his death, or the last day of such leave with leave salary, whichever is earlier, shall be paid to his heirs.

(7) Departmental leave does not count as duty and such leave with leave salary shall be debited to the leave account as though it were leave on half pay.

(8) Departmental leave may be granted when no leave is due.

(9) Departmental leave may be combined with any other kind of leave which may be due.

(10) (a) When a Government servant to whom these rules apply, holds a post in which the Surveyor General or the Post Master General or the Director of Posts and Telegraphs, as the case may be, (hereinafter in this sub-rule referred to as the authority) considers that he is unlikely to be eligible for departmental leave in future, the authority may, by order in writing, declare that, with effect from such date, not being earlier than the Government servant's last return from departmental leave, as the authority may fix, any balance of leave at debit in the Government servant's leave account shall be cancelled.

(b) All leave earned after such date shall be credited as due in the Government servant's leave account

and all leave taken after such date, including departmental leave with leave salary, if any, shall be debited in it.

#### CHAPTER VI—Study Leave

50. Conditions for grant of study leave.—(1) Subject to the conditions specified in this Chapter, study leave may be granted to a Government servant with due regard to the exigencies of public service to enable him to undergo, in or out of India, a special course of study consisting of higher studies or specialised training in a professional or a technical subject having a direct and close connection with the sphere of his duty.

(2) Study leave may also be granted—

(i) for a course of training or study tour in which a Government servant may not attend a regular academic or semi-academic course if the course of training or the study tour is certified to be of definite advantage to Government from the point of view of public interest and is related to sphere of duties of the Government servant; and

(ii) for the purposes of studies connected with the framework or background of public administration subject to the conditions that—

(a) the particular study or study tour should be approved by the authority competent to grant leave; and

(b) the Government servant should be required to submit, on his return, a full report on the work done by him while on study leave.

(iii) for the studies which may not be closely or directly connected with the work of a Government servant, but which are capable of widening his mind in a manner likely to improve his abilities as a civil servant and to equip him better to collaborate with those employed in other branches of the public service.

NOTE.—Applications for study leave in cases falling under clause (iii) shall be considered on merits of each case in consultation with the Department of Expenditure of the Ministry of Finance.

(3) Study leave shall not be granted unless—

(i) It is certified by the authority competent to grant leave that the proposed course of study or training shall be of definite advantage from the point of view of public interest;

(ii) it is for prosecution of studies in subjects other than academic or literary subjects:

Provided that an officer of the Indian Economic Service or Indian Statistical Service may be granted study leave for prosecuting a course of study for obtaining Ph.D. on a research thesis, subject to the conditions that—

(a) the subject of research and the institution at which such research is to be undertaken are got approved by the Chief Economic Adviser to the Government of India, in case the applicant is a member of the Indian Economic Service, or by the Director, Central Statistical Organisation, in case the applicant is a member of the Indian Statistical Service;

(b) the applicant obtains a certificate from the said authority to the effect that such study will be valuable in the matter of increasing the efficiency of the officer in the performance of his duties as a member of the Indian Economic Service or the Indian Statistical Service, as the case may be; and

- (c) in cases where the study is to be undertaken at a foreign university, the applicant obtains a further certificate that the facilities for research on the particular subject chosen for study are not available at any university or other institution in India:

Provided further that a Medical Officer may be granted study leave for prosecuting a course of post-graduate study in Medical Sciences if the Director General of Health Services certifies to the effect that such study shall be valuable in increasing the efficiency of such medical officer in the performance of his duties.

- (iii) The Department of Economic Affairs of the Ministry of Finance agrees to the release of foreign exchange involved in the grant of study leave, if such leave is outside India.

(4) Study leave out of India shall not be granted for the prosecution of studies in subjects for which adequate facilities exist in India or under any of the Schemes administered by the Department of Economic Affairs of the Ministry of Finance or by the Ministry of Education.

(5) Study leave shall not ordinarily be granted to a Government servant—

- (i) who has rendered less than five years' service under the Government;
- (ii) who does not hold a gazetted post under the Government;
- (iii) who is due to retire, or has the option to retire, from the Government service within three years of the date on which he is expected to return to duty after the expiry of the leave.

(6) Study leave shall not be granted to a Government servant with such frequency as to remove him from contact with his regular work or to cause cadre difficulties owing to his absence on leave.

**51. Maximum amount of study leave.**—(1) The maximum amount of study leave, which may be granted to a Government servant, shall be—

- (a) ordinarily twelve months at any one time, and
- (b) during his entire service, twenty-four months in all (inclusive of similar kind of leave for study or training granted under any other rules).

**52. Applications for study leave.**(1) (a) Every application for study leave shall be submitted through proper channel to the authority competent to grant leave.

(b) The course or courses of study contemplated by the Government servant and any examination which he proposes to undergo shall be clearly specified in such application.

(2) Where it is not possible for the Government servant to give full details in his application, or if after leaving India he is to make any change in the programme which has been approved in India, he shall submit the particulars as soon as possible to the Head of the Mission or the authority competent to grant leave, as the case may be and shall not, unless prepared to do so at his own risk, commence the course of study or incur any expenses in connection therewith until he receives the approval of the authority competent to grant the study leave for the course.

**53. Sanction of study leave.**—(1) A report regarding the admissibility of the study leave shall be obtained from the Audit Officer:

Provided that the study leave, if any, already availed of by the Government servant shall be included in the report.

(2) Where a Government servant borne permanently on the cadre of one department or establishment is serving temporarily in another department or establishment, the grant of study leave to him shall be subject to the condition that the concurrence of the department or the establishment to which he is permanently attached is obtained before leave is granted.

(3) Where the study leave is granted for prosecution of studies abroad, the Head of the Mission concerned shall be informed of the fact by the authority granting the leave provided that where such leave has been granted by an Administrator, the intimation shall be sent through the Ministry concerned.

**NOTE.**—The Head of the Mission shall be contacted by the Government servant for issue of any letters of introduction or for other similar facilities that may be required.

(4) (a) Every Government servant in permanent employ who has been granted study leave or extension of such study leave shall be required to execute a bond in Form 7 or Form 8, as the case may be, before the study leave or extension of such study leave granted to him commences.

(b) Every Government servant not in permanent employ who has been granted study leave or extension of such study leave shall be required to execute a bond in Form 9 or Form 10, as the case may be, before the study leave or extension of such study leave granted to him commences.

(c) The authority competent to grant leave shall send to the Audit Officer a certificate to the effect that the Government servant referred to in clause (a) or clause (b) has executed the requisite bond.

(5) (a) On completion of the course of study, the Government servant shall submit to the authority which granted him the study leave, the certificates of examinations passed or special courses of study undertaken, indicating the date of commencement and termination of the course with the remarks, if any, of the authority incharge of the course of study.

(b) If the study is undertaken in a country outside India where there is an Indian Mission, the certificates shall be submitted through the Head of the Mission concerned.

**54. Accounting of study leave and combination with leave of other kinds.**—(1) Study leave shall not be debited against the leave account of the Government servant.

(2) Study leave may be combined with other kinds of leave, but in no case shall the grant of this leave in combination with leave, other than extraordinary leave, involve a total absence of more than twenty-eight months from the regular duties of the Government servant.

**Explanation.**—The limit of twenty-eight months of absence prescribed in this sub-rule includes the period of vacation.

(3) A Government servant granted study leave in combination with any other kind of leave may, if he so desires, undertake or commence a course of study during any other kind of leave and subject to the other conditions laid down in rule 57 being satisfied, draw study allowance in respect thereof:

Provided that the period of such leave coinciding with the course of study shall not count as study leave.

**55. Regulation of study leave extending beyond course of study.**—When the course of study falls short of study leave granted to a Government servant, he shall resume duty on the conclusion of the course of

study, unless the previous sanction of the authority competent to grant leave has been obtained to treat the period of shortfall as ordinary leave.

56. **Leave salary during study leave.**—During study leave, Government servant shall draw leave salary equal to the amount admissible during half pay leave under rule 40.

57. **Conditions for grant of study allowance.**—(1) A study allowance shall be granted to a Government servant who has been granted study leave, for the period spent in prosecuting a definite course of study at a recognised institution or in any definite tour of inspection or any special class of work, as well as for the period covered by any examination at the end of the course of study.

(2) Where a Government servant has been permitted to receive and retain, in addition to his leave salary, any scholarship or stipend that may be awarded to him from a Government or non-Government source, or any other remuneration in respect of any part time employment.—

(a) no study allowance shall be admissible in case the net amount of such scholarship or stipend or remuneration (arrived at by deducting the cost of fees, if any, paid by the Government servant, from the value of the scholarship or stipend or remuneration) exceeds the amount of study allowance otherwise admissible.

(b) in case the net amount of scholarship or stipend or remuneration is less than the study allowance otherwise admissible, the difference between the value of the net scholarship or stipend or any other remuneration in respect of any part time employment and the study allowance may be granted by the authority competent to grant leave.

(3) Study allowance shall not be granted for any period during which a Government servant interrupts his course of study to suit his own convenience:

Provided that the authority competent to grant leave or the Head of Mission may authorise the grant of study allowance for a period not exceeding 14 days at a time during such interruption if it was due to sickness.

(4) Where a Government servant is on study leave at the same place as his place of duty, the leave salary plus the study allowance shall not together exceed the pay that he would have otherwise drawn had he been on duty.

(5) Study allowance shall also be allowed for the entire period of vacation during the course of study subject to the conditions that:—

(a) the Government servant attends during vacation any special course of study or practical training under the direction of the Government or the authority competent to grant leave, as the case may be; or

(b) in the absence of any such direction, he produces satisfactory evidence before the Head of the Mission or the authority competent to grant leave, as the case may be, that he has continued his studies during the vacation:

Provided that in respect of vacation falling at the end of the course of study it shall be allowed for a maximum period of 14 days.

(6) The period for which study allowance may be granted shall not exceed 24 months in all.

58. **Rates of study allowance.**—(1) The rates of study allowance shall be as follows:—

Name of country	Study allowance per diem
Australia . . . . .	12s (Sterling)
Continent of Europe . . . . .	£ 1 (Sterling)
India . . . . .	Half of the full daily allowance to which the Government servant would have been entitled under rules regulating his travelling allowance he were on tour to the place of study.
New Zealand . . . . .	12s (Sterling)
United Kingdom . . . . .	16s (Sterling)
United States of America . . . . .	30s (Sterling)

(2) The rates of study allowance prescribed in sub-rule (1) may be revised by the Central Government from time to time.

(3) The rates of study allowance to be granted to a Government servant who takes study leave in any country other than the one specified in sub-rule (1) shall be such as may be specially determined by the President in each case.

59. **Procedure for payment of study allowance.**—(1) Payment of study allowance shall be subject to the furnishing of a certificate by the Government servant to the effect that he is not in receipt of any scholarship, stipend or any other remuneration in respect of any part-time employment.

(2) Study allowance shall be paid at the end of every month provisionally subject to an undertaking in writing being obtained from the Government servant that he would refund to the Government any overpayment consequent on his failure to produce the required certificate of attendance or on his failure to satisfy the authority competent to grant leave about the proper utilization of the time spent for which study allowance is claimed.

(3)(a) In the case of a definite course of study at a recognised institution, the study allowance shall be payable by the authority competent to grant leave, if the study leave availed of is in India or in a country where there is no Indian Mission, and by the Head of the Mission in other cases, on claims submitted by the Government servant from time to time, supported by proper certificates of attendance.

(b) The certificate of attendance required to be submitted in support of the claims for study allowance shall be forwarded at the end of the term, if the Government servant is undergoing study in an educational institution, or at intervals not exceeding three months if he is undergoing study at any other institution.

(4) (a) When the programme of study approved does not include, or does not consist entirely of, such a course of study, the Government servant shall submit to the authority competent to grant leave direct or through the Head of the Mission a diary showing how his time has been spent and a report indicating fully the nature of the methods and operations which have been studied and including suggestions as to the possibility of adopting such methods or operations to conditions obtaining in India.

(b) The authority competent to grant leave shall decide whether the diary and report show that the time of the Government servant was properly utilised and shall determine accordingly for what periods study allowance may be granted.

60. **Admissibility of allowances in addition to study allowances.**—No allowance of any kind other than the study allowance shall be admissible to a Government servant in respect of the period of study leave granted to him.

61. **Travelling allowance during study leave.**—A Government servant to whom study leave has been granted shall not ordinarily be paid travelling allowance but the President may in exceptional circumstances sanction the payment of such allowance.

**NOTE.**—Where a Government servant serving in the Indian Audit and Accounts Department is on study leave in India, the Comptroller and Auditor-General of India, may, in exceptional circumstances, sanction the grant of travelling Allowance.

62. **Cost of fees for study.**—A Government servant to whom study leave has been granted shall ordinarily be required to meet the cost of fees paid for the study but in exceptional cases, the President may sanction the grant of such fees:

Provided that in no case shall the cost of fees be paid to a Government servant who is in receipt of scholarship or stipend from whatever source or who is permitted to receive or retain, in addition to his leave salary, any remuneration in respect of part-time employment.

**NOTE.**—Where a Government servant serving in the Indian Audit and Accounts Department is on study leave in India, the Comptroller and Auditor-General of India may, in exceptional circumstances, sanction the grant of the cost of fees paid for the study.

63. **Resignation or retirement after study leave.**—(1) If a Government servant resigns or retires from service or otherwise quits service without returning to duty after a period of study leave or within a period of three years after such return to duty, he shall be required to refund—

- (i) the actual amount of leave salary, study allowance, cost of fees, travelling and other expenses, if any, incurred by the Government of India; and
- (ii) the actual amount, if any, of the cost incurred by other agencies, such as foreign Governments, Foundations and Trusts in connection with the course of study.

together with interest thereon at rates for the time being in force on Government loans, from the date of demand, before his resignation is accepted or permission to retire is granted or his quitting service otherwise:

Provided that nothing in this rule shall apply:—

- (a) to a Government servant who, after return to duty from study leave, is permitted to retire from service on medical grounds; or
- (b) to a Government servant who, after return to duty from study leave, is deputed to serve in any statutory or autonomous body or institution under the control of the Government and is subsequently permitted to resign from service under the Government with a view to his permanent absorption in the said statutory or autonomous body or institution in the public interest.

(2)(a) The study leave availed of by such Government servant shall be converted into regular leave standing at his credit on the date on which the study leave commenced, any regular leave taken in continuation of study leave being suitably adjusted for the purpose and the balance of the period of study leave, if any, which cannot be so converted, treated as extraordinary leave.

(b) In addition to the amount to be refunded by Government servant under sub-rule (1), he shall be required to refund any excess of leave salary actually drawn over the leave salary admissible on conversion of the study leave.

(3) Notwithstanding anything contained in this rule, the President may, if it is necessary or expedient to do so, either in public interest or having regard to the peculiar circumstances of the case or class of cases, by order, waive or reduce the amount required to be refunded under sub-rule (1) by the Government servant concerned or class of Government servants.

#### CHAPTER VII—Miscellaneous

64. **Interpretation.**—Where any doubt arises as to the interpretation of these rules, it shall be referred to the Government of India in the Ministry of Finance for decision.

65. **Power to relax.**—Where any Ministry or Department of Government of India is satisfied that the operation of any of these rules causes undue hardship in a particular case, that Ministry or Department, as the case may be, may by order, for reasons to be recorded in writing, dispense with or relax the requirements of that rule to such extent and subject to such exceptions and conditions as it may consider necessary for dealing with the case in a just and equitable manner:

Provided that no such order shall be made except with the concurrence of the Ministry of Finance.

66. **Repeal and saving.**—(1) On the commencement of these rules, every rule, regulation or order, including Office Memorandum (hereinafter referred to as "old rule") in force immediately before the commencement shall, in so far as it provides for the matters contained in these rules, cease to operate.

(2) Notwithstanding such cesser of operation, anything done or any action taken or any leave earned by or granted to, or accrued to the credit of, a Government servant, under the old rule, shall be deemed to have been done, taken, earned, granted or accrued under the corresponding provisions of these rules.

#### THE FIRST SCHEDULE

[See rule 3(c)]

#### Authorities competent to grant leave

Sl. No.	Kind of leave	Authority competent to grant leave
(1)	(2)	(3)
1.	Earned leave, Half Pay Leave, Com-muted Leave, Leave Not Due, Extraordinary Leave, Maternity Leave, Hospital Leave, Seamen's Sick Leave.	(i) Ministry/Department of Central Government. (ii) Administrator. (iii) Comptroller and Auditor-General. (iv) Head of Department. (v) Any subordinate authority which the authority at (i) may delegate the power, subject to any condition that may be specified in the delegation.

**NOTE I:**— If the Government servant is in foreign service,  
(i) by the authority which sanctioned the transfer to foreign service;  
(ii) by foreign employer—Power to be exercised only in respect of earned leave other than that applied for as preparation for retirement, not exceeding 120 days.