

# MARANGI MAHAVIDYALAYA



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REVISED  
**LEAVE RULES**  
(Govt. of Assam Employees)

iii

2008

REVISED  
LEAVE RULES  
(Govt. of Assam Employees)

**REVISED  
LEAVE RULES**

(Govt. of Assam Employees)

CONTAINING

- THE REVISED LEAVE RULES, 1934
- THE ASSAM STUDY LEAVE RULES, 1963
- THE RULES REGARDING "LEAVE" AS IN CHAPTER X OF THE F.R. AND S.R.
- LEAVE MATTERS : FROM THE REPORT OF THE ASSAM PAY COMMISSION, 2006

As Amended up to date

WITH NOTIFICATIONS, CORRECTION SLIPS, OFFICE MEMO,  
CASE-LAWS

3rd Edition

**2015**

By

**G.C. Phukan**

(Retd. Dist. & Sessions Judge)

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PUBLISHERS

### **PREFACE**

The present publication of the Revised Leave Rules, Third edition with necessary amendments, office memorandum alongwith the Report of the Committee constituted to Examine the Report of the Assam Pay Commission, 2008 (leave matters) also the Report of the Assam Pay Commission, 2008 regarding Leave Matters and Chapter X of the FR and SR will serve a great purpose for whom it may be necessary.

The publisher's endeavour is really thankful. Admittedly the rulings which are incorporated will highlight the provisions in the Leave Rules.

I hope the readers will appreciate the effort by the publisher.

**G.C. Phukan,**

Retd. Dist. & Sessions Judge.

Dated 1.1.2014

### PUBLISHER' NOTE

The present "Leave Rules" alongwith the amendments, correction slips, notifications and the provisions of the Chapter X of the F.R.S.R. regarding the leave incorporated in this book.

This, however, cannot be denied that in the book there may be certain inadvertent mistakes, here and there. But even then the publisher keeps a hope that the book will get due appreciation from all concerned.

Inspite of our meticulous care, it is possible that some errors and omissions may have escaped on attended. It may be notified that this book is being sold on the condition and understanding that information given in this book is merely for reference and must not be taken as having authority of or binding in any way on neither the publisher, distributor, seller or printer will be responsible for any damage or loss accruing anybody whether a purchaser of this publication or not. If any discrepancy or mistake found by our readers should be immediately notice to the publisher so that corrected in the next edition.

Publisher's

Thanks

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## REVISED

# LEAVE RULES, 1934

1. These rules may be called the Leave Rules, 1934. They shall come into force with effect from 1st March, 1934.

2. Subject to the exception hereinafter contained, these rules, shall apply to the following classes of persons employed in a service whose domicile is Asiatic or who, if their domicile is non-Asiatic, have not been specially recruited overseas for service in India and who are under the rule-making control of the Governor of Assam:-

- (i) all persons who enter or have entered or are or have been employed in Government service, whether in a permanent or other capacity, on or after 1st March, 1934;
- (ii) persons who were in service whether in a permanent or other capacity on 1st March, 1934, if there is break in their service after that date;
- (iii) persons who were in service whether in a permanent or other capacity on 1st March, 1934, and who elect within six months from the said date to come under these rules. Such election, when once made shall be final;
- (iv) persons in Class-IV service who were subject to the leave rules in the Fundamental Rules on the 30th September, 1956 and elected these rules with effect from the 1st October, 1956.]'

1. In Rule 2 clause (iv) inserted vide Notification No. FEO.50/56/15, dated the 24th October, 1957, (w.e.f. 1.11.1956).

### COMMENTS

The age of retirement of a State Government Employees has been raised to 60 year's from 59 year's on superannuation.

This will be applicable to all State Govt. employees who are due to go on retirement on superannuation on 30th November, 2007 or thereafter.

The age of retirement of Grade IV employees and other State Govt. employees, who are at present entitled to serve up to the age of 60 years, will continue to be 60 years.

[See O.M. No. FPC.26/2007/12, dated the 20th November, 2007]

Leave not being a right as such discretion to refuse or revoke leave of any description is reserved to the authority empowered to grant it depending upon the exigencies of the public service so require.

Leave not to be granted to a Govt. servant—

- (a) who retired from service on attaining the age of compulsory retirement, or
- (b) who is an official under suspension or who is dismissed or removed.

Different kinds of leave admissible to the State Government Employees are—

- (a) Earned Leave;
- (b) Half-pay Leave;
- (c) Commuted Leave;
- (d) Leave not due;
- (e) Hospital Leave;
- (f) Maternity Leave;
- (g) Special Disability Leave;
- (h) Study Leave;
- (i) Extraordinary Leave;
- (j) Departmental Leave;
- (k) Compensatory Leave;
- (l) Seaman's Sick Leave;
- (m) Casual Leave;

- (n) Special Casual Leave;
- (o) Unutilised earned Leave;
- (p) Leave to Probationer;
- (q) Leave to Apprentices;
- (r) Leave to Person on Probation;
- (s) Leave to Govt. Servants Remunerated by Honoraria or Daily Wages;
- (t) Leave to Piece-workers;
- (u) Leave in Vacation Department, or
- (v) Transfer to Foreign Service while on Leave.

Rules relating to Study Leave, grant of Additional Leave to Govt. servants for the study of Scientific, Technical or similar problems, or in order to undertake Special Course of Instruction. They are not intended to meet the case of Government servants deputed to other countries at the instance of Government either for performance of special duties imposed on them or for the investigation of specific problem connected with their technical duties. Such cases will continue to be dealt with on their merits under the provisions of Rules 50 and 51 of Fundamental Rules.

**Exception**— Persons in respect of whom special provisions regarding leave have been made shall be governed by such special provisions.

**Note**— These rules replace in respect of those persons to whom they are made applicable by Rule 2, the corresponding leave rules in the Fundamental and Subsidiary Rules. The other rules in the Fundamental and Subsidiary Rules will remain operative in the case of those persons, except in so far as they may be inconsistent with or repugnant in subject or context to these Leave Rules. To meet the difficulties that may arise in certain cases in the application of Fundamental and Subsidiary Rules to persons governed by these leave rules, leave on average pay not exceeding four months shall be taken to mean earned leave not exceeding 120 days.

## 13. In these Rules—

- (i) "Leave" includes earned leave, half pay leave on private affairs and medical certificate, commuted leave, leave not due and extraordinary leave;
- (ii) "Earned leave" means leave earned as per provisions of Rule 9 of these rules;<sup>2</sup>
- (iii) "half pay leave" means leave earned in respect of completed years of service;
- (iv) "earned leave due" means the amount of earned leave to the credit of an officer on the 30th September, 1956, under the rules in force on that date plus the amount of earned leave, calculated as prescribed in Rules 9, and 12, as the case may be, diminished by the amount of the earned leave taken after the 30th September, 1956;

**Note-** In the case of an officer mentioned in Clause (iv) of Rule 2, the leave on average pay to his credit on the 30th September, 1956 shall, subject to the appropriate limits specified in Rule 9, be deemed to be the earned leave to his credit on that date;

(v) "half pay leave due" means the amount of half pay leave calculated as prescribed in Rule 13, for the entire service, diminished by the amount of leave on private affairs, and leave on medical certificate taken before the 1st October, 1956 and half pay leave taken on or after that date;

**Notes-** In the case of an officer mentioned in Clause (iv) of Rule 2, leave on half average pay and leave on

1. Substituted Rule 3 vide Notification No. FEG. 50/56/15, dated 24-10-1957, (with effect from 1-10-1956).
2. Substituted Clause (ii) in Rule 3 vide Notification No. FEG. 46/74/166, dated 22-4-1983, (with effect from 1-10-1981).

quarter average pay availed of before the 1st October, 1956, shall be deemed to be leave on private affairs, and leave on medical certificate for the purposes of this clause;

- (vi) "commuted leave" means leave taken under sub-rule (c) of Rule 13;
- (vii) "officer in permanent employ" means an officer who holds substantively a permanent post or who holds a lien on a permanent post or who would hold a lien on a permanent post had the lien not been suspended;
- (viii) "completed years of service" and "one year's continuous service" means continuous service of the specified duration under the State Government and includes periods spent on duty as well as on leave including extraordinary leave.]

**4. Leave cannot be claimed as of right.**- Discretion is reserved to the authority empowered to grant leave to refuse or revoke leave at any time according to the exigencies of the public service.

**5.** Unless the Governor shall otherwise determine, after five years' continuous absence from duty—elsewhere than in Foreign service in India, whether with or without leave, a Government servant shall be removed from service after following the procedure laid down in the Assam Services (Discipline and Appeal) Rules, 1964. (This takes effect from 26-6-1968).

**6.** Any kind of leave under these rules may be granted in combination with or in continuation of any other kind of leave.

**Note-** The authority which granted leave to a Government servant can commute it retrospectively into leave of a different kind which may be admissible but the Government servant concerned cannot claim it as a matter of right.



7. No leave shall be granted beyond the date on which an officer must compulsorily retire :

[Provided that if in sufficient time before the date of compulsory retirement an officer has been denied in whole or in part, on account of exigencies of public service, any leave applied for and due as preparatory to retirement, then he may be granted, after the date of compulsory retirement the amount of earned leave which was due to him on the said date of compulsory retirement subject to the maximum limit of 120 or 180 days, as prescribed in Rule 9, so long as the leave so granted, including the leave granted to him between the date from which the leave preparatory to retirement was to commence and the date of compulsory retirement, does not exceed the amount of leave preparatory to retirement actually denied, the half pay leave if any, applied for by an officer preparatory to retirement and denied on the exigencies of public service being exchanged with earned leave to the extent such leave was earned between the date from which the leave preparatory to retirement was commenced and the date of compulsory retirement] :

[Provided further that every Government servant-

(a) who, after having been under suspension is re-instated within 120 days or 180 days, as the case may be, preceding the date of his compulsory retirement and was prevented by reason of having been under suspension from applying for leave preparatory to retirement, shall be allowed to avail of such leave as he was prevented from applying for, subject to a maximum of 120 days or 180 days as the case may be, reduced by the period retirement;

(b) who retired from service on attaining the age of

1. Substituted the first proviso to Rule 7 vide Notification No. FEG 50/55/8(PFI), dated 19th May, 1959, (w.e.f. 18th May, 1959).
2. Inserted the Second proviso in Rule 7 vide Correction Slip No. 212.

compulsory retirement while under suspension and was prevented from applying for leave preparatory to retirement on account of having been under suspension, shall be allowed to avail of the leave to his credit subject to a maximum of 120 days or 180 days as the case may be, after termination of proceedings, as prescribed in Rule 9 as if it had been refused as aforesaid, if, in the opinion of the authority competent to order re-instatement, he has been fully exonerated and suspension was wholly unjustified.

This takes effect from 30-10-1969] :

[Provided further that an officer whose service has been extended in the interests of the public service beyond the date of his compulsory retirement may similarly be granted either within the period of extension or after its expiry, any earned leave which could have been granted to him under the preceding proviso had he retired on that date less the leave, if any, taken during the period of extension and in addition such earned leave due in respect of the extension as had been formally applied for as preparatory to final cessation of his duties in sufficient time during the extension and refused to him on account of the exigencies of the public service. In determining the amount of earned leave due in respect of the extension with reference to Rule 9, earned leave, if any, admissible on the date of compulsory retirement should be taken into account.

**Explanation-** For the purpose of this rule an officer may be deemed to have been denied leave only if, in sufficient time before the date on which he must

1. Substituted the Third proviso to Rule 7 vide Notification No. FEG. 50/56/15, dated 24th October 1966.

compulsorily retire or the date on which his duties finally cease, he has either formally applied for leave as leave preparatory to retirement and has been refused it on the ground of exigencies of public service or has ascertained in writing from the sanctioning authority that such leave is applied for would not be granted on the aforesaid ground.

**Government of Assam's decision No. (i)**—The benefit of the provisions of Rule 7 of the Revised Leave Rules, 1934 will not be extended to temporary officer and officers on contract services, other than re-employed personnel in the ordinary course.

**Government of Assam's decision No. (ii)**— A Government servant to whom Clauses (b) and (c) of F.R. 56 apply may be granted leave due and admissible to him which may extend beyond the date on which he retires or is retired from service, but not extending beyond the date of retirement on superannuation :

Provided that a Government servant, who is retired by Government by giving him pay and allowance in lieu of notice, may apply for leave, within the period for which such pay and allowances, were given, and where he is granted leave, the leave salary shall be allowed only for the period of leave excluding the period of which pay and allowances in lieu of notice have been allowed.

#### COMMENTS

- Leave not to be granted to a Govt. servant—
- who retired from service on attaining the age of compulsory retirement, or
  - who is an official under suspension or who is dismissed or removed.

#### GOVERNMENT OF ASSAM OFFICE MEMORANDUM

FINANCE DEPARTMENT ESTABLISHMENT (A) BRANCH  
Notification No. FEG-23/78/17, dated 19-7-1978

#### Sub- Cash payment in lieu of unutilised earned leave on the date of retirement.

The Government of Assam have had under consideration for some time the question of grant of cash equivalent for unutilised earned leave at the credit of State Government employees. The matter has been carefully considered and the Governor of Assam is pleased to decide that State Government servants may be paid cash equivalent of leave salary in respect of period of earned leave at their credit at the time of retirement on superannuation.

2. The decision contained in this Office Memorandum will be applicable to State Government servant retiring on superannuation on or after 19th July, 1978.

3. This concession will be subject to the following conditions—

(a) The payment of cash equivalent of leave-salary shall be limited to a maximum of [300 days]' earned leave;

(b) The cash equivalent of leave-salary thus admissible will become payable on retirement and will be paid in one lump sum as a one time settlement;

(c) Cash payment under this order will, subject to (d) below, be equal to leave-salary as admissible for earned leave and dearness allowance admissible on that leave-salary at the rates in force on the date of retirement. No city compensatory allowance and/or house rent allowance shall be payable;

(d) [Deleted]\*

(e) The authority competent to grant leave shall issue order granting cash equivalent of earned leave at credit on the date of retirement.

4. These orders shall not apply to cases of premature/voluntary retirement persons who are compulsorily retired as a measure of punishment under the disciplinary rules will also not be covered by these orders.

5. The benefit under these orders shall also be admissible to Government servants who attain the age of retirement on or after 19th July, 1978 and are granted extension of service after

1. Substituted for '240 days' vide O.M. FEG. 20/95/47, dated 1-9-2000, (w.e.f. 1-9-2000)

\* Deleted vide O.M., dated 4th October, 1978.

the date. In such cases, the benefit shall be granted on the date of final retirement on expiry of extension to the extent of earned leave at credit on the date of superannuation plus the earned leave during the period of extension reduced by earned leave availed of during such period, subject to a maximum of [300 days]. The above benefits will not, however, be available to those who attained the age of retirement before 19th July, 1978 and were on extension of service thereafter.

6. Consequent on issue of this Office Memorandum refusal of earned leave as preparatory to retirement embodied in Rule 4 of the Revised Leave Rules, 1934 will no longer be necessary. A Government servant can also avail of as leave preparatory to retirement a part of earned leave at his credit. In that case he will be allowed benefits of these orders for the earned leave that remains at credit on the date of retirement in accordance with the terms and conditions stipulated in this Office Memorandum.

Necessary amendment to the Revised Leave Rules, 1934 will follow.

### GOVERNMENT OF ASSAM

#### OFFICE MEMORANDUM

FINANCE DEPARTMENT ESTABLISHMENT (A) BRANCH

Notification No.FEG.23/78/26, dated 4-10-1978

**Sub:- Cash payment in lieu of unutilised earned leave on the date of retirement.**

The undersigned is directed to refer to para 3(d) of the Department's O.M. No. FEG. 23/78/17, dated 19th July, 1978 according to which deduction on account of pension and pensionary equivalent of other retirement benefits is required to be made from the cash amount worked out in accordance with para 3 (c) (*ibid*). The question of non-deduction of pension and pensionary equivalent of other retirement benefits from the cash amount worked out under para 3 (c) of the Department's O.M., dated 19th July, 1978 has been under consideration of the Government. After careful examination of all aspects the Governor of Assam is pleased to order that with effect from 19th July, 1978 no deduction on account of pension and pensionary equivalent of other retirement benefits need be made from the

cash payment made in lieu of unutilised earned leave on the date of retirement on superannuation. Para 3 (d) of the Office Memorandum No. FEG. 23/78/17, dated 19th July, 1978 is hereby deleted with effect from 19th July, 1978.

2. Formal amendments to the Revised Leave Rules, 1934 will follow.

Joint Secretary to the Government of Assam,  
Finance (Estt-A) Department.

### GOVERNMENT OF ASSAM

#### OFFICE MEMORANDUM

FINANCE DEPARTMENT ESTABLISHMENT (A) BRANCH

Notification No.FEG.23/78/79, dated 13-3-1981

**Sub:- Cash payment in lieu of unutilised earned leave on the date of voluntary retirement.**

The undersigned is directed to refer to Para 4 of the Department's O.M. No. FEG. 23/7/17, dated 19th July, 1978 according to which on cash payment in lieu of unutilised earned leave on the date of retirement is admissible in the cases of premature/voluntary retirement and also to the persons who are compulsorily retired as a measure of punishment under the disciplinary rules. After due consideration, the Governor of Assam is now pleased to order that subject to the conditions laid down in the State Govt's Decision No. (ii) below Rule 7 of the Leave Rules, 1934, a State Govt. employee who is retired by the competent authority under clause (b) of F.Rs. 56 or volunteers to retire as per provision in clause (c) *Ibid* may be paid in lump sum amount equivalent to Leave salary and allowances if any, admissible during the State Govt. The amount so granted need to be reduced by the amount of pension and pensionary equivalent of other retirement benefits, the benefit will not, however, be admissible to a Govt. servant who is compulsorily retired as a measure of punishment under the Disciplinary Rules.

This will take effect from the date of issue of the order.

Joint Secretary to the Govt. of Assam,  
Finance (Estt-A) Department.

8. Subject to the provision of Rules 4 and 7, an officer may at any time be granted the whole or any part of the earned leave due to him.

**Auditor General's decision-** In respect of the Government servants who are governed by these Leave Rules account need not be maintained in the forms prescribed in paragraph 33 of the Instructions issued by the Auditor General under F.R. 74. The leave accounts are to be maintained in Form No. 70 (Assam Schedule III-1) as per instructions in the remarks column.

9.(1)(a)(i) A Government servant who is serving in a Department other than a Vacation Department shall be entitled to earned leave for 30 days in a calendar year;

(ii) The leave account of every Government servant shall be credited with earned leave in advance in two instalments of 15 day each on the first January and July every year.

(b) The leave at the credit of Government servant at the close of the previous half year shall be carried 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 [300 days]<sup>1</sup>.

#### **NOTIFICATION**

**Dated the 4th September, 2000**

**No. FEG.20/95/48-** In exercise of the powers conferred by the provision of Article 309 of the Constitution of India, the Governor of Assam is pleased to direct that the following amendment shall be made to Assam Fundamental Rules and Subsidiary Rules—

(1) The existing provision of Rule 9(1)(b) of the Revised Leave Rules, 1934 shall be substituted by the following:-

1. Substituted for the figure and words "180 days" by "240 days" in Rule 9(1)(b) and in Exception vide Notification No. FEG. 46/78/164, dated 3rd March, 1987, and the existing maximum limit of "240 days" effect from 1-1-1987 shall be enhanced to "300 days" vide Notification No.FEG.20/95/48, dated the 1st September, 2000 (w.e.f. 1-9-2000).

"Leave carried forward plus the credit for the half year do not exceed the maximum limit of 300 days."

(2) The existing provision of Rule 12(d) of the Leave Rules, 1934 shall be substituted by the following-

"Not exceeding leave for 300 days shall be paid to his family subject to reduction on account of pension equivalent to death-cum-retirement gratuity."

This takes effect from the date of issue of the notification.

#### **OFFICE MEMORANDUM**

**Dated the 1st September, 2000**

**No. FEG.20/95/47-** Consequent upon the decision taken by the Government of India in respect to enhancement of the ceiling of the accumulation the encashment of the earned leave in case of the Central Government employees, the Governor of Assam is pleased to decide that the existing provision of the Rule 9 (1)(b) and 12 (d) of the State Revised Leave Rules, 1934 may be revised as follows—

(a) The existing maximum limit of 240 days on accumulation of earned leave provided under Rule 9(1)(b) of the Revised Leave Rules, 1934 shall be enhanced to 300 days.

(b) The existing ceiling of 240 days for availing the benefit of encashment of unutilised earned leave now in force in case of State Government employees and as provided under Rule 12 (d) of the Revised Leave Rules, 1934 and in the O.M. No. FEG.23/78/17, dated 19th July 1978 shall be increased to 300 days.

Necessary amendment to the Revised Leave Rules, 1934 will be issued in the form of Notification/C. Slip in due course.

This amended provision will come into force with effect from the date of notification.

(c)(i) Where a Government servant not in permanent employ is appointed without interruption of service substantively to a permanent post his leave account shall be credited with the earned leave which would have been admissible if his previous duty had been rendered as a Government servant in permanent employ diminished by any earned leave already taken.

(ii) Where a Government servant had availed of leave on half pay or extraordinary leave since the date of permanent appointment such leave may, subject to the provisions of Rule 6, be converted into earned leave to the extent it is due and admissible as a result or recasting of his leave account.

(d) A period spent in foreign service shall count as duty for purpose of this rule, if contribution towards leave salary is paid on account of such period.

**Exception-** The earned leave admissible to a Government servant of non-Asiatic domicile recruited in India who is in continuous service from a date prior to the 1st October, 1956, and is entitled to leave passages, is one-seventh of the period spent on duty and he ceases to earn such leave when the earned leave due amounts to 240 days.

(2) Subject to the provisions of the rule, the maximum earned leave that may be granted at a time shall be-

(i) 120 days, in the case of any Government servant employed in India, or

**Correction Slip No. 251 to (Assam F.Rs. & S.Rs)**

Memo No. FEG. 18/93/16A, Dated Dispur, 12th Jan '94

Substitute Rule 9(2)(i) by the following 180 days in the case of any Govt. servants employed in India.

Provided that earned leave granted as preparatory to retirement shall be subject to a maximum of 240 days.

This takes effect from the date of issue of the Notification.

Under Secretary to the Govt. of Assam,

Finance (Estt-A) Department.

(ii) 150 days, in the case of a Government servant mentioned in the *Exception* to sub-rule (1).

(3) Earned leave may be granted to Government servant in Class I or Class II Service or to a Government servant mentioned in the *Exception* to sub-rule (1), for a

period exceeding 120 days or 150 days, as the case may be, but not exceeding 180 days if the entire leave so granted or any portion thereof is spent outside India, Bangladesh, Bhutan, Ceylon, Nepal and Pakistan :

Provided that where earned leave for a period exceeding 120 days, or 150 days, as the case may be, is granted under this sub-rule, the period of such leave spent in India shall not in the aggregate exceed the aforesaid limit.

**CALCULATION OF EARNED LEAVE**

(4)(a) Earned leave shall be credited to the leave account of a Government servant at the rate of  $21\frac{1}{2}$  days for each completed calendar month of service which he is likely to render in a half year of the calendar year in which he is appointed.

(b) The credit for the half year in which a Government servant is due to retire or resigns from the service shall be afforded only at the rate of  $21\frac{1}{2}$  of days per completed calendar month up to the date of retirement or resignation.

(c) When a Government servant is removed or dismissed from service or dies while in service, credit of earned leave shall be allowed at the rate of  $21\frac{1}{2}$  days per completed calendar month up to the end of the calendar month preceding the calendar month in which he is removed or dismissed from service or dies while in service.

(d) If a Government servant has taken extraordinary leave in a half year, the credit to be afforded to his leave account at the commencement of the next half year shall be reduced by  $1/10^{\text{th}}$  of the period of extraordinary leave availed of during the previous half year, subject to the condition that the reduction so made is limited to the maximum period of 15 days.

(5) The order sanctioning earned leave/half pay leave to a Government shall indicate the balance at his credit.

10. [deleted]<sup>1</sup>

11. [deleted]<sup>1</sup>

12. (a) A Government servant serving in a Vacation Department shall be entitled to 10 (ten) days earned leave in lieu of 20 (twenty) days half pay leave as admissible under Rule 13 (a)(i) of the Revised Leave Rules, 1934.

Government servant earned such earned leave will cease to earn half-pay leave as provided under Rule 13(a)(i).

(b) 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 9, 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 in respect of the first year of his service<sup>2</sup>.]

(c) Whether the earned leave is taken in combination with or in continuation of other leave or not, it shall not exceed the amount of earned leave due and admissible to the officer at a time under Rule 9 :

Provided further that the total duration of vacation, earned leave and commuted leave taken in conjunction shall not exceed 240 days.

#### NOTIFICATION

No. FEG.20/95/48- Dated the 4th September, 2000,

[The existing provision of Rule 12(d) of the Leave Rules, 1934 shall be substituted by the following-

12(d) "Not exceeding leave for 300 days shall be paid to his family subject to reduction on account of pension equivalent to death-cum-retirement gratuity."

This takes effect from the date of issue of the notification.]

1. Deleted 10 and 11 vide Noti. No.FEG.46/74/107, dated 1-10-1981.
2. Substituted the Rule 12(a) and 12(b) by Rule 9, and 12(c) again substituted vide Notification No. FEG. 18/93/31, dated 13th June, 1995.

(d) **Cash equivalent of leave salary in case of death in service**- In case a Government servant dies while in service, the cash equivalent of the leave salary that the deceased employee would have got had he gone on earned leave that would have been due and admissible to him but for his death, on the date immediately following the death, and in any case, not exceeding leave-salary for [300 days], shall be paid to his family.

**Note**- In addition to the cash equivalent of leave salary admissible under this rule the family of the deceased Government servant shall also be entitled to payment of dearness allowance only as per orders issued in this behalf separately.

**Audit Instructions**- The term "year" should be interpreted in the same way as the expression "each year of duty" sub-clause (b) of F.R. 82 and the earned leave admissible to a Government servant on a particular date should be calculated in the manner indicated in Note 4 and item (3) of Audit Instruction below F.R. 82 in Section II.]

#### OFFICE MEMORANDUM

**Sub: Cash equivalent of leave salary in case of death of Government Servants of Vacation Department.**

No. FEG.4/2000/Pt/12 Dated the 7th September, 2004

After careful examination it has been decided to extend the benefit of leave encashment to the Government Servant of vacation department in the event of death in service in lieu of unutilized Earned Leave at his/her credit. If the Government Servant of a vacation department dies in service, the cash equivalent of leave salary that the deceased could have got shall be paid to his/her family that would have been due and admissible to him/her on the date of the death. The period of such leave salary as due and admissible but not exceeding eighty

1. Inserted the Rule 12(d) vide Noti. No. FEG.79/13/144, dated 2-11-1976, and substituted for the figure and word "180 days" vide Noti. No. FEG. 46/78/164, dated 3rd March, 1987, and the existing maximum limit of "240 days" effect from 1-1-1987 shall be enhanced to "300 days" vide Noti. No.FEG.20/96/47, dated the 1st September, 2000 (w.e.f. 1-9-2000).

days shall be paid and this will not include House Rent Allowances/Medical Allowances/Compensatory Allowances.

This order will come into force with effect from 29th February, 2000 i.e. the date from which leave encashment benefit was allowed to Government Servant of Vacation Department.]

### NOTIFICATION

**No. FEG.23/78 pt./15, dated 18th March, 1981-** In case a Government servant dies while in service, the cash equivalent of the leave salary that the deceased employee would have got had he gone on earned leave that would have been due and admissible to him but for his death, on the date immediately following the death, and in any case, not exceeding leave-salary for 240 days, shall be paid to his family subject to reduction on account of pension equivalent of death-cum-retirement gratuity.

**Note-** In addition to the cash equivalent of leave salary admissible under this rule, the family of the deceased Government servant shall also be entitled to payment of dearness allowance only as per orders issued in this behalf separately.

This takes effect from the date of issue.]

**Audit Instructions-** The term "year" should be interpreted in the same way as the expression "each year of duty" sub-clause (b) of F.R. 82 and the earned leave admissible to a Government servant on a particular date should be calculated in the manner indicated in Note 4 and item (3) of Audit Instruction below F.R. 82 in Section II.

- 13.(a)(i) The **half-pay leave** admissible to an officer in permanent and temporary employ in respect of each completed year of service is 20 days.
- (ii) No half-pay leave may be granted to a temporary Govt. Servant unless the authority competent to sanction leave has reason to believe that he will return to duty on expiry of leave.
- (iii) For the purpose of calculating half-pay leave due, in the case of Government servant eligible for the Department leave under S.R. 136 each

completed year of service shall be construed as 12 months of actual duty.

- (b)(i) The half-pay leave due may be granted to an officer on Medical certificate or on private affairs.
- (ii) Half pay leave up to a maximum of 180 days shall be allowed to be commuted during the entire service without production of medical certificate where such leave is utilised for an approved course of study i.e. a course which is certified to be in the public interest by the leave sanctioning authority.
- (c) **Commutated leave** not exceeding half the amount of half pay leave may be granted to a Government servant on medical certificate only subject to the following conditions that-
- (i) he has completed one year of service at the time he proceeds on commuted leave;
- (ii) when commuted leave is granted, twice the amount of such leave shall be debited against the half pay leave due;
- (iii) no commuted leave may be granted under this rule, unless the authority competent to sanction leave has reason to believe that the officer will return to duty on its expiry.
- (d) Save in the case of leave preparatory to retirement, **leave not due** may be granted to an officer in permanent employ for a period not exceeding 360 days during his entire service out of which not more than 90 days at a time and 180 days in all may be otherwise than on medical certificate. Such leave will be debited against the half pay leave the officer may earn subsequently.

**NOTE-** Original Rules 13, 14A and 15 substituted as Rule 13 vide Notification No. FEG. 50/56/15, dated 24th October, 1957 (w.e.f. 1-10-1956), Note 2 in Rule 13 inserted vide Notification No. FEG.32/61/Pt.41, C.S. No. 520 dated 3rd January, 1962 and clause (a), (b) and (c) of Rule 13 substituted vide Notification No. FEG 46/74/107 dated 1-10-1981.

**State Government's decision-** A question having arisen whether extraordinary leave granted to a Government servant in permanent employ either on medical certificate or otherwise can be commuted retrospectively into "leave not due", it has been decided that as "leave not due" is leave admissible under the rules, such a commutation is permissible at the discretion of the authority competent to sanction leave in respect of extraordinary leave taken on or after 1st October, 1956. Such a commutation is also permissible in a case where extraordinary leave was granted to a Government servant during temporary service after 1st October, 1956 and he subsequently confirmed with effect from a date earlier than the commencement of the extraordinary leave.

**Note 1- Leave not due** should be granted only if the authority empowered to sanction leave is satisfied that there is a reasonable prospect of the officer's returning to duty on the expiry of the leave and it should be limited to the half pay leave he is likely to earn thereafter.

**Note 2-** When a Government servant who has been granted **leave not due** under this clause applies for permission to retire voluntarily, the leave not due shall if the permission is granted, be cancelled.

**Government of India's decision-** (1) The half pay leave earned by a Government servant in respect of a "completed year of service's" can be availed of by him during the course of a spell of leave or during an extension thereof within which the date of anniversary of service falls.

(2) The Government of India have had under consideration the question whether "**Leave not due**" as defined in Article 302 of the Civil Service Regulations, Fundamental Rule 18(c)(i) and Rule 11(d) of the Revised Leave Rules, 1934, should be granted to a Government servant who is undergoing treatment for tuberculosis.



It has been decided that the supersession of all previous orders on the subject that "leave not due" may be granted to permanent and quasi-permanent Government servant suffering from tuberculosis subject to the condition that the authority competent to sanction leave is satisfied that there is a reasonable prospect of the Government servant (i) returning to duty on the expiry of the leave; and (ii) earning thereafter leave not less than the amount of "leave not due" availed of by him. The prospect of returning to duty on the expiry of the leave should be assessed on the basis of the certificate given by the appropriate medical authority. The prospect of earning at least an equivalent amount of "leave not due" should be assessed with reference to the fact whether in the normal course the Government servant would have enough service after his return to duty with which he would be able to wipe-off the debit balance. For example, if an officer returns to duty and in the normal course, has to serve for only three years before reaching the age of superannuation the "leave not due" should not exceed the half-pay leave he can earn during this period.

The appropriate medical authority will be-

- (i) The Government servant's authorised medical attendant;
- (ii) The Medical Officer-in-Charge of a recognised sanatorium in the case of a Government servant undergoing treatment in a recognised sanatorium;
- (iii) a tuberculosis specialist recognised as such by the State Administrative Medical Officer concerned in the case of a Government servant receiving treatment in a recognised sanatorium;
- (iv) a qualified tuberculosis specialist or Civil Surgeon in the case of a Government servant suffering from tuberculosis other than pulmonary tuberculosis.



**Auditor-General Decision**— It has been decided with the concurrence of the Government of India that the authority empowered to grant leave under the Revised Leave Rules, 1934, has not been given the power to alter the nature of leave, though under Rule 4 of these rules he has the power to refuse or revoke leave at any time according to the exigencies of the public service. Under Rule 14 there is no restriction on an officer whose application for leave is supported by medical certificate being at his option granted leave on medical certificate even when earned leave is due to him.

#### CASE-LAW

AIR 1954 SC 584— *Jai Ram vs. Union of India*— Rules allow the Govt. employee to retire at the age of 55 but that cannot be done only on the ground of inefficiency. Section 240 (3) of the Government of India Act, 1935 is applicable and as such there cannot be premature retirement without giving an opportunity of hearing. The order terminating the service cannot be held to be valid. The Govt. servant entitled to change his mind before the period of his leave expired.

14.(1) **Extraordinary leave** without allowance may be granted to any officer in special circumstances—

- (a) when no other leave is by rule admissible; or
- (b) when other leave is admissible, but the official concerned applies in writing for the grant of extraordinary leave.

(2) Except in the case of an officer in permanent employ the duration of extraordinary leave on any one occasion shall not exceed the following limits—

- (i) three months;
- (ii) six months, in cases where the Government servant has completed three years continuous service on the date of expiry of leave of the kind due and admissible under the rules [including three months extraordinary leave under (i) above]

and his request for such leave is supported by a medical certificate as required under the rules;

(iii) eighteen months where the officer is undergoing treatment for—

- (1) pulmonary tuberculosis in a recognised sanatorium, or
- (2) tuberculosis of any other part of the body by a qualified tuberculosis specialist or a Civil Surgeon, or
- (3) leprosy in a recognised leprosy institution or by a Civil Surgeon or a specialist in leprosy recognised as such by the State Administrative Medical Officer concerned.

**Note 1**— The concession of extraordinary leave upto eighteen months will be admissible also to a Government servant suffering from pulmonary tuberculosis who receives treatment at his residence under a tuberculosist specialist recognised as such by the State Administrative Medical Officer concerned and produces a certificate signed by the specialist to the effect that he is under his treatment and that he has reasonable chances of recovery on the expiry of leave recommended.

**Note 2**— The concession of extraordinary leave upto eighteen months under this sub-rule will be admissible only to those Government servants who have been in continuous Government service for a period exceeding one year.

(iv) twenty-four months where the leaves is required for the purposes of prosecuting studies certified to be in the public interest, provided the Government servant concerned has completed three years' continuous service on the date of expiry of leave of the kind due and admissible under the rules [including three months extraordinary leave under (i) above].

(3) Where a Government servant who is not in permanent employment fails to resume duty on the expiry of the maximum period extraordinary leave granted to him or where such a Government servant who is granted a lesser amount of extraordinary leave than the maximum amount admissible, remains absent from duty for any period which together with the extraordinary leave granted exceeds the limit up to which he could have been granted such leave under sub-rule (2) he will unless the Governor in view of the exceptional circumstances of the case otherwise determines be deemed to have resigned his appointment.

#### CASE-LAW

Division Bench of Gauhati High Court passed its judgment in Civil Rule No. 1062/81, reported in (1987) 1 GLR 211. Held, the mere overstaying after expiry of leave does not ipso facto come to the end of service. Provisions under Art. 311 of the Constitution must be complied with.

(4) The Government servants belonging to the Scheduled Castes/Scheduled Tribes may, for the purpose of attending the pre-examination training Centre at the centre notified by the Govt. of India from time to time be granted extraordinary leave by Heads of Departments in relaxation of the provisions of sub-rule 2(1).

(5) The authority empowered to grant leave may commute retrospective periods of absence without leave into extraordinary leave.

**Government of India's decision-** (1) It has been decided by the Ministry of Finance in consultation with the Comptroller and Auditor-General, that the two spells of extra-ordinary leave if intervened by the maternity leave should be treated as one continuous spell of extraordinary leave for the purpose of Rule 14(b) of Revised Leave Rules, 1934.

Two periods of extraordinary leave when intervened

by a spell of leave on half pay should be treated as one continuous spell for the purpose of applying the limit of 3 months mentioned in Rule 14(b) above.

(2) In addition to leave on average pay or earned leave as the case may be and/or leave on medical certificate which may be admissible to them, the temporary Government servants, superior and inferior, who contract tuberculosis and undergo treatment in a recognised sanatorium for long period may be granted in relaxation of Supplementary Rule 286-C and sub-rule (b) of Rule 14 above extraordinary leave without allowance upto maximum period of eighteen months on any occasion, subject to the following conditions—

- (i) the post from which the Government servant proceeds on leave is likely to last till he return to duty;
- (ii) the extraordinary leave shall be granted subject to the production of a certificate from the medical officer-in-charge of the sanatorium, specifying the period from which leave is recommended, and
- (iii) the Medical Officer in recommending leave will bear in mind the provisions of Supplementary Rule 210.

Government of India, Finance Department Endorsement No. F.7/(50) Rs.1/5, dated the 11th October, 1943, and Government of India Ministry of Finance, U.O. No.5097/E/VI-54, dated 30th September, 1954.

(3) The concession of extraordinary leave up to eighteen months will be admissible also to temporary Government servants suffering from tuberculosis of bones or joints on the production of certificate by a qualified T.B. Specialist or a Civil Surgeon.

Government of India, Finance Department Endorsement No.F.7/(61)R-1/44, dated the 9th April, 1945, and Government of India Ministry of Finance, U.O.

No. 5097/E/IV-54, dated 30th September, 1954.

(4) The grant of the leave concession sanctioned in item (3) above to temporary Government servant suffering from tuberculosis of bones or joints is subject to the conditions laid down in clause (i) and (ii) of item (1) above. As such temporary Government servant are not required to undergo treatment in a recognised sanatorium, a certificate by a qualified T.B. Specialist or a Civil Surgeon may be accepted in lieu of that prescribed in clause (ii) of item (1) above. A certificate prescribed in that clause will be necessary only in cases where the Government servants concerned undergo treatment in a recognised sanatorium.

15. (1) A Government servant who proceeds on earned leave shall be entitled to leave salary equal to the pay drawn immediately before proceeding on earned leave.

{(2) An Officer on half-pay leave or leave not due will be entitled to leave salary equal to half the amount specified in sub-rule (1).}

(3) An officer on commuted leave will be entitled to leave-salary equal to twice the amount admissible under sub-rule(2).

(4) An officer on extraordinary leave is not entitled to any leave-salary.

**Note-** In respect of any period spent on deputation on foreign service out of India, the pay which the officer would have drawn if on duty in India shall be substituted

1. Substituted sub-rule (2) vide Correction Slip No. 248 Reference Notification No. FEG. 32/89/10, dated 19-12-1989, (w.e.f.19-12-1989), published in the Assam Gazette Part II, dated the 14-3-1990.

**NOTE-** Before substitution sub-rule (2) read as follows-

(2) An Officer on half pay leave or leave not due will be entitled to leave salary equal to half the amount specified in sub-rule (1) subject to maximum of Rs. 750 :

Provided that this limit shall not apply if the leave is on medical certificate or for pursuing an approved course of study otherwise than on study leave terms.

for the pay actually drawn while calculating average pay.

**Explanation I-** For the purpose of this rule, "substantive pay" means the substantive pay of the permanent post which the officer holds substantively or on which he holds a lien or would hold a lieu, had the lieu not been suspended and includes the special pay shown as part of the scale of pay of the post :

Provided further that the leave-salary of a Government servant who is in permanent employ and who has been continuously officiating in another post for more than three years at the time he proceeds on leave shall be calculated as if he were the substantive holder of the post in which he was so officiating or in which he would have so officiated by for his officiating appointment in an equivalent or a still higher post.

The three year's limit shall include-

- (a) all periods of leave during which the Government servant would have officiated in the post but for proceeding on such leave; and
- (b) all periods of officiating service rendered in an equivalent or a still higher post but for appointment to which he would have officiated in the post.

**Explanation II-** The leave-salary of an Officer who is already on leave the 1st January, 1960, shall from the commencement of such leave will be recalculated in accordance with the provisions of the Revised Leave Rules, 1934 as amended under C.S. No. 501 to Fundamental Rules and Subsidiary Rules.

This takes effect from 14-9-1961.

**Government of India's decision-** (1) A question having arisen whether the condition of "no extra expense" was still in force in respect of the inferior Government servants subjects to the Revised Leave

Rules, 1934, the Government of India have decided that since the condition of "no extra expense" laid down in Fundamental Rule 87 does not exist in the Corresponding Rule 16 (Rule 15 in the present compilation of the Revised Leave Rules), this condition should be considered as superseded by the Revised Leave Rules according to the Government of India's Orders below Rule 2 and paragraph 4 of the Annexure to this Appendix.

[Government of India, Finance Department Letter No. F-7 (15) -R-1/36, dated the 21st April, 1939].

(2) A provisionally permanent Government servant is an officer in permanent employ for the purposes of the Revised Leave Rules.

(3) A doubt arose regarding the determination of the amount of leave-salary to be paid to a Government servant after the first sixty days earned leave under clause (i) of sub-rule (1) of Rule 15. It has been held that the intention underlying the aforesaid rule is that the leave-salary after the first sixty days earned leave should be the substantive pay on the day before the leave commences or average monthly pay earned during the 12 completed months preceding the month in which the leave commences, whichever is higher.

**N.B.- The changes in the Fundamental Rules and the Subsidiary Rules indicated below apply only to those Government servants to whom the Leave Rules, 1934 are applicable.**

**Special Disability Leave-**

**Fundamental Rules 83, 83A and and 83B-** The limit of 4 months laid down in sub-clause (a) of clause 7 of F.R. 83 should be taken to mean 120 days and the term "period of average pay" occurring in sub-clause (b) of clause 7 of this Rule should be taken to mean "earned leave". Half the amount of leave on average pay under this sub-clause will be counted as earned leave taken and leave-salary during special disability will be regulated under Rule 15 of the Rules in Part I.

The term "four months" in clause (m) of Fundamental Rule 83-A should be taken to mean 120 days.

The concession in Fundamental Rule 83B is not admissible to persons governed by the Leave Rules in Part I.

**Study Leave-**

**Fundamental Rule 83-** During study leave a Government servant will be entitled to the same leave-salary as that admissible under Rule 15(2) of the Rules in Part I.

"Leave on average pay" occurring in lines 10 and 11 of Rule 2 of Appendix 15, Part I, should be taken to mean "earned leave" under the Leave Rules in Part I, and the term "during the first four months of a period of leave on average pay" occurring within brackets in lines 6 and 7 of this rule should be taken to mean "earned leave not exceeding 120 days."

**F.R. 89 and 90-** Under the Leave Rules in Part I, maximum limit has been imposed only in regard to leave-salary drawn during leave on private affairs or on medical certificate. No maximum limit is imposed in regard to leave-salary drawn during earned leave nor is there the benefit of a maximum leave-salary in regard to any kind of leave.

**F.R. 100-** The limit of four months in clause (a) of the rule should be interpreted to mean only "earned leave not exceeding 120 days" inclusive of the privilege leave which was due to the officer on the date on which he became subject to F.R. 100, and that the provision contained in the provision to Rule 9 of the

Rules in Part I will apply.

**F.R. 105(b)(i) and S.R. 145-** The term "leave on average pay of not more than four months duration" in these rules should be taken to mean "earned leave not exceeding 120 days".

**F.R. 105(c) and S.R. 140-** The term "four months" mentioned in these rules should be taken to mean 120 days.

**F.R. 128-** The words 'Chapters I to XI of these rules' in this Rule should be taken to mean 'Chapter I to IX and XI of these rules and the Leave Rules in Part I.'

Employees of local funds administered by Government who are not Government servants will be subject to the provisions of Chapters I to IX and XI of Fundamental Rules and Leave Rules in Part I.

**S.R. 22, 118, 254, 256 and 270-** The maximum of 120 days should be substituted for the limit of four months. The term "leave on average pay" in S.R. 118 should be interpreted to mean "earned leave".

**S.R. 73 to 88-** These rules will continue to apply to persons governed by the Leave Rules in Part I, subject to the limits laid down in Rule 13 of these Rules. Subsidiary Rules 89 to 116 will also continue to apply.

**S.R. 122-** The period of leave is limited to three months on full pay or six months on half pay in any period of three years.

**Note-** When the illness is one caused by irregular or intemperate habits, such as venereal disease, the period spent in hospital by the patient and any subsequent leave granted in continuation for convalescence should be treated as leave on medical certificate; and if no such leave is due, then as extraordinary leave. Such period will not count towards approval service increment of pay.

**S.R. 123-** "The period during which full pay is drawn" should be substituted for the limit of three months.

**S.R. 133 and 134-** These rules will remain in force but F.R. 85 mentioned in clause (b) of S.R. 134 should be taken to mean Rule 14 of the Leave Rules in Part I.

## APPENDIX - 2

### FORM-A

#### Bond for Temporary Government servants proceeding on Study Leave under the Study Leave Rules

[ PART I TO THE A. F. RULE AND A. S. RULE ]

Know all men by these present that I, ..... resident of ..... in the District of ..... at present employed as ..... in the Department/Office of ..... do hereby bind myself and my heirs, executors and administrators to pay to the Governor of Assam (hereinafter called "the Government") on demand the sum of Rs. .... (Rupees .....) together with interest thereon from the demand at Government rates for the time being in force on Government loans or, if payment is made in a country other than India the equivalent of the said amount in the currency of that country converted at the official rate of exchange between that country and India and together with all costs between attorney and client and all charges and expenses that shall or may have been incurred by the Government.

Dated this ..... day of ..... one thousand nine hundred and .....

Whereas the above bounden ..... is granted study leave by Government;

And Whereas for the better protection of the Government the above-bounden has agreed to execute this bond with such condition as hereunder is written;

Now the condition of the above written obligation is that in the event of the above bounden ..... not conforming to the instructions regarding study/training conveyed to him by an authorised agent of the Governor of Assam or of his continued adverse report regarding

the progress of his studies/training or regarding his conduct or the above bounden resigning or retiring from service without returning to duty after the expiry of termination of the period of study leave or at any time within a period of 3 years after his return to duty or the above bounden ..... refusing to serve the Governor of Assam if required to do so as an officer of the Government of Assam in any other employment indicated by the Governor of Assam for a minimum period of 5 years he shall forthwith pay to the Government or as may be directed by the Government on demand the said sum of Rs. .... (Rupees .....) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans.

And upon the above bounden ..... making such payment the above written obligation shall be void and of no effect, otherwise it shall be and remain in full force and virtue.

The Government of Assam have agreed to bear the stamp duty payable on this bond.

Signed and delivered by the above bounden ..... in the presence of .....

**ACCEPTED**

For and on behalf of the Governor of Assam

**FORM B**

**Bond for Temporary Government servants proceeding on Study Leave under the Study Leave Rules**

[ PART I TO THE F. RULE AND A.S. RULE ]

Know all men by these present that we ..... resident of ..... in the District of ..... at present employed as ..... in the Department of/Office of ..... (hereinafter called "the obligor") and Shri ..... son of ..... of ..... and Shri ..... son of ..... of ..... sureties on his behalf to hereby jointly and severally bind ourselves and our respective heirs, executors and administrators to pay to the Governor of Assam (hereinafter called "the Government") on demand to the sum of Rs. .... (Rupees .....) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans or, if payment is made in a country other than India, the equivalent of the said amount in the currency of that country converted at the official rate of exchange between that country and India and together with all costs between attorney and client and all charges and expenses that shall or may have been incurred by the Government.

Dated this ..... day of ..... one thousand nine hundred; and

Whereas the above bounden ..... is granted study leave by the Government;

And whereas for the better protection of the Government the above bounden has agreed to execute this bond with such condition as hereunder is written;

And whereas the said ..... and ..... have agreed to execute this bond as sureties on behalf of the above bounden;

Now the condition of the above written obligation is

that in the event of the above bounden obligor .....  
 Shri ..... resigning from service without returning  
 to duty after the expiry or termination of the period of  
 study-leave or at any time within a period of 3 years  
 after his return to duty or the above bounden obligor  
 Shri ..... not conforming to the instruction regarding  
 studies/training conveyed to him by an authorised agent  
 of the Governor of Assam or of his continued adverse  
 reports regarding the progress of his studies/training  
 or regarding his conduct or the above bounden Shri .....  
 refusing to serve the Governor of Assam if required to  
 do so as an officer of the Government of Assam in any  
 other employment indicated by the Governor of Assam  
 for a minimum period of 5 years the obligor and sureties  
 shall forthwith pay to the Government or as may be  
 directed by the Government on demand the said sum of  
 Rs. .... (Rupees .....) together with interest  
 thereon from the date of demand at Government rates  
 for the time being in force on Government loans.

And upon the above bounden obligor Shri .....  
 and/ or Shri ..... and/ or Shri ..... the  
 sureties aforesaid making such payment the above  
 written obligation shall be void and of no effect otherwise  
 it shall be and remain in full force and virtue :

Provided always that the liability of the sureties  
 hereunder shall not be impaired or discharged by reason  
 for time being granted or by any forbearance act or  
 omission of the Government or any person authorised  
 by them (whether with or without the consent or  
 knowledge of the sureties) nor shall it be necessary for  
 the Government to sue the said obligor before suing the  
 above bounded sureties Shri ..... and Shri .....  
 or any of them for amounts due hereunder.

The Government of Assam have agreed to bear stamp  
 duty payable on this bond.

Signed and delivered by the above bounden Shri  
 ..... in the presence of .....

Signed and delivered by the surety above-named Shri  
 ..... in the presence of .....

**ACCEPTED**

For and on behalf of the Governor of Assam

**Assam Fundamental Rule Form No.1**

[F.R. 76, S.R.70]

Leave Account of .....  
 Date of commencement of service .....  
 Date of contract, if any .....

			LEAVE EARNED				LEAVE AT CREDIT				
	1	2	3	4	5	6	7	8			
		Date	Y.m.d.	Y.m.d.	Y.m.d.	Y.m.d.	Y.m.d.	Y.m.d.			
From Government Served under				1/11th of duty subsequent to coming under Fundamental Rules [Rule 81(b)(iii)]	Balance of 2/11th of Duty subsequent to coming under Fundamental Rules	1/11th of duty subsequent to coming under Fundamental Rules [Rule 81(b)(iii)] Columns 16+4	Balance of 2/11th of duty subsequent to coming under Fundamental Rules [Columns 17+4]	Total of Columns 6+7			

**Ordinary Leave Rules**

Date of attaining the age of 55-60 year .....  
 Date of coming under Civil Leave Rules .....

			LEAVE TAKEN				LEAVE AT CREDIT				
	9	10	11	12	13	14	15	16	17	18	19
			Y.m.d.	From to	Y.m.d.	Y.m.d.	Y.m.d.	Y.m.d.	Y.m.d.	Y.m.d.	Y.m.d.
Againsr entres in Column 6		Againsr the limit of one year for leave on medical certificate and leave spent else where than in India, Ceylon, Nepal, Burma or Aden [proviso to Rule 81(b)(iii)]		Dates	Actual period	Actual period converted into period in terms of leave on average pay	Total [Columns 10+11+14]	Of leave equivalent to 1/11th of duty subsequent to coming under Fundamental Rules [Rule 81(b)(iii)] [Column 6-10]	Of leave equivalent to balance of 2/11th of duty subsequent to coming under Fundamental Rules [Columns 14+14]	Total Columns (8-18)	Remarks



### Instruction for filling up Assam Fundamental Rule FORM NO. 1

1. The account is to be maintained in terms of leave on average pay. For this purpose actual periods of leave taken on half or quarter average pay as entered in column 13 should be divided by 2 and posted in column 14.

2. In the case of officers who were subject to the Civil Service Regulations Leave Rules before they elected the Fundamental Rules, the account should commence with an opening entry in columns 4, 5, 6, 7, 8, 11, 13, 14, 15, 16, 17 and 18. The words "Due on (date of coming under the Fundamental Rules)" should be written across columns 1, 2 and 3 and against these words credit under Rule 77(b)(ii) (1) should be given in column 4 and column 6 and that under Rule 77(b)(ii) (2) and Rule 77(c) in column 5 and column 7 while debit for commuted furlough taken under the old Leave Rules should be given in column 11 and that under Rule 78 Note(2)(i)(a), in column 13, one-half of the latter being entered in column 14. The sum total of the entries in columns 6 and 7 and in columns 11 and 14 should be entered in columns 8 and 15 respectively. The differences between the entries in columns 8 and 15, should be entered in column 18 and the entry in column 4 or 6 should be repeated in column 18 while the entry in column 5 or 7 minus the sum total of the entries in columns 11 and 14 should be shown in column 17.

3. When a Government servant applies for leave, columns 1 to 8 should be filled up. Columns 1, 2 and 3 should show the Government servant under and the period of duty up-to-date preceding that on which the Government servant intends to go on leave and columns 4 and 5 should each show 1/11th of this period (but see Note below), the sum total of the two entries representing the period of leave i.e., 2/11th of duty earned under Rule 77(b)(ii)(3). To the new entry in column 4 should be added the last

entry in column 16 and the result but figure should be posted in column 6; similarly to the new entry in column 5 should be added the last entry in column 17 and the resultant figure should be posted in column 7. The total of the entries in columns 6 and 7 will be shown in column 8.

**Note 1-** If during the period of duty prior to a Government servant's going to leave he has served under two or more Governments, the period of duty and the leave earned under each Government should be shown in separate lines in columns 1 to 5 and the sum total of the new entries in column 4 and the last entry in column 16 should be posted in column 6 and of those in column 5 and the last entry in column 17, in column 7, the total of entries in columns 6 and 7 being shown in column 8.

**Note 2-** The sum total of the entries in column 5, inclusive of the opening entry mentioned in Instruction No. 2 should be 2-1/2 years [R. 81](a)(ii) and no entry should be made in this column when this limit of 2½ years is reached.

When columns 1 to 8 have been posted, column 8 will show the maximum amount of leave which may be granted in terms of leave on average pay but see Rule 81(d) to Government servant on the date on which he intends to go on leave.

The maximum amount of leave on average pay which may be granted on that date with medical certificate or out of India, Ceylon, Nepal, Burma or Aden will be the sum total of the last entry in the column 6, and the unspent balance of "one year" limited to 3 months at a time, provided the sum total is covered by the period entered in column 8; in the case of leave in India, Ceylon, Nepal, Burma or Aden without medical certificate the maximum will be the last entry in column 6 limited to 4 months at a time.

4. When a Government servant returns from leave

columns 9 to 18 should be filled up. The period of leave taken on average pay should be entered in columns 9, 10 and 11 and that taken on medical certificate or spent elsewhere than in India, Ceylon, Nepal, Burma or Aden should be entered in column 11 till the limit of one year is reached and thereafter in column 10.

The actual periods of leave on half or quarter average pay and overstayed on leave [*vide* F.R. 73] should be entered in column 13 and one-half of it, in column 14.

**Note 1-** Leave on average pay taken under the Fundamental Rules in India without medical certificate in excess of the last entry in column 6 before the deletion or *plus* "one year" from Rule 81(b)(ii) should be entered in column 11.

**Note 2-** If the leave taken exceeds the amount at credit, the excess representing leave, not due but granted under Rule 81(c)(i) and (ii) should be shown in red ink in column 11.

5. The total period of leave in terms of leave on average pay taken in a Government servant's whole service as entered in column 15 should not exceed the privilege leave credited to him in column 4 on his coming under the Fundamental Rules *plus* all periods of leave subsequently entered in that column *plus* 2-1/2 years.

6. When a Government servant is transferred to service under another Government, a separate account should be opened in this form for showing the leave entered under that Government and the leave the cost of which is debited to that Government. The account will be in addition to the main leave account which must be a complete record of all leave earned and taken under these rules throughout this service.

**FORM NO. 2**

[ Subsidiary Rule 73]

**Application for leave**

**Note-** Items 1 to 9 must be filled in by all applicant whether gazetted or non-gazetted.

Item 12 applies only in the case of gazetted officers.

Items 13 and 14 apply only in the case of non-gazetted officers.

1. Name of applicant .....
2. Leave Rules applicable .....
3. Post held .....
4. Department or office .....
5. Pay .....
6. House rent allowance, conveyance allowance or other compensatory allowances drawn in the present post .....
7. Nature and period of leave applied for on date from which required .....
8. Ground on which leave is applied for .....
9. Date of return from last leave, and the nature and period of that leave .....
10. I undertake to refund the difference between the leave-salary drawn during leave on average pay/commuted leave and that admissible during leave on half average pay/half pay leave, which would not have been admissible had the proviso to F.R. 18(b)(ii)/Rule 13(c)(iii) of the Revised Leave Rules, 1934 not been applied in the event of my retirement from service at the end or during the currency of the Leave .....

Date .....

Signature of applicant

Leave address

11. Remarks and/or recommendation of the Controlling Officer .....

Date ..... Signature  
Designation

12. Report of the Audit Officer :

Date ..... Signature  
Designation

13. Statement of leave granted to applicant previous to this applicant .....

Nature of Leave	In current year	During past year	Total
Privilege/on average pay/earned.			
On average pay on M.C./Commuted			
On half average pay /half pay Not due .....			
On quarter average pay Extraordinary			
	Total .....		

14. Certified that leave on average pay/earned leave ..... for ..... months and ..... day from ..... 19 ..... to ..... 19 ..... is admissible under ..... of the .....

Date ..... Signature  
Designation

15. Orders of the sanctioning authority

Date ..... Signature  
Designation

### **EXTRACT**

#### **FROM REPORT OF THE COMMITTEE**

CONSTITUTED TO EXAMINE THE REPORT OF ASSAM PAY COMMISSION

**Notification No.FPC.82/2009/1, dated 26th Oct., 2009**

The Government of Assam constituted a Committee *vide* Notification No. FPC.82/2009/1, dated 26th October, 2009 under the Chairmanship of Shri H.S. Das, IAS, Principal Secretary, Finance Department and comprising of Shri S.C. Das, IAS, Principal Secretary, Home Department as Member and Shri R.C. Joshi, IAS, Secretary, Finance Department as Member Secretary.

#### **[OTHER BENEFITS]**

(CHAPTER 3.2)

#### **LEAVE TRAVEL CONCESSION (LTC)**

[PARA 3.2.6]

1.35. The Committee agrees with the recommendations of the Commission with few modifications. The Committee suggests that LTC may be given to an employee after completion of ten years of service once during the entire period of service. Reimbursement of actual travelling expences may be made subject to maximum of entitlement on journey by train irrespective of mode of actual travel.

#### **LEAVE MATTERS**

[PARA 5.6]

1.42. The Committee agrees with the recommendations of the Commission with the following modifications:-

1. Total 12 Casual Leaves may be allowed for all the employees of the State Government.
2. Existing provisions regarding Earned Leave and Half Pay Leave may continue with only one modification. Accumulation and encashment of Earned Leave for all the employees of vacation department may be allowed upto 150 days as recommended by the Commission.
3. The Government may entrust Finance Department with the responsibility of examining the recommendations regarding Special Study Leave. In the meantime, existing provisions regarding Study Leave may continue to be applied to the academic staff.
4. For smooth functioning of the administration, the existing provision of Maternity Leave of 135 days may remain unchanged. Maternity Leave may be combined with leave of any other kind as due up to 45 days in addition to 135 days.
5. Since leave of other kinds as due are available to male employees, the Committee is not in favour of introduction of Paternity Leave.

**GOVERNMENT OF ASSAM  
ORDERS BY THE GOVERNOR**

**OFFICE MEMORANDUM\***

The 26th September, 2011

**Sub. No. FEG.10/2010/36.- Clarification on calculation of Earned Leave consequent upon enhancement of the maximum limit of Earned Leave in respect of staff of Vacation Department upto 150 days and 300 days for leave encashment benefit respectively.**

It has come to the notice of the Government that a few Departments are coming to the Finance Department seeking clarification regarding calculation of leave encashment benefit against the Earned Leave accrued at credit in respect of the staff Vacation Department.

In terms of Finance Department's Notification No. FEG.18/93/31, dated 15th June, 1995, O.M.No. FEG.4/2000/11, dated 21st February, 2000, O.M.No. FEG.10/2010/10, 9th July, 2010, and O.M.No. FEG.10/2010/pt/19, dated 9th June, 2011, the matter is hereby clarified as follows:-

1. Consequent upon conversion of 20 days Half Pay Leave to 10 days Earned Leave vide Government's Notification No. FEG.18/93/31, dated 15th June, 1995, a Government Servant under Vacation Department is entitled @ 10 days Earned Leave per year with effect from 15th June, 1995 i.e., the date of issue of the aforesaid Notification.

The actual of Earned Leave as well as entitlement of leave encashment benefit was fixed by limiting upto a maximum 80 days vide O.M.No. FEG.4/2000/11, dated 21st February, 2000.

\*. Published in the Assam Gazette Part IIA, dated 21st December, 2011.

2. Now, subsequently on enhancement of the maximum limit of Earned Leave as well as leave encashment benefit upto 150 days in respect of staff of Vacation Department as per O.M.No.FEG.10/2010/10, dated 9th July, 2010, with effect from 1st January, 2010, shall be calculated on the Earned Leave accrued at credit prior to the date of 1st January, 2010 i.e., on 31st December, 2009 (but in no way exceeding the maximum limit of 80 days on that date) at the rate of 10 days annually.
3. Similarly, on subsequent enhancement of maximum limit of accrual of Earned Leave as well as leave encashment benefit upto 300 days in respect of the staff of Vacation Department as per O.M.No.FEG.10/2010/pt/19, dated 9th June, 2011, with effect from 1st January, 2011, shall be calculated on the Earned Leave accrued at credit prior to the date of 1st January, 2011 i.e., on 31st December, 2010 at the rate of 10 days annually.

**GOVERNMENT OF ASSAM  
ORDERS BY THE GOVERNOR**

**OFFICE MEMORANDUM\***

The 9th July, 2010

**Sub. Cash payment in lieu of Un-utilized Earned Leave on the date of superannuation in respect of Government Servants in Vacation Department-Accumulation and Encashment of Earned Leave.**

**No. FEG.10/2010/10.-** In pursuance of Government Resolution No.FPC.85/2009/1, dated 4-2-2010 the undersigned is directed to say that the Governor of Assam is pleased to enhance the limit for accumulation and encashment of Earned Leave admissible to Government Servants in Vacation Departments from the present limit of 80 days to 150 days with effect from 1st January, 2010.

2. The decision contained in this O.M. will be applicable to the State Government servants of Vacation Departments retiring on superannuation on or after 1-1-2010 subject to the following conditions.-
3. i) Leave salary shall be payable for the leave accrued and credited on the date of retirement on superannuation subject to the maximum of 150 days.
- ii) The Leave salary due for the accumulated Earned Leave upto maximum of 150 days shall be calculated at the rates of pay and dearness allowances in force on the date of retirement. No other allowances are admissible.
- iii) House Rent allowance is not payable.
- iv) The authority competent to grant leave shall also be competent to grant leave salary/cash

\*. Published in the Assam Gazette Part IIA, dated 4th August, 2010.

equivalent for calculated Earned Leave at credit on the date of retirement subject to the maximum of 150 days.

4. This benefit shall not be available to the Government Servants compulsorily retired as a measure of punishment under disciplinary rules.

This supersedes the earlier O.M.No. FEG.4/2000/11, dt.21-2-2000.

All other existing conditions as provided under Rule 12(a) of the Revised Leave Rules, 1934 and in the Notifications No. FEG. 18/93/31, dt.15-6-95, O.M. No. FEG. 4/2000/pt/9, dt.19-9-2003, O.M. No. 4/2000/Pt/12, dt. 7-9-04 and O.M. No. FEG. 4/2000/133, dt.11-12-2006 shall remain the same.

A. K. BHUTANI,  
Commissioner & Secretary  
to the Government of Assam,  
Finance (Estt.-A) Department.

**GOVERNMENT OF ASSAM**  
**FINANCE (ESTT. - A) DEPARTMENT**  
**DISPUR : GUWAHATI - 6**

No.FEG.4/2000/11, Dated Dispur, the 21st February, 2000

**OFFICE MEMORANDUM**

Subject:- Cash payment of lieu of un-utilised earned leave on the date of superannuation in respect of Government servants in vacation Department.

After careful consideration of the demands from the Government servants of the Vacation Department of payment of cash-equivalent of un-utilised earned leave, the Governor of Assam is pleased to extend the benefit of leave encashment of unutilised earned leave at the credit of the Government servant on the date of superannuation to the Government servants in Vacation Department.

2. The decision contained in this O.M. will be applicable to the State Government servant of Vacation Department retiring on superannuation on or after 29-02-2000.
3. The Concession will be subject to the following conditions:-
  - (i) The payment of cash-equivalent to leave salary shall be limited to a maximum of 80 days earned leave accrued at credit on the date of retirement;
  - (ii) The cash-payment under this order will be equal to leave salary as admissible on that leave salary at the rates in force on the date of retirement;

(iii) The authority competent to grant leave shall issue order granting cash-equivalent of earned leave at credit on the date of retirement.

4. This order shall not apply to the cases who are compulsorily retired as a measure of punishment under disciplinary rules.

S.C. Das,

Commissioner Secretary to the  
Govt. of Assam,  
Finance (Esstt.-A) Deptt.

## CASUAL LEAVE

1. O.M. No. AAP.185/89/34, dated 12/11/1992

**Subj:- Grant of casual leave to IAS/ACS Officers - maintenance of record thereof.**

It has been observed that the IAS/ACS Officers serving in the State often avail casual leave but a proper record of such leave is not maintained. It has been decided that the following procedures shall be followed while granting casual leave to IAS/ACS Officers by the authorities concerned:-

- (i) Chief Secretary is the authority to grant casual leave to IAS Officers of the Secretariat as well as of Commissioners of Divisions and Personnel (A) Department will keep a record in this regard.
- (ii) Casual leave of Deputy Commissioners belonging to the State's IAS/ACS Cadres will be granted by the respective Commissioners of Division and record as such will be kept by the concerned Office of the Commissioners of Division.
- (iii) Casual leave of IAS/ACS Officers posted in Public Sector undertakings as well as Heads of Department will be granted by the concerned Head of the Administrative Department and record as such will be kept by the Administrative Department concerned.
- (iv) Casual leave of ACS Officers posted in the Secretariat will be granted by the Commissioner/Secretary of the Department concerned and record as such will be maintained by the concerned Administrative Department.
- (v) Casual leave of IAS/ACS Officers posted in the Districts will be granted by the Deputy Commissioner and records as such will be maintained by the concerned Office of the Deputy Commissioner of the District.

The above guidelines may strictly be adhered to in order to prevent misuse of casual leave.

## 2. Para 246 of the Executive Manual

### Sub:- Rules For Grant of Casual Leave

Casual leave is not recognised by the Regulation, and an officer absent on casual leave is not treated as absent from duty. Government will make no arrangement to supply the place of Officers absent on such leave. The Officer granting the leave and the officer taking will be held responsible if the Public service suffers in any way from the absence of the officer on casual leave.

## 3. No. AAP.125/60/147, dated 03/08/67

### Sub:- Combination of casual leave with other kinds of leave - Extracts from Executive Manual and Manual of Office Procedure (Secretariat)

Casual leave may not be combined with any other kind of leave and may not extend to more than 15 consecutive days and more than 15 days in any one Calendar year. The Sundays and Gazetted holidays which precede a period of casual leave or come at the end of the casual leave may be permitted to be both prefixed and suffixed as the case may be, to a single spell of casual leave without counting as part of the casual leave. If holidays/Sundays come in between the period of casual leave, they will not be counted as part of the casual leave.

Government, Commissioners and Heads of Department may in exceptional cases allow a departure from this rule or part thereof recording reasons for such relaxation.

[Para 246(2) of the Executive Manual substituted *vide* AAP. 125/60/147, dated 3.8.67].

(3) Casual leave should only be granted for adequate reasons. The concession of casual leave must not be converted into an unauthorised system of privilege leave. Government trust that Commissioners and Officers of all grades will not allow the privilege to be abused.

(4) An Officer who takes casual leave when on tour is not entitled to draw daily allowance during such leave.

(5) The Officers empowered to grant casual leave to their subordinates may also grant to those subordinates leave of absence during holidays. In all cases in which the officer asking for casual leave or for leave of absence during holidays desires

to absent himself from the jurisdiction of the officer empowered to grant the request, this fact should be clearly stated in the application.

(6) Before a Civil Surgeon or Superintendent of a Central Jail avails himself of casual leave, he should report to the Commissioner of the Division through the Deputy Commissioner of the district the period of such leave and the date of his departure. He should also report the date of his return to duty.

(7) Superintendents and Assistant Superintendents of Police should forward requests for casual leave through the Deputy Commissioner of the district. Should the Deputy Commissioner record an objection to the grant of the leave, the leave applied for cannot be granted. If the leave is granted, it will still be necessary that the Police officers should take the Deputy Commissioner's orders before leaving the district. The Deputy Commissioner should invariably inform the Commissioner when he consents to the grant of casual leave to a Superintendent.

(8) A District Officer, a Civil Surgeon and a Superintendent of Police before taking casual leave should notify to the district office their addresses during the period of such leave.

[Para (9) excluded as it relates to Judiciary].

(10) The special sanction of Government is no longer required when an officer desires to spend his casual leave out of the province.

(11) Every authority which grants casual leave shall cause a register of such leave to be maintained. The register should be regularly examined by inspecting officers.

### [EXTRACTS FROM THE MANUAL OF OFFICE PROCEDURES-SECRETARIAT]

Para 216. 6.1 - **Penalty for late attendance:-** Forfeiture of a day's casual leave will ordinarily be the penalty for three days' late attendance consecutively.

Para 216. 6.2 - Any day on which a member of the establishment attends office after 12.30 p.m. but before 2 p.m. whether with or without permission will be treated as casual leave for half a day. Attendance after 2 p.m. will be treated as casual leave for full day. Similarly, if he leaves office between 12.30 p.m. and 2 p.m., it will be treated as casual leave for half a



day. Departure before 12.30 p.m. will be treated as casual leave for full day.

Para 216. 7 - A casual leave account of a member of the establishment will be transferred from one department to another along with his transfer.

Para 219. 1 - Casual leave to a Government servant in the Secretariat will be sanctioned as follows:-

Sl. No.	Designation of Government Servant	Person whose permission to be taken
1.	A Secretary	Chief Secretary, Minister will be informed.
2.	Joint/Deputy Secretary	Secretary of the Department.
3.	Under Secretary	Joint Secretary or Secretary, under whom he is directly placed.
4.	Superintendent, Asstt. Superintendent, Asstt. Typist etc.	Branch Officer.
5.	Peons	Superintendent, Officer concerned or Nazir, as the case may be.
6.	Personal staff attached to Minister/Officer.	Minister/Officer, provided casual leave is admissible.

Para 219. 2 - If any Government servant avails himself of casual leave when it is not admissible, he will do so at his own risk and ordinarily will be treated as absent on leave without pay.

Para 219. 3 - Prior permission for casual leave on account of anticipated causes will be taken. Absence in anticipation of sanction will be condoned only if the necessary for the leave could not have been foreseen. In such cases, the nature of sudden emergency should be stated in the application.

Para 219. 4 - A member of the establishment applying for casual leave on account of temporary indisposition may, if considered necessary by the leave sanctioning authority, be required to produce medical certificate or hospital ticket.

Para 219. 5 - An application for casual leave submitted from the residence of an applicant should contain his residential address. If he proposes to leave the head quarters during the leave period, the permission to leave the headquarters should be taken and the leave address should also be given.

Para 219. 6 - An abstract statement showing casual leave taken and late attendance will be exhibited in the last column on the Attendance Register and consolidated by the Superintendent immediately after a month is over.

#### 4. No. AAP.125/60/167, dated 18/12/1969

**Sub:- Sanction of casual leave to Additional Deputy Commissioners**

The Deputy Commissioner may grant casual leave to the Additional Deputy Commissioner in cases where the casual leave is proposed to be availed of at the headquarters. The Commissioner of Division, however, will continue to grant casual leave to the Additional Deputy Commissioner. If it is proposed to be availed of outside the headquarters.

#### 5. No. S(E)47/58/3, dated 1/04/1958

**Sub:- Maintenance of account of casual leave for Secretariat staff**

The grant of casual leave and maintenance of the account thereof should be dealt with and disposed of by the respective Secretariat Department where a particular incumbent is working. The casual leave application need not be sent to Secretariat, Administration Department for record.

#### 6. No. AAP.125/60/108, dated 21/10/1964

**Sub:- Diarising of casual leave applications - Not required**

- Casual leave applications should not be diarised as receipts. The Superintendent or the appropriate authority, at the end of each month, should make entries in the prescribed columns of the Attendance Register, Assam Schedule II, Form No. 68 about the total number of days spent on casual leave till the end of the previous month and during the current month, against each employee.

**7. No.AAP.125/60/Pt.1/7, dated 15/12/1967**

**Sub:- Conditions for granting Special Casual leave-  
Competent authorities**

Casual leave in excess of 15 days is, in fact, not a normal thing and therefore, there is no rule governing the grant of such casual leave. The only enabling provision for granting such leave is the proviso to Rule 246(2) of the Assam Executive Manual which is as follows:-

**"Government, Commissioners and Heads of Department may in exceptional cases allow a departure from this rule or part thereof recording reasons for such relaxation."**

The Authority to make a departure from Rule 246(2) for granting special casual leave in all cases is, of course, the Government, but as Commissioners and Heads of Departments are also given these powers, they can also grant such leave to those who are granted the normal casual leave by them. The reasons for such special leave to individual employees need not be either private or public reasons. What is important is that this must be an exceptional case to deserve a departure from the normal rule and the granting authority must satisfy himself of the merit of the case and record the reasons for allowing such special casual leave. The limit upto which such special casual leave can be granted in a calendar year has not been fixed so far. As it is a special thing, no such limit can also be normally fixed. It is expected that the authority granting such leave even in exceptional cases will restrict it to the absolute minimum and will not normally allow it for any long period for which the employee can be conveniently granted earned leave. As a working rule, it may, however, under no circumstances exceed 15 days in a Calendar year.

While the Commissioner of Division may grant special casual leave to all other officers under him in the Division, the special casual leave to Deputy Commissioners will be granted by the Government. The Authority to grant special casual leave to any group of employees for some public purposes like attending seminar, meetings, religious functions, festivals etc., will be the Government in the General Administration Department only. The departure to be made by Commissioners and Heads of Departments applies to individual employees only.

**8. No.AAI.19/66/12, dated 28/04/1967**

**Sub:- Special casual leave to female Government employees for IUCD insertion**

All State Government women employees both industrial and non-industrial who undergo I.U.C.D. insertion will be granted special casual leave on the day of insertion.

**3. Leave (Quarantine)**

**1. No.ABP.206/74/47, dated 29/07/1975**

**Sub:- Discontinuance of quarantine leave**

Under rule 246(3) of the Assam Executive Manual as amended provided for leave of absence from duty necessitated by orders not to attend office due to presence of infectious diseases in the family or house-hold of a Government servant for a period not exceeding 21 days and in exceptional circumstances 30 days. This leave of absence termed as "quarantine leave" was not debited against a Government servant's leave account which meant that he was treated as on duty during the period of such leave.

Of Late, the question of granting quarantine leave was under review of the Government and it was found that there was considerable misuse of rule 246(3) of the Assam Executive Manual which provided such leave. Government, therefore, have decided that grant of such leave should be discontinued.

This order will come into force immediately.

**4. Leave Reserve Posts**

**1. No.FEG.60/63/p., dated 03/02/1967**

**Sub:- Principles for sanction of leave reserve posts for Ministerial and Class IV establishment**

The undersigned is directed to say that at present no uniform procedure is followed in respect of creation of leave reserve posts for ministerial and class IV establishments. Such posts are created on *ad-hoc* requirements generally @10% of the permanent strength of the establishment. The State Government have since reviewed the position as a whole, particularly in the light of the present condition of requirements and quantum of leave admissible to permanent and temporary employees, and the sanction of the Government of Assam is hereby conveyed to the adoption of the following principles:-

In Ministerial establishments including Secretariat, leave reserve will be calculated separately for permanent and temporary post on the basis of 14% of the posts in a cadre. This will be equally applicable to the class IV staff, excluding malis and sweepers whose nature of work does not require leave reserve.

In calculating the temporary leave reserve strength, only those temporary posts which are sanctioned for a minimum period of one year will be taken into account. Leave reserve posts sanctioned on the basis of permanent posts will be permanent and those sectioned on the basis of temporary posts will be temporary.

The leave reserve posts in case of Ministerial Establishments will be in the lowest cadre of the same promotion group i.e. in the cadre of L.D. Assistants. But in calculating the leave reserve strength the number of U.D.A. posts and such supervisory posts of H.A., Superintendent and Registrar which are filled up by promotion during a leave vacancy may be taken into consideration. In the Secretariat posts upto Superintendent should only be included. The posts of Under Secretary filled up from the Secretariat Service should be excluded while calculating the posts of leave reserve. In case of Class IV staff, posts of duffries and jamadar chaprasis may be included.

In calculating the leave reserve, fraction of less than half should be omitted and fraction of half or more be rounded off to the next higher integer.

It should be clearly understood that in an establishment where there are sanctioned leave reserve posts, it is not permissible to entertain outsiders in leave vacancies. The leave reserve covers all vacancies including those caused by the grant of leave preparatory to retirement. But in the case of small offices where the leave reserve posts are only a few in number the grant of leave preparatory to retirement to a few individuals for a long period may inconvenience the office concerned. In such cases, it has been decided that specific sanction of the Finance Department should be obtained to the filling up of vacancies caused by the grant of leave preparatory to retirement beyond the first period of 4 month if the state of work in the office would justify such a special relaxation.

## THE ASSAM STUDY LEAVE RULES, 1963

### CONTENTS

1. Short title and commencement.
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12. Cancellation of Study Leave.
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### APPENDICES

- APPENDIX A.
- APPENDIX B
- SCHEDULE

1. (1) These rules may be called the Assam Study Leave Rules, 1963.

(2) They shall come into force at once.

2. **Definitions-** (1) In these rules, unless the context otherwise requires—

(a) "Head of Indian Mission" means Ambassador, Charged Affairs, Ministers, Consul General, High Commissioner and any other authority declared as such by the Central Government in the country in which the Government servant undergoes a course of study or training;

(b) "Audit Officer" means such officer as may be appointed by the Comptroller and Auditor General of India.

**Note-** The Accountant General, Assam is the Audit Officer in Assam.

(2) All other words and expressions used in these rules, but not defined shall have the meanings respectively assigned to them in the Fundamental Rules.

3. **Conditions for the grant of study leave-** (1) Subject to the conditions prescribed in these rules, study leave may be granted to a Government servant, in or out of India, with due regard to the exigencies of public service, to enable him to undergo 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 duties or with work in the teaching line in the technical and professional subjects.

(2) Study leave shall not be granted unless—

- (i) it is certified by the Government that the proposed course of study or training shall be of definite advantage from the point of view of public interest;
- (ii) 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.

(3) Study leave out of India shall not be granted for prosecution of study or undergoing training in subjects for which adequate facilities exist in India or under any of the schemes administered by the State Government or the Government of India.

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

- (i) who has rendered less than 5 year's service under the State Government;
- (ii) 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 his duties after expiry of the leave.

4. **Maximum period of study leave-** [(1) A Government servant may be granted study leave upto three times during his/her service life within the limitation that the total study leave period during his/her entire service life shall not exceed 24(twenty four) months]<sup>1</sup>.

[(2). If any longer period of leave is required to complete the course of study, for reasons beyond the control of the Government servant, to which the

1. Substituted sub-rule (1) of Rule 4, vide Notification No.FEO. 32/89/pt./31, dated 3-2-2004, published in the Assam Gazette Part IIA, dated 2nd June, 2004 (w.e.f.2-6-2004).

**NOTE-** Before substitution sub-rule (1) of Rule 4 read as follows—

[(1) The period of study leave shall be limited to 24 (twenty four) months for any admissible course of study, once during entire service life of a Government servant, and which was earlier substituted vide Notification No. FEG. 32/89/19, dated the 22nd June, 1999 (w.e.f. 11.8.1999), published in the Assam Gazette, Part IIA, dated 11.8.1999, p.-421-422. Original sub-rule(1) of Rule 4, read as follows.

[(1) The period of Study Leave would ordinarily extend to the period of the course of study or training subject to report of satisfactory progress by the Government servant granted such study leave, and would be limited to a maximum period of thirty-six months in all.]

Government in the Finance Department, is satisfied, the Government servant shall be permitted to combine any leave due and admissible to him under leave rules with Study Leave<sup>1</sup>.

**5. Regulation of study leave extending beyond the course of study-** When the course of study or training falls short of study leave sanctioned, a Government servant shall resume duty on the conclusion of the course of study or training unless the previous assent of the Government to treat the excess period of study leave as ordinary leave has been obtained.

**6. Grant of study and other allowance-** [(1) A study allowance shall be granted to a Government servant who has been granted study leave to prosecute admissible course of study in recognised institutions outside India for the period actually spent for study purpose.]<sup>1</sup>

[(2)(a) The rate of study allowances shall be at the same rate in force for the relevant period and for the relevant country, for the employees of the Central Government under Rule 58 of the Central Civil Services (Leave) Rules, 1972.]<sup>1</sup>

1. Substituted sub-rule (2) of Rule 4, vide Notification No. FEG.32/89/19, dated the 22nd June, 1999 (w.e.f. 11-8-1999), published in the Assam Gazette, Part IIA, dated 11-8-1999, p. 421-422.

**Note:-** Before substitution sub-rule (2) of Rule 4, read as follows:-

“(2) A Government servant granted study leave in combination with any other kind of leave may, if he so desires, commence his study before the end of other kind of leave but the period of such leave coinciding with the course of study shall not count as study leave.”

1. Substituted sub-rule (1) of Rule 6, vide Notification No.FEG. 32/89/19, dated 22nd June, 1999 (w.e.f. 11-8-1999), published in the Assam Gazette, Part IIA, dated 11-8-1999, p.421-422.

**Note:-** Before substitution sub-rule (1) read as follows-

“(1) A study allowance shall be granted for the period of study leave which may include the period spent in prosecuting a definite course of study or training at a recognised institution as also the period covered by any examination at the end of the course of the study.”

“(2)(b) No study allowances shall be granted to a Government servant who has been granted study leave to prosecute studies within India.”<sup>1</sup>

(c) No allowance of any kind, other than study allowance shall be admissible to a Government servant in respect of study leave granted to him.

#### COMMENTS

A Government servant during Study leave will be entitled the same leave salary admissible as under Rule 15. The Study allowance is not admissible in India.

(3) Study allowance may 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 Government any over payment.

(4) A Government servant may be allowed to draw study allowance for the entire period of vacation during the course of study subject to the conditions that—

- (i) he attends during vacation any special course of study or training under the direction of the Government or the authority competent to sanction study leave, as the case may be; or
- (ii) in the absence of any such direction, he may produce satisfactory evidence before the Head of

1. Substituted sub-rule (2)(a) & (b) of Rule 6, vide Notification No.FEG. 32/89/19, dated 22nd June, 1999 (w.e.f. 11-8-1999), published in the Assam Gazette, Part IIA, dated 11-8-1999, p.421-422.

**Note:-** Before substitution sub-rule 2(a) & 2(b), read as follows-

“(2)(a) The rates of study allowance shall be as follows but may be revised from time to time—

Name of Country	Study allowance per diem
United of Kingdom	168
Continent of Europe	* 1
United States of America	308

(b) The rate of study allowance to be granted to a Government servant who takes study leave in other countries and in India shall be such as may be specially determined by Government.”

Mission, or the authority competent to sanction study leave, as the case may be that he has continued his studies during the vacation;

(iii) no study allowance shall be drawn during vacation falling at the end of the course of study except for a maximum period of fourteen days.

**Note**— The period of vacation during study allowance is drawn shall be taken into account in calculating the maximum period of thirty-six months for which study allowance is admissible.

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

Provided that the Government may authorise the grant of study allowance for any period not exceeding 14 days at a time during which a Government servant is pre-vented by sickness, duly certified by a registered medical practitioner, from pursuing his course of study or training.

(6) In the case of definite course of study or training at a recognised institution, the study allowance shall be payable by the Government 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 Indian Mission in other cases on claim submitted by Government servant from time to time, supported by proper certificate of attendance.

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

(8) When the programme of study or training approved does not include or does not consist entirely of such a course of study or training, the Government servant shall submit to the Government or Head of Indian Mission, as the case may be, 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 possibility of adopting such methods or operations to conditions obtaining in India. The Government shall decide whether the diary and report show if the time of the Government servant was properly employed and shall determine accordingly for what periods study allowance may be granted.

(9) A Government servant who is permitted to receive and retain, in addition to the leave salary, admissible under Rule 10, any scholarship or stipend from a Government or non-Government source or remuneration in respect of a part-time employment shall not be entitled to any study allowance.

In case where special reasons exist, such a Government servant may be granted by a special order, the difference between the value of the net scholarship or stipend or remuneration and the usual allowance, provided that the value of scholarship or stipend or the amount of remuneration is less than the study allowance that would be admissible to him but for the scholarship or stipend or remuneration.

**7. Cost of fees for study**— A Government servant at study leave is ordinarily required to meet the cost of fees paid for course of study or training. In exceptional cases Government may consider proposal for the grant of such fees.

**8. Execution of bond**— A Government servant, who has been granted study leave shall be required to execute a bond as given in Appendix 'A' annexed to these

rules before the study leave is granted, and furnish suitable surety for due fulfilment of the Bond. As soon as the Bond is executed the leave sanctioning authority shall forward a certificate to the Accountant General, Assam to the effect that the Government servant has executed the requisite Bond.

**9. Registration and retirement-** (1) If a Government servant resigns or retires from the 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 the full amount of leave salary, study allowance, cost of fees, travelling and other expenses, if any, drawn by him for the period of study leave, together with interest thereon from the date of demand at the rate applicable to Government loans, before his resignation is accepted or permission to retire is granted :

Provided that the Government may relax this provision where a Government servant is, on return to duty, from study leave, forced to retire from service on medical grounds.

(2) The study leave availed of by such a Government servant shall be converted into regular leave standing to 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 can not be so converted, treated as extraordinary leave. In addition to the amount to be refunded by the Government servant under the 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 as above.

**10. Leave salary during study leave-** [(1) During study leave availed of outside India, a Government

servant shall draw leave salary equal to the pay that the Government servant draw while on duty with Government immediately before proceeding on such leave and in addition the dearness allowance and house rent allowance.]<sup>1</sup>

[(2)(a) During study leave availed of in India, a Government servant shall draw leave salary equal to the pay that the Government servant draw while on duty with Government immediately before proceeding on such leave and in addition the dearness allowance and house rent allowance as admissible.

(b) Payment of leave salary at full rate under clause (a) shall be subject to furnishing of a certificate by the Government servant to the effect that he is not in receipt of any scholarship, stipend or remuneration in respect of any part time employment.

(c) The amount, if any, received by a Government servant during the period of study leave a scholarship or stipend or remuneration in respect of any part time employment shall be adjusted against the leave salary payable under this sub-rule subject to the condition that the leave salary shall not be reduced to an amount less than that payable as leave salary during half-pay leave.]<sup>2</sup>

### **11. Counting of study leave for promotion, pension,**

1. Substituted vide Notification No.FRG. 32/89/pt./25, dated 14-9-2000, published in the Assam Gazette Part II A, dated 4th October, 2000.

**NOTE-** Before substitution sub-rule (1) of Rule 10 read as follows—

(1) During study leave a Government servant shall draw leave salary admissible during half pay leave under Rule 15 of the Leave Rules, 1934.

2. Substituted vide *Ibid.* (w.e.f. 4-10-2000).

**NOTE-** Before substitution sub-rule (2) of Rule 10 read as follows—

(2) The Government servants to whom the leave rules in the Fundamental Rules apply will draw half average pay as defined in Rule 9(2) of the Fundamental Rules subject to the maximum and minimum laid down in Rules 89 and 90 *ibid.*

**seniority and increment-** (1) Study leave shall count as service for promotion, pension, seniority and increments, provided that in the case of a Government servant who, at the time of proceeding on study leave was officiating in a higher post, study leave shall count for increments to the extent indicated by Government from time to time.

(2) The period spent on study leave shall not count for leave [omitted]<sup>1</sup>.

(3) In the case of Government servant to whom the leave rules in the Fundamental Rules apply, study leave will not count as service for leave. It will not affect any which may already be due to a Government servant, it will count as extra leave [Deleted]<sup>2</sup>.

**12. Cancellation of Study Leave-** If the selected candidate commits breach of any provision of these rules or fails to join the place of study or training within the prescribed period of discontinuous the course of study or training or does not make satisfactory progress in the course for which study leave is granted or is recalled or sent back for misconduct his leave shall be cancelled, and the provision of Rule 9 shall apply to the extent indicated by Government in the order cancelling the study leave :

1. Omitted the words *vide* Notification No.FEG. 32/89/pt./25, dated 14-9-2000, published in the Assam Gazette Part IIA, dated 4-10-2000).

**NOTE-** Before Omitted the words in sub-rule (2) of Rule 11 the words read as follows-

[other than half pay leave under Rule 13 (a) of the Leave Rules, 1934, Rules subject to the maximum and minimum laid down in Rules 89 and 90 *ibid.*].

2. Omitted the words *vide* Notification No.FEG. 32/89/pt./25, dated 14-9-2000, published in the Assam Gazette Part IIA, dated 4-10-2000).

**NOTE-** Before Omitted the words in sub-rule (3) of Rule 11 the words read as follows-

[on half average pay, and will not be taken into account in reckoning the aggregate amount of leave on half average pay taken by Government servants towards maximum period admissible under the Fundamental Rules].

Provided that Government may authorise continuance or study leave in any case in which they are satisfied that the candidate discontinued the study or training, or failed to join the place of study or training, within the prescribed limit on account of illness or for any other clause beyond his control.

**13. Procedure for making application for study leave and grant of such leave-** The procedure for application for study leave and grant of such leave shall be as laid down in the procedural instructions given in Appendix 'B' annexed to these Rules.



**APPENDICES****APPENDIX A****I - Bond to be executed by permanent Government servant proceeding on study leave**

Know All Men by these presents that I ..... resident of ..... in the District of ..... at present employed as ..... in the Department of/Office of ..... do hereby bind myself, my heirs executors and administrators to pay to the Governor of Assam (hereinafter referred to as The Government) on demand and without demur the sum of Rs. .... (Rupees .....) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans, or, if the payment is made in a country other than India, the equivalent of the said amount in the currency of that country converted to official rate of exchange between that country and India and together with all costs between attorney and client and all charges and expenses that shall and may have been incurred by the Government.

Dated this ..... day of ..... on thousand nine hundred and .....

Whereas the above bounden ..... is granted study leave by Government;

And whereas for the better protection of the Government the above bounden has agreed to execute this bond with such condition as hereunder is written;

Now the condition of the above written obligation is that in the event of the above bounden ..... interrupting his course of study or training to suit his own convenience or changing the programme of study or training approved from time to time, or resigning or retiring from service without returning to duty after the expiry or termination of the period of study leave or at any time within a period of three years after his return to duty

he shall forthwith pay to the Government on demand and without demur the said sum of Rs. .... (Rupees .....) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans.

And upon the above bounden ..... making such payment the above written obligation shall be void and of no effect, otherwise it shall be and remain in full force and virtue.

Stamp duty payable on this bond shall be borne and paid by Government.

Signed and delivered by the above bounden ..... in the presence of .....

Accepted for and on behalf of the  
Governor of Assam.

**II- Bond for temporary Government servants proceeding on study leave**

Know All Men by these presents that We ..... resident of ..... in the District of ..... at ..... present employed as ..... in the Department/Office of the ..... (hereinafter referred to as "the obligor") and Shri ..... son of ..... of ..... and Shri ..... son of ..... of ..... sureties on his behalf do hereby jointly and severally bind ourselves, our respective heirs, executors and administrator to pay to the Governor of Assam (hereinafter referred to as "the Government") on demand and without demur the sum of Rs. .... (Rupees .....) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans or, if the payment is made in a country other than India equivalent of the said amount in the currency of the country converted

at the official exchange between that country and India and together with all costs between attorney and client and all charges and expenses that shall or may have been incurred by the Government.

Dated this ..... day of .....  
one thousand nine hundred and .....

Whereas the above bounden ..... is granted study leave by the Government.

And whereas for the better protection of Government the above bounden has agreed to execute this bond with such condition as hereunder is written.

And whereas the said ..... and ..... have agreed to execute this bond on behalf of the above bounden .....

Now the condition of the above written obligation is that the event of the above bounden ..... interrupting his course of study or training to suit his own convenience or changing the programme of study approved from time to time or resigning or retiring from service without returning to duty or training after the expiry or termination of the period of study leave or at any time within a period of three years after his return to duty he shall forthwith pay to Government on demand and without demur the said sum of Rs. .... (Rupees ..... ) together with interest thereon from the date of demand at Government rates for the time being in force on Government loan.

And upon the above bounden obligor Shri ..... and, or Shri ..... and, or Shri ..... the sureties aforesaid making such payment the above written obligation shall be void and of no effect otherwise it shall be and remain in full force and virtue :

Provided always that the liabilities of the sureties hereunder shall not be impaired or discharged by reason of time being granted or by any forbearance act or

omission of the Government or any person authorised by them (Whether with or without the consent or knowledge of the sureties) nor shall it be necessary for the Government to see the said obligor before suing the above bounden sureties Shri ..... and Shri ..... or any of them for amounts due hereunder.

Stamp duty payable on this bond shall be borne and paid by Government.

Signed and delivered by the bounden in the presence of Shri .....

Signed and delivered by the surety above named ..... in the presence of .....

Signed and delivered by the surety above named ..... in the presence of .....

Accepted for and on behalf of  
the Governor of Assam.

#### APPENDIX B

##### Procedural instructions for making application for study leave and grant of such leave

1. The Administrative Department shall draw up a definite programme of course of study or training including the number of persons to be trained in each course in consultation with the Planning and Development and Finance Departments. The programme may be revised from time to time.

2. All applications for study leave shall be submitted in the form prescribed in Schedule to this Appendix with the Audit Officer's certificate to Government through proper channel. If the course of study is out of India, Government shall forward to the Head of the Indian Mission in that Country if there is such a Mission in that country, a copy of the approved programme of study or training. In a case where it is not possible for the

Government servant to give full details in his original 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 Indian Mission or the Government as the case may be. In such cases he shall not, unless prepared to do so at his own risk, commence the course of study or training nor incur any expenses in connection therewith until receives approval of Government to the course which may include any programme of tour also.

3. (1) On an application for study leave out of India being sanctioned by Government, it shall inform the Head of the Indian Mission, if there is such a Mission in that country of the particulars of the case.

(2) The Government servant shall also place himself in communication with the Head of the Indian Mission (if there is such a Mission in that country) who will arrange any details and issue any letter of introduction that may be required.

4. The continuation of study leave will depend on the satisfactory progress and favourable report from the Head of the Institution in which the Government servant is prosecuting studies or receiving training. Such report shall be called for at least once a year by the Administrative Department.

5. On completion of a course of study or training a certificate in proper form together with certificate of examinations passed or special courses of study or training undertaken, indicating the date of commencement and termination of the course with remarks, if any, of the authority in charge of the course of study or training, shall be forwarded to the Head of the Indian Mission concerned. When the study leave has been taken in India or any other country where there is no Indian Mission, such certificate shall be forwarded to the Government which sanctioned the study leave.

### SCHEDULE

#### **FORM TO BE USED BY GOVERNMENT SERVANTS IN MAKING APPLICATION FOR STUDY LEAVE**

1. Name in full
2. Father's name in full and present address
3. Post held
4. Pay and allowances drawn in the present post. (Indicate special pay, if any, separately)
5. Educational qualification together with School/College/University certificates (attested copies) and the subjects studied in the Intermediate, degree and post graduate examinations
6. Other special qualification, (Give full particulars)
7. The period of continuous service under Government
8. Age on 1st January (According to Matric or any other equivalent certificate, attach attested copy)
9. Have you taken study leave previously? (If yes give full particulars of the total period of leave taken so far, the courses of study or training undertaken and examination or examinations passed)
10. Course of study/training and examination, if any, proposed to be undertaken, (Give full details of the programme of the study/training showing its duration as also the name of the country and the institution in which it is proposed to be taken)

The facts stated above are true to the best of my knowledge and belief. In case of any false statement, I am liable to any action, Government may deem fit and proper.

Date .....

Signature of the applicant

**To be used by the Administrative Department**

1. Where the course of higher study/specialised training has a direct and close connection with sphere of duty of the Government servant and shall be definite advantage from the point of view of public interest :
2. Whether it will be possible to spare the services of the Government servant for the duration of study leave without creating cadre difficulties :
3. (a) Whether the application is for leave out of India. If so, whether a certificate of admissibility has been obtained from the Audit Officer :
- (b) If the application is for leave in India, whether Audit Officer's certificate has been obtained in respect of Gazetted Government Servants. In the case of non-gazetted Government servants the appointing authority's certificate as to the admissibility of the leave should be obtained.
4. Whether adequate facilities exist in India or under any of the schemes administrative by the

State Government or the Government of India for the study/training contemplated :

5. Whether all the conditions of Rule 3 of the Assam Study Leave Rules, 1963 have been fulfilled.
6. Any special remark as to ability of the candidate :

Secretary to the Government of Assam  
in the ..... Department.

## RULES REGARDING THE "LEAVE" AS IN CHAPTER X OF THE FUNDAMENTAL RULES AND SUBSIDIARY RULES

### LEAVE

#### SECTION I - EXTENT OF APPLICATION

**F.R. 58-** Unless in any case it be otherwise distinctly provided in Section VI of this Chapter, the rules in Sections I to V of this Chapter shall apply to all Government servants to whom the Fundamental Rules as a whole apply : provided that a Government servant who elected the leave rules of the Civil Service Regulations as they stood whether before or after the 29th July, 1920 shall continue to be governed by those rules; and provided further that the Leave Rules 1934, shall apply to the classes of persons specified therein.

**F.R. 59-** Leave is earned by a Government servant under Section I to V of this Chapter if he holds a lien or on a permanent post in civil employ or would hold a lien on such a post had his lien not been suspended.

**S.R. 59-** If an officer in permanent service to whom the leave rules in this Chapter or the Leave Rules, 1934, are applicable, is temporarily transferred to a work-charged establishment, he does not forfeit any leave then at his credit, provided he retains a lien on a permanent appointment; but the work-charged service does not count towards leave :

Provided that in case where a permanent Government servant is transferred to a post in an identical scale of pay in the work-charged establishment, in the interest of public service, he may be allowed to count the services rendered in the work-charged establishment for the purpose of leave.

**F.R. 60-** Leave is earned by duty only. For the purpose of this rule a period spent in foreign service counts as duty if contribution towards leave salary is paid on account of such period.

**F.R. 61-** [Deleted]

**F.R. 62-** [Deleted]

**F.R. 63-** [Deleted]

**F.R. 64-** Unless in any case it be otherwise expressly provided by or under these rules, a Government servant transferred to a service or post to which these rules apply from a service or post to which they do not apply is not ordinarily entitled to leave under these rules in respect of duty performed before such transfer; but a Government servant reverting from duty as Judge of a High Court may count such duty for leave as though it were duty performed in a vacation department, all leave taken during the service concerned being treated as taken under these rules.

**Note-** The previous service of men in the Assam Rules will not count for leave on their re-enlistment in the civil police.

**F.R. 65-** (a) If a Government servant, who quits the public service on compensation or invalid pension or gratuity, is re-employed and if his gratuity is thereupon refunded or his pension held wholly in abeyance, his past service thereby becoming pensionable on ultimate retirement, he may, at the discretion of the authority sanctioning the re-employment to such an extent as that authority may decide, count his former service towards leave. [See Article 138(b), Assam Pension Manual]

(b) A Government servant who is dismissed or removed from the public service, but is re-instated on appeal or revision, is entitled to count his former service for leave.

**Audit Instruction-** Treatment for the purpose of leave of the previous service of a Government servant who resigns from one appointment to take up another appointment-Resignation of the public service, even though it is followed immediately by re-employment, should entail forfeiture of past service for the purpose of leave under the Fundamental Rules and should therefore constitute an "interruption of duty" for the purpose of S.R. 128.

#### SECTION II - GENERAL CONDITIONS

**F.R. 66-** The State Government may make rules specifying the authorities by whom leave may be granted.

##### *Compensatory Leave to Local Auditors*

**S.R. 60-** When a local authority by attending office during holidays is unable to complete an audit before the due date, he may be granted compensatory leave by the Examiner, Local Accounts, to the extent of one day for every whole day thus spent.

**Authorities empowered to grant leave**

**S.R. 61-** Any leave other than special disability leave and leave out of India, Ceylon, Nepal, Burma or Aden, admissible under the Fundamental Rules may be granted to a non-gazetted Government servant by the authority whose duty it would be to fill up his post if it were vacant or by other competent authority.

**S.R. 62-** No leave may be granted to Gazetted Government servant until a report as to the admissibility of the leave has been obtained from the audit officer. On the receipt of such a report, and leave, other than special disability leave, admissible under the Fundamental Rules may be granted to a Gazetted Government servant by a competent authority.

**Administrative Instruction-** Unless specially otherwise, leave granted under Subsidiary Rules 61 and 62 must begin within thirty-five days of the date on which it is sanctioned.

**F.R. 67-** Leave cannot be claimed as of right. When the exigencies of the public service so require, discretion to refuse or revoke leave of any description is reserved to the authority empowered to grant it.

**Audit instruction-** The joining time of a Government servant who returns from leave out of India and disembarks, not at the first port of call in India, but at another such port, should be reckoned from the day of arrival of the vessel at the second or subsequent port at which he actually disembarks, whether the sea journey from the first port of call in India to the subsequent port of disembarkation is made in the same steamer which takes him to the first port of call or in some other steamer.

**Note-** The provision in the second sentence of this rule applies only to cases falling under F.R.105(c) in which joining time is granted to Government servants returning from leave out of India of more than four months' duration.

**Combination of holidays with leave and joining time**

**S.R. 63-** When the day immediately preceding the day on which a Government servant's leave begins or immediately following the day on which his leave or joining time expires is a holiday or one of a series of holidays, the Government servant may leave his station at the close of the day before, or return to it on the day following, such holiday or series of holidays :

Provided that,-

- (a) his transfer for assumption of charge does not involve the handing or taking over of securities or of moneys other than a permanent advance;
- (b) his early departure does not entail a corresponding early transfer from another station of a Government servant to perform his duties;
- (c) the delay in his return does not involve a corresponding delay in the transfer to another station of the Government servant who was to perform his duties during his absence or in the discharge from Government service of a person temporarily appointed to it.

**Note 1-** The provisions of proviso (a) apply both to the responsible officer and to the officer in executive charge of Treasury.

**Note 2-** The State should not be put to any extra expense in consequence of the absence of a Government servant during holidays on casual leave.

**[State Government's decision-** Prefixing and Suffixing holidays to leave, other than leave on Medical Certificate, shall be allowed automatically except in cases where for administrative reasons permission for prefixing/suffixing holidays to leave is specifically withheld. In the case of leave on medical certificate, if the day on which an employee is certified medically fit for rejoining duty happens to be a holiday, he shall be automatically allowed to suffix such holiday(s) to his medical leave and such day(s) shall not be counted as leave.]'

**[S.R. 63-A-** When holiday(s) follow(s) joining time, the normal joining time may be deemed to have been extended to cover such holiday(s)]'

**S.R. 64-** Compensatory leave granted by the Examiner, Local Accounts, may be combined with regular leave as if it were a holiday.

**S.R. 65-** On condition that the departing Government servant remains responsible for the moneys in his charge, a competent authority may declare that proviso(a) under S.R.63 is not applicable to any particular case.

1. Added vide Memo No. FEG, 46/74/112, dated the 1st October, 1981.
2. Added vide Correction Slip No. 208-FEG, 18/67/2, dated the 27th May, 1969 (w.e.f. the date of issue of orders).

**S.R. 66-** Unless the competent authority in any case otherwise directs,—

- (a) if holidays are prefixed to leave, the leave and any subsequent re-arrangement of pay and allowances take effect from the first day after the holidays; and
- (b) if holidays are affixed to leave or joining time, the leave or joining time is treated as having terminated on, and any consequent re-arrangement of pay and allowances takes effect from the date on which the leave or joining time would have ended if holidays had not been affixed.

**S.R. 67-** In the case of District and Sessions Judges vacations will be treated as recognised holidays. Such officers may combine vacation with leave; provided that,—

- (1) no additional expense is incurred by the State for the period of vacations;
- (2) vacation is not both prefixed and suffixed to leave;
- (3) when a vacation is taken in conjunction with leave on average pay in combination with other leave, the total period of leave on average pay and vacation should not altogether exceed eight months in the case of officers under the special leave rules and four months in the case of officers under the ordinary leave rules.

**Note 1-** District and Sessions Judges may avail themselves of the Court vacation and may combine them with regular leave whenever such a combination can be arranged so as to involve no additional expenditure, subject further to the conditions: (i) that suitable arrangements should in each instance be proposed by the District and Sessions Judges concerned approved by the High Court, and made for the disposal during vacation of any criminal work requiring attention, and (ii) that a District and Sessions Judge should obtain the express permission of Government to avail himself without prejudice to his regular leave of so much of the vacation as is not needed for the disposal of criminal business.

**Note 2-** In the case of Government servants not covered by this rule vacation cannot be treated as recognised holidays for the purpose of F.R. 68.

[F.R. 69- (1) A Government servant on leave may not take

any service or accept any employment (including the setting up of a private professional practice as accountant, consultant, or legal or medical practitioner) whether in or out of India without obtaining the previous sanction of the State Government.

(2) The leave salary of a Government servant who is permitted to take up employment under a Government or a private employer during leave shall be subject to such restrictions as the Governor of Assam may by order prescribe<sup>1</sup>.

**Note 1-** This rule does not apply to casual literary work to service as an examiner or similar employment nor does it apply to acceptance of foreign service, which is governed by Rule 110.

**Note 2-** This rule does not apply where a Government servant has been allowed to take up a limited amount of private practice and service fees therefor as part of his conditions of service, e.g., where a right of private practice has been granted to a Medical Officer.

**Note 3-** The grant of leave preparatory to retirement to an officer in foreign service may not be coupled with permission to continue in the service of the same employer during that leave.

**Note 4-** Though the grant of permission to take up private employment during the leave on medical certificate is technically covered by the provisions of F.R. 60, it is not the intention that the leave which can be obtained on the strength of the medical certificate should be allowed to a Government servant the state of whose health enables him to earn a competence by private employment. Fundamental Rule 69 should not be construed as permitting a Government servant who avails himself of leave on medical certificates to undertake regular employment during such leave.

**[Government of India's decisions-** (1) Under the orders now in force, Government servants who are permitted to accept private employment during leave preparatory to retirement continue to get their leave salary, while those who are employed by Government in a department other than their own and draw leave salary in addition to pay, have their leave salary restricted to the anticipated amount of their pension; and those who are employed in their own departments are treated as having been

1. Substituted F.R. 69 vide Notification No. FEG. 15/59/45, dated 7th May, 1960, (w.e.f. 7th May, 1960) vide C.S. No. 160 and C.S. No. 179.

recalled from leave and thus forego their leave and leave salary except to the extent admissible under F.R. 86. The question of removing these disparities to the extent possible, and suitably limiting the period for which a Government servant may be permitted to draw leave salary in addition to the pay of the post in which he is employed during leave preparatory to retirement has been under consideration for some time. The President has now decided that, in supersession of all previous orders on the subjects, such cases will be regulated in the following manner—

- (a) When a Government servant who has proceeded on leave preparatory to retirement before the date of compulsory retirement is required for employment during such leave in any post under the Central Government, in or outside India, and he is agreeable to return to duty, he will be recalled to duty and the unexpired portion of his leave from the date of re-joining duty will be cancelled. The leave so cancelled will be treated as refused and subject to the provisions of F.R. 86, it may be granted from the date of compulsory retirement of the Government servant. Such recall will be treated as optional for the purpose of F.R. 70.
- (b) When a Government servant is employed in any post under the Central Government, while he is on leave under F.R. 86, he may continue to enjoy his leave concurrently with such employment but his salary, which may be drawn in addition to pay of the post in which he is employed, will be restricted as follows—
- (i) in the case of Government servant eligible for pension, the amount of pension inclusive of pension equivalent of any retirement gratuity admissible under the new pension scheme which, it is anticipated will be admissible to him on retirement. No subsequent re-adjustment will be made on the basis of the actual amount of pension inclusive of gratuity finally sanctioned; and
- (ii) in the case of a Government servant not eligible for pension, to the leave salary admissible in respect of leave on half average pay.

In respect of the fresh employment during leave, the pay of the Government servant will be regulated as if he were a post-1931 entrant in temporary employ. No leave will be earned in respect of such period of employment during leave.

During such employment, he may also be granted dearness and compensatory allowances, if any, admissible on the basis of pay. These allowances will neither be admissible on leave salary, nor will the leave salary be taken into account in calculating the allowances.]

- (c) The leave salary of a Government servant who is permitted, during leave preparatory to retirement before attaining the age of superannuation, or during leave under F.R. 86 to take up employment under a State Government, or under a private employer or employment payable from a Local Fund, will also be restricted during such employment as in (b) above.

(2) These orders will also apply to officers who were initially appointed by the Secretary of the State in Council or by Secretary of State, and who may be employed during leave preparatory to retirement except that when any such officer accepts Crown employment outside India and Pakistan, the expression 'Crown employment' being taken to mean employment under the Government of the United Kingdom or under the Government of any of its Dominions, Colonies or Protectorates, the restrictions on leave salary will not apply.

(3) Cases in which officers on leave preparatory to retirement may have already been permitted to accept employment on a basis different from that prescribed above will not be affected.

(4) These orders will also apply *mutatis mutandis* to Government servant subject to leave rules other than those contained in the Fundamental Rules.

**Decision by the Government of Assam**—The Government of Assam have adopted the above decision in respect of Government servant under their rule making control.

**F.R. 70**—All orders recalling a Government servant to duty before the expiry of his leave should state whether the return to duty is optional or compulsory. If it is optional, the Government servant is entitled to no concession. If it is compulsory, he is entitled,—



- (a) if the leave from which he is recalled is out of India—
- (i) to receive a free passage to India; and provided that he has not completed half of the period of his leave by the date of leaving for India on recall of three months, whichever period is shorter, to receive a fund of the cost of his passage from India;
  - (ii) to count the time spent on the voyage to India as duty for purpose of calculating leave; and
  - (iii) to receive salary during the voyage to India, and for the period from the date of landing in India to the date of joining his post to be paid leave salary at the same rate at which he would have drawn it had he not been recalled but returned in the ordinary course on the termination of the leave, and for the latter period travelling allowance under rules made in that behalf under Rule 44.

**[Audit Instruction]**—The expression "on the termination of his leave" in clause (a) (iii) of "Fundamental Rules 70 means" on the termination of the period of leave as determined by his recall as opposed to the whole of the leave he was originally granted." The effect of this interpretation will be to make the same leave salary admissible for the period of transit in India as would be admissible had the return to duty been voluntary and the period of voyage been leave proper and the period of transit in India been leave proper or joining time under F.R. 105, as the case may be;

- (b) if the leave from which he is recalled in India, to be treated as on duty from the date on which he starts for the station to which he is ordered, and to draw travelling allowance under rules made in this behalf under Rule 44 for the journey, but to draw until he joins his post leave salary only.

**Interpretation**—The 'concession' referred to in the second sentence of F.R. 70 is a concession of the category permitted by that rule. The concession under F.R. 70 is clearly not intended to effect the privileges of Government servants which are admissible under other rules; the concessions may be availed of when they happen to prove additional to, or better than the ordinary privileges.

1. Added the "Audit Instruction" in Rule 70 vide C.S. No.7.

**Note 1**—In all cases of recalling an officer from leave out of India the orders should be communicated to him through the High Commissioner for India and should state whether return to duty is optional or compulsory as required by the rule.

**Note 2**—For rules relating to travelling allowance admissible under this rule, see sub-rules 269 and 270.

**F.R. 71**—No Government servant who has been granted leave on medical certificate may return to duty without first producing a medical certificate of fitness in such form as the State Government may by order prescribe. The State Government may require a similar certificate in the case of any Government servant who has been granted leave for reasons of health, even though such leave was not actually granted on a medical certificate.

**[Audit Instruction]**—[Omitted]<sup>1</sup>

**Auditor General's decision**—[Omitted]<sup>1</sup>

**[Note]**—The Government of Assam have decided that the provisions of F.R. 71 being mandatory and not permissible, the production of a certificate of fitness is essential before a Government servant rejoins his duties on the expiry of leave on medical certificate.]

**S.R. 68**—A Government servant who has taken leave on a medical certificate out of Asia elsewhere than in Europe, North Africa, America or the West Indies, may not return to duty until he has produced a medical certificate of fitness from two medical practitioners in the following form—

"We certify that we have carefully examined CD, of the Department ..... and find that he is in good health and fit to return to his duty in India."

Date .....

Place .....

If the certificate be signed by foreigners, it should be attested by Consular or other authority as bearing the signatures of qualified medical practitioners.

**S.R. 69**—A Government servant who has taken leave in Asia

1. Omitted the "Audit Instruction" and "Auditor General decision" in Rule 71 vide C.S. Nos. 56 and 126 respectively by Memo No. F.A. 11/52/3, dt. 8th February, 1952.
2. Added the "Note" in Rule 71 vide C.S. No.36 and Notification No. F.A. 42/42/Part II/40, dt. 23rd September, 1942.

on medical certificate may not return to duty until he has produced a medical certificate of fitness in the following form—

Signature of applicant

WE the members of a Medical Board .....

I ..... Civil Surgeon of ...../registered medical practitioner of ..... do hereby certify that we/I have carefully examined ABC of the department ..... whose signature is given above, and find that he has recovered from his illness and is now fit to resume duties in Government service. We/I also certify that before arriving at this decision we/I have examined the original medical certificate(s) and statement(s) of the case or certified copies thereof on which leave was granted or extended and have taken into consideration in arriving at our/my decision.

If the Government servant on leave is a Gazetted Officer, such certificate should be signed by a Medical Board except (1) in cases in which the leave is for not more than three months; or (2) in cases in which the leave is for more than three months, or leave for three months or less is extended beyond three months, but the Medical Board granting the original certificate or the certificate for extension states at the time of granting such certificate that the Government servant need not appear before Board for obtaining the certificate of fitness to return to duty.

**Note**—A certificate under S.R. 88 is equivalent for all practical purposes to a certificate from a Medical Board and such cases are not excluded from the operation of the decision mentioned above.

If the Government servant on leave is not a Gazetted Officer, a certificate from a Civil Surgeon or any lower medical authority or from a registered medical practitioner may, in its discretion, be accepted by the authority under which the Government servant will be employed on return from leave; but the certificate should invariably state that the officer signing the certificate has examined the medical certificate on which the leave was originally granted.

[F.R. 72—(1) A Government servant on leave may not return to duty before the expiry of the period of leave granted to him, unless he is permitted to do so by the authority which granted him leave.

1. Substituted Rule 72 vide C.S. No.139 and Memo No. F.A.11/52/54, dated 3-11-1955.

(2) Notwithstanding anything contained in sub-rule (1) a Government servant on leave preparatory to retirement shall be precluded from withdrawing his request for permission to retire and from returning to duty; save with the consent of the authority empowered to appoint him.]

**F.R. 73**—A Government servant who remains absent after the end of his leave is entitled to no leave-salary for the period of such absence, and that period will be debited against his leave account as though it were leave on half average pay, unless his leave is extended by the authority competent to grant the leave. Wilful absence from duty after the expiry of leave may be treated as misbehaviour for the purpose of Rule 15.

### ‘PRESIDENT’S DECISION

In the case of Government servant, governed by the Revised Leave Rules, 1934, who remains absent after the end of his leave the period of such over-stayal of leave should, unless the leave is extended by the competent authority, be treated as follows—

- (a) If the officer is in superior service,—
- (i) as leave on private affairs to the extent such leave is due, unless the over-stayal is supported by a medical certificate;
  - (ii) as leave on medical certificate to the extent such leave is due, if the over-stayal is supported by medical certificate;
  - (iii) as extraordinary leave to the extent the period of leave due on private affairs and/or medical certificate falls short of the period of over-stayal;
- (b) If the officer is in inferior service—as in (a)(i) and (ii) above *mutatis mutandis*.

The Government servant is not entitled to leave salary during such over-stayal of leave not covered by an extension of leave by the competent authority.]

[The Government of Assam, adopted the President’s Decision in the case of their officers subject to the Revised Leave Rules, 1934.]

1. Substituted the “President’s Decision” vide C.S. No. 53, and Added the clause (a)(a) vide C. S. No. 54.

**F.R. 74-** Subject to any direction which may be given by the Auditor-General of India in order to secure efficiency and uniformity of audit, the State Government may make rules prescribing the procedure to be followed in and out of India,-

- (i) in making application for leave and for permission to return from leave;
- (ii) in granting leave;
- (iii) in the payment of leave-salary; and
- (iv) in the maintenance of record of service.

**Note-** Appendices 13 and 14 contain respectively the rules made (1) by the Auditor-General of India; and (2) by the President prescribing the procedure to be followed elsewhere than in India.

The latter rules have also been adopted by the State Government as applicable to persons serving in connection with the affairs of the State.

#### LEAVE ACCOUNTS

**S.R. 70-** The leave account required by F.R. 76 shall be maintained in such form as the Auditor-General of India may prescribe.

**Note-** The form prescribed by the Auditor-General of India for leave account of Government servant under the ordinary leave rules in Assam Fundamental Rules, Form No. 1.

**S.R. 71-** The leave account of a Gazetted Government servant shall be maintained by, or under the direction of the Accountant General, Assam.

**S.R. 72-** The leave account of a non-gazetted Government servant shall be maintained by the head of the office in which he is employed.

**Exception-** No leave account need be maintained for the members of the Collie Corps establishment in the Sadia and Balipara Frontier Tracts.

#### APPLICATION FOR LEAVE

**S.R. 73-** Except as provided in sub-rules 74 and 75 an application for leave or for an extension of leave shall be made to the authority competent to grant such leave or extension through the immediately superior, if any. Applications for leave should be submitted in Assam Fundamental Rules form No. 2.

**S.R. 74-** Where the authority competent to grant the leave is the Government, the application for leave shall be forwarded through the ordinary channel to the Commissioner of Divisions or the head of the Department, who after recording his own recommendation will forward the application to the Comptroller for submission to Government with the report required under sub-rule 62.

**S.R. 75-** An application by a commissioned Medical Officer in permanent or temporary civil employ for leave exceeding four months, other than leave on medical certificate, or for an extension of such leave, must be submitted to the local administrative Medical Officer by whom it will be forwarded to the Director General, Indian Medical Service. The Director General will countersign the application if the state of public service admits of the grant of the leave; otherwise he will abstain from countersigning it. In either case he will forward the application for disposal of the authority competent to grant the leave.

**S.R. 76-** A Government servant transferred to foreign service must before taking up his duties in foreign service, make himself acquainted with the rules or arrangements which will regulate his leave during such service.

#### MEDICAL CERTIFICATES

**S.R. 77-** Medical Officers must not recommend the grant of leave in any case in which there appears to be no reasonable prospects that the Government servant concerned will ever be fit to resume his duties. In such cases, the opinion that the Government servant is permanently unfit for Government service should be recorded in the medical certificate.

**S.R. 78-** Every certificate of a Medical Committee or a Medical Officer recommending the grant of leave to a Government servant must contain a proviso that no recommendation contained in it shall be evidence of a claim to any leave not admissible to the Government servant under the terms of his contract or of the rules to which he is subject.

**S.R. 79-** Before a Gazetted Government servant can be granted leave or an extension of leave on medical certificate, he must obtain a certificate in the following form from Civil Surgeon of the district in which he resides, or, if he is unable to travel for the purpose, from the Civil or Presidency Surgeon of the district

where he is at the time. If in exceptional circumstances, the applicant cannot be examined by a Civil or Presidency Surgeon, the Civil Surgeon of the district in which he ordinarily resides may countersign a certificate granted by the medical attendant (if he is an approved registered medical practitioner) of the applicant, after satisfying himself that the conditions are fulfilled.

#### Medical certificate for Gazetted Officer

Statement of the case of .....

Name (to be filled in by the applicant in the presence of the Civil Surgeon or official medical attendant)

Appointment .....

Age .....

Total service .....

Service in India .....

Previous periods of leave of absence on medical certificate .....

Habits .....

Disease .....

I, ..... Civil Surgeon of / Medical Officer at or of ..... after careful personal examination of the case hereby certify that ..... is in a bad state of health and I solemnly and sincerely declare that according to the best of my judgement a period of absence from duty is essentially necessary for the recovery of his health and recommend that he may be granted ..... month leave with effect from .....

Dated the .....

Civil Surgeon  
or Official Medical Attendant

We do hereby certify that according to the best of our professional judgement after careful personal examination of the case, we consider the health of ..... to be such as to render him leave of absence for a period of ..... absolutely necessary for his recovery.

Dated the .....

**Note 1-** This form should be adhered to as closely as possible and should be filled in after the signature of the applicant has been taken. The certifying officer is not at liberty to certify that the applicant requires a change from or to a particular locality, or that he is not fit to proceed to a particular locality. Such certificates should only be given at the explicit desire of the administrative authority concerned, to whom it is open to decide when application on such ground has been made to him, whether the applicant should go before a Medical Board to decide the question of his fitness for his service.

[**Note 2-** The term "Approved Registered Medical Practitioner" mentioned in this rule includes approved registered Ayurvedic Physicians under the employment of the Government and who are diploma holders.

The certificate which shall be prepared in duplicate should be accompanied by a separate statement, also in the duplicate, of the Government servant's case in approved form. One copy of the certificate and of the statement shall be made over to the Government servant concerned for presentation to the Medical Board which examines him for fitness for return to duty.]

**S.R. 80-** A Gazetted Government servant shall before applying for the certificate prescribed in Rule 79 from a civil or Presidency Surgeon obtain the permission of the head of the office or department in which he is serving. When a certificate has been granted he shall [if the leave recommended is for a period exceeding two months] apply for the orders of the head of the office or department to appear before a Medical Board, and present himself before such a Board when so directed. The head of the office or department shall forward to the Board the certificate and copies of the statement of case on receipt of the orders for the assembling of the Board. The Board will be assembled under the order of the Administrative Medical Officer of the State in which the Government servant is serving, who will, where practicable, preside over it. The Board will be assembled either at the headquarters of the State or at such other place as the State Government may appoint.

1. Added "Note 2" to this rule was made Correction Slip No. 403, O.M. No. F.A. 30/52/3, dated the 20th January, 1954, being subsequently amended vide C.S. No. 4, F.E.G. 92/66/23, dated 23rd April, 1968.

**S.R. 81-** Before the head of the office or department may grant leave or extension of leave for a period exceeding two months he must obtain from the Board a certificate to the following effect, save as provided in Rule 83.

**Note-** In the case of leave for a period not exceeding two months the certificate prescribed in sub-rule 79 shall be considered sufficient.

### FORM

We do hereby certify that ..... according to the best of professional judgement, after careful personal examination of the case, we consider the health of CD to be such as to render leave of absence for a period of ..... months absolutely necessary for his recovery.

**S.R. 82-** Before deciding whether to grant or refuse the certificate the committee may, in a doubtful case, detain the applicant under professional observation for a period not exceeding fourteen days. In this case it should grant to him a certificate to the following effect—

"CD having applied to us for a medical certificate recommending the grant to him of leave, we consider it expedient, before granting or refusing such a certificate to detain CD under professional observation for ..... days."

**S.R. 83-** If the State of the applicant's health is certified by a Commissioned Medical Officer of Government or by a Medical Officer-in-charge of a civil station to be such as to make it inconvenient for him to present himself at any place in which a committee can be assembled, the authority competent to grant the leave may accept, in lieu of the certificate prescribed in sub-rule 81, either—

(1)(a) a certificate signed after personal examination by the Civil Surgeon of the district;

or

by the Sub-Divisional Medical Officer of the sub-division and countersigned by the Civil Surgeon of the District, where the officer is serving; or

(b) a certificate signed by a Civil or Presidency Surgeon

or a Medical Officer-in-charge of a sub-division other than the Civil Surgeon or Medical Officer of the district or sub-division where the officer is serving, and countersigned by the District Officer of the district where the officer is serving.

[(2) notwithstanding anything contained in sub-rule (1) the authority competent to sanction leave may dispense with the procedure laid down in Rules 80 and 81—

(i) where the leave recommended by the authorised medical attendant is for a period exceeding two months and he certified that in his opinion it is necessary for the applicant to appear before a Medical Committee; or

(ii) the applicant is undergoing treatment in a hospital as an incharge of the case in the hospital not below the rank of Civil Surgeon or Staff Surgeon for the period of hospitalisation or convalescence.]<sup>1</sup>

**S.R. 84-** The grant of a certificate under S.R. 81 or 83 does not itself confer upon the Government servant concerned any right to leave. The certificate should be forwarded to the authority competent to grant the leave, and the orders of that authority should be awaited.

**S.R. 85-** An application by a non-gazetted Government servant in superior service for leave or for an extension of leave on medical certificate must be accompanied by a certificate in the following form from the Civil Surgeon of the district where the applicant resides or from the Presidency Surgeon if the applicant is in a Presidency town, unless it is specially certified that the applicant is too ill to bear the journey, in which case the Civil Surgeon or Presidency Surgeon may exercise his discretion and countersign or refuse to countersign a medical certificate from an approved registered medical practitioner. In the event of the Civil or Presidency Surgeon refusing to countersign a medical certificate, they should arrange for the applicant to be examined at his residence by a Medical Officer of Government.

Such certificate should distinctly state the nature of the

1. Inserted sub-rule (2) vide Correction Slip No. 550, Notification No. FEG. 44/65/16, dated 3-10-1967.

illness, its symptoms, probable cause and duration, and the period of absence from duty considered to be absolutely necessary for the restoration of the applicant's health. The certificate shall be prepared in duplicate, one copy made over to the Government servant concerned for presentation to the Medical Officer who examines him for fitness for return to duty.

The authority competent to grant the leave may, however, in its discretion accept a certificate from the applicant's medical attendant without such countersignature; if the applicant be a female, may either dispense with countersignature or accept the countersignature of any female Medical Practitioner.

The authority competent to sanction leave may at its discretion call for a second medical opinion. In such cases too the certificate shall be prepared in duplicate and dealt with in the manner laid down in sub-paragraph 2 above.

The possession of a certificate such as is prescribed in this rule does not in itself confer upon the Government servant concerned any right to leave.

### FORM

#### Medical certificate for non-Gazetted Officer recommended for leave or extension or commutation of leave

Signature of applicant .....

I, ..... after careful examination of ..... the case hereby certify that ..... whose signature is given above, is suffering from ..... and I consider that a period of absence from duty of ..... with effect from ..... is absolutely necessary for the restoration of his health.

Dated the .....

Government Medical attendant or  
other registered practitioner:

The .....

**Note 1-** The nature and probable duration of the illness should be specified.

**Note 2-** This form should be adhered to as closely as possible, and should be filled in after the signature of the applicant has been taken. The certifying officer is not at liberty to certify that the applicant requires a change to (or from) a particular locality, or that he is not fit to proceed to a particular locality. Such certificates should only be given at the explicit desire of the administrative authority concerned, to whom it is open to decide, when an application on such grounds has been made to him, whether the applicant should go before a Medical Board to decide the question of his fitness for service.

[**Note 3-** The term "Approved Registered Medical Practitioner" mentioned in this rule includes approved registered Ayurvedic Medical Physicians under the employment of Government and who are diploma holders also.]

#### Second Medical Opinion

(If called for by the authority competent to sanction leave)

Agency or Civil Surgeon

**Note-** Should a second medical opinion be required the leave sanctioning authority should arrange for the second medical examination to be made at the earliest possible date. The Agency or Civil Surgeon's opinion, both as to the facts of illness and the necessity for the amount of leave applied for, should be recorded. He may require the applicant to appear before him or before Medical Officer nominated by him.

**S.R. 86-** No application should be made for a medical certificate to a Medical Officer of Government and no certificate should be submitted for his counter-signature without the cognizance of the head of the office in which the applicant is serving. For this purpose the correct procedure is to play through the head of the office.

**S.R. 87-** No application for extension of leave will ordinarily be considered by the head of the office in which the applicant is serving unless the application is received by him at least one week before the termination of the leave already granted.

**S.R. 88-** In support of an application for leave, or for an extension of leave, on medical certificate from a non-gazetted

<sup>1</sup> Added "Note 3" to this rule was vide Correction Slip No. 403, O.M. No. F.A. 30/52/3, dated the 20th January, 1954, being subsequently amended vide C.B. No. 4, F.E.G. 92/66/23, dated 23rd April, 1968.

Government servant in Class IV service, the authority competent to grant the leave may accept such certificate as it may deem sufficient.

**S.R. 89-** Leave of absence cannot be claimed as of right. A competent authority may refuse, or revoke, leave of absence at any time according to the exigencies of the public service and may also refuse to the full amount of leave applied for in any case.

**S.R. 90-** In case where all applications for leave cannot, in the interests of the public service be granted, and authority competent to grant leave should in deciding which application should be granted, take into account the following considerations:

- (a) the Government servants who can, for the time being, best be spared;
- (b) the amount of leave due to the various applicants;
- (c) the amount and the character of service rendered by each applicant since he last returned from leave;
- (d) the fact that any such applicant was compulsorily recalled from his last leave;
- (e) the fact that any such applicant has been refused leave in the public interest.

**S.R. 91-** Where a Medical Committee in India has reported that there is no reasonable prospect that a particular Government servant will ever be fit to return to duty, leave should not necessarily be refused to such a Government servant. It may be granted, if due by a competent authority, on the following conditions.

- (a) If the Medical Committee is unable to say with certainty that the Government servant will never be fit for service in India again, leave not exceeding twelve months in all may be granted. Such leave should not be extended without a further reference to a Medical Committee.

**Note-** In the case of a Government servant who is granted leave under this rule and who subsequently returns to duty, the leave should be treated as leave on medical certificate for the purpose of the proviso to F.R. 81(b)(i).

- (b) If the Medical Committee declares the Government servant to be completely and permanently incapacitated

tated for further service the Government servant should, except as provided in clause (c) below be invalidated for the service, either on the expiration of the leave already granted to him, if he is on leave, when examined by the committee, or, if he is not on leave, from the date of the committee's report.

- (c) A Government servant declared by a committee to be completely and permanently incapacitated may, in special cases, be granted leave, or an extension of leave not exceeding six months is debited against the leave account, if such leave be due to him. Special circumstances justifying such treatment may be held to exist when the Government servant's break down in health has been caused in and by Government service or when the Government servant has taken a comparatively small amount of leave during his service, or will complete at an early date an additional year's service for pension.

**S.R. 92-** Leave should not be granted to a Government servant who ought at once to be dismissed or removed from Government service for misconduct or general incapacity.

**S.R. 93-** If, in a case not covered by S.R. 92, an authority competent to remove a Government servant from service decides, before such Government servant departs from India on leave, that he will not be permitted to return to duty in India it must inform him to that effect before he leaves India.

**S.R. 94-** If, when a Government servant is about to depart from India on leave, it is necessary to consider the propriety of removing him for incapacity, whether mental or physical which is of such nature that it is impossible to decide, before he leaves India, whether it will be permanent or temporary- or if for any reason it is considered inexpedient that a Government servant on leave should return to India, full report of the circumstances must be made by the State Government to the India Office in time to enable the Secretary of State to take any necessary measures before the Government servant would, in the ordinary course, be permitted to return to duty. The report should in any case reach the India Office at least three months before the end of the Government servant's leave.

**S.R. 95-** When leave on medical certificate has been granted

to a Government servant, or, in the case of a military officer in civil employ when the grant of such leave has appeared in orders, if such Government servant or military officer proposes to spend his leave in Europe, North Africa, America or the West Indies, the State Government must without delay forward a copy of the medical statement of the case to the High Commissioner for India.

**S.R. 96-** When a Government servant who has been granted leave for reasons of health proceeds to any of the localities named in S.R.95 the authority which granted the leave shall inform the High Commissioner for India whether a medical certificate of fitness to return to duty is required under the second sentence of F.R.71.

#### DEPARTURE ON LEAVE

**S.R. 97-** Every Government servant proceeding on leave out of India should procure from the audit office and take with him a copy of the memorandum of information issued for the guidance of Government servants proceeding on leave out of India. If the leave has been granted on a medical certificate, he must take a copy of the medical statement of his case also.

**S.R. 98-** A Gazetted Government servant taking leave out of India must report his embarkation through the audit office, to the authority which granted his leave, in such form as the Auditor-General may prescribe.

#### RETURN FROM LEAVE

**S.R. 99-** A Government servant on return from leave, must report his return to the Government under which he is serving.

**S.R. 100-** A Government servant returning from leave is not entitled, in the absence of specific orders to that effect, to resume as matter of course the post which he held before going on leave. He must report his return to duty and await orders.

#### PAYMENT OF LEAVE SALARY

**S.R. 101-** A Government servant on leave, who does not leave his district does not require a last pay certificate, nor does an officer who leaves his district on leave without allowances.

**Note-** Other rules on the subject will be found in paragraphs 6-12 of the instruction issued by the Auditor-General of India under F.R. 74, *vide* Appendix 13.

## RECORD OF SERVICE

### *Gazetted Government servant*

**S.R. 102-** A record of the service of gazetted Officers should be maintained by the audit officer who audits their pay. When an officer passes from one audit circle to another, a record of his past service should be passed on from the audit office whose circle he leaves to the audit office to whose circle he is transferred.

**S.R. 103-** When a Gazetted Officer is transferred to foreign service a copy of his service register will be sent by the audit officer whose duty it was to keep it, to the audit officer who will account for the contribution and the latter will return the register (or an extract from it) duly written up-to-date when the officer is retransferred.

[**S.R. 104-** With exception of (I) the non-Gazetted Government servants the particulars of whose service are recorded in the 'History of Service of Gazetted and other officers' maintained by the Audit Officer, (II) all Government servants in superior service on scales of pay the maximum of which does not exceed Rs. 24, (III) inferior servants of all sorts, (IV) Police Officers of and below the rank of Inspector, (V) Havaldars of the Assam Rifles who are in receipt of pay in excess of Rs.20, (VI) Keepers of the Mental Hospital at Tezpur, (VII) Jail wardens, and (VIII) Assistant Forest Officers and Forest Guards, a Service Book should be kept at the cost of Government for every non-Gazetted Government servant holding a substantive appointment on a permanent establishment in which every step in his official life should be recorded, each entry being attested by the head of his office. If the Government servant is himself the head of an office the attestation should be made by his immediate superior. The Head of the office should see that all entries in the service book are duly made and attested. There should be no erasure or overwriting, all corrections being neatly made and properly attested.]

**Note 1-** Circle Sub-Deputy collectors are heads of offices for the custody of the service books of mandals or patwaris only.

**Note 2-** Annual establishment returns should be submitted to the Audit Office in the case of police officers of the rank of Inspector and Sub-Inspector.

1. Substituted the Rule 104 *vide* C.S. No. 433, by O.M.No. F.E. 108/54/146, dated 6-6-1955.



[S.R. 105- Service book must be kept in the custody of the heads of offices in which the Government servants are serving and transferred with them from office to office. A certified copy of the service book may be supplied to the Government servants on payment of a copying fee of Rs. 5, on quitting Government service by retirement, discharge or resignation.]

[S.R. 106- It shall be the duty of every head of office to initiate action to show the service books to Government servants under his administration control, every year and to obtain their signature therein in token of their having inspected the service book. A certificate to the effect that he has done so in respect of the financial year should be submitted by him to his next superior officer by the end of every September. The Government servants must *inter alia* ensure before affixing his signature that their service books have been duly verified and certified as such. In case of a Government servant on foreign service, his signature shall be obtained in his service book after the Audit Officer has made therein necessary entries connected with his foreign service.]

S.R. 107- Personal certificates of character should not, unless the Government so direct, be entered in the service book, but if the Government servant is reduced to a lower substantive appointment, the case of the reduction should always be briefly stated thus "Reduced for inefficiency", "Reduced owing to revision of establishment, etc."

S.R. 108- Every period of suspension from employment and every other interruption in service should be noted, with full details of its duration, by an entry written across the page and attested by the head of the office or other attesting officer. The head of the office should take efficient measures to see that these entries are made with regularity. The duty should not be left to non-Gazetted Government servant concerned.

S.R. 109- When a non-Gazetted Government servant is transferred whether permanently or temporarily from the office to another, the necessary entry of the nature of the transfer should be made in his service book which after being duly verified to date and

1. Substituted Rule 105 vide Correction Slip No. 434, Memo. No. F.E.G. 108/54/146, dated 6-6-1955, further amended vide C.S. No. 517(A), Memo. No. F.E.G. 157/61/5, dated 15-3-1962.
2. Substituted Rule 106 vide Correction Slip No. 1, Notification No. F.E.G. 26/67, dated the 5-2-1968, (w.e.15-2-1968).

attested by the head of that office should be transmitted to the head of the office to which the Government servant has been transferred who will then forward have the book maintained in his office.

S.R. 110- When a non-Gazetted Government servant is officiating in a gazetted post, his service book should be kept by the head of office to which he permanently belongs, but when he takes leave while so officiating, his service book should be forwarded to the audit officer for reporting admissibility of the leave. When he is confirmed the service book should be permanently sent to the audit office.

S.R. 111- If the Government servant is transferred to foreign service the head of the office or department should send his service book to the audit office who will return it after noting therein, under his signature, the order of Government sanctioning the transfer, the effect of the transfer in regard to leave admissible during foreign service and any other particular which the audit officer may consider to be necessary in connection with the transfer. On the Government servant's re-transfer his service book should again be sent to the audit office who will then note therein under his signature all necessary particulars connected with the Government servant's foreign service.

S.R. 112- Service rolls should be maintained for all Government servants for whom service books are not kept, save those mentioned in Exception (I) in S.R. 104. In this service rules should be recorded the date of the enrolment, caste, tribe, village, age, height, marks of identification, when enrolled, rank, promotion, reduction or other punishment, absence from duty on leave or without leave, interruptions in service, and every other incident in service which may involve forfeiture of portions of service or affect the amount of pension. Every entry in them should be signed by the head of the office. Service rolls should invariably be submitted with the pension papers to the audit office.

**Exception-** Service rolls need not be maintained for the members of the Collie Corp. establishment in the Sadiya and Balipara Frontier Tracts.

**Note 1-** The Deputy Commissioner, Garo Hills, may delegate to the Deputy Inspector of Schools the power to sign the front page, make attestation in respect of entries made in subsequent pages of the service rolls of the teachers of the vernacular schools of the district.

**Note 2-** In the case of contingency material who may be granted leave with or without allowance by the head of the office on the analogy of S.R. 127, service roll should be kept in the form specially prescribed for the purpose.

### SECTION III - SPECIAL AND ORDINARY LEAVE RULES

**F.R. 75-** (1) All Government servants who are not hereinafter declared to be subject to the special leave rules shall be subject to the ordinary leave rules.

(2) Any Government servant having at the time of his appointment his domicile elsewhere than in Asia shall be subject to the special leave rules :

Provided that no such Government servant shall be entitled to the benefits of the special leave rules, who prior to such appointment, has, for the purpose of his appointment to any office under the Government or of the conferment upon him by the Government of any scholarship, emoluments, or other privileges, claimed and has been deemed to be of Indian domicile.

**Audit Instruction-** (1) A Government servant who becomes eligible to the special leave rules while he is on leave under the ordinary leave rule may, from the date he becomes so eligible, change the balance of his leave under the special leave rules.

(2) The expression "at the time of his appointment" occurring in F.R. 75(2) means the date of an officer's appointment to a service or post to which the provisions of the Fundamental Rules apply.

**F.R. 75A-** For the purpose of F.R. 75(2) the domicile of a person shall be determined in accordance with the provisions set out in the Schedule to these rules :

Provided that a person who was born and has been educated exclusively in Asia and has not resided out of Asia for a total period exceeding six months shall be deemed to have his domicile in Asia unless in the case of a person to whom the provision in sub-rule (2) of Rule 75 does not apply it is proved to the satisfaction of the appointment authority that he did not have his domicile in Asia on that date.

**F.R. 75B-** No Government servant who, after his appointment to service or post acquires a new domicile, shall thereby lose his right to or become entitled to admission to the benefits of the special leave rules.

**F.R. 75C-** If any question arises as to the domicile of any Government servant at the time of his appointment, the decision thereon of the State Government shall be final.

### SECTION IV - GRANT OF LEAVE

**F.R. 76-** A leave account shall be maintained for each Government servant in terms of leave on average pay. A separate account should be kept of the leave earned by a Government servant serving under a Government and then transferred to another Government, all leave taken after the date of transfer should be debited to his account so long as the balance under it is not exhausted.

**S.R. 113-** The rate of leave salary actually received by an absentee by the operation of the further proviso to F.R. 87 should not be taken into account in recording the leave granted to inferior servants in their leave account but that the account should be debited with the kind of leave granted irrespective of the leave salary.

**F.R. 77-** In the leave account of a Government servant subject to these rules, shall be credited-

- (i) if he be under the special leave rules, five-twenty-second of the period spent on duty; and
- (ii) if he be under ordinary leave rules, two-elevenths of the period spent on duty.

**Audit Instruction-** (1) Fractions of a day should not appear in the leave accounts, fraction half should be ignored and those of half or more should be reckoned as one day.

(2) Five-twenty-seconds of the period spent on duty should be calculated thus,-

The amount of duty as expressed in terms of years, months and days should be multiplied by five and the product divided by twenty two. In this process of multiplication and division a month should be reckoned as equal to 30 days.

Two-elevenths of the period spent on duty should also be calculated similarly.

**F.R. 78-** The amount of leave to be debited against a Government servant's leave account is,-

- (a) the actual period of leave on average pay, but excluding special disability leave on average pay under FR. 83 (7); and

(b) half the period of leave on half average pay other than special disability leave or one quarter average pay or of special disability leave on average pay under F.R. 83(7)(b).

**F.R. 79-** When a Government servant, who has previously been subject to ordinary leave rules, is admitted to the benefits of the special leave rules, no change shall be made in the amount of leave previously credited and debited to his account, but he shall be entitled to the maximum amount leave prescribed in F.R.81(a)(i).

**F.R. 80-** This amount of leave due to a Government servant is the balance of leave at his credit in the leave account.

**F.R. 81-** Leave may be granted to a Government servant at the discretion of the authority entitled to grant the leave subject to the following restrictions :

(a) The maximum amount of leave which may be granted, expressed in terms of leave on average pay is the privilege which it was permissible to grant to the Government servant in question, on the 1st January, 1922 under the rules applicable to him prior to that date; plus

One-eleventh of the period spent on duty subsequent to that date; plus

(i) in the case of Government servant under the special leave rules, three years; or

(ii) in the case of Government servant under the ordinary leave rules, two and a half years :

Provided that special disability leave on half average pay or on average pay under F.R. 83(7)(a) shall not be taken into account in calculating the maximum prescribed by this clause, and in the case of such leave taken on average pay under F.R. 83 (7)(b) account shall be taken of only half the period thereof;

(b) The maximum amount of leave on average pay including any furlough on average salary taken under rules in force prior to 1st January, 1922 but excluding special disability leave on average pay under F.R. 83 (7)(a) which may be granted is,-

(i) to a Government servant under the special leave rules, eight months at any one time; and in all,-

the privilege leave which it was permissible to grant to him on the 1st January, 1922 under the rules applicable to him prior to that date, plus-

One-eleventh of the period spent on duty subsequent to that date, plus one year,

(ii) to a Government servant under the ordinary leave rules, four months at any one time, and in all,-

the privilege leave which it was permissible to grant to him on the 1st January, 1922 under the rules in force prior to the date, plus

One-eleventh of the period spent on duty subsequent to that date :

Provided the case of a Government servant, other than a Class IV Government servant, subject to the ordinary leave rules, who either takes leave on medical certificate other than leave preparatory to retirement or spends his leave elsewhere than in India, Pakistan, Ceylon, Nepal or Burma the maximum prescribed in sub-clause (i) of this clause shall apply.

**Note-** (1) The expression 'other than leave preparatory to retirement' in the proviso above has effect from the 10th August, 1937.

(2) Officers subject to the ordinary leave rules who take advantage of the said proviso when applying for leave on average pay on medical certificate are required to give an undertaking that they will refund the difference between average pay and half average pay for the period of leave on average pay which would not have been admissible had the proviso to Fundamental Rule 81 (b)(i) not been applied if they subsequently decide to retire at the end of the leave, or of an extension of that leave, but the questions whether the officer concerned should be asked to refund the amount drawn in excess as leave salary should be asked to refund the amount drawn in excess as leave salary should be decided on the merits of each case, i.e., if the retirement is voluntary, refund should be enforced, but if the retirement is compulsorily thrust upon the officer by reason of ill-health in incapacitating him for further service no refund should be taken.

(c) Save in the case of leave preparatory to retirement, leave

not due may be granted subject to the following conditions—  
 (i) on medical certificate without limit of amount; and  
 (ii) otherwise than on medical certificate, for not more than three months at any one time and six months in all reckoned in terms of leave on average pay.

**Note 1-** In cases where a Government servant who has been granted leave not due under this clause for permission to retire voluntarily the leave not due shall, if the permission be granted, be cancelled and his retirement shall have effect from the date on which such leave commenced.

**Note 2-** (i) Leave not due may in no case be granted unless the sanctioning authority is satisfied that, as far as can be reasonably foreseen the officer will return to duty and earn it, and

(ii) that, except as provided in the Note 1 to Fundamental Rule 81(c), the leave when granted should in all cases subject to the Government servant's wishes be allowed to stand, including cases in which the officer fails to earn it by subsequent duty.

(d) The maximum period of continuous absence from duty on leave granted otherwise than on medical certificate is twenty-eight months. This period shall in no circumstances be exceeded by a Government servant who is on leave preparatory to retirement.

(e) When Government servant returns from leave which was not due and which was debited against his leave account, no leave will become due to him until the expiration of a fresh period spent on duty is sufficient to earn a credit of leave equal to the period of leave which he took before it was due.

**Audit instructions-** (1) If leave on average pay is applied for after a Government servant has had leave on half-average pay in continuation of a period of leave on average pay either by the production of a medical certificate or by a Government proceeding out of India, Ceylon, Nepal, Burma or Aden, the period of leave on average pay that may then be granted should be similarly limited to the period actually covered by the medical certificate or spent elsewhere than in India, Ceylon, Nepal, Burma and Aden. The grant of the leave should also be so regulated that the total period of leave on average pay during that spell of leave does not exceed eight months in such case the total period of leave on average pay shall be treated as one continuous spell of

leave on average pay in order to determine whether the first four months of the leave should be treated as privilege leave for purposes of pension.

(2) If under the operation of the proviso to F.R. 81(b) (ii) the maximum amount of leave on average pay admissible at a time is increased, further leave on average pay may not be granted in continuation, unless such leave is taken on medical certificate or is spent elsewhere than in India, Ceylon, Nepal, Burma or Aden, but such leave on average pay which may be taken on medical certificate or outside India, Ceylon, Nepal, Burma or Aden up to maximum of 12 months in a Government servant's whole service, if due, does not consume the leave on average pay which may be taken without medical certificate.

(3) Leave not due may in no case be granted unless the sanctioning authority is satisfied that, as far as can be reasonably foreseen, the Government servant will return to duty and earn it. When, however, such leave has once been granted, it should be allowed to stand, unless the Government servant otherwise desires, even if he proves unable to earn it by subsequent duty; [but see Notes to F.R. 81(d)].

(4) The limit of 28 months of continuous absence prescribed in F.R. 81(d) includes the period of vacation, if any, with which leave is combined.

(5) The expression "continuous absence from duty on leave" occurring in F.R. 81(d) does not include absence on extraordinary leave.

**Government of Assam's decision-** Subject to the consideration of special cases, where an officer is placed on deputation in Europe or America while on leave out of India, the deputation shall be regarded as an interruption of the leave already granted. The expression "at any one time" in Fundamental Rule 81(b) should be interpreted as meaning "in each separate period of leave granted". The effect of this ruling is that in ordinary circumstances the leave of such an officer will be extended by the period of the deputation but the deputation will not entitle him to a fresh grant of leave.

The balance of the unenjoyed leave should be worked out before the deputation intervenes and amount of leave to be enjoyed subsequently on the expiry of the deputation should be restricted to his available balance.

**LEAVE IN VACATION DEPARTMENT**

(i) A Government servant serving in a Department shall not be entitled to any earned leave in respect of duty performed in any year in which he availed himself of the full vacation.

(ii) In respect of any year in which a Government servant avails himself of a portion of the vacation, he shall be entitled to earned in such proportion of 30 days or 45 days which covered by the Exception to sub-rule (1) of Rule (9) as the number of days of vacation not taken bear to full vacation :

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

(iii) Whether the earned leave is taken in combination with or in continuation of other leave or not, it shall not exceed the amount of earned leave due and admissible to the Officer at a time under rule 9:

Provided further that the total duration of vacation, earned leave and commuted leave taken in conjunction shall not exceed 240 days (F.E.G. 50/56/15 Dt.24-10-57 & F.E.G. 46/74/107 Dt. 1.10.81)

**F.R. 82-** The following provisions apply to vacation departments only :

(a) The State Government may make rules specifying the department or parts of department which should be treated as vacation department and the conditions in which a Government servant should be considered to have availed himself of a vacation.

(b) Vacation counts as duty, but the periods of total leave in Fundamental Rules 77, 81(a) and 81(b) should ordinarily be reduced by one month for each year of duty in which the Government servant has availed himself of the vacation. If a part only of the vacation has been taken in any year, the period to be deducted will be a fraction of a month equal to the proportion which the part of the vacation taken bears to the full period of the vacation.

(c) In cases of urgent necessity, when a Government servant requires leave and no leave is due to him, the periods in Fundamental Rules 77 and 81(a), as reduced by clause (b) of this rule, may be increased by one month for every two years of duty in a vacation department.

(d) When a Government servant combines vacation with leave, the period of vacation shall be reckoned as leave in calculating the maximum amount of leave on average pay which may be included in the particular period of leave.

**Note 1-** The implied basis and condition of variation are

that a Government servant only gets vacation on condition that he can arrange to carry out the vacation duties of his post, and that a Government servant should 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 a vacation or portion of a vacation. A Government servant who has routine duties to discharge during the vacation, which does not require his presence at his place of duty and which can be performed either by himself at some other place or by some other Government servant, should be considered to have availed himself of a vacation or a part of it, while a Government servant who leaves his place of duty during a vacation is expected to arrange for, and is responsible for the performance, without any cost to Government, of such routine duties.

A Government servant who leaves his place of duty during vacation is liable to be called thereto at his own expense.

**Note 2-** Subject to the provision in the note below F.R.71, it is permissible under F.R. 82(d) to allow vacation to intervene between two periods of leave.

**Note 3-** An officer of a vacation department may be granted the additional leave which is credited under F.R.82(c) even though he has a debit balance in his leave account due to the fact that leave not due has not been liquidated as required by F.R. 81(c). The credit of one month under F.R. 82(c) is for every completed two years of duty and no fractional credit for a period of less than two years is permissible.

**Note 4-** In the case of a Government servant who, at the time of going on leave has not completed a full year of duty and has not for that reason enjoyed any portion of vacation but who enjoys the next vacation in continuation of the leave, it has been decided that, for the purpose of Clause (b) of this rule as explained in item (3) of Audit Instructions below a deduction of 1/12th may be made for the period for which 1/11th is credited. If subsequently it is found that the vacation has not been enjoyed, the deduction already made can be suitably corrected.

**Audit Instructions-** (1) The reduction by one month for each year of duty in which the Government servant has availed himself of the vacation as required to be made under F.R. 82(b) is intended to be made in respect of leave earned and vacation taken from 1st January, 1982.

Thus, in the case of Government servants of vacation departments, the leave credited to their leave account under F.R. 77 will be—

- (i) privilege leave at their credit on 1st January, 1922, i.e. privilege leave earned under Article 272 or 275, Civil Service Regulation; plus
- (ii) one-eighth or one-twelfth of the period spent on duty or vacation or privilege leave up to 31st December, 1921; plus
- (iii) five-twenty-seconds or two-eleventh of the period spent on duty or vacation from 1st January, 1922.

From this a reduction will be made of one month for each year of duty in which a Government servant avails himself of the vacation after 1st January, 1922. Similarly, the total leave admissible under Fundamental Rules 81(a) and 81(b) will be reduced by one month for each year of duty in which the vacation is taken after 1st January, 1922.

(2) The amount credited to the leave account under F.R. 82(d) as well as that added to the maximum under F.R. 81(a) should be the actual amount of additional leave taken under F.R. 82(d) and not the total amount theoretically permissible, viz., one month for every two years of duty.

(3) The term "each year of duty" should be interpreted to mean, not a calendar year in which duty in a vacation Department is performed but twelve months of actual duty. If the Government servant has enjoyed such vacation as falls within the period of twelve months beginning on the day on which he begins his duty on return from leave or otherwise, then one month should be deducted from his leave account. It does not matter whether the day on which this year ends falls in a vacation in the succeeding calendar year. The only question is whether the Government servant has enjoyed such vacation as fell within the period of one year as interpreted above.

If, to take an example, a Government servant before going on leave has not completed a full year of duty including vacation during the course of the second calendar year, then the fraction of one month which should be deducted from the leave account, is the fraction which the period of duty including vacation, bears to the whole year. If, to take a further complication, he has not

enjoyed the whole of the vacation which fell during that period of less than a year, then the amount which should be deducted is the proportion of the period, which the proportion of vacation actually enjoyed bears to the whole period of vacation which fell within that period.

In the case of Government servants who are allowed two vacations in the year instead of one, the periods of the two vacations should be regarded as combined into one.

**CONDITIONS IN WHICH A VACATION SHOULD BE  
CONSIDERED TO HAVE BEEN AVAILED OF  
UNDER FUNDAMENTAL RULE 82(a)**

**S.R. 114**—A vacation department is a department or part of a department to which regular vacations are allowed during which Government servants serving in the department are permitted to be absent from duty.

In case of doubt a competent authority may decide whether or not a particular Government servant is serving in a vacation department to which these rules apply.

The following are vacation departments for the purpose of F.R. 82—

(1) The High Court excluding the Chief Justice and the Judges and Civil and Sessions Courts, other than those under the control of Deputy Commissioners in the Assam Valley Division and Cachar District.

(2) Educational institutions in the case of—

- (a) the teaching staff,
  - (b) such Government servants, not being members of the teaching staff as may be declared to be entitled to vacations by a competent authority.
- (3) (a) The Government Weaving Institute, Guwahati;  
(b) The Burma Valley Technical School, Sylhet;  
(c) His a Royal Highness the Prince of Wales' Technical School, Jorhat;  
(d) The Fuller Technical School, Kohima;  
(e) Assam Civil Engineering School, Gauhati.
- (4) The Assam, Survey School, Jhalukbari.
- (5) (a) The teaching staff of the Berry-White Medical School, Dibrugarh;

- (b) such Government servants, not being members of the teaching staff, as may be declared to be entitled to vacation by a competent authority.

**Note 1-** Fundamental Rule 82 does not apply to District and Sessions Judges.

**Note 2-** A competent authority may by general or special order determine the periods of the vacation admissible to the staff of the Institutions referred to in clauses (2)(b) and (3) above.

**Note 3-** The teachers of Government Lower Primary Schools which do not enjoy a continuous vacation of a month in the year should not be regarded as belonging to a vacation department.

Provided that the holiday list of the school approved by the Deputy Inspector does not exceed 60 days.

**Note 4-** Clerks in Government School and College in Assam should be treated as Government servant of a vacation department up to 31st December 1921, and again from the 13th February, 1924, and of non-vacation department for the period from the 1st January, 1922 to the 12th February, 1924.

**S.R. 115-** A Government servant serving in a vacation department 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 an 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 1-** The 15 days' limit in the rule will be applied in respect of each vacation or of two vacations combined when there are two vacations in the year.

**Note 2-** A period during which a Government servant is on leave will not be considered a period of duty for the purposes of F.R. 82 (2).

**Note 3-** The words 'prevented by such an order from enjoying more than 15 days of the vacation' occurring in lines 5 and 6 of the rule mean that the Government servant's absence from duty during the vacation did not exceed 15 days.

**S.R. 116-** As soon as a vacation expires the head of the office will record in the service book of the officer whether or not

he enjoyed vacation for more than fifteen days. If the period exceeded fifteen days the number of days should be specified.

#### SPECIAL DISABILITY LEAVE

**F.R. 83-** (1) Subject to the conditions hereinafter specified the State Government may grant special disability leave to a Government servant who is disabled by injury intentionally inflicted or caused in, or in consequence of the due performance of his official duties or in consequence of his official position.

(2) Such leave shall not be granted unless the disability manifested itself within three months of the occurrence to which it is attributed, and the person disabled acted with due promptitude in bringing it to notice. But the State Government if it is satisfied as to cause of the disability may permit leave to be granted in cases where the disability manifested itself more than three months after the occurrence of its cause.

(3) The period of leave granted shall be such as is certified by a medical board to be necessary. It shall not be extended except on the certificate of a medical board, and shall in no case exceed 24 months.

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

(5) Such leave may be granted more than once if the disability is aggravated or reproduced in similar circumstances at a later date, but not more than 24 months of such leave shall be granted in consequence of any one disability.

(6) Such leave shall be counted as duty in calculating service for pension and shall not, except as provided in F.R. 78(b), be debited against the leave account.

(7) Leave salary during such leave shall be equal-

(a) for the first 4 months of any period of such leave including a period of such leave granted under clause (5) of this rule, to average pay; and

(b) for the remaining period of any such leave, to half average pay, or at the Government servant's option, for a period not exceeding the period of average pay which would otherwise be admissible to him, to average pay;

Provided that the maxima specified in the table in sub-rule (2) of Rule 89 shall, notwithstanding anything contained in that rule, apply to the whole period of such leave and the minima specified in the table in Rule 90

shall apply when leave salary during such leave is equal to half average pay, subject to the conditions stated in that rule and in the notes thereunder.

(8) In the case of the person to whom the Workmen's Compensation Act, 1923, applies the amount of leave salary payable under this rule shall be reduced by the amount of compensation payable under Section 4(1)(d) of the said Act.

(9) The provisions of this rule apply to civil servant disabled in consequence of service with a military force, if he is discharged as unfit for further military service, but he is not completely and permanently incapacitated for further civil service, and to a civil servant not so discharged who suffers a disability which is certified by a medical board to be directly attributable to his service with a military force : but, in either case any period of leave granted to such a person under military rules in respect of that disability shall be reckoned as leave granted under this rule for the purpose of calculating the period admissible.

**F.R. 83-A-** The State Government may extend the application of the provisions of Fundamental Rule 83 to a Government servant who is disabled by injury incidentally incurred in or in consequence of the due performance of his official duties or in consequence of his official position, or by illness incurred in the performance of any particular duty which has the effect of increasing his liability to illness or injury beyond the ordinary risk attaching to the civil post which he holds. The grant of this concession is subject to the further conditions,-

- (i) that the disability, if due to disease, must be certified by a medical board to be directly due to the performance of particular duty; and
- (ii) that, if the Government servant has contracted such disability during service otherwise than with a military force, it must be, in the opinion of the State Government, so exceptional in character or in the circumstances of its occurrence as to justify such unusual treatment as the grant of his form of leave; and
- (iii) that the period of absence recommended by the medical board may be covered in part, by leave under this rule and in part by other leave, and that the amount of special disability leave granted on average

pay may be less than four months.

**Note 1-** The grant of the concession contemplated in this rule is not admissible to a Government servant in the case of injuries resulting from an accident to which he may be liable under the ordinary conditions of civil life or in connection with the ordinary discharge of his duties.

**Note 2-** The intention of Fundamental Rule 83-A(ii) is not that special disability leave should be given to cover any portion of an officer's military service but that it should be admissible only after the officer's discharge as unfit for further military service.

**State Government's decision-** A question was raised as to whether special disability leave under Fundamental Rule 83-A would be admissible to Police Department official for falling off a pony while returning from a place of duty. It was decided in consultation with Auditor General of India that the accident of falling off a pony may occur to anybody and constitutes ordinary risk of civil life.

**F.R. 83-B-** (1) A Government servant who has been granted special disability leave under Fundamental Rule 83, and whose domicile is elsewhere than in Asia, may be granted by the State Government, free passage by sea for himself, his wife and children to the United Kingdom, or to any port in Europe or in a British colony, dominion or possession, and on the conclusion of such leave, return passage to India, unless he takes leave other than leave on medical certificate in continuation of special disability leave in which case return passage shall not be granted save in exceptional circumstances; Provided that the cost of any passages granted under this rule shall not exceed the cost of passage between India and the United Kingdom.

(2) Passages granted under this rule may include travel by land between port of embarkation and port of debarkation, and shall be of such class as the sanctioning authority in each case may determine.

(3) The State Government may extend the application of the provisions of clauses (1) and (2) to a Government servant who has been granted special disability leave under Fundamental Rule 83-A, and whose domicile is elsewhere than in Asia; provided that it may, at its discretion, grant free passage to the Government servant only, or to the Government servant and his wife only.



(4) For the purpose of this rule,-

- (i) the domicile of a Government servant is his domicile at the time of his appointment to Government service, as determined in accordance with the provisions of clause (2) of Rule 75 and Rules 75-A, 75-B and 75-C;
- (ii) "child" means a legitimate child (including a step-child) residing with and wholly dependent on the Government servant, who if a female, is unmarried or, if a male, is under the age of 16.

#### STUDY LEAVE

**F.R. 84-** Leave may be granted to the Government servants, on such terms as the State Government may by general order prescribe, to enable them to study scientific, technical or similar problems or to undergo special courses of instruction. Such leave is not debited against the leave account.

**S.R. 117-** The terms prescribed by the Secretary of State for officers under his rule-making control (Appendix 15) have been adopted by the State Government in respect of persons serving in connection with the affairs of the State.

#### EXTRAORDINARY LEAVE

**F.R. 85-** (a) Extraordinary leave may be granted in special circumstances (1) when no other leave is by rule admissible, or (2) when, other leave being admissible, the Government servant concerned applies in writing for the grant of extraordinary leave. Such leave is not debited against the leave account. No leave salary is admissible during such leave,-

- (b) A Government servant abstaining from work for any reasons whatsoever without permission shall be deemed to be absent without leave during the period of such abstinence;
- (c) The authority which has the power to sanction leave may grant extraordinary leave as in clause (a) in combination with or in continuation of, any leave that is admissible, and may commute retrospectively period of absence without leave into extraordinary leave.

[For Administrative Instructions issued by the State Government regarding "casual leave" and, "quarantine leave" See Rules 246 and 268 of the Assam Executive Manual].

**Note-** The power of commuting retrospectively periods of absence without leave into extraordinary leave under Fundamental Rule 85(b) is absolute and not subject to the conditions mentioned in clause (a) of that rule; in other words, such communication is permissible even when other leave was admissible to the Government servant concerned at the time of his absence without leave commenced.

**Audit Instructions-** "Leave not due" applied for by a Government servant with or without medical certificate is "leave admissible under rule", and in cases where "Leave not due" can be granted the grant of extraordinary leave under F.R. 85 will be irregular unless the latter kind of leave is specially applied for in writing.

#### EXTENSION OF LEAVE AT THE TIME OF RETIREMENT

**F.R. 86-** (a) Leave at the credit of a Government servant in his leave account shall lapse on the date of compulsory retirement :

Provided that if in sufficient time before that date he has,-

- (1) formally applied for leave due as preparatory to retirement and been refused it; or
- (2) ascertained in writing from the sanctioning authority that such leave if applied for would not be granted in either case the ground for refusal being the requirements of the public service;

then the Government servant may be granted, after the date of retirement, the amount of leave so refused subject to a maximum of six months;

Provided further that every Government servant,-

- (a) who after having been under suspension, is reinstated within six months preceding the date of his compulsory retirement and was prevented by reason of having been under suspension from applying for leave preparatory to retirement, shall be allowed to avail of such leave as he was prevented from applying for subject to a maximum of six months reduced by the period between the date of re-instatement and the date of compulsory retirement;
- (b) who retired from service on attaining the age of compulsory retirement while under suspension and was

prevented from applying for leave preparatory to retirement on account of having been under suspension, shall be allowed to avail of the leave to his credit subject to a maximum of six months, after the termination of proceedings, as if he had been refused as aforesaid if, in the opinion of the authority competent to order reinstatement, he has been fully exonerated and the suspension was wholly unjustified;

- (c) A Government servant retained in service after the date of compulsory retirement shall avail leave on average pay at the rate of 1/11th of duty performed after that date, and shall be allowed to add thereto any amount of leave which could have been granted to him under clause (a) had he retired on that date. The total period which he may take on each occasion shall not exceed six months.

When his duties finally cease, the Government servant may be granted leave preparatory to retirement, up to a maximum of 6 months as follows—

- (i) the balance after deducting the amounts of leave, if any, taken during the period of extension, from the amount of leave which could have been granted to him under clause (a) had he retired on the date of compulsory retirement; plus
- (ii) the amount of leave earned under this clause which is due to the Government servant and which he has in sufficient time during the period of extension,—
  - (1) formally applied for as preparatory to final cessation of his duties and been refused; or
  - (2) ascertained in writing from the sanctioning authority that such leave would not be granted if applied for, in either case the ground of refusal being the requirements of the public service.

**Note 1**— The proper test in applying the rule is whether it would be more convenient on general administrative grounds for a Government servant to take leave before or after the age of superannuation, and that all Government servants should be warned that the rule is intended to apply only in cases in which a Government servant with leave due to him has applied for leave in sufficient time before the date of retirement and his

application has been refused owing to the exigencies of the public service and that it is not intended to apply so as to enable a Government servant at his own option to take leave after instead of before the date of retirement.

**Note 2**— Fundamental Rule 85 does not apply to Military Assistant Surgeons in civil employ.

**Note 3**— [Deleted]<sup>1</sup>

**Note 4**— A deduction under Fundamental Rule 82(b) on account of vacation enjoyed should also be made in the case of officers whose leave is regulated under Fundamental Rule 86(b).

**Government of India's interpretation**— While the amount of the leave refused under the Fundamental Rule 86(a) or (b) is fixed, the quality of the leave (i.e., on average or half average pay), whether it is taken before or after the date of compulsory retirement or, as the case may be, the date of final cessation of duties, may be varied to the advantage of the Government servant concerned within the normal leave rules by the leave earned and standing to his credit on the date he proceeds on leave; and second application for leave in sufficient time and its refusal are necessary merely to ensure this variation.

**Audit Instructions**— (1) A Government servant retained in service after the age of compulsory retirement is entitled to earn leave under clause (b) of F.R. 86 and a debit balance, if any, on the date he attained that age should be considered as wiped off.

(2) The period of six months mentioned in F.R. 86 (b) includes any period of vacation with which leave is combined.

(3) The leave earned by the period of duty intervening between the refusal of leave pending retirement and the date of compulsory retirement is merged in the common pool in the leave account and forms an indistinguishable part of the total leave at credit the whole of which, with the exception only of the net amount of leave refused, lapsed under clause (a) of Fundamental Rule 86 on the date of compulsory retirement. The grant of any leave between the date from which the refusal of leave took effect and the date of superannuation should therefore be held to be a grant of leave against the amount originally refused. The amount of leave admissible under clause (a) after superannuation in such a case is therefore the amount of leave

<sup>1</sup> Deleted Note (3) vide C. S. No. 174, (w.e.f. 28-4-1961).

originally refused minus the amount of the 'post refusal' leave enjoyed, and this difference is subject to a minimum of 6 months. The principle applies equally to leave available under clause (b), including that earned in respect of duty during a period of refused leave.

**Auditor General's decisions-** The rule in Note 2 to Fundamental Rule 56 does not require that the authority sanctioning leave under Fundamental Rule 86 should necessarily be competent to sanction an extension of service also.

**State Government's decision-** (1) An officer of the State Government who was due to retire on superannuation on 16th July, 1956, applied for leave preparatory to retirement with effect from 16th March, 1956 and the competent authority refused his leave from 16th March, 1956 to 15th April, 1956, in the interest of public service. Although the competent authority was willing to allow him to proceed on leave preparatory to retirement from 16th April, 1956, the officer did not avail of the leave from that date but proceeded on leave from 7th July, 1956. On that day the officer requested that he might be sanctioned leave on average pay for nine days from 7th July, 1956 to 15th July 1956 and in continuation refused leave for one month from 16th July, 1956 to 15th August, 1956. A doubt arose whether the officer was entitled to one month's leave from 16th July, 1956 to 15th August, 1956 previously refused in addition to nine days leave from 7th July 1956 to 15th July, 1956. The position is that the officer applied for 4 months' leave carrying him to the date of superannuation out of which leave for one month was refused in the public interest and 3 months' leave was sanctioned to him. Thus one month's leave preparatory to retirement was actually refused to him which he was entitled to be granted after the date of superannuation. The mere fact that the officer did not avail of 3 months' leave granted to him did not change the character of the refused leave for one month and did not prejudice the officer's titles to its grant after the date of superannuation. State Government have, therefore, decided that refused leave under Fundamental Rule 86 for one month from 16th July, 1956 to 15th August, 1956 in addition to nine days leave from 7th July, 1956 to 15th July, 1956 is admissible to the officer.

[Notification No. F.E. 234/60/9(dy), dated 23.4.1960]

(2) The existing rules do not contemplate the grant of leave preparatory to retirement to a Government servant, coupled with permission to remain in service of the foreign employer. The Governor of Assam has now decided that such cases shall be regulated in the following manner—

(i) Cases where a Government servant, who is already on foreign service in or out of India under a body corporate, owned or controlled by Government applies for leave preparatory to retirement.

The leave applied for can be granted only if the body corporate, owned or controlled by Government is prepared to release him from their employment to enable him to enjoy the leave. If he is not so released he should be refused in the interest of public service and it may then be availed of by the Government servant to the extent admissible under F.R. 86 or Rule 7 of the Leave Rules, 1934 (as amended with effect from 1st October, 1956), as the case may be, from the date of his quitting the service.

(ii) Cases where a Government servant who is on foreign service in or out of India other than under a body corporate, owned or controlled by Government applies for leave preparatory to retirement.

In such cases leave will be admissible only where the Government servant quits duty under the foreign employer. In other words, he will not be permitted to continue in employment under the foreign employer while on leave preparatory to retirement. Non-eligibility for leave preparatory to retirement as a result of continuance in service under the foreign employer will not be treated as refusal of Leave for the purpose of Fundamental Rule 86 or Rule 7 of the Leave Rules, 1934 (as amended with effect from 1st October, 1956), as the case may be. If he is allowed to continue in employ of the foreign organisation after the date of superannuation; he will be treated purely as on private employment.

(iii) Cases where the Government servant seeks employment under a body corporate while on refused leave.

If while on refused leave Government servant is offered re-employment under a body corporate, owned or controlled by Government the authority by whom the leave was sanctioned

may cancel the unutilised portion of leave and allow it to be enjoyed on termination of the period of re-employment. If, however, re-employment is permitted under an organisation in or out of India other than a body corporate, owned or controlled by Government, he cannot be allowed the benefit of availing himself of the utilised portion on refused leave on conclusion of the re-employment. He may either have the option of retiring forthwith or to remain on refused leave concurrently with re-employment under such a private organisation on the condition that the leave salary will be restricted to that admissible during leave on half average pay or half pay leave, as the case may be.

#### SECTION V - LEAVE SALARY

**F.R. 87-** Subject to the conditions in Rules 81, 89, 90 and 91 Government servant on leave shall, during leave draw leave-salary as follows:-

- (a) if the leave is due, leave-salary equal to average pay or to half average pay, or to average pay during a portion of the leave and half average pay during the remainder, as he may elect; and
- (b) if the leave is not due, leave-salary equal to half average pay :

Provided that when a non-gazetted Government servant, who was in service on the 24th day of August, 1927, takes leave; and

- (i) his pay is less than Rs. 300; or
- (ii) the leave taken does not exceed one month;

his average pay for the purpose of this rule may be taken to the pay which he would draw in the permanent post held substantively by him at the time of taking leave, if this pay be more than the average pay :

Provided further that the leave-salary of a Class IV Government servant shall not exceed what remains from his pay after providing for the efficient discharge of duties of the post during his absence, except when, in the resultant officiating arrangements, a Government servant who has no substantive post is given more than half the pay of the post in which he officiates, in which case the excess over half pay granted to him at the discretion of the authority sanctioning the leave be disregarded in calculating the amount of leave-salary.

**Note 1-** In a case in which an outsider entitled to draw pay on the revised scale is appointed to officiate in place of an absentee inferior servant drawing the old scale of pay, old scale of pay of the post should be taken to be "the pay of post" for the purpose of calculating the rate of the absentee allowance.

**Note 2-** Under Fundamental Rule 87(a) the nature of the leave due and applied for by a Government servant cannot be altered at the option of the sanctioning authority and under Fundamental Rule 67, while it is open to the sanctioning authority to refuse or revoke the leave due and applied for, it is not open to him to alter the nature of such leave.

**Note 3-** Fundamental Rule 87(a) provides that a Government servant on leave shall, during leave, if the leave is due, draw leave-salary equal to average pay, or to half average pay, or to average pay during a portion of the leave and half average pay during the remainder, as he may elect. The election given by the rule is the election between the three different forms of leave salary mentioned therein and the rule is not intended to give any choice as to the period during which average pay or half average pay can be drawn if the officer elects the third form. In that case the intention is that the period on average pay should be taken first and should be succeeded by the period on half average pay.

**Note 4-** The words "as he may elect" in Fundamental Rule 87(a) imply election once for all and, therefore, debar a Government servant from claiming commutation of leave as of right. Though under the Fundamental Rules the authority which granted leave can (if so disposed) commute it retrospectively into leave of a different kind yet a Government servant does not possess any right to insist that it should be as commuted.

**Note 5-** A Government servant who was only temporary or officiating and was not holding substantively a permanent post on the 24th August, 1927 has clearly no claim under the proviso to Fundamental Rule 87(b).

**Note 6-** A Government servant who was in permanent Government service on or before the 24th August, 1927, and who was, therefore, entitled to the privilege under the proviso to Fundamental Rule 87(b) will retain that privilege if re-appointed after resignation or discharge or if re-instated after dismissal; Provided that he is allowed to count his past service for leave under Fundamental Rule 65(a) or (b).

**Note 7-** A Government servant who was holding, on probation, a permanent post on the 24th August, 1927, and had no lien on any other post, is not entitled to the concessions admissible under the above proviso, since his leave is absolutely governed by Fundamental Rule 104 and not by the rules in Sections I to V to Chapter X of the Fundamental Rules.

**Audit Instructions-** (1) A Government servant who holds substantively a non-gazetted permanent post, but proceeds on leave from a gazetted post, should be regarded as a gazetted officer for the purposes of Fundamental Rule 87.

(2) The term "pay" occurring in the expression "the pay which he would draw in the permanent post held substantively by him" contained in the proviso should be interpreted as including "special pay" whether attached to a post or personnel to a particular Government servant, since in either case he would draw it in the post which he holds substantively.

(3) The term "permanent post" occurring in the expression "the pay which he would draw in the permanent post" contained in the proviso may be a post on other permanent post.

**President's Decision-** (i) For the purpose of the first proviso to Fundamental Rule 87 the status of a Government servant while on foreign service, i.e., gazetted or non-gazetted should be determined with reference to the permanent post under Government on which he holds a lien or would hold a lien had his lien not been suspended or, if during his absence on foreign service he is given any promotion under the Fundamental Rule 113, with reference to the post under the Government to which he is so promoted.

(ii) In the case of such a Government servant, the term "his pay" occurring in item (i) of this proviso should be construed to mean what is prescribed under Fundamental Rule 117(b) for counting his pay for the purpose of Fundamental Rule 9(2) i.e. the pay drawn in foreign service at the time leave is taken less, in the case of a Government servant paying his own contribution for leave salary and pension such part of the pay as may be paid as contribution.

(iii) The expression "the pay he would draw in the permanent post held substantively by him at the time of taking leave" occurring in this proviso should, in its application to a

Government servant on foreign service, be taken to mean the pay which he would draw in the permanent post under Government on which he holds a lien or would hold a lien had his lien not been suspended at the time of taking leave.

**The Government of Assam has accepted this decision.**

**F.R. 88-** After continuous absence from duty on leave for a period of 28 months, a Government servant will draw leave salary equal to quarter average pay, subject to the maximum and minimum prescribed in Fundamental Rules 89 and 90.

**Audit Instructions-** (1) The expressions "continuous absence from duty on leave" occurring in this rule does not include absence or extraordinary leave.

(2) The period of 28 months includes the period of vacation, if any, with which the leave is combined.

**F.R. 89-** (1) During the first four months of any period of leave on average pay, leave-salary is subject to an absolute maximum of Rs. 2,000 per mensem.

Except during the first four months of any period of leave on average pay, leave-salary is subject to the monthly maxima shown in the following table—

	Average		Half Average		Quarter Average	
	Outside Asia	In Asia	Outside Asia	In Asia	Outside Asia	In Asia
	₹	Rs.	₹	Rs.	₹	Rs.
Government servant subject to the special leave rules	200	2,000	100	1,000	60	600
Government servant subject to the ordinary leave rules	150	1,500	75	750	60	600

**Note-** The maximum of average pay does not apply to a Government servant serving in a vacation department during a period of leave on average pay equivalent to one month for each year since his last leave during which he has not availed himself

of the vacation and to a proportionate fraction of a month during which he has taken a part only of vacation: provided that in the case of a Government servant who is transferred which leave is to his credit from a non-vacation to a vacation department, the State Government shall decide on the first occasion on which he takes leave after such transfer, the period not exceeding for which the maximum limit of leave salary shall not be applied to him.

The above is not meant to give any additional advantage but is intended to be a restrictive exception to the main rule in Fundamental Rule 89(2). A Government servant is not entitled to the concession mentioned in this not in addition to the concession granted in the main rule itself but only to the drawing of full pay for a period equivalent to one month for a year since the last leave taken during which vacation has not been enjoyed.

**Audit Instruction-** The intention is that vacation should be treated as the equivalent of the leave on average pay for the purposes of this rule.

**F.R. 90-** Subject to the condition that the leave salary of a Government servant shall in no case exceed his average pay, leave-salary is subject to the monthly minima shown in the following table—

	Half Average		Quarter Average	
	Outside Asia	In Asia	Outside Asia	In Asia
	₹	Rs.	₹	Rs.
Government servant subject to the special leave rules	30	333	161/2	166
Government servant subject to the ordinary leave rules	25	250	121/2	125

**Note-** The minima specified above apply only when leave is taken or extended out of India elsewhere than in Pakistan, Ceylon, Nepal, Burma.

**Audit Instruction-** The term 'average pay used in Fundamental Rule 90' should be interpreted in terms of Fundamental Rule 9(2) and need not be taken as the pay which a non-gazetted Government servant would draw in the permanent post held substantively by him at the time of taking leave, if this pay be more than the average pay under the proviso to Fundamental Rule 87.

**F.R. 91-** (1) Unless the Governor with the prior approval of the President by general or special order otherwise directs, leave-salary shall be drawn in respect in India.

(2) Subject to the provisions of sub-rule (1) leave-salary shall be drawn in rupees, but leave-salary in respect of leave spent out of Asia, may, at the option of the Government servant be drawn in sterling:

Provided that,—

- in the case of leave on average pay not exceeding four months, or of the first four months of such leave if it exceeds four months' leave salary due on in respect of an initial period of such leave spent in Asia may if the officer proceeds out of Asia during the currency of such leave, or within one month of its termination, be drawn in sterling;
- in the case of leave of any other description or of periods of leave on average pay after the first four months of such leave, if the amount of such leave spent in Asia prior to embarkation does not in all exceed one month, leave-salary in respect of the whole of such leave may be drawn in sterling;
- in the case of an attachment order having been issued by a Court in India in accordance with Rule 48, Order XXI, First Schedule, Code of Civil Procedure, 1908 (Act V of 1908), that part of leave-salary which is attached shall be remitted to the Court in rupees by the accounts authority in India. The balance of leave-salary if payable in sterling, may then be drawn reducing the maximum and minimum rates of leave-salary prescribed in Rule 89 and 90 by the amount specified in the attachment order, converted into sterling at the rates of exchange prescribed under sub-rule (5) of this rule.

**Note 1-** For the purpose of this rule Cyprus shall be regarded as outside Asia.

**Note 2-** See Audit Instruction below F.R. 99.

**Note 3-** Since in the case of an officer placed on deputation in interruption of leave out of India, leave is treated as one spell of leave, the leave before and after the deputation should be treated as "initial period" for the purpose of proviso (a) to Fundamental Rule 91(2) and the Government servant allowed to draw, if he so desires, leave salary in India for the portion of leave immediately following the deputation. As deputation is duty for all purposes it should not be taken into account in calculating the maximum period of four months prescribed in F.R. 91.

(3) Leave-salary drawn in sterling shall be drawn in India, or in the case of a Government servant who spends his leave in Ceylon, Burma, or Aden, as the case may be.

(4) Leave-salary drawn in sterling shall be drawn in London, or at the Government servant's option, in any British dominion or colony which the Secretary of State may by order prescribe for the purpose; provided that the officer spends his leave in the dominion or colony in which he has elected to draw his leave-salary. But if leave-salary due in respect of any portion of leave out of Asia and payable to the Government servant in sterling remains undrawn for no fault on his part, the State Government may authorise the undrawn amount to be paid in India at such rate of exchange as the Secretary of State may by order prescribe.

**Note 1-** For the rate of exchange see Secretary of States' Order below sub-rule (5).

**Note 2-** If leave-salary due in respect of any portion of leave out of Asia and payable to a Government servant in sterling remains undrawn due to the late arrival of a steamer, it may be held to be non-drawal through no fault of the Government servant concerned and the drawal in India permitted in such cases as a matter of course.

**Note 3-** Payment of leave-salary in a colony shall be subject to such restrictions in the matter of foreign exchange as the Government of India may, from time to time, impose.

(5) Leave salary shall be converted into sterling at such rate of exchange as the Secretary of State may by order prescribe.

**Secretary of State's Order-** The Secretary of State has

decided that the rate of exchange shall, until further orders, be 1 s. 6 d.

(6) Any leave-salary drawn outside India shall be subject to deduction of India income-tax and super-tax and at the rates which would have been applicable if that leave-salary had been drawn in India.

**Government of Assam's decision-** For the purposes of the application of Fundamental Rule 91 the period of voyage to or from India is treated as leave out of Asia during which leave-salary is payable in sterling. These orders are intended to apply to all direct (*i.e.*, unbroken) voyages between India and a port outside Asia irrespective of the route followed and the time spent in Asia on the voyage including stoppages incidental thereto (*e.g.*, for the purpose of transshipment). They are not, however, intended to make leave-salary payable in sterling when the voyage is broken in Asia at the violation of the officer or when he spends a portion of his leave in Asia before proceeding to another continent or resuming his duties in India.

**Audit Instruction-** Vacation should be treated as equivalent of leave on average pay for the purpose of proviso (a) to F.R. 91(2).

**F.R. 92-** The rupee and sterling maxima and minima prescribed in Fundamental Rules 89 and 90 shall be applied to leave-salaries paid respectively in rupees and in sterling.

**Audit Instruction-** Under Fundamental Rule 91(2)(b) read with Fundamental Rule 92, a Government servant who spends not more than one month of his leave in Asia prior to embarkation to spend the balance elsewhere is entitled to draw leave-salary in respect of the entire period of his leave at the privileged rate and subject to the sterling minima prescribed in Fundamental Rule 90.

**F.R. 93-** A compensatory allowance should ordinarily be drawn only by a Government servant actually on duty, but the State Government may make rules specifying the conditions under which a Government servant on leave may continue to draw a compensatory allowance, or a portion thereof, in addition to leave-salary. One of these conditions should be that the whole or a considerable part of the expense to meet which the allowance was given continues during leave.

**S.R. 118-** (1) A compensatory allowance other than a

house-rent allowance and a conveyance allowance may be drawn up to a maximum period of four months by a Government servant who takes leave on average pay from the post to which the allowance is attached, or is transferred therefrom for not more than one month to another post, as well as by the Government servant performing the duties of the post to which the allowance is attached :

Provided that,—

- (a) the authority sanctioning the leave or transfer, as the case may be, certifies that Government servant is likely to return on the expiry of his leave or his temporary duty to the post to which the allowance is attached or to another post carrying similar allowance; and
- (b) the Government servant certifies that he continues to incur the whole or a considerable part of the expense to meet which the allowance was granted.

(2) The following are the forms of the certificate prescribed in provisos (a) and (b) above—

**Certificate by the authority sanctioning the Leave or Transfer**

There is every expectation of his returning to the post from which he proceeds on leave/temporary transfer.

Signature .....

Designation .....

Date .....

*These certificates should be included in the original orders sanctioning the leave or transfer.*

**Certificate by the Government servant proceeding on Leave or Transfer**

Certified that for the reasons furnished below I continue necessarily to incur during the period of the ..... leave ..... whole ..... temporary transfer approximately ..... per cent of the expenses to meet which the ..... allowance was given.

Signature .....

Designation .....

Date .....

**Reasons-** Examples of such reasons would be—

- (1) that the leave was spent in .....
- (2) that the family was left in .....
- (3) that the Government servant was obliged to continue paying rent for his house or to maintain establishment during absence from .....

Certified by a Medical Officer on receipt of non-practising allowance proceeding on leave or transfer.

\*Certified that I did not undertake any private practice during the period of leave, temporary transfer from ..... to .....

Date :

Signature .....

Designation of Medical Officer .....

**[Note 1-** The expression "period of four months" in Subsidiary Rule 118(1) should be interpreted as period of leave of all kinds except extraordinary leave whether taken alone or in combination with other leave]\*.

This will come into effect from the date of its publication in the official Gazette, Ref. No. FEG.23/89/9, dated 31-3-1990.

**Note 2-** The term "conveyance allowance" in this rule does not include house allowance.

**Note 3-** In regard to certificate prescribed in proviso (a) above, the authority competent to control the Government servant's posting should satisfy that there is reasonable expectation that the Government servant is, on the expiry of his leave or temporary transfer, likely to return to the post from which he is being relieved or to another post carrying a similar allowance. A mere hope or unsupported expectation on the part

\* Substituted Note 1, below S.R.118(1) vide C.S. No. 519, Ref. No. FEG 23/89/9, dated 31-3-1990, published in the Assam Gazette Part II-A, dated 30.5.1990.



of the Government servant should not form the basis of the certificate. The authority sanctioning the leave or transfer should, in cases in which the above rule operates, invariably embody in the sanctioning orders a certificate regarding such likelihood of the Government servant's return.

**Note 4**—[Deleted]<sup>1</sup>

**S.R. 119**—A house-rent allowance may be drawn by a Government servant on leave or transfer, in the circumstances specified in S.R. 118; provided that he certifies that his previous rate of expenditure for a house continues during his absence and that he places his house free of rent at the disposal of the Government servant, if any, who officiates in his post. The officiating Government servant cannot in such case draw the house-rent allowance attached to the post. If, however, the officiating Government servant, for a reason which a competent authority considers to be sufficient, refuses the accommodation placed at his disposal, he, and not the absent Government servant will draw the allowance.

**F.R. 93A**—Except as provided by Rule 64, a Government servant transferred to a service or post to which the rules in Sections I to V of this Chapter apply, from a service or post to which they do not apply remains under the leave rules to which he was subject prior to his transfer: provided that it shall be open to him at the time of the transfer or any time thereafter to exercise the option of coming under the rules in Sections I to V of this Chapter, subject to the condition that all leave at his credit on the date on which he comes under these rules shall lapse. The intention of exercising this option must be specifically declared to the State Government, and the date of such declaration shall be the date of coming under these rules. The option once exercised be final.

**Note 1—Government of India's Interpretations**—(1) It has been decided with the concurrence of the Secretary of State that Fundamental Rule 93-A should not be given retrospective effect, and that it applies only to those persons who are transferred from one service to another on or after the 13th of April, 1958, the date on which the rule was issued.

<sup>1</sup> Omitted Note 4 to S.R. 118 vide C.S. No.467, Memorandum No. PE.3/608/56, dated 7-12-1957.

(2) Where the leave rules to which an officer was subject before his promotion are identical with those in the Fundamental Rules, he gains no advantage by electing the letter. All Accounts Officers should bring this fact to the notice of an officer when asking him to exercise his option under Fundamental Rule 93-A. [see also the Interpretation below Fundamental Rule 77 in Section III].

[Interpretation of Government of India below F.R. 77 in Section III to Fundamental Rules and Subsidiary Rules, 1939, is reproduced below—

**Government of India's Interpretations**—Fundamental Rule 77 permits leave earned under the Civil Service Regulation and the Military Leave Rules to be carried forward, but it does not contemplate cases in which the leave rules applicable to an officer before his transfer are identical with those in the fundamental rules which become applicable to him after the transfer. The change of leave rules in such cases is purely nominal and the intention was that the balance of leave standing to the credit of the officer on the date of his transfer should be allowed to stand, although the intention was not strictly covered by the provisions of the rule [F.R. 77]. The President now makes this intention clear by this interpretation under F.R. 8.

(Government of India, Finance Department Letter No. F.7(3)-R-1/40, dated the 22nd February, 1940, Dy. Finance (A)/109 of 1940).

**Note 2**—The principle of Fundamental Rule 93-A should apply by analogy to persons who entered Government service on or after 1st March, 1934, and were transferred to a service or post to which the Leave Rules, 1934 (Appendix II) apply from a service or a post to which they do not apply from the date F.R.93-A came into operation, viz 13th April 1938.

**Government of India's decision—Leave Rules applicable to "agency" staff**—The Government of India have divided the staff employed on "agency" work into the following categories for the purpose of determining the leave rules, i.e., of the Central or State Government which should apply in the case of such staff—

- (a) Personnel recruited for and employed in agency Department whose pay, leave salary, allowances and pensions are charged direct to the Central Government, i.e., personnel who are paid direct by the Central Government but who are technically under the administrative control of State Government;
- (b) Personnel recruited and employed in connection with the affairs of the States whose pay, leave-salary, allowances and pensions are charged to States' revenues, but whom the State Governments employ temporarily on agency work. For their services the Central Government pays the State Governments an agreed sum and the entire pensionary charges borne by the latter;
- (c) Personnel as in category (b) above whose services employed by the State Government part-time or casually, on performing Central Agency duties for their services of the Central Government usually pays an agreed sum to the State Governments, which includes pensionary liability;
- (d) Personnel falling in either of the three categories given above who have now come under the direct control of the Central Government on resumption by them of the administrative control over certain agency functions.

**Category (a)**- Those officers belonging to this category who earned the service of a State Government on or before the 31st March, 1937, would remain under the State rules and the Central Government would meet their share of leave and pensionary charges as calculated under those rules.

Officer recruited on or after the 1st April, 1937 for employment in agency Departments will be governed by the leave rules of the Central Government. In the case of such officers, however, who were on the date of issue of the Government of India's decision *viz.*, 6th January, 1914, governed by the leave rules of the State Government, it shall be open to them to exercise the option of remaining under State Government, leave rules or of coming under the Central Government's leave rules on the principles and conditions laid down in F.R. 93-A.

**Categories (b) and (c)**- Officers falling under these two categories (irrespective of dates of recruitment will remain under the State Government's leave rules.

**Category (d)**- Officers belonging to this category will be given an option of remaining under the State Government's leave rules or of coming under the Central Government's leave rules on the principles and conditions laid down in F.R. 93-A.

#### Section VI - EXCEPTIONS AND SPECIAL CONCESSIONS

**F.R. 94**- The rules in Sections I to V of this Chapter are not applicable to the Chairman or a Member of the Public Service Commission whose leave is governed by regulations made by the Governor in his discretion under clause (a) of sub-section (2) of Section 265 of the Act.

**F.R. 94-A**- [Deleted].

**F.R. 94-B**- [Deleted].

**F.R. 95** - [Deleted].

**F.R. 96** - [Deleted].

**F.R. 97** - [Deleted].

**F.R. 98** - [Deleted].

**F.R. 99** - [Deleted].

**F.R. 100**- [Deleted].

**F.R. 100-A**- The following provisions apply to Government servants placed on deputations out of India under conditions declared by the State Government to be quasi-European if the period of the deputation exceeds one year—

- (a) The period of deputation shall not count as duty for the purposes of this Chapter;
- (b) The amount of leave which can be earned by the deputation shall be determined by the State Government. Such leave can only be taken during the period of deputation and will not be credited or debited in the Government servant's leave account;
- (c) Leave-salary during such leave shall be equal to the rate of deputation pay :

Provided that where a deputation originally sanctioned for one year or less is subsequently extended so that the total period exceeds one year, these provisions shall apply in respect of the period in excess of one year.

**MATERNITY LEAVE**

**F.R. 101-** The State Government may make rules regulating the grant to Government servants under its control of-

- (a) maternity leave to female Government servants; and
- (b) leave on account of ill-health to members of subordinate services specified in such rules whose duties expose them to special risk of accident or illness.

Such leave is not debited against the leave account.

**S.R. 120-** (1) A female Government servant (including an apprentice) with less than two surviving children may be granted maternity leave by an authority competent to grant leave for a period of 90 days from the date of its commencement.

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

**Note-** Maternity leave not exceeding 6 Weeks may also be granted to a female Government servant (irrespective of number of surviving children) in case of miscarriage, including abortion on production of Medical certificate.

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

**Government of Assam's decision-** (1) Maternity leave under this rule also is admissible to temporary female Government servants who have completed one year's continuous service.

(2) A female Government servant, having three children will not be entitled to any maternity leave after 20th September, 1977.

**GOVERNMENT OF ASSAM****FINANCE (ESTABLISHMENT-A) DEPARTMENT**

NO.FEG. 23/78/323

Dated Dispur, the 4th March, 1986

**OFFICE MEMORANDUM**

After considering all aspects of the matter it has been decided that the maternity leave granted to a female Government servant under S.R. 120 of Fundamental Rules and Subsidiary Rules shall be for a period of 90 days from the date of its commencement in all cases, i.e., it shall not be restricted to six weeks from the date of confinement as at present.

This takes effect from 1.1.1986, i.e., this benefit will also be extended to those female Government servants who were on maternity leave on 1.2.1986.

Necessary amendment to the Revised Leave Rules, 1934 will follow.

**Joint Secretary** to the  
Government of Assam,  
Department of Finance.

**S.R. 121-** (1)(a) Maternity leave may be combined with leave of any other kind.

- (b) Notwithstanding the requirement of production of medical certificate contained in sub-rule (c) of Rule 13 of the Revised Leave Rules, 1934, leave of the kind due and admissible (including commuted leave for a period not exceeding 60 days and leave not due) upto a maximum of one year, may, if applied for, be granted in continuation of maternity leave granted under sub-rule (1) of S.R. 120.

**Note-** Even in the case of adoptive mothers who are State Government employees the facility of leave of the kind due and admissible not exceeding one year without production of medical certificate as available to natural mothers in accordance with sub-rule (b) of S.R. 121, may be extended subject to the following conditions—

- (i) The facility will not be available to an adoptive mother already having two living children at the time of adoption;
- (ii) The maximum admissible period of one year's leave of the kind due and admissible without production of medical certificate will be reduced by the age of the child, as in the following illustration.

If the age of the adopted child is less than one month, leave upto one year may be allowed.

If the age of the child is six months, leave upto 6 months may be allowed.

If the age of the child is 9 months or more, leave upto 3 months may be allowed.

This will come into force from the date of issue of this order.

**GOVERNMENT OF ASSAM**  
**FINANCE ESTABLISHMENT (A) DEPARTMENT**

NO.FEG. 23/78/363

Dated Dispur, the September, 1990

**NOTIFICATION**

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Assam is pleased to direct that the following amendment shall be made to the Assam Fundamental Rules and Subsidiary Rules.

The existing provisions of S.Rs. 120 and 121 are amended as below—

**S.R. 120-** (1) A female Government servant (including an apprentice) with less than two surviving children may be granted maternity leave by an authority competent to grant leave for a period of 90 days from the date of its commencement.

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

**Note-** Maternity leave not exceeding 6 Weeks may also be granted to a female Government servant (irrespective of number of surviving children) in case of miscarriage, including abortion on production of Medical certificate.

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

**S.R. 121-** (1)(a) Maternity leave may be combined with leave of any other kind.

(b) Notwithstanding the requirement of production of medical certificate contained in sub-rule (c) of Rule 13 of the Revised Leave Rules, 1934, leave of the kind due and admissible (including commuted leave for a period not exceeding 60 days and leave not due) upto a maximum of one year may, if applied for, be granted in continuation of maternity leave granted under sub-rule (1) of S.R. 120.

**Note-** Even in the case of adoptive mothers who are State Government employees the facility of leave of the kind due and admissible not exceeding one year without production of medical certificate as available to natural mothers in accordance with sub-rule (b) of S.R. 121, may be extended subject to the following conditions—

- (i) The facility will not be available to an adoptive mother already having two living children at the time of adoption;
- (ii) The maximum admissible period of one year's leave of the kind due and admissible without production of medical certificate will be reduced by the age of the child, as in the following illustration—

If the age of the adopted child is less than one month, leave upto one year may be allowed;

If the age of the child is six months, leave upto 6 months may be allowed;

If the age of the child is 9 months or more, leave upto 3 months may be allowed.

This will come into force from the date of issue of this order.

Necessary Correction Slip to the Assam Fundamental Rules and Subsidiary Rules will be issued in due course.

Sd/- J. C. Das,

Addl. Secretary to the Govt. of Assam  
Finance Estt. (A) Deptt.

**HOSPITAL LEAVE ON ACCOUNT OF ILL-HEALTH**

**S.R. 122-** A police officer of or below the rank of Assistant Sub-Inspector or head constable, a head warder or warder of the Jail Department, a head warder or a warder of a lunatic asylum, a subordinate employed in a Government Laboratory, a subordinate of the Excise Department on pay not exceeding Rs. 200 or a forest subordinate of (not being a clerk) whose pay does not exceed Rs.200 a month, while sick in hospital or while receiving medical aid as an out-door patient from the hospital or dispensary of the station at which he is employed, may be allowed at the discretion of the sanctioning authority leave of absence from duty for six months altogether in any period of three years. Such leave may be taken in one period or by instalments and may be allowed by, or taken in continuation of, any other leave admissible under the rules. For the first three months half pay, without the restriction that no extra cost shall be imposed upon the State. This concession shall be confined strictly to cases in which illness shall be certified not to have been caused by irregular or intemperate habits.

This rule so far as it related to head warders or warders of the Jail Department or of a Lunatic Asylum included both male and female warders.

**Note 1-** When the illness is one caused by irregular or intemperate habits, such as venereal disease, the period spent in hospital by the patient and any subsequent leave granted in continuation for convalescences should be treated as leave on medical certificate on half or quarter average pay as may be found standing at the credit of the person concerned. Such periods will not count towards approved service increment of pay.

**Note 2-** The expression 'a subordinate employed in a Government laboratory' occurring in this rule includes the sweepers attached to the Pasteur Institute, Shillong.

**Note 3-** The expression 'leave of absence from duty for six months altogether in any period of three years' used in this rule shall be interpreted to mean that not more than six months' leave may be granted to an entitled Government servant during during each spell of three years of service.

**S.R. 123-** A Government servant may be allowed for the first three months of such leave during which full pay is admissible to retain any compensatory allowance or special pay attached to his appointment : provided that in the case of a compensatory allowance there is no *locum tenes* drawing the allowance.

**S.R. 124-** A man employed in the Secretariat Press otherwise than as a permanent or temporary piece-worker in superior service of the Shillong Drawing Office, syce whether permanent or temporary employed in the Civil Veterinary Department and a *mahut* or grass cutter in-charge of a Government elephant may during absence from work on account of injuries received in the execution of his duty, be allowed full pay for one month and thereafter half pay for three months.

**S.R. 125-** Hospital leave is not debited against the leave account and may be combined with any other leave which may be admissible; provided that the total period of leave, after such combination, shall not exceed 28 months.

**F.R. 102-** [Deleted]

**F.R. 103-** The State Government may make rules regulating

the leave which may be earned by—

- (a) temporary and officiating service;
- (b) service which is not continuous; and
- (c) part time service, or service which is remunerated wholly or partially by the payment of honoraria or daily wages :

Provided that such rule shall not grant more favourable terms than would be admissible if the service were substantive, permanent and continuous.

#### LEAVE EARNED BY TEMPORARY AND OFFICIATING SERVICE

**S.R. 126-** A competent authority may grant to a temporary engineer of the Public Works leave on such terms and with such leave salary as it may think fit :

Provided that the leave and leave-salary are not in excess of those admissible to a Government servant subject to the ordinary leave rules.

**S.R. 127-** Leave may be granted to any other Government servant without a lien on a permanent post while officiating in a post or holding a temporary post :

Provided that the grant of the leave involves no expenses to Government. On this condition such a Government servant may be granted—

- (a) leave on leave-salary equivalent to average pay up to one-eleventh of the period spent on duty, subject to a maximum of four months at a time; or
- (b) on medical certificate, leave on leave-salary equivalent to half average pay up to two-eleventh of the period spent on duty, subject to a maximum of three months at a time; or
- (c) extraordinary leave for three months at any one time.

**Note 1-** Leave under any one clause may be combined with leave under any other clause subject to the general condition that no additional expense to Government is involved.

**Note 2-** When supernumerary officers in excess of the actual working strength are provided in a temporary cadre for the purposes of filling temporary vacancies, leave may be granted under this rule to a member of the temporary cadre notwith-

standing the fact that expenditure by way of travelling allowance is incurred in relieving him.

**Note 3-** The provisions of this rule will apply to officers of Asiatic domicile recruited in the United Kingdom or in India for service on contract, but in their case the condition that the grant of leave should involve no expenses to Government does not apply.

**Exception-** In the case of Government servants who have rendered five or more years' continuous temporary service, a competent authority may dispense with the condition laid down in this rule that the grant of leave should involve no expense to Government but in the case of Government servants in inferior service, the leave-salary should in no case exceed what is admissible under S.R. 135.

**S.R. 128-** If such a Government servant is, without interruption of duty, appointed substantively to a permanent post, his leave account will be credited with the amount of leave which he would have earned by his previous duty if he had performed it while holding a permanent post substantively, and debited with the amount of leave actually taken under Rule 127. Leave taken under Rule 127, is not an interruption of duty for the purpose of this rule.

**S.R. 129-** Temporary and officiating service rendered under another Government whether Central or Provincial will, if followed by confirmation under the Government of Assam, be taken into account for the purpose of the leave account maintained under F.R. 77(b); provided that under the rules laid down by the other Government such service would have counted had the Government servant in question continued in the service of that Government without a break till confirmation.

#### LEAVE EARNED BY NON-CONTINUOUS AND PART-TIME SERVICE

**S.R. 130-** A Government servant employed in an establishment the duties of which are not continuous but are restricted to certain fixed periods in each year, or who belongs to a part-time service, is not entitled to leave with allowance.

**Exception-** A part-time teacher of an educational institution may, during leave, be allowed leave salary subject to the condition that it shall not exceed what remains from his pay after provision has been made for the efficient discharge of the duties of the

post during his absence; where however, no such provision is made the leave-salary shall be limited to half of the absentee's pay at the time of taking leave.

**Note 1-** Government Pleaders and Public Prosecutors who receive retainers may keep the retainer during leave allowed by the Legal Remembrancer; provided that he makes such arrangements that no extra cost to Government is entailed.

**Note 2-** The Advocate-General may keep his retainer during leave allowed by Government; provided that he makes such arrangement that no extra cost to Government is involved.

#### LEAVE ADMISSIBLE TO GOVERNMENT SERVANTS REMUNERATED BY HONORARIA OR DAILY WAGES

**S.R. 131-** A Government servant remunerated by honoraria may be granted leave at the discretion of the appointing authority, provided that he makes satisfactory arrangements for the performance of his duties; that no extra expense is caused to Government and that during leave the whole of the honoraria or allowances are paid to the person who officiates in his post.

**Note-** Government Pleaders remunerated by honoraria are allowed leave by the Legal Remembrancer; provided arrangements can be made for their work and their honoraria are paid to the person who officiates.

#### LEAVE RULES APPLICABLE TO PERMANENT PIECE-WORKERS EMPLOYED IN THE ASSAM GOVERNMENT PRESS WHO ARE NOT CLASSED AS "INFERIOR"

**S.R. 132-** (1)(a) Leave on average pay will be granted to piece-workers according to their service as shown below—

Length of service	Leave admissible
Less than 10 years	16 days in each calendar year
Ten years but less than 15 years	23 days ditto
Fifteen years and above	31 days ditto

**Note-** In calculating the length of service, the period of continuous temporary service rendered by a piece-worker up to the date of his being brought on to the permanent establishment as well as continuous inferior service rendered up to the date of his promotion to superior service shall be taken into account.

- (b) This leave will be non-cumulative, i.e., any leave not taken during the year will lapse without any monetary compensation;
- (c) Gazetted holidays actually enjoyed may, at the option of the piece-worker, be counted against any leave admissible to him under sub-rule (a) and if so counted, will be paid for;
- (d) The grant of leave under these rules cannot be claimed as a right, and can be refused by the Superintendent of the Press on administrative grounds. It may also be withheld from piece-workers who have been irregular in attendance.

(2) Leave on medical certificate on half-average pay will be earned at the rate of one month's leave for every complete period of eleven month's duty, and as regards incomplete periods one day's leave for every eleven days duty. It will be cumulative and will be granted only when no average pay leave is admissible.

(3) Leave without pay may be granted when no other leave is admissible.

(4) No continuous period of leave with pay shall exceed one year, an extension over one year shall be leave without pay.

(5) Injury leave at half pay rates may be granted to a piece-worker who is injured in circumstances which would have given rise to a claim for compensation under the Workmen's Compensation Act, 1923 (VIII of 1923), if he had been a workman as defined therein, whether or not proviso (a) to sub-section (1) of Section 3 of that Act is applicable. Such leave shall not be deemed to be leave on medical certificate for the purposes of sub-rule (2) and (4). It shall be granted from the commencement of disablement so long as is necessary, subject to a limit of two years for any one disability and a limit of five years during a piece-worker's total service. The salary payable in respect of a period of leave granted under this rule shall, in the case of a piece-worker to whom the provisions of the Workmen's Compensation Act, 1923 (VIII of 1923) apply, be reduced by the amount of compensation paid under clause (d) of sub-section (1) of Section 4 of that Act.

**Note 1-** Pay for average pay means remuneration at class rates at the time of taking leave.

The calculation is : Class rate multiplied by 7, to get the daily rate, multiplied by the number of day's leave. Thus, if a piece-worker whose class rate is 2 annas per hour applies for leave for 10 days he will be entitled to Rs. 8-12-0 and Rs. 4-6-0 as leave salary during leave on average pay and half average pay respectively.

For calculating the class pay of a piece-worker who is promoted to a post on a time-scale of pay, a month is taken to be 175 hours.

**Note 2-** For the purpose of determining the classification of service of a piece-worker who may be in superior service in one month and in inferior service in another month on account of fluctuations in his earnings, the monthly emoluments shall be taken as equivalent to two hundred times his hour by class rate.

**Note 3-** The above rules will also apply to temporary piece-workers in superior service who have rendered three years' continuous service.

**Note 4-** (a) Leave for 16 days each year at class rates may be given to temporary piece-workers, in superior service with less than three years' continuous service and to piece-workers, in inferior service whether permanent or temporary to cover absence on account of holidays, sickness or leave; provided that the worker has been in regular employment for the previous twelve months.

(b) The term "regular employment" shall be interpreted as not less than 90 per cent of the required working hours, regard should be had to absence in case of sickness.

(c) The leave shall be non-cumulative, i.e., any leave not taken during the year shall lapse.

**Note 5-** When a piece-worker after working for certain periods on a working day goes on leave for the remaining hours of the day, he will be treated as on leave for the whole day and will receive leave-salary admissible to him under the rules in addition to the payment for the value of work done before leaving office.

**F.R. 104-** During their period of probation or apprenticeship, probationers and apprentices may be granted leave as follows—

(a) If appointed under contract with a view to permanent

service, or if appointed to posts created temporarily with the prospect, more or less definite of becoming permanent to such leave as prescribed in their contract, or when no such prescription is made, to leave in accordance with the model leave terms in Part I, II or III of Appendix 17, as the case may be.

- (b) If appointed otherwise, to such leave as is admissible under rules framed in this behalf by the State Government subject to the proviso in F.R. 103.

#### GRANT OF LEAVE TO PROBATIONERS AND APPRENTICES

**S.R. 133-** Leave of the following kinds may be granted to an apprentice—

- (a) on medical certificate—leave on leave-salary equivalent to half pay for a period not exceeding one month in any year of apprenticeship;
- (b) Extraordinary leave under F.R. 85.

#### LEAVE RULES OF GOVERNMENT SERVANTS IN INFERIOR SERVICE

**S.R. 135-** (a) Leave may be granted to a Government servant in inferior service so far as it can be done without imposing any cost upon the State. The absence allowance of the substantive incumbent shall be regulated in accordance with F.R. 87.

- (b) In cases where no absence allowance is admissible under clause (a) a Government servant in superior service may be given extraordinary leave without allowances even though other leave is admissible. Similarly, where the absentee allowance admissible amounts to less than half pay an officer in inferior service may at his own option be given extraordinary leave without allowances instead of other leave.

**Note-** in deciding whether to grant extraordinary or ordinary leave officers should bear in mind the provisions of F.R. 26(b).

**S.R. 136-** (1) The following rules govern the grant of leave to Government servants of the following clauses serving in the Assam State Survey Department and not being members of the upper subordinate service or of the establishment of the headquarter office in Shillong—

(a) Subordinates not being class IV Government servants;

(b) Menials attached to parties or offices.

(2) In addition to leave under Chapter X of the Fundamental Rules departmental leave may be granted in the circumstances and on the conditions prescribed in sub-rule (3) to (7) below.

(3)(a) Departmental leave may not be granted except to a Government servant whose services are temporarily not required.

(b) It may be granted with the previous approval of the Deputy Director Assam (Surveys) during the recess by the head of the party or officer to which the Government servant belongs; provided, in the case of a menial, that the office granting the leave considers it desirable to re-employ the menial in the ensuing sessions.

(c) It may be granted at times other than the recess, for not more than six months at a time, by the Director of Survey, Assam; provided that the leave is granted in the interests of Government and not at the Government servant's own request; and leave so granted may in special cases be extended by the Director of Surveys, Assam up to a maximum of one year in all. Leave on medical certificate should never be regarded as granted in the interest of Government.

(4) A Government servant while on departmental leave shall be paid leave salary not exceeding half pay but not less than 10(ten) per cent of pay on duty at the end of each month for the first three months and thereafter it shall be paid when the Government servant returns to duty. If, however, a Government servant dies while on departmental leave, his leave salary up to the date of his death will be paid to his heirs. The departmental leave does not count as duty and such leave shall not be debited to leave account.

This takes effect from the date of issue of the order.

(5) Departmental leave may be granted when no leave is due. Departmental leave granted shall not be taken into account



when calculating the maximum amount of leave admissible under F.R. 81(a).

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

(7) When a Government servant subject to these rules holds a post in which the Director of Survey, Assam, considers that he is unlikely to be eligible for departmental leave in future, the Director of Surveys, Assam, may, by special 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 Director of Surveys, Assam may fix, any balance of leave at debit in the Government servant's leave account shall be cancelled. All leave earned, after such date will be credited as due in the Government servant's leave account, and all leave taken after such date, including departmental leave, if any, will be debited in it.

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## RULES REGARDING MEDICAL EXAMINATION AND TREATMENT OF TUBERCULAR GOVERNMENT SERVANTS IN THE T.B. SANATORIUM AND CLINIC, SHILLONG AND OTHER RECOGNISED INSTITUTIONS IN ASSAM\*

1. All Government servants suffering or suspected to be suffering from tuberculosis should at first be sent through the District Medical Officer to the nearest Tuberculosis Clinic and if so required to the State Clinic or Sanatorium, Shillong or the nearest recognised Institution for proper diagnosis or treatment.

2. If after careful examination by the Medical Officer-in-charge of the case or of the Institution, the case is reported to be a "closed" one and the person is considered to be fit to carry on his duties, he will be allowed to continue in his appointment under the following conditions:-

- (a) that he remains under suitable medical supervision and treatment of a Government doctor where there will be no charge. When the Civil Surgeon or the Sub-divisional Medical Officer certifies that this is not possible a tubercular Government servant may be placed under supervision and treatment of a Private Medical practitioner. In that case the charges will have to be paid by the patients. A special register of such cases will be maintained by the Medical Officer-in-charge of the case so that the patient may be followed up regularly from time to time in the interest of public health as well as of the patient.
- (b) That the Government servants suspected of tuberculosis or suffering from "closed" and "quiescent" tuberculosis shall undergo periodical re-examination by his proper Government Medical

\* Substituted vide C. S. No. 513 to Assam Subsidiary Rules, with effect from 9th September, 1961.

Officer, and if necessary by a competent authority in tuberculosis approved by the Government. The re-examination will be done by the Government Medical Officer free of charge.

In the case of tubercular Government (Gazetted or non-Gazetted) drawing pay up to Rs. 600 per mensem, the entire charges incurred by him for his treatment will be reimbursed to him by the Government and in the case of tubercular Government servant (Gazetted or non-Gazetted) drawing pay more than Rs. 600 per mensem half the charges will be borne by the Government servant himself, and the other half reimbursed to him by the Government. Tubercular Government servants drawing pay up to Rs. 600 per mensem may be admitted in free beds in Government T.B. Hospital as far as possible.

3. If after careful examination the case of a tubercular permanent Government servant is found to be an "open" one he will be granted leave on average pay for 18 (eighteen) months by instalments of four months on the recommendation of the Medical Officer concerned, in addition to all other leave due to him as provided in Revised Leave Rules, 1934. During the period of leave so granted or thereafter but during such period of leave ordinarily granted to him under the leave rules to which he is subject to, if Medical authority thinks that there is no reasonable prospect of his recovery, then he will be invalidated and proportionate pension as prescribed by rule, be sanctioned. If before the expiry of the maximum leave his case is certified to have become a "closed" one, he will be allowed to resume his appointment under condition laid down in clause (b) of Rule 2 for closed quiescent cases.

In order to avoid break in the services of a temporary Government servant, with over one year's service superior or inferior and to enable such a Government servant to return to his appointment after proper treatment he will be granted 18 months extraordinary leave as provided in the Leave Rules, 1934. In addition to all his leave due under the Revised Leave Rules, 1934 as amended by Assam Government Notification No. FEG 50/56/15, dated 24th October, 1957, subject to the following conditions:-

- (i) The post from which the Government servant proceeds on leave is likely to last till his return to duty.
- (ii) The extraordinary leave shall be granted on production of certificate from the Medical Officer-in-charge of the Sanatorium or Institution specifying the period for which leave is recommended, and
- (iii) The Medical Officer in recommending leave shall bear in mind the provision of S.R.77.

**Note.**- The expression "Leave on average pay" in the case of a permanent Government servant subject to Leave Rules, 1934 means leave-salary equivalent to what is admissible under Rule 15 of these Rules as amended.

#### COMMENTS

Vide Notification No. FEG 58/64/45, dated the 29th June, 1964 effect from 1.4.1964 - The Government servants who is suffering from T.B. and have completed one year's service, either temporary or permanent shall take the benefit of leave and other concession. The Government servants suffering from Cancer and Leprosy also can take the same benefit of leave and other concession as of T.B. patient as provided by Rule 3.

4. A Government servant suffering or suspected to be suffering from tuberculosis will be entitled to travelling allowance under S.R. 297 for journeys undertaken by him to and from the Clinic or Sanatorium or Institution for diagnosis or treatment. Travelling allowance for journeys to a Sanatorium or Clinic outside the State will be admissible, provided a certificate is given by the Director of Health Services that treatment in such Sanatorium or Clinic was necessary in the interest of the patient.

5. No fee will be levied from the patient for X-Ray treatment.

6. (a) A tubercular Government servant drawing pay up to Rs. 600 per mensem will be treated free in the general ward, but if his pay is more than Rs. 600 per mensem he shall have to bear himself half the charges for accommodation including diet, all sorts of medicines and treatment in the general ward.

(b) If a tubercular Government servant fails to have a seat in Government or recognised Hospital or Institution or Clinic

and Sanatorium he may have treatment at home or in a private hospital, etc., on advice of any authorised Medical Attendant/Officer. In such case Rule 6(a) above will also be fully applicable.

Provided that the authorised Medical Attendant/Officer must certify prior to Government servant's having the treatment at home or in a private hospital, etc., that a seat is not available in the general or any of the paying wards in order to entitle a patient to claim the reimbursement under this sub-rule.

(c) If a tubercular Government servant fails to have a seat in the ward which he is entitled to, he shall have to be accommodated in any paying ward provided seat is available. In that case he shall have to bear all expenses minus all the charges of the seat to which he is or was entitled to under these rules.

7. The officers of higher grades other than those mentioned in Rules 2(a) and 6 will be accommodated in the private wards of the Sanatorium.

**Private Ward No. 1-** For Officers of the All India Services of Gazetted Officers drawing pay above Rs. 750 per mensem.

**Private Ward No. 2-** For Gazetted Officers drawing pay above Rs. 650 per mensem but not exceeding Rs. 750 per mensem.

**Semi-Private Ward-** For Gazetted and non-Gazetted Officers drawing pay above Rs. 500 per mensem, but not exceeding Rs. 650 per mensem.

**Note-** In all other recognised Institutions such accommodation as is available and suited to the status of the tubercular Government servant concerned will be provided and charges will be levied according to the schedule rates of the Institution accommodation in the general or free ward being regarded as suitable for the tubercular Government servants drawing pay up to Rs. 600 per mensem.

The following rates of charges will be levied for accommodation and treatment in the aforesaid wards of the sanatorium-

Private Ward No. 1- From Rs. 8 to Rs. 15 daily.

Private Ward No. 2- From Rs. 3 to Rs. 6 daily.

Semi-Private Ward- From Rs. 2 to Rs. 3 daily.

Extra-charges will be levied for Major Surgery and Special Food only.

8. No officer will be entitled to dispose a patient already in occupation of a bed. Ten per cent of the seats in the sanatorium will be reserved for Government servants irrespective of classification and priority of vacancy.

9. The rates of fee as laid down in Rule 10 below will be charged for X-Ray examination of the families of Government servants in the State T.B. Clinic at Shillong.

10. Families of Government servants whose pay is less than Rs. 200 per mensem will be examined free. A fee of Rs. 5 will be charged for families of Government servants drawing pay between Rs. 200 to Rs. 600 per mensem and Rs. 10 for the families of those drawing above Rs. 600 per mensem.

11. All vouchers of medicines, diet, etc., allowable under Rule 6 shall have to be countersigned by the Medical Officer concerned along with an essentiality certificate for the purpose of reimbursement.

12. Administrative Departments are hereby authorised to sanction reimbursement to any tubercular Government servants under them with the concurrence of Finance Department. They, however, must follow these rules and procedure strictly and rigidly. Expenditure may be met from the respective heads of account under the Department concerned.

## REPORT OF THE ASSAM PAY COMMISSION, 2008\*

### CHAPTER 5 LEAVE MATTERS

**5.1. Present position.**— In respect of the State Government employees, whether in a permanent or other capacity, the admissibility of leave of any kind is governed by the Leave Rules, 1934. Following are the categories of leave admissible to the Government employees :

**1. Casual Leave :** 15 days' Casual Leave is admissible to a regular Government employee in a calendar year.

**2. Earned Leave :** Provisions regarding Earned Leave are as follows:-

- (i) Government employees other than who are serving in the vacation departments are entitled to Earned Leave for 30 days in a calendar year. The maximum accumulation of Earned Leave is allowed upto 300 days;
- (ii) Earned Leave is credited to leave account of employees in two instalments of 15 days each on 1st January and 1st July every year;
- (iii) Government employees serving in vacation departments are entitled to 10 days' Earned Leave in lieu of 20 days Half Pay Leave. The maximum accumulation of Earned Leave for such employees is allowed up to 80 days.

**3. Half Pay Leave :** 20 days' Half Pay Leave is admissible for every completed year of service to an officer in permanent and temporary capacity.

**4. Commuted Leave :** Commuted Leave is granted only on medical grounds not exceeding half the amount of Half Pay Leave to the credit of an employee on the following conditions:-

- (i) He/She has to complete one year of service at the time of proceeding on leave;
- (ii) When Commuted Leave is availed of, twice the amount of such leave shall be debited against the Half Pay Leave due.

\*. Vide Resolution No.FPC.16/2007/16, dated 30/5/2008.

**5. Extraordinary Leave:** Extraordinary Leave may be granted to an officer without allowances in the following circumstances:

- (i) In cases where no other leave is admissible by rule;
- (ii) Although other leave is admissible, the official concerned applies for Extraordinary Leave;

Except in the case of permanent employment, the duration of Extraordinary Leave on any occasion shall not exceed the following limit:-

- (i) Three months;
- (ii) Six months in cases where an employee has completed 3 (three) years of continuous service on expiry of leave of any kind due and has requested for such leave supported by a medical certificate;
- (iii) Eighteen months Special Leave for undergoing treatment for (a) Pulmonary Tuberculosis (b) Leprosy and (c) Cancer.

**6. Special Disability Leave:** 120 days Special Disability Leave is admissible to a Government employee who is disabled by injury caused during his duty or in consequence of his official position.

**7. Maternity Leave :** Provisions regarding Maternity Leave are as follows:-

- (i) A female Government employee with less than two serving children may avail Maternity Leave for a period not exceeding 135 days;
- (ii) Maternity Leave shall not be debited to the Leave account;
- (iii) Maternity Leave may be combined with leave of any other kind.

**8. Study Leave :** Twenty four months study leave with leave salary is admissible if duly certified to be in the interest of public service on completion of 5 years' service by the Government employee.

**9. Leave Encashment Benefits :** Provisions regarding Leave Encashment are as follows:-

- (i) Cash payment of unutilized Earned Leave is admissible for 300 days at the time of retirement for all Government employees other than those serving in vacation department;

- (iv) In case of Government employees serving in Vacation Department, leave encashment benefit up to maximum 80 days of unutilized leave is allowed.

**5.2. 6th CPC Recommendation.**— The 6th Central Pay Commission has recommended as follows:—

- (1) The number of Casual Leave, Half Pay Leave and Earned Leave shall remain unchanged.
- (2) The Commission has recommended 12 days casual leave for physical disabled employees. The number of casual leave for this category of employees, therefore, will stand increased to 12 days.
- (3) From 1/9/1981, Principals, Head Masters and Teachers, working in schools and from 28/7/1984, Librarians, Laboratory Assistants and Watermen working in schools have not been allowed the facility of half pay leave. This facility needs to be restored for these categories as the present rules place them in difficulties in times of sickness, etc. These categories should be made eligible for half pay leave on par with other Central Government employees.
- (4) Maternity leave of 135 days is presently permitted to women employees for two children. Further leave up to a period of one year can be availed of in continuation of Maternity Leave. The Maternity leave should be increased from 135 days at present to 180 days and the period of leave which can be availed of in continuation of Maternity leave should be increased to 2 years instead of one year at present.
- (5) The concept of child care leave exists in countries like Japan & Netherlands where women employees are allowed leave to look after the needs of their children. A similar facility needs to be extended in Central Government as it will facilitate women employees to take care of their children at the time of need. All women employees having minor children may, therefore, be allowed total leave of upto two years (i.e. 730 days) for taking care of upto 2 children whether for rearing the children or looking after any of their needs like examination, sickness, etc. Child care leave should

also be allowed for the third year as leave not due. However, no child care leave shall be given for a child who is eighteen years of age or older.

- (6) No change is recommended with regard to Paternity Leave which is 15 days at present.

**5.3. Decision of Government of India.**— The Government of India has accepted the recommendations relating to disability, maternity leave, child care leave and extension of half pay leave facility to teachers.

**5.4. Demands.**— The Commission received various demands from different associations regarding leave matters as follows:—

- (1) Various associations of teachers have demanded increase in the number of Earned Leave admissible in a year from 10 to 30 just like other Government employees. They have also demanded enhancement in Leave Encashment facility from maximum 80 days presently to maximum 300 days as in the case of other Government employees.
- (2) Many associations have asked for unlimited encashment facility of unutilized Earned Leave instead of the present limit of 300 days. They have also demanded partial encashment during service period itself.
- (3) Employees of various departments have demanded increase in facility of Study Leave to increase their academic qualifications.
- (4) Maternity Leave may be increased to 180 days from 135 days at present.
- (5) Introduction of Child Care Leave on lines of 6th CPC recommendations.
- (6) Paternity Leave of 15 days may be allowed.

**5.5. Analysis.**— The Commission has taken following aspects into consideration while arriving at its recommendations:—

- (1) Presently, Principals of Central Government schools are allowed 30 days earned leave in a year along with 20 days half pay leave because they are supposed to be working even during vacations whereas other teachers are entitled to only 10 days of earned leave in a year and 20 days of half pay leave. Both Principal and teachers

- are allowed leave encashment up to 300 days at retirement.
- (2) 6th CPC found no justification in increasing the number of days from the present 300 for leave encashment.
  - (3) It is observed that principals, Headmasters of schools, colleges which come under vacation departments have to work even during vacations in view of increased workload and stress on improving quality of academic input. Principal and Headmasters of vacation departments may be allowed leave and leave encashment benefit in line with entitlement of Central Government employees working in vacation departments.
  - (4) It is observed that Study Leave is very essential for teachers, lecturers and all those who are engaged in academic and educational fields. They need to improve their qualifications and stay updated about various developments in different branches of knowledge to impart better quality of academic input to the students.
  - (5) Maternity leave may be increased up to 180 days in line with provision for Central Government women employees but provision of 2 years child care leave may hamper smooth running of Government office as number of women employees is approximately one lakh at present.
  - (6) Casual Leave may be brought down to 8 days in line with provision for Central Government employees.
  - (7) The Commission is of the view that demands for unlimited encashment of Earned Leave is not justified because it should not be considered as source of financial benefit. The basic purpose of Earned Leave is to ensure leave facility to the employee without any financial loss in terms of salary etc. In fact, the Commission encourages the employees to go on periodic leave which helped in better work-life balance and physical and mental rejuvenation which consequently leads to better productivity. The Commission also finds no rationale in unlimited accumulation of Earned Leave or partial encashment of Earned Leave during service period.

**5.6. Recommendation.**— After considering all the relevant factors, **the Commission recommends as follows:**—

- (1) Number of Casual Leave admissible to an employee may be 8 days in a year instead of present limit of 15 days. This limit may be enhanced to 12 days in case of physically disabled employees.
- (2) Enhancement in Earned Leave facility only for principals and headmasters working in schools and colleges to 30 days in a year from the present limit of 10 days. Present limit of 10 days may continue in case of teachers and other employees of vacation department.
- (3) Enhancement in the benefit of encashment of Earned Leave for all the employees of vacation departments from the present limit of 80 days to 150 days.
- (4) Accumulation of Earned Leave may be allowed up to maximum of 300 days for the State Government employees except those working in Vacation Departments and the same may be encashment only after retirement. The other provisions regarding Earned Leave may remain the same.
- (5) Extension of Half Pay Leave facility to the principals, teachers and other staff of schools and colleges on par with other Government employees.
- (6) Introduction of Special Study Leave for academic staff, provisions of which are as follows:—
  - (i) This leave may be granted to principals, teachers and other academic staff of academic institutions including institutions like DIET, SCERT etc. to acquire higher academic qualification like B.Ed., Ph.D. etc.
  - (ii) This leave may be granted up to maximum period of 4 years in which 3 years shall be with leave salary and 1 year shall be without leave salary.
  - (iii) This leave can be taken up to 2 times for maximum of 2 years at a time with exception of Leave for Ph.D. in which case it may be availed up to maximum of 4 years.
  - (iv) There shall be a gap of minimum 5 years between grant of two study leaves.
  - (v) Study Leave under this facility shall not be granted after 45 years of age.

- (ii) An employee can avail this facility only after completion of 5 years of service.
  - (iii) The grant of Special Study Leave is subject to smooth functioning of the school or college in the absence of the school or college in the absence of the concerned employee as well as functional utility of the degree course for imparting better teaching.
  - (iv) The concerned employee shall have to execute a bond with the State Government for mandatory service for 10 years after the completion of degree course. Breach of provisions of the bond should result in non admissibility of any retirement or other benefit.
- (7) All other provisions regarding Study Leave may remain the same.
  - (8) Enhancement in the present limit of Maternity Leave to 180 days from 135 days at present. Maternity Leave may be combined with leave due of any other kind up to a period of 6 months in addition to 180 days.
  - (9) Introduction of 15 days Paternity Leave up to maximum of 2 children. Leave under this facility shall not be debited to leave account.
  - (10) Current provisions regarding Commuted Leave, Extraordinary Leave, Special Disability Leave, Leave without pay etc. may continue.
- .....

**GOVERNMENT OF ASSAM  
FINANCE (ESTT-A) DEPARTMENT  
DISPUR, GUWAHATI-6.**

No.FEG.11/2013/53

Dated Dispur the 7<sup>th</sup> January, 2015.

**Notification**

Consequent upon the decisions taken by the Government of Assam relating to Maternity Leave, the Governor of Assam is pleased to decide that the existing provisions of SR- 120 (1) of Fundamental Rules and Subsidiary Rules shall be amended as follows in respect of the female employees of Government of Assam :-

The existing ceiling of 135 days Maternity Leave provided in Finance Department's Notification No.FEG.5/98/15 dated 28-06-2005 shall be enhanced to 180 days with the following conditions:-


- (i) The women employees in whose case the period of 135 days of Maternity Leave has not expired on the date of this Notification shall also be entitled to the Maternity Leave of 180 days.
- (ii) The Maternity Leave can be taken only in one spell and not in segments.
- (iii) The proposed 180 days of Maternity Leave will be inclusive of holidays.
- (iv) In case of Women employees of Vacation Institutions, if the Maternity Leave period overlaps with the period of vacation, fully or partly, then the Maternity Leave period will be inclusive of the vacation period to the extent of the overlap.
- (v) After having one living child, if twins or more babies are born at a time, then also the woman employee will be eligible for normal Maternity Leave as applicable in case of delivery of a single baby.
- (vi) Any Woman employee with less than two surviving children at any point in time can avail Maternity Leave.

The existing provision of SR-121 (1) (a) of FRs & SRs as provided vide Finance Department's Notification No.FEG.11/2010/1 dated 12-04-2010 shall be substituted by the following :-

"SR-121 (1) (a)- Maternity Leave can be combined with leave of any kind as due up to 45 days in addition to 180 days of Maternity Leave".

All other conditions leaving' tuis as laid down in Finance Department's Notification No.FEG.23/78/363 dated 14-09-1990, No.FEG.14/94/47 dated 01-11-1997, No.FEG.5/98/21 dated 10-10-2006 shall remain same.

This order shall take effect from the date of issue of this Notification.. i.e., dated 07-01-2015.

  
(Imdadul Haque, IAS)  
Secretary to the Govt. of Assam,  
Finance (Estt-A) Department  
Dispur.

Contd./2.



Memo No.FEG.11/2013/53-A

Dated Dispur, the 7<sup>th</sup> January, 2015.

Copy forwarded to

1. The A.G. (A & E) Assam, Guwahati-29.
2. Staff Officers to Chief Secretary, Assam.
3. All Principal Secretaries/Commissioner & Secy./Secretaries to the Govt. of Assam  
.....
4. All Administrative Department .....
5. All Heads of Departments .....
6. All Commissioners of Division, Assam  
.....
7. All Sr. F.As/F.As, all Department's Dispur.
8. All Treasury Officers/Sub-Treasury Officers.
9. The Trade Adviser to the Govt. of Assam, Assam House, 8 Russel Street, Kolkata.
10. The Resident Commissioner, Assam House, New Delhi/Liaison officer, Assam House, Shillong/Assam House, Mumbai.
11. To the Principal Secretary, Karbi Anglong Autonomous Council, Dhipu/N.C. Hills Autonomous Council, Haflong.
12. The Principal Secretary B.T.C., Kokrajhar Rabha Hasong Autonomous Council, Dudhnoi, Goalpara/Lalung (Tiwa) Autonomous Council, Morigaon/Mising Autonomous, Gogamakh, Dhemaji.
13. The Director Printing & Stationery, Assam Government Press, Bamunimaidam, Ghy-21 for publication in the next issue of Assam Gazette.
14. (e-Governance, Unit), Finance (Estt.-B) Department for uploading the O.M. in Government portal.

By order etc.,

*D. Debra*  
7-1-2015

Under Secretary to the Govt. of Assam,  
Finance (Estt.-A) Department  
Dispur.

FINANCE (EST-A) DEPARTMENT  
DISPUR, GUWAHATI-6.

ORDERS BY THE GOVERNOR

Notification

No.FEG.11/2013/Pt-II/28

Dated Dispur the 31<sup>st</sup> July, 2015.

**Sub: Grant of 2 years (730 days) Child Care Leave to Women employees of Government of Assam.**

Consequent upon the decision taken by the Government of Assam, relating to Child Care Leave in respect of Women employees of State Government, the Governor of Assam is pleased to order that in the Fundamental Rules and Subsidiary Rules after S.R.121 (1), the following new provision as SR-121 (2) shall be inserted, namely :-

**"SR-121 (2) :** Women employees having minor children (Children upto 18 years of age) may be granted Child Care Leave (CCL) by an authority competent to grant leave, for a maximum period of two years (i.e.730 days) during their entire service for taking care of upto two minor children whether for rearing or to look after any of their needs like examination, sickness etc. subject to the following conditions :-

- (i) The Child Care Leave (CCL) shall not be admissible, if the child is more than eighteen years of age.
- (ii) During the period of such Child Care Leave (CCL), the women employees shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.
- (iii) The Child Care Leave (CCL) may be availed in more than one spell.
- (iv) The Child Care leave (CCL) shall not be debited against the leave account.
- (v) The Child Care Leave (CCL) may also be allowed for the third year as leave not due (without production of Medical Certificate).
- (vi) The Child Care Leave (CCL) may be combined with leave of any other kind, if due and admissible.
- (vii) No Child Care Leave (CCL) shall be admissible during probation period.
- (viii) The nature of Child Care Leave (CCL) shall be like the Earned Leave and therefore, Saturdays, Sundays, Gazetted holidays etc. falling during the period of Leave would also be counted for Child Care Leave (CCL), as in case of Earned Leave.
- (ix) The Child Care Leave (CCL) shall not be demanded as a matter of right and under no circumstances can any employee proceed on Child Care Leave (CCL) without prior sanction of leave by the competent authority.
- (x) The period of wilful absence or unauthorized absence shall not be converted into Child Care Leave (CCL).
- (xi) The period of Earned Leave or any other kind of leave already sanctioned or availed shall not be converted into Child Care Leave (CCL) with retrospective effect.
- (xii) An application for grant of Child Care Leave (CCL) by a woman employee already on Leave (other than CCL) within India or out of India, who submits her application for grant of CCL, may be considered provided she submits application one month before the expiry of Leave. If Child Care Leave (CCL) is not sanctioned by the competent authority before the expiry of Leave, she shall have to join her duty.
- (xiii) The Child Care Leave (CCL) is meant for the care of children, therefore, LTC shall not be admissible while on Child Care Leave (CCL).
- (xiv) This provision shall take immediate effect from the date of issue of this Notification.

  
3/7/15

Memo No.FEG.11/2013/P1-II/28-A

Dated Dispur, the 31<sup>st</sup> July, 2015.

Copy forwarded to:

1. The A.G. (A & E) Assam, Guwahati-29.
2. Staff Officers to Chief Secretary, Assam.
3. All Principal Secretaries/Commissioner & Secy./Secretaries to the Govt. of Assam
4. All Administrative Department
5. All Heads of Departments/
6. All Commissioners of Division, Assam
7. All Deputy Commissioners/Sub-Division.
8. All Sr. F.As./F.As, all Department's Dispur.
9. All Treasury Officers/Sub-Treasury Officers.
10. The Trade Adviser to the Govt. of Assam, Assam House, 8 Russel Street, Kolkata.
11. The Resident Commissioner, Assam House, New Delhi/Liaison officer, Assam House, Shillong/Assam House, Mumbai.
12. To the Principal Secretary, Karbi Anglong Autonomous Council, Dhipu/N.C. Hills Autonomous Council, Haflong.
13. The Principal Secretary B.T.C., Kokrajhar Rabha Hasong Autonomous Council, Dudhnoi, Goalpara/Lalung (Tiwa) Autonomous Council, Morigaon/Mising Autonomous, Gogamakh, Dhemaji.
14. The Director Printing & Stationery, Assam Government Press, Bamunimaidam, Ghy-21 for publication in the next issue of Assam Gazette.
15. (e-Governance Unit), Finance (Estt-B) Department for uploading the O.M. in Government portal.
16. Director, Information & Public Relation Department for wide publication of the Notification through Press/Radio/T.V.

By order etc.,

Under Secretary to the Govt. of Assam,  
Finance (Estt-A) Department,  
Dispur.

Director of Health Services,  
Wengerabari, Ghy-6.

M. Day  
22/9/15

GOVERNMENT OF ASSAM  
FINANCE (ESTT.-A) DEPARTMENT  
DISPUR :: GUWAHATI-06

Estt  
22/9/15

Order by the Governor

NOTIFICATION


No REG.11/2013/Pt-II/35

Dated Dispur, the 16<sup>th</sup> September, 2015.

Sub : Grant of 2 years (730 days) Child Care Leave to Women Employees of Government of Assam.

Consequent upon the decision taken by the Government of Assam, relating to Child Care Leave in respect of Women Employees of State Government, the Governor of Assam is pleased to order that in the Fundamental Rules and Subsidiary Rules under SR-121 (2) the following new provision as SR-121 (2)(xv) be inserted after SR-121 (2)(xiv), namely -

\*SR-121(2)(xv)- The Child Care Leave shall be granted for a maximum of three spells in a calendar year\*.

  
(Simanta Phakuria, IAS),  
Secretary to the Govt. of Assam,  
Finance (Estt.-A) Department,  
Dispur.

Min No REG.11/2013/Pt-II/35-A

Dated Dispur, the 16<sup>th</sup> September, 2015.

Copy forwarded to:

1. The A.G. (A & E), Assam, Guwahati-29.
2. Staff Officers to Chief Secretary, Assam.
3. All Principal Secretaries/Commissioner & Secy./Secretaries to the Govt. of Assam
4. All Administrative Department
5. All Heads of Departments: *Director of Health Services, Hengraboni, Ghy-6.*
6. All Commissioners of Division, Assam
7. All Deputy Commissioners/Sub-Division.
8. All Sr. P.As./E.As. all Department's Dispur.
9. All Treasury Officers/Sub-Treasury Officers.
10. The Trade Adviser to the Govt. of Assam, Assam House, 8 Russel Street, Kolkata.
11. The Resident Commissioner, Assam House, New Delhi/Liaison officer, Assam House, Shillong/Assam House, Mumbai.
12. To the Principal Secretary, Karbi Anglong Autonomous Council, Diphu/N.E. Hills Autonomous Council, Haflong.
13. The Principal Secretary B.T.C., Kokrajhar Rabha Hasong Autonomous Council, Dudhnoi, Goalpara/Lahang (Tiwa) Autonomous Council, Marigaon/Mising Autonomous, Gogmukh, Dhenaij.
14. The Director Printing & Stationery, Assam Government Press, Bazmimaldara, Ghy-21 for publication in the next issue of Assam Gazette.
15. e-Governance Unit, Finance (Estt.-B) Department for uploading the Notification in Government portal.
16. Director, Information & Public Relation Department for wide publication of the Notification through Press/Radio/T.V.

All concerned Authorities are requested to maintain Leave Account of CCL of the Women Employees similar to that of EL/HPL etc, & sanction of CCL will be similar to that of EL/HPL.

GOVERNMENT OF ASSAM  
OFFICE OF THE **DIRECTOR OF HIGHER EDUCATION**, ASSAM  
KAHILIPARA, GUWAHATI- 19.

**NOTIFICATION**

In pursuance to the Govt. O.M. No.AHE.162/2012/Pt./46, dated 13-11-2013, No.AHE.162/2012/Pt./47, dated 13-11-2013, No.AHE.162/2012/Pt./75, dated 27-12-2013, No.AHE.162/2012/Pt./76, dated 27-12-2013 and on recommendation of the Screening Committee for CAS promotion of from Stage-I to Stage-II (Senior Scale of pay) of Assistant Professors/ Librarians of Provincialised Colleges, held on 27-09-2021 & 23-11-2021, the Govt. of Assam, Higher Education Department is pleased to allow CAS promotion from Stage-I to Stage-II of 418 nos. of Assistant Professor(s)/ Librarian(s) of Provincialised College of Assam, as per the list appended at Annexure-A, in the scale of pay of Rs.15,600-37,100/- AGP 7000/- p.m. and in revised scale of pay of Rs.68,900-2,05,500/- Academic Level-11, whichever is applicable w.e.f. the date as mentioned against their names.

This has the approval of Govt. vide letter No.AHE.400/2021/21, dated 10-12-2021.


Sd/- Dharma Kanta Mili, ACS  
Director, Higher Education, Assam  
Kahilipara, Guwahati- 19.

Memo No.DHE/CE/762/2021/19

Dated: Kahilipara, the 10-12-2021

Copy for favour of information and necessary action to:

- 1) The Secretary to the Govt. of Assam, Higher Education Department, Dispur, Guwahati-6.
- 2) The Principal Accountant General (A&E) Assam, Maidamgaon, Beltola, Guwahati-29.
- 3) All members of the meeting of Screening Committee held on 27-09-2021 & 23-11-2021 for information.
- 4) The Principal, \_\_\_\_\_ College (as per list enclosed). He/She is directed to submit proposal for fixation of pay in respect of the concerned employee(s) of your college along with I.P.R. (Immovable Property Return).
- 5) The Treasury Officer, \_\_\_\_\_ Treasury (as per list enclosed).
- 6) Person concerned (as per list enclosed).
- 7) Guard file.

  
Director, Higher Education, Assam  
Kahilipara, Guwahati- 19.

### ANNEXURE-“A”

**List of Assistant Professor/ Librarian of Provincialised Colleges allowed for CAS promotion from Stage-I to Stage-II by the Screening Committee meeting held on 27-09-2021 & 23-11-2021.**

Sl. No.	Name of College	Name of the Teacher/ Librarian and Department	Date of eligibility of CAS Promotion from Stage-I to Stage-II (Senior Scale of Pay)
1	Duliajan Girls' College	Mrs. Jayashree Baishya, English	01-01-2019
2	Sapekhati College	Mrs. Anjali Saikia, English	26-02-2020
3	Borhat B.P.B. Memorial College	Sri Poran Kotoky, English	14-08-2019
4	Jonai Girls' College	Sri Dhruba Padi, Political Science	26-02-2020
5	Bihpuria College	Sri Rajib Lochan Lekharu, Accountancy	10-08-2018
6	Lakhimpur Commerce College	Sri Manoj Kumar Tamuli, Sociology	01-01-2019
7	Purbanchal College	Dr. Renu Borah, Assamese	14-08-2017
8	Borhat B.P.B. Memorial College	Sri Rudreswar Gogoi, English	14-08-2019
9	S.M.D. College	Sri Ranjit Hazarika, Assamese	01-07-2015
10	Dibru College	Mrs. Juri Phukan, Economics	18-12-2019
11	Nandalal Borgohain City College	Mrs. Sadhana Sarmah, Sociology	14-08-2019
12	Duliajan Girls' College	Dr. Lakhimi Phukan, Home Science	28-11-2017
13	Borhat B.P.B Memorial College	Sri Barindra Das, Economics	02-12-2019
14	Kampur College	Dr. Kushal Taid, Assamese	01-08-2020
15	Kampur College	Sri Debashis Saikia Geography	15-06-2018
16	Dhubri Girls' College	Joynal Abedin, Political Science	30-11-2019
17	Khagarijan College	Dr. Rameswar Kurmi, History	02-07-2020
18	Khagarijan College	Umme Salma, Economics	30-12-2019
19	Marangi Mahavidyalaya	Mrs. Chewari Sarma, Assamese	01-01-2019
20	B.N. College	Dr. Samuel Sheikh, Zoology	10-09-2017
21	Dhubri Girls' College	Mr. Anisur Rahman, English	30-11-2019
22	A.D.P. College	Dr. Afifa Kausar, Zoology	07-08-2019
23	Kampur College	Sri Parul Bhuyan, Education	13-06-2018
24	Mayang Anchalik College	Reza Shadullah Ahmed, Education	21-09-2020
25	Mayang Anchalik College	Sri Dhanya Ram Roy, History	18-02-2020
26	Goalpara College	Dr. Priyanka Kakoti, English	01-08-2019
27	Dudhnoi College	Sri Naren Das, English	19-09-2016
28	Abhayapuri College	Ashrafal Islam Ahmed, History	04-03-2020
29	Dudhnoi College	Sri Dilip Hazarika, English	10-12-2019
30	Marangi Mahavidyalaya	Mrs. Dipty Tamuly Economics	01-01-2019
31	Marangi Mahavidyalaya	Sri Yugal Jyoti Borah, English	01-01-2019
32	Marangi Mahavidyalaya	Sri Nava Kamal Borah, Economics	01-01-2019
33	Marangi Mahavidyalaya	Dr. Daisy Rani Chutia, Education	01-01-2017

*[Handwritten Signature]*

34	Barpathar College	Sri Dinamoni Bordoloi, Economics	01-01-2019
35	Batadraba S.S.S. College	Nasrin Ahmed, Education	01-01-2019
36	Kampur College	Sri Deep Kalita, Economics	06-09-2016
37	Kamarbandha College	Mr. Pabitra Duarah, Philosophy	01-01-2019
38	Chilarai College	Sri Sanjib Kr. Roy, Philosophy	14-06-2018
39	Harhi College	Mrs. Pratima Chetia, Assamese	26-02-2020
40	Sisi Bargaon College	Sri Juganta Saikia, Economics	14-08-2019
41	Harhi College	Sri Sarat Kumar Chutia, Assamese	14-08-2019
42	Purbanchal College	Sri Subash Kutum, History	14-08-2019
43	Harhi College	Mrs. Parashmoni Khanikar, English	14-08-2019
44	Purbanchal College	Sri Bodosing Narah, Education	14-08-2019
45	Purbanchal College	Dr. Munindra Buragohain, Philosophy	14-08-2019
46	Purbanchal College	Sri Ratul Dutta, Philosophy,	14-08-2019
47	Purbanchal College	Mrs. Meena Borgohain, Philosophy	14-08-2019
48	Purbanchal College	Mrs. Parmita Das, Economics	14-08-2019
49	Purbanchal College	Sri Muhim Pait, History	14-08-2019
50	Sisi Bargaon College	Sri Pulin Kumar Gogoi, Economics	14-08-2019
51	Kampur College	Dr. Prasanta Kumar Das, Assamese	05-09-2018
52	Birjhora Kanya Mahavidyalaya	Mrs. Junuma Deka, Political Science	01-01-2019
53	Bongaigaon College	Sri Subhajit Bhadra, English	25-08-2017
54	Nonoi College	Ms. Jutika Bora, Education	01-01-2019
55	Nonoi College	Mrs. Runu Devi, Assamese	21-10-2019
56	Batadraba Sri Sri Sankardev College	Sri Mantoo Kumar Borah, Political Science	01-01-2019
57	Bongaigaon College	Ms. Padumi Singha, English	03-01-2015
58	Barpathar College	Sri Ratul Gogoi, Education	25-01-2019
59	Nonoi College	Ms. Tarali Devi, Education	01-01-2019
60	Lanka Mahavidyalaya,	Sri Kamaleswar Kalita, Education	20-03-2019
61	Mayang Anchalik College	Sri Robin Kumar Kalita, Economics	01-01-2019
62	Sisi Bargaon College	Sri Ditul Lahan, Sociology	14-08-2019
63	Sisi Bargaon College	Sri Rajesh Pait, Political Science	14-08-2019
64	Harhi College	Sri Goutam Saikia, Philosophy	26-02-2020
65	Doomdooma College	Dr. Pranjit Saikia, Political Science	10-01-2015
66	Tingkhong College	Dr. Binita Morang, Assamese	04-07-2017
67	Purbanchal College	Mrs. Iva Rani Doley, Political Science	14-08-2019
68	Nandalal Borgohain City College	Mrs. Deepa Gogoi, Assamese	26-02-2020
69	B.H. College	Sri Sanatan Kumar Nath, Physics	01-01-2019
70	Purbanchal College	Mrs. Sosila Narzary, MIL (Bodo)	14-08-2019

71	Borhat B.P.B. Memorial College	Dr. Binita Gogoi, Economics	14-08-2019
72	Purbanchal College	Dr. Dilip Changmai, Commerce	14-08-2019
73	S.P.P. College	Dr. Abdul Mubid Islam, English	12-10-2020
74	B.H. College	Sri Promod Ch. Borah, Botany	01-01-2019
75	Ledo College	Sri Noble Kishore Buragohain, Economics	14-08-2019
76	Lakhimpur Commerce College	Dr.(Mrs) Lima Baruah, Education	01-01-2017
77	Borhat B.P.B. Memorial College	Mrs. Triveni Borah, Education	14-08-2019
78	Sisi Bargaon College	Dr. Monju Chutia, Philosophy	14-08-2017
79	Nandalal Borgohain City College	Mrs. Sima Baruah, English	14-08-2019
80	Ledo College	Mrs. Minu Borah, History	14-08-2019
81	North Lakhimpur College	Dr. Chuchengfa Gogoi, Political Science	12-06-2018
82	Sisi Bargaon College	Mrs. Debajyoti Bhuyan, Sociology	14-08-2019
83	Sisi Bargaon College	Mrs. Tarulata Bhuyan, Economics	14-08-2019
84	Harhi College	Mrs. Karabi Gogoi, Assamese	14-08-2019
85	Jonai Girls' College	Sri Khageswar Pegu, Sociology	01-01-2019
86	Ledo College	Mrs. Krishna Das, Sociology,	14-08-2019
87	G.L. Choudhury College	Dr. Joya Biswas Kunda, Economics	01-01-2017
88	B.H. College	Sri Ritul Talukdar, Economics	12-09-2018
89	North Lakhimpur College	Dr. Binod Chetia, Education	28-05-2020
90	Sisi Bargaon College	Sri Nava Kumar Saikia, Philosophy,	14-08-2019
91	Lahimpur Commerce College	Dr.(Mrs.) Monjumoni Saikia, Hindi	01-01-2017
92	Ledo College	Dr. Pabitra Gogoi, Assamese	14-08-2017
93	Ledo College	Mrs. Mamata Devi, Philosophy	14-08-2019
94	Ledo College	Mrs. Pari Gogoi, Political Science	14-08-2019
95	Ledo College	Sri Mridul Dohutia, Assamese	14-08-2019
96	Harhi College	Ms. Rashmi Rekha Sut, Philosophy	11-12-2019
97	Sapekhati College	Mrs. Bijumoni Dutta, Assamese	01-01-2019
98	Sapekhati College	Dr. Chandra Borah, Economics	02-01-2018
99	Purbanchal College	Sri Mitradav Mahanta, Commerce	14-08-2019
100	Borhat BPB Memorial College	Sri Dinesh Kr. Gogoi, Political Science	04-11-2019
101	Borhat BPB Memorial College	Mrs. Mondira Gogoi, Assamese	14-08-2019
102	B.H. College	Dr. Archana Bhattacharjya, Finance	20-01-2020
103	Brahmaputra Degree College	Sri Hemanta Chetia, Sociology	14-08-2019
104	S.M.D. College	Sri Bikash Dutta, Economics	25-10-2017
105	Brahmaputra Degree College	Sri Dharmendra Kutum, Sociology	14-08-2019
106	Dhakuakhana College	Dr. Pankaj Borah, Political Science	21-07-2020
107	Sapekhati College	Dr. Atul Ch. Gogoi, Political Science	26-09-2018

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108	Sapekhati College	Sri Barun Saikia, Political Science	20-03-2019
109	Dhakuakhana College	Dr. Kanchan Gogoi, Sociology,	16-03-2019
110	Brahmaputra Degree College	Sri Thaneswar Borah, Assamese,	26-11-2020
111	Brahmaputra Degree College	Mrs. Meghali Dutta, Assamese,	14-08-2019
112	Brahmaputra Degree College	Sri Biswajit Doley, Philosophy	14-08-2019
113	Brahmaputra Degree College	Sri Dhruvajyoti Knowar, History	14-08-2019
114	Sapekhati College	Sri Hemanta Kumar Baruah, Assamese	01-01-2019
115	Purbanchal College	Sri Chadra Kanta Doley, Commerce	24-12-2020
116	Amguri College	Mrs. Dipanjali Devi, Assamese,	01-05-2014
117	Sibsagar Girls' College	Mrs. Barnali Lahkar, Education,	10-10-2019
118	Brahmaputra Degree College	Sri Bijit Dutta, Sociology,	14-08-2019
119	Silapathar Town College	Ms. Geetanjali Doley, Political Science	14-08-2019
120	Silapathar Town College	Sri Dip Jyoti Gogoi, Political Science	14-08-2019
121	Moran Mahila Mahavidyalaya	Mrs. Shyamalima Changmai, Assamese,	01-01-2019
122	D.H.S.K. College	Dr. Monmi Baruah, Assamese,	14-06-2020
123	Barnagar College	Sri Nipul Kumar Nath, Philosophy,	25-06-2016
124	Sibsagar Girls' College	Mrs. Chitralekha Gogoi, Zoology,	27-06-2020
125	Namrup College	Mrs. Binita Borah, Assamese	04-08-2017
126	Sibsagar Girls' College	Mrs. Gayatri Mohan, Physics,	26-02-2020
127	Purbanchal College	Mrs. Junmoni Saikia, Assamese,	14-08-2019
128	Purbanchal College	Mrs. Mamoni Hazarika, Education,	14-08-2019
129	Brahmaputra Degree College	Mrs. Chitralekha Doley, Assamese,	25-09-2019
130	Harhi College	Mrs. Swapna Gogoi, Assamese,	14-08-2019
131	Doomdooma College	Dr. Lokman Ali, Education,	16-07-2014
132	Purbanchal College	Sri Binanda Boruah, Assamese	14-08-2018
133	Nabajyoti College	Dr. Neetu Saharia, Assamese	01-04-2019
134	Purbanchal College	Sri Hemanta Chutia, Statistics	14-08-2019
135	Barhat B.P.B. Memorial College	Sri Suchan Chutia, Economics	14-08-2019
136	Sapekhati College	Mrs. Tunumoni Chetia, Education,	01-01-2019
137	Sapekhati College	Mrs. Jira Prova Borah, History	01-01-2019
138	Bihpuria College	Mrs. Abonti Devi, Home Science	10-08-2018
139	Barhat B.P.B. Memorial College	Mrs. Purnima Tamuli, Education	14-08-2019
140	Lumding College	Shri Pradip Bahadue Chetri, Mathematics	28-02-2015
141	Lumding College	Shri Mwblib Basumatary, Mathematics	12-08-2014
142	Hatichong College	Shri Bubu Sensowa, Economics	26-05-2020
143	Hatichong College	Ms. Tribeni Saikia, Assamese	14-08-2019
144	Bongaigaon College	Mrs. Hiramani Kalita, Assamese	11-04-2018

145	Doomdooma College	Mrs. Hiran Baishya, Hindi	23-09-2015
146	Silapathar Town College	Sri Debajit Sonowal, Political Science	14-08-2019
147	Jonai Girls' College	Sri Indreswar Pegu, Sociology,	01-01-2019
148	Sapekhati College	Mrs. Ritamoni Chutia, English	01-01-2019
149	B.H. College	Dr. Biju Borkataki, Botany	01-01-2017
150	Uttar Kampith Mahavidyalaya	Mr. Kandarpa Nath Education	01-01-2019
151	Nalbari College	Dt. Hemen Kakati, Physics	03-11-2019
152	Swahid Smriti Mahavidyalaya	Dr. Deexita Devi, Assamese	01-01-2019
153	Nalbari College	Dr. Ranjanjyoti Sarma, Librarian,	01-04-2019
154	Barbhag College	Mr. Gautam Baishya, Chemistry	14-08-2019
155	Barbhag College	Mr. Mukut Ch. Baishya, Chemistry	14-08-2019
156	Borholla College	Mrs. Puspa Dhandia, History	01-10-2019
157	Borholla College	Mrs. Mayuri Bora, History	01-01-2019
158	Majuli College	Mr. Pronab Jyoti Borah, Sociology	28-09-2018
159	Kakojan `College	Dr. Partha Protim Baruah, Chemistry	14-08-2017
160	Kakojan `College	Mr. Utpal Sadhoner, Chemistry	14-08-2019
161	Kakojan `College	Mr. Subhasis Kotoky, Mathematics	14-08-2019
162	Kakojan `College	Mr. Lakhya Pratim Nirmolia, History	21-06-2018
163	Kakojan `College	Mr. Sanjib Borah, Physics	14-08-2019
164	Kakojan `College	Mrs. Jita Dutta, Mathematics	14-08-2019
165	Mariani College	Mr. Haren Saikia, Zoology	08-10-2019
166	Bahona College	Dr. Sangeeta Das, Botany	12-02-2020
167	Mariani College	Mr. Jagat Ch. Gogoi, Physics	14-08-2019
168	C K B Commerce College	Mrs. Barsha Borah, Business Management	21-09-2019
169	C K B College, Teok	Dr. Abhijit Bhuyan, Commerce	12-02-2020
170	Jorhat College	Dr. Bidyut Bora, Political Science	27-07-2020
171	Borholla College	Mr. Dilip Kumar Khaund, Sociology	01-01-2019
172	Borholla College	Mrs. Chandrama Devi, Sociology	01-01-2019
173	Borholla College	Dr. Rana Bora, Geography	03-03-2017
174	Borholla College	Ms. Anamika Hazarika, Economics	01-01-2019
175	Bahona College	Dr. Sarala Das, Assamese	17-02-2020
176	Digboi Mahila Mahavidyalaya	Dr. Smita Rani Saikia, Home Science	01-08-2020
177	Digboi Mahila Mahavidyalaya	Sri Sanjib Dutta, Economics,	01-01-2021
178	Borhat B.P.B. Memorial College	Sri Suroj Phukan, Education	14-08-2019
179	Machkhowa Degree College	Sri Nirupam Phukan, Philosophy	03-12-2018
180	Lakhimpur Girls' College	Dr. Gobin Ch. Boruah, Economics,	26-09-2019
181	Margherita College	Mrs. Jyoti Gogoi, Economics,	29-05-2019

182	Borhat B.P.B. Memorial College	Sri Kalyan Jyoti Khanikar, English	14-08-2019
183	Borhat B.P.B. Memorial College	Mrs. Bini Saikia, Assamese	14-08-2019
184	G.L. Choudhury College	Gias Uddin Ahmed, History	01-01-2019
185	G.L. Choudhury College	Miran Hussain Choudhury, History	01-01-2019
186	G.L. Choudhury College	Smti. Piyali Ghosh, Economics	01-01-2019
187	G.L. Choudhury College	Dr. Md. Shahidul Islam Jadid, Education	01-01-2017
188	G.L. Choudhury College	Sri Khanindra Kr. Nath, Economics	01-01-2019
189	G.L. Choudhury College	Sri Nripen Das, Political Science	01-01-2019
190	G.L. Choudhury College	Sri Kalyan Ch. Talukdar, English	01-01-2019
191	Silapathar Town College	Mrs. Archana Kuli, Economics	14-08-2019
192	Silapathar Town College	Dr. Dandiram Pegu, Economics	14-08-2019
193	Silapathar Town College	Sri Dibya Doley, Sociology	14-08-2019
194	Sibsagar Girls' College	Mrs. Dipsikha Dutta Bhuyan, Zoology	01-01-2019
195	B.L.B. College	Sri Jintu Saikia, Education	01-01-2019
196	Naharkatia College	Dr. Dilip Bania, Commerce,	18-03-2019
197	Dhubri Girls' College	Dr. Mithu Mukherjee, Bengali	11-01-2020
198	Hojai College (Now Rabindra Tagore University)	Dr. Barnali Hazarika, Economics	02-12-2017
199	D.R. College	Sri Lakshmi Nath Rabha, English	14-12-2019
200	Samaguri College	Sri Dilip Kumar Das, Education	01-01-2019
201	Samaguri College	Sri Dewajit Bora, Geography	01-01-2019
202	Rajiv Gandhi Memorial College	Dr. Abdus Subur, Political Science	01-01-2019
203	Birjhora Kanya Mahavidyalaya	Dr. Bandita Majumder, Mathematics	01-01-2019
204	Darrang College	Sri Kuloram Mili, Philosophy	01-09-2017
205	Samaguri College	Ms. Nandita Bhuyan, Geography	27-08-2018
206	D.K.D. College	Dr. Sikha Jyoti Ozah, Physics	25-07-2020
207	Rajiv Gandhi Memorial College	Abul Kalam Azad, English	01-01-2019
208	Rajiv Gandhi Memorial College	Ayub Khan, Assamese	01-01-2019
209	Samaguri College	Ms. Minakshi Goswami, Economics	01-01-2019
210	Nonoi College	Md. Abdua Salam, Political Science	26-02-2020
211	Samaguri College	Zakir Hussain, Political Science	01-01-2019
212	Nowgong College	Dr. Kumud Das, Botany	16-12-2020
213	Biswanath College	Dr. Ratul Nath, Botany	06-11-2019
214	Biswanath College	Dr. Debashis Sarmah, Physics	22-09-2019
215	D.K.D. College	Ms. Tejoswita Saikia, English	26-11-2020
216	A.D.P. College	Ms. Sulakshna Brahma, Chemistry	11-06-2020
217	P.B. College	Sri Achyut Krishna Borah, Management	01-08-2020
218	Batadraba S.S.S. College	Habibur Rahman, Political Science	27-02-2019

219	Samaguri College	Ms. Bithika Borah, History	01-01-2019
220	Raha College	Sri Parag Das, Geography	28-03-2018
221	Samaguri College	Sri Utpal Baruah, Economics	01-01-2019
222	Bongaigaon College	Mr. Subrata Roy, Bengali	04-02-2015
223	Batadraba S.S.S. College	Shamima Sultana Khandaker, English	01-01-2019
224	Kamarbandha College	Mrs. Barnali Baruah, English	30-10-2019
225	Marangi Mahavidyalaya	Mr. Binod Konwar, Assamese	01-01-2020
226	Dhubri Girls' College	Dr. Anuradha Sarmah, Economics	18-02-2017
227	Nowgong College	Dr. Lalit Mohan Goswami, Zoology	06-08-2014
228	Dhing College	Md. Nurul Amin, History	13-06-2018
229	Batadraba S.S.S. College	Ms. Bina Kalita, Assamese	09-04-2018
230	Batadraba S.S.S. College	Ms. Rani Bora, Education	01-01-2019
231	Kamarbandha College	Mrs. Shewali Deka, Assamese	20-02-2019
232	D.R. College	Dr. Khirod Deori, Zoology	04-08-2020
233	Golaghat Commerce College	Dr. Rinki Das, Human Resource Management	02-12-2019
234	Hatichung College	Sri Luit Hazarika, Political Science	14-08-2019
235	Rajiv Gandhi Memorial College	Shahiduar Rahman, Arabic	01-01-2019
236	Marangi Mahavidyalaya	Mrs. Monikankona Bodo, Economics	26-01-2021
237	Hatichung College	Md. Saiqul Islam, Economics	26-05-2020
238	Uttar Kampith Mahavidyalaya	Mr. Sanjay Kr. Sarma	01-01-2019
239	Uttar Kampith Mahavidyalaya	Dr. Rafijul Hussain	01-01-2019
240	Nalbari College	Dr. Ranjan Jyoti Sarmah, Librarian	01-04-2019
241	Nalbari College	Dr. Hemen Kakati, Physics	27-10-2019
242	Swahid Smriti Mahavidyalaya	Mr. Benudhar Kalita, Economics	01-01-2019
243	Swahid Smriti Mahavidyalaya	Mrs. Durga Kalita, Philosophy	01-01-2019
244	J.B. College	Mr. Pranjal Borah, Physics	07.01.2017
245	D.C.B. Girls College	Dr. Anjali Chutia Saikia Assamese	21-02-2015
246	Sarbodaya College	Mr. Simanta Tamuly Sociology	01.01.2019
247	Kakojan College	Mr. Dhrubajyoti Sarma Physics	14.08.2019
248	Borholla College	Mrs. Farida Begum, Political Science	01.01.2019
249	Jorhat Kendriya Mahavidyalaya	Mrs. Beauty Baruah, Philosophy	21.07.2018
250	Nalbari College	Dr. Bhupen Kr. Nath, Statistics	29.12.2016
251	Swahid Smriti Mahavidyalaya	Sri Bipul Kr. Das , English	02.09.2019
252	Barbhag College	Mr. Mahananda Pathak, Physics	14.08.2019
253	Sarbodaya College	Ms. Papari Borah Assamese	20.03.2019
254	Mariani College	Ms. Babita Phukan Bora Botany	14.08.2019
255	Kakojan College	Ms. Babita Phukan Borkataki Botany	14.08.2019

256	Borholla College	Mrs. Dipti Boruah Assamese	01.01.2019
257	Borholla College	Mrs. Mridusmita Phukan, Assamese	01.01.2019
258	Borholla College	Mrs. Runu Gogoi Education	01.01.2019
259	Borholla College	Mrs. Bandana Saikia Assamese	01.01.2019
260	Borholla College	Ms. Barnali konwar, Librarian	01.01.2019
261	Borholla College	Mrs. Meghali Bhattacharyya Education	01.01.2019
262	Borholla College	Mr. Simanta Borah Geography	01.01.2019
263	Borholla College	Mrs. Daisee Borpatra Gohain, Geography	01.01.2019
264	Borholla College	Mr. Marajul Hussain, Assamese	01.01.2019
265	C K B Commerce College	Dr. Nitu Konwar, Accountancy	02-09-2019
266	Kakojan College	Dr. Nibedita Gogoi, Zoology	14.08.2017
267	Kakojan College	Mrs. Junmoni Boruah, Zoology	14.08.2019
268	Kakojan College	Mr. Jayanta Duarah, Botany	14.08.2019
269	Kakojan College	Mr. Ashish Pratim Hazarika, Botany	14.08.2019
270	Kakojan College	Mr. Prasanna Hazarika, Zoology	14.08.2019
271	Mariani College	Shri Pranpriya Rajkhowa, Physics	08.10.2019
272	Mariani College	Mrs. Manidipa Dutta Borah, Chemistry	14.08.2019
273	J B College	Mrs. Pallwabee Duarah, Zoology	08.09.2017
274	Sarbodaya College	Ms. Mousumi Boruah, Philosophy	14.08.2019
275	Sarbodaya College	Dr. Nayanjyoti Bhuyan, Assamese	24-09-2019
276	Sarbodaya College	Dr. Namita Boruah, Assamese	04.01.2019
277	Swahid Smriti Mahavidyalaya	Dr. Rita Rani Barman, Assamese	02.04.2017
278	Swahid Smriti Mahavidyalaya	Dr. Dinesh Chakraborty, Assamese	01.01.2017
279	Swahid Smriti Mahavidyalaya	Md. Wahidur Rahman, English	01.01.2018
280	Karmashree Hiteswar Saikia College	Dr. Ranjan Kr. Bhatta, English,	01-09-2017
281	Karmashree Hiteswar Saikia College	Md. Rajab Ali, Philosophy	21-04-2020
282	Karmashree Hiteswar Saikia College	Dr. Nurul Islam, Philosophy,	14-08-2019
283	Karmashree Hiteswar Saikia College	Mr. Biju Rajkhowa, Assamese	14-08-2019
284	Mangaldai College	Dr.(Smti.) Sristisri Upadhyaya, Botany,	01-08-2019
285	Chhaygaon College	Harunur Rashid, Management	14-08-2019
286	Chhaygaon College	Sri Bhusan Ch. Kalita, Assamese	14-08-2019
287	Narengi Anchalik Mahavidyalaya	Banasree Devi, Political Science	01-01-2019
288	N.C. College	Dr. Hedayatulla Choudhury, Commerce	14-08-2017
289	F.A. Ahmed College	Taibor Rahman Khan, History	01-01-2019
290	Narengi Anchalik Mahavidyalaya	Devajit Sarmah, Mathematics	09-01-2019
291	Chhaygaon College	Marjina Ahmed, Management	14-08-2019
292	Guwahati College	Dr. Swapna Boruah, Commerce,	01-02-2018

293	Pragjyotish College	Jyotiprasad Das, Geography	24-01-2015
294	F.A. Ahmed College	Hazrat Ali, Arabic	01-01-2019
295	Dispur College	Dr. Mousumi Devi, Management	01-01-2019
296	Karmashree Hiteswar Saikia College	Dr. Anup Kr. Deka, English	01-04-2018
297	Mainul Hoque Choudhury Memorial College	Dr. Abul Kashim Md. Fujail, Computer Science	01-01-2017
298	K.R.B. Girls' College	Jayashree Hazarika, Home Science	20-02-2019
299	Narengi Anchalik Mahavidyalaya	Mukta Purkayastha, English	01-01-2019
300	Narengi Anchalik Mahavidyalaya	Dr. Irani Thakuria, Assamese	01-01-2019
301	Narengi Anchalik Mahavidyalaya	Sangita Chowdhury, Education	01-01-2019
302	F.A. Ahmed College	Dr. M. Seik Mozibar Rahman, Economics	01-01-2017
303	F.A. Ahmed College	Dr. Ruhul Amin, Arabic	02-11-2018
304	J.N. College	Sri Jitu Rajbongshi, Geography	13-11-2016
305	J.N. College	Anamika Baishya, Librarian	01-04-2019
306	F.A. Ahmed College	Md. Abul Ali, Political Science	01-01-2019
307	F.A. Ahmed College	Md. Jamir Uddin Ahmed, Economics	01-01-2019
308	F.A. Ahmed College	Md. Nuruzzaman Hoque, Political Science	01-01-2019
309	F.A. Ahmed College	Mrs. Manju Ahmed, Assamese	01-01-2019
310	B.C. Medhi College	Mrs. Meena Kumari Das, Assamese	21-08-2019
311	B.C. Medhi College	Mr. Mukut Pathak, Assamese	14-08-2018
312	Narengi Anchalik Mahavidyalaya	Gitika Sarma, Political Science	01-01-2019
313	Chhaygaon College	Sri Arup Kr. Medhi, History	04-10-2019
314	B.C. Medhi College	Mr. Jitendra Deka, Political Science	14-08-2019
315	Moinul Hoque Choudhury Memorial Science College	Jarita Das, Statistics	01-01-2019
316	B.C. Medhi College	Dr. Satyabati Medhi, Economics	21-08-2019
317	F.A. Ahmed College	Abdul Alim, Assamese	01-01-2019
318	B.C. Medhi College	Mr. Dilip Das, Pol. Science	14-08-2019
319	F.A. Ahmed College	Md. Nasir Uddin Ahmed, Assamese	01-01-2019
320	Guwahati College	Dr. Kalpana Saikia, Hindi	16-08-2017
321	L.C.B. College	Dr. Mitamoni Sarma, Electronics	01-01-2017
322	Narengi Anchalik Mahavidyalaya	Jojana Gandha Pathak, Assamese	01-01-2019
323	Narengi Anchalik Mahavidyalaya	Subha Kumari, Hindi	01-01-2019
324	Guwahati College	Mrs. Karabee Medhi, Economics	09-12-2016
325	Narengi Anchalik Mahavidyalaya	Mrinal Sarma, Mathematics	01-01-2019
326	D.K. College	Dr. Jnanendra Upadhyaya, Physics	18-02-2020
327	West Silchar College	Dr. Sayed Ahmed Barbhuiya, History	30-07-2019
328	Guwahati College	Dr. Pinky Baruah, Zoology	03-08-2016
329	B.P. Chaliha College	Dr. Diganta Kalita, Political Science	21-07-2020

330	Narengi Anchalik Mahavidyalaya	Dr. Saroj Kakati, Assamese	01-01-2017
331	B.C. Medhi College	Mrs. Bijuli Deka, Education	14-08-2019
332	N.C. College	Dr. Sorwar Alam Khan, Commerce (Economics)	14-08-2017
333	Narengi Anchalik Mahavidyalaya	Jayanta Baruah, Economics	01-01-2019
334	J.N. College	Mrs. Dipanjali Kalita, Education	22-06-2018
335	N.C. College	Dr. Iqbal Uddin Tapadar, Commerce	25-07-2018
336	G.C. College	Mehdi Hasan Chowdhury, English	27-02-2018
337	F.A. Ahmed College	Ayan Ali Ahmed, Economics	01-01-2019
338	Dispur College	Dr. Malabika Bhattacharyya, Assamese	01-10-2016
339	R.S. Girls' College	Dr. Sangita Das Talukdar, Librarian	14-03-2019
340	N.C. College	Maheswar Deka, Pol. Science	31-07-2014
341	Barbhag College	Dr. Kishore Kalita, Librarian	01-03-2017
342	B.Borooah College	Dr. Shabnam Bormon History	28-04-2019
343	Karmashree Hiteswar Saikia College	Diganta Sarma, Assamese	14-08-2018
344	Karmashree Hiteswar Saikia College	Dr. Faraz Ali Ahmed, Political Science	14-08-2019
345	Narengi Anchalik Mahavidyalaya	Minu Das, Assamese	01-01-2019
346	G.C. College	Dr. Manabendra Nath, Geology	07-02-2018
347	N.C. College	Bazlur Rahman Khan, History	29-07-2019
348	Dispur College	Dr. Himangshu Kalita, Economics	03-04-2018
349	Narengi Anchalik Mahavidyalaya	Dr. Anjan Kr. Talukdar, Geography	01-01-2017
350	G.L.Choudhury College	Dr. Sonmani Das, Anthropology	01-01-2019
351	G.L.Choudhury College	Sanjeeb Kr. Das, Anthropology	01-01-2019
352	G.L.Choudhury College	Juthika Talukdar, Assamese	01-01-2019
353	G.L.Choudhury College	Maikan Basumatary, Bodo	01-01-2019
354	G.L.Choudhury College	Muslem Uddin Ahmed, Education	01-01-2019
355	G.L.Choudhury College	Dipamani Medhi, Assamese	01-01-2019
356	Jonai Girls' College	Bhupen Ch. Pegu, Education	01-01-2019
357	Jonai Girls' College	Raju Regan, Assamese	01-01-2019
358	Sissi Borgaon College	Kukheswar Borah, Political Science	14-08-2019
359	Lakhimpur Girls' College	Dr. Kalidash Brahma, Political Science	05-06-2019
360	Borhat B.P.B. Memorial College	Mrs. Dipanjali Gogoi, Assamese,	14-08-2019
361	Machkhowa Degree College	Abdul Aziz Ahmed, Philosophy	26-02-2020
362	Barnagar College	Sri Kandarpa Pathak, Assamese,	24-09-2018
363	D.D.R. College	Sri Ranandra Khound, Political Science	02-01-2018
364	Borhat B.P.B. Memorial College	Mrs. Monika Boro, Political Science	28-11-2019
365	Machkhowa Degree College	Mrs. Rumi Gogoi, Education,	26-02-2020
366	Sibsagar Girls' College	Nibedita Baruah, Botany,	01-01-2019

367	Pubanchal College, Silapathar	Mr. Kushal Pegu, History	14-08-2019
368	B.L.B. College, Sibsagar	Mrs. Bonoshree Boruah, Education	01-01-2019
369	Brahmutra Degree College	Biju Patir, Education	21-04-2020
370	F.A. Ahmed College	Md. Nuruzzaman Hoque, Political Science	01-01-2019
371	L.C.B. College	Mrs. Nibha Barman, Mathematics	31-12-2018
372	Chhamaria Anchalik College	Shah Alom, Economics	01-03-2020
373	Karmashree Hiteswar Saikia College	Dr. Madhurya Chetia, Economics	02-01-2018
374	Karmashree Hiteswar Saikia College	Mrs. Indrani Gogoi, Economics	14-08-2019
375	Arya Vidyapeeth College	Dr. Jinu Lagachu, Zoology	17-02-2020
376	Nilambazar College	Mr. Abdulla Hussain, Philosophy	14-08-2019
377	Nilambazar College	Mr. Jalal Uddin Philosophy	14-08-2019
378	Chhamaria Anchalik College	Dr. Jamal Uddin Ahmed, English	14-08-2019
379	N.C. College	Ms. Pragati Dutta, English	16-01-2020
380	West Silchar College	Mr. Abdul Hamid, Arabic	01-01-2017
381	Saraighat College	Mrs. Jyotirmoyee Devi, Geography	22-06-2017
382	Arya Vidyapeeth College	Dr. Anindita Deka, Zoology	29-06-2020
383	Arya Vidyapeeth College	Dr. Susanta Sarma, Zoology	31-12-2018
384	N.C. College	Dr. Mounita Nath, Commerce	14-08-2017
385	North Gauhati College	Dr. Anup Hazarika, Anthropology	02-09-2020
386	Chhaygaon College	Dr. Rina Kalita, Education	18-02-2018
387	West Silchar College	Mr. Abdul Hamid, Arabic	01-01-2019
388	S.B.M.S. College	Dr. Utpala Baishya, Physics	20-02-2019
389	Arya Vidyapeeth College	Dr. Sanghamitra De, English	06-04-2017
390	Rangia College	Sri Nakaulang Nriame, History	23-01-2018
391	Digboi College	Dr.(Mrs) Dimpay Das, Botany,	28-04-2019
392	Sipajhar College	Dr. Sultana Rezia, Education	15-10-2018
393	G.L.Choudhury College	Hemanta Kr. Das, Assamese	01-01-2019
394	G.L.Choudhury College	Rupamani Kakati, Assamese	01-01-2019
395	G.L.Choudhury College	Laba Kumar Kalita, Librarian	01-01-2019
396	G.L.Choudhury College	Dr. Ananda Ghosh, Bengali	06-09-2018
397	Borhat B.P.B. Memorial College	Mrs. Nilima Sensua, Assamese	14-08-2019
398	Jaleswar College	Mozaffor Hussain, Assamese	01-01-2019
399	Jaleswar College	Md. Jakir Hussain, Education	01-01-2019
400	Jaleswar College	Abu Shama Ahmed, Education	14-03-2019
401	Jaleswar College	Mazida Ahmed, Assamese	20-02-2019
402	Jaleswar College	Ahmed Hussain, History	08-04-2019
403	Narengi Anchalik Mahavidyalaya	Archana Bora, Political Science	01-01-2019



404	Narengi Anchalik Mahavidyalaya	Ruplekha Phukan Borthakur, English	01-01-2019
405	Narengi Anchalik Mahavidyalaya	Rosie Patangia, English	01-01-2019
406	Narengi Anchalik Mahavidyalaya	Dr. Karabi Goswami, Philosophy	01-01-2017
407	Narengi Anchalik Mahavidyalaya	Hemanta Kr. Rabha, Hindi	01-01-2019
408	Narengi Anchalik Mahavidyalaya	Jonali Talukdar, History	01-01-2019
409	Narengi Anchalik Mahavidyalaya	Dr. Juthika Barman Choudhury, Economics	01-01-2017
410	Narengi Anchalik Mahavidyalaya	Rita Sharma, Education	01-01-2019
411	Narengi Anchalik Mahavidyalaya	Reeta Dutta Hazarika, History	01-01-2019
412	Karmashree Hiteswar Saikia College	Dr. Marami Choudhury, Philosophy	14-08-2017
413	Dibru College	Shri Jadovananda Taye, Education	21-01-2017
414	Birjhora Mahavidyalaya	Dr. Hemanta Kr. Saud, Economics	12-06-2019
415	Batadraba S.S.S. College	Shri Rupak Kr. Sarmah, Political Science	01-01-2019
416	Digboi College	Shri Pradip Ch. Das, Commerce	21-06-2016 Instead of 31-03-2017
417	B.P. Chaliha College	Sri Ganesh Ch. Das, Geography	13-06-2014
418	Narengi Anchalik Mahavidyalaya	Dr. Nira Das, Assamese	01-01-2019

  
 Director of Higher Education, Assam  
 Kahilipara, Guwahati-19.