

NOTIFICATION

IN EXERCISE OF THE POWERS CONFERRED BY SECTION 28 OF THE MAJOR PORT TRUSTS ACT, 1963, (ACT 38 OF 1963) THE BOARD OF TRUSTEES OF THE VISAKHAPATNAM PORT TRUST, HEREBY MAKES SUBJECT TO THE APPROVAL OF CENTRAL GOVERNMENT UNDER SECTION 124 OF THE ABOVE ACT, THE FOLLOWING REGULATIONS, IN SUPERSESION OF THE V.P.E.(LEAVE) REGULATIONS, 1964 AND THE V.P.E. (STUDY LEAVE) REGULATIONS, 1964, PUBLISHED AS G.S.R. NO.327 AND 325 IN THE GAZETTE OF INDIA, NAMELY:

CHAPTER-I: PRELIMINARY

1. SHORT TITLE AND COMMENCEMENT:

- a) These Regulations may be called the Visakhapatnam Port Employee's (Leave) Regulations, 1992.
- b) They shall come into force on the date on which the Central Government's approval thereto is published in the Gazette of India.

2. EXTENT OF APPLICATION:

Save as otherwise provided in these Regulations, these regulations shall apply to all employees in the service of the Board but shall not apply to:

- a) Persons in casual or daily rated or part time employment;
- b) Shore and ore handling labour
- c) Persons employed on contract except when the contract provides otherwise; and
- d) Persons serving under the Board on deputation from the Central or a State Government or any other source for a limited duration.

3. (1) DEFINITIONS:

In these Regulations, unless the context otherwise requires:

- a) "Board", "Chairman", "Deputy Chairman" and "Head of Department" shall have the meanings assigned to them in the Major Port Trusts Act, 1963.
- b) "Authority competent to grant leave" means the authority empowered to grant leave under the delegation of powers under the Major Port Trusts Act, 1963.

- c) "Completed year of service" and "one year's continuous service means continuous service of the specified duration under the Board and includes the period spent on duty as well as on leave, including extra ordinary leave.
- d) "Commuted leave" means leave taken under Regulations-27.
- e) "Date of retirement" of "date of his retirement" in relation to an employee means the afternoon of the last day of the month in which the employee attains the age prescribed for retirement under the terms and conditions governing his service.
- f) "Earned leave" means leave taken under Regulation (24).
- g) "earned leave due" mean the amount of leave to the credit of an employee on the date of commencement of these Regulations under the leave Regulations in force prior to that date plus the amount of earned leave calculated under Regulation-24 diminished by the amount of earned leave taken on or after the commencement of these regulations.
- h) "extra ordinary leave" means leave taken under Regulation-29.
- i) "Employee" means an employee of the Board.
- j) "Employee in permanent employment" means an employee 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.
- k) "Form" means form appended to the Schedule to these Regulations.
- l) "Half pay leave" means leave earned in respect of completed years of service.
- m) "Half pay leave due" means the amount of half pay leave, calculated under regulation.26 for the entire service, diminished by the amount of half pay leave on private affairs and on medical certificate, taken before the commencement of these regulations and half pay leave taken on or after that date.
- n) "Foreign service" means service in which an employee receives his pay with the sanction of the Board from any other source other than the Port Funds.
- 2) Words and expressions used herein, but defined in the Fundamental Rules and Supplementary Rules or in any other Acts or Rules, shall have the meanings respectively assigned to them in these Acts and Rules.

EXPLANATION: The period of suspension of an employee which is treated as dias-non, should not be reckoned as service for the purpose of these Regulations.

4. (1) EMPLOYEES ON TEMPORARY TRANSFER OR ON FOREIGN SERVICE:

Employees to who these regulations apply shall continue to be governed by these Regulations while on deputation to Central or a State Government of any other organization with in India.

(2) In these case of employees or Foreign Service outside India or on deputation, these regulations shall apply only to the extent provided in the terms and conditions of foreign service or deputation as the case may be.

5. TRANSFER FROM SERVICES OR POSTS GOVERNED BY OTHER LEAVE RULES:

Unless it be otherwise provided in these Regulations, a permanent employee to whom these Regulations do not apply:

- (a) When transferred temporarily to a service or post to which these Regulations apply shall remain subject to the leave rules which were applicable to him before such transfer; and
- (b) When appointed substantively to a permanent post of which these regulation aply, shall become subject [to these regulations from the date of such appointment in which case the leave at his credit under the rules previously applicable to him shall be carried forward subject to the maximum limits of accumulation as laid down in Regulation-24. The leave so carried forward shall first be exhausted before the leave earned under these Regulations is availed of. The leave salary in respect of the leave carried forward shall be borne by the department from which the employee is transferred.

CHAPTER-II: GENERAL CONDITIONS

6. RIGHT TO LEAVE:

- (i) Leave cannot be claimed as of right:
- (ii) When the exigencies of public service so required, leave of any kind may be refused or revoked by the authority competent to grant it, but, it shall not be open to that authority to alter the kind of leave due and applied for except at the written request of the employee.

7. An employee's claim to leave is regulated by the Regulations in force at the time the leave is applied for and granted.

8. EFFECT OF DISMISSAL, REMOVAL OR RESIGNATION ON LEAVE AT CREDIT:

- (1) Except as provided in Regulation-32 and in this regulation, any claim to leave to the credit of an employee who is dismissed or removed or who resigns from Board's service, cases from the date of such dismissal or removal or resignation.
- (2) Where an employee applies for another post, but outside the Board and if such application is forwarded through proper channel and the applicant is required to resign his post before taking up the new one, such resignation shall not result in the lapse of the leave to his credit.
- (3) An employee, who is dismissed or removed from service and is reinstated on appeal or revision, or due to court orders or any Industrial tribunal orders or in such similar cases, shall be entitled to count for leave his service prior to dismissal or removal, as the case may be.
- (4) An employee who having retired on compensation or invalid pension or gratuity is reemployed and allowed to count his past service for pension, shall be entitled to count his former service towards leave.

9. COMMUTATION OF ONE KIND OF LEAVE INTO ANOTHER:

- (1) At the request of an employee, the authority which granted him the leave may commute it retrospectively [into leave of a different kind which was due and admissible to him at the time the leave was granted, but the employee cannot claim such commutation as a matter of right.
 - (1) (a) Provided that no such request shall be considered unless received by such authority or any other authority designated in the behalf within a period of 30 days of the concerned employee joining his duty on the expiry of the relevant spell of leave availed of by him.
 - (2) The commutation of one kind of leave into another shall be subject to adjustment of leave salary on the basis of leave finally granted to the employee, that is to say, any amount paid to him in excess shall be recovered or any arrears due to him shall be paid.

NOTE: Extra-ordinary leave granted on medical certificate or other wise may be commuted retrospectively into leave not due subject to the provisions in Regulation-29.

10. COMMUTATION OF DIFFERENT KINDS OF LEAVE:

Except as otherwise provided in these regulations, any kind of leave under these Regulations may be granted in combination with or in continuation of any other kind of leave.

EXPLANATION: casual leave which is not recognized as leave under these Regulations shall not be combined with any other kind of leave admissible under these Regulations.

11. MAXIMUM AMOUNT OF CONTINUOUS LEAVE:

Unless the Board under exceptional circumstances of the case otherwise determines, no employee shall be granted leave of any kind for a continuous period exceeding five years.

12. ACCEPTANCE OF SERVICE OR EMPLOYMENT WHILE IN LEAVE:

- (1) An employee while on leave including leave preparatory to retirement or leave granted beyond date of retirement or quitting service, shall not take up any service or employment elsewhere, including the setting up of a private professional practice as Accountant, consultant Legal or Medical Practitioner, without obtaining the previous sanction of the authority empowered to appointed him.
- (2) (a) No employee while on leave other than leave preparatory to retirement or leave granted beyond the date of retirement shall ordinarily be permitted to take up any other service or employment.
- (b) If grant of such permission is considered desirable in any exceptional case, the employee may have his services transferred temporarily from his parent office to the office in which he is permitted to take up service or employment or may be required to resign his appointment before taking up any other service or employment.
- (c) An employee while on leave preparatory to retirement shall not be permitted to take up private employment. He may however, be permitted to take up employment with a public sector undertaking or a body referred to in regulation-31 in that event also leave salary payable for leave preparatory to retirement shall be the same as admissible under Regulations-37.

3. (a) In case an employee who has proceeded on leave preparatory to retirement is required, before the date of retirement for employment during such leave in any post under the Board and is agreeable to return to duty, the un-expired portion of the leave from the date of re-joining shall be cancelled.
- (b) The leave so cancelled under Clause (a) above, shall be regulated in accordance with the provisions of Regulations-32

CHAPTER-III

GRANT OF AND RETURN FROM LEAVE

13. APPLICATION FOR LEAVE:

Any application for leave or for extension of leave shall be made in Form-1 to the authority competent to grant leave.

14. LEAVE ACCOUNT:

A leave account shall be maintained in Form-2 for each employee in Class-I and II service by the Financial Adviser & Chief Accounts Officer and in Class-III and IV service by the Head of Department or an Officer authorized by him.

15. VERIFICATION OF TITLE TO LEAVE:

No leave shall be granted to an employee until a report regarding its admissibility has been obtained from the authority maintaining the leave account.

NOTE: The order sanctioning leave shall indicate the balance of earned leave / half day leave at the credit of the employee.

16. LEAVE NOT TO BE GRANTED IN CERTAIN CIRCUMSTANCES:

Leave shall not be granted to an employee, whom a competent punishing authority has decided to dismiss, remove or compulsorily retire from service.

17. GRANT OF LEAVE ON MEDICAL CERTIFICATE TO CLASS-I & II AND CLASS-III & IV EMPLOYEES:

(1) An application for leave on medical certificate made by:

(i) A Class-I and Class-II employee shall be accompanied by a Medical certificate, in form No.3 given by Medical Officer attached to the Port Trust Hospital of authorized Medical Attendant, as the case may be.

- (ii) A Class-III & IV employee, shall be accompanied by Medical Certificate in Form 4 given by the Medical Officer attached to the Port Trust Hospital or Authorised Medical attendant or a Registered Medical Practitioner; defining as clearly as possible the nature and probable duration of illness.
 - 2. A Medical Officer shall not recommend the grant of leave in any case in which there appears to be no reasonable prospect that the employee concerned will ever be fit to resume his duties and in such a case, the opinion that the employee is permanently unfit for service under the Board shall be recorded in the medical certificate.
 - 3. The authority competent to grant leave may at its discretion, secure a second medical opinion by requesting the Chief Medical Officer of the Port Trust Hospital or the Chief Medical Officer of the District in which the employee is serving or in which he falls ill or to which he proceeds for treatment, to have the applicant medically examined on the earliest possible date.
 - 4. It shall be the duty of the Medical Officer examining the employee under Sub-Regulation (3) above to express an opinion both as regards the facts of the illness and as regards the necessity for the period of leave recommended and for that purpose he may require the applicant to appear either before himself or before a medical officer nominated by himself.
 - 5. The grant of a medical certificate under these regulations does not in itself confer upon the employee concerned any right to leave; the medical certificate shall be forwarded to the authority competent to grant leave and orders of that authority awaited.
 - 6. The authority competent to grant leave may, in its discretion, waive the production of a medical certificate in case of an application of leave for a period not exceeding three days at a time. Such leave shall not, however, be treated as leave on medical certificate and shall be debited against leave other than leave on medical grounds.
18. LEAVE TO AN EMPLOYEE WHO IS UNLIKELY TO BE FIT TO RETURN TO DUTY:
- (1) (a) When a medical authority has reported that there is no reasonable prospect that the employee will ever be fit to

return to duty, leave shall not necessarily be refused to such employee.

(b) The leave may be granted, if due, by the authority competent to grant leave on the following conditions:

(i) If the Medical authority is unable to say with certainty that the employee will never again be fit for services, leave not exceeding twelve months in all may be granted and such leave shall not be extended without further reference to a medical authority;

(ii) If an employee is declared by a medical authority to be completely and permanently incapacitated for further service, leave or an extension of leave may be granted to him after the report of the medical authority has been received, provided the amount of leave as debited to the leave account together with any period of duty beyond the date of the report of the medical authority, does not exceed six months.

(2) An employee who is declared by a Medical authority to be completely and permanently incapacitated for further service shall;

(a) if he is on duty, be invalidated from service from the date of relief of his duties, which should be arranged without delay on receipt of the report of the medical authority, it however, he is granted leave under sub-regulation (1) he shall be invalidated from service on the expiry of such leave.

(b) If he is already on leave, be invalidated from service on the expiry of that leave or extension of leave, if any, granted to him under sub-regulation (1).

19. COMMENCEMENT AND TERMINATION OF LEAVE:

Except as provided in Regulation-20, leave ordinarily begins on the day on which the transfer of charge is effected and ends on the day proceeding that on which the charge is resumed.

20. COMBINATION OF HOLIDAYS WITH LEAVE:

(1) (i) When the day, immediately preceding the day on which an employee's leave (other than leave on medical certificate) begins or immediately following the day on which his leave expires, is holiday or one of series of holidays, the employee shall be deemed to have been permitted (except in cases

where for administrative reasons permission for prefixing/suffixing holidays, to leave specifically withheld) to 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 his transfer or assumption of charge does not involve the handing over of securities or moneys other than a permanent advance;

(ii) In case of leave on medical certificate:

- (a) When the employee is certified medically unwell to attend office, holiday (s), if any, immediately preceding the day he is so certified shall be allowed automatically to be prefixed to leave and the holiday (s), if any immediately succeeding the day he is so certified (including that day) shall be treated as part of the leave; and
- (b) When an employee is certified medically fit for joining duty, holiday (s) if any succeeding the day, he is so certified (including that day) shall automatically be allowed to be suffixed to the leave, and holiday(s), if any preceding the day he is so certified shall be treated as part of the leave.
- (2) On condition the departing employee remains responsible for the moneys in his charge, the Head of the Department may, in any particular case waive the application of the proviso to Sub-Regulation (1).
- (3) Unless the authority competent to grant leave in any case otherwise directs:
 - (a) If holidays are prefixed to leave, the leave and any consequent re-arrangement of pay and allowances take effect from the day after the holidays; and
 - (b) If holidays are suffixed to leave, the leave is treated as having terminated and any consequent re-arrangement of pay and allowances takes effect from the day on which the leave would have ended if holidays had not been suffixed.

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

21. RECALL TO DUTY BEFORE EXPIRY OF LEAVE:

- (1) In case, an employee is recalled to duty before the expiry of his leave, such recall to duty shall be treated as compulsory in all cases and the employee shall be entitled.
 - (a) If the leave from which he is recalled is 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;
 - (i) travelling allowance under rules made in this behalf for the journey; and
 - (ii) leave salary until he joins his post, at the same rate at which he would have drawn it but for recall to duty.
 - (b) If the leave from which he recalled is out of India, to count the time spent on the voyage to India as duty, for purposes of calculating leave and to receive:
 - (i) leave salary, during the voyage to India and for the period from the date of landing in India to the date of joining his post at the same rate at which he would have drawn but for recall to duty;
 - (ii) a free passage to India;
 - (iii) refund of his passage from India if he has not completed half the period of his leave by the date of leaving for India on recall or 3 months whichever is shorter;
 - (iv) traveling allowance, under regulations for the time being in force, for travel from the place of landing in India to the place of duty.

22. RETURN FROM LEAVE:

- (1) An employee on leave shall 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.
- (2) Notwithstanding any thing contained in Sub-Regulation (1) an employee on leave preparatory to retirement shall be precluded from returning to duty save with the consent of the authority competent to appoint him to the post from which he proceeded leave preparatory to retirement.
- (3) (a) An employee who has taken leave on medical certificate may not return to duty until he has produced a medical certificate of fitness in Form-5.

- (b) if the employee is a Class-I or Class-II employee the certificate under Clause (s) above shall be obtained from the Chief Medical Officer of the Port Trust Hospital or from an authorized medical attendant, not below the rank of Civil Surgeon Gr.I as the case may be.
- (c) In the case of a Class-III or Class-IV employee the authority under which the employee is employed on return from leave may, in its discretion, accept a certificate signed by a registered medical practitioner.
- (4) (a) An employee returning from leave is not entitled, in the absence of specific orders to that effect, to resume, as a matter of course, the post which he held before going on leave.
- (b) such employee shall report his return to duty to the authority which granted him leave or to the authority, if any specified in the order, granting him the leave and await orders.

NOTE: An employee who had been suffering from tuberculosis may be allowed to resume duty on the basis of fitness certificate, which recommends light work for him.

23. ABSENCE AFTER EXPIRY OF LEAVE:

1. Unless the authority competent to grant leave extends the leave, an employee who remains absent after the end of leave is entitled to no leave salary for the period of such absence and that period shall be debited against him leave account on though it were half pay leave, to the extent such leave is due, the period in excess of such leave due being treated as extraordinary leave.
2. willful absence from duty after the expiry of leave renders an employee liable to disciplinary action.

CHAPTER-IV

KINDS OF LEAVE DUE AND ADMISSIBLE

24. EARNED LEAVE:

(1)(a)(i) An employee shall be entitled to 30 days earned leave in a calendar year. The leave account of every employee shall be credited with earned leave in advance in two instalments of 15 days each on the first of January and July every calendar year.

“(ii) When an employee joins a new post without availing full joining time by reason that – (a) He is ordered to join the new post at a new place of posting without availing of full joining time to which he is entitled, or (b) He proceeds alone to the new place of posting and joins the post without availing full joining time and takes his family later within the permissible period of time for claiming traveling allowance for the family, the number of days of joining time admissible under Sub-rule 4 of Rule 5 of the C.C.S. (joining time) Rules, 1979, subject to maximum of 15 days reduced by the number of days of joining time actually availed of shall be credited to his leave account as earned leave.

Provided that the earned leave at his credit together with the un-availed joining time allowed to be, so credited shall not exceed 300 days.”

(b) The leave at the credit of an employee at the close of the previous half year shall be carried forward to the next half year, subject to the condition that the leave so carried forward plus the credit for the half year do not exceed the maximum limit of 300 days, provided that where the earned leave at the credit of the employees as on the last day of December, or June is 300 days or less but more than 225, the advance credit of 15 days earned leave on first day of January or July to be afforded in the manner indicated under sub-regulation (1) of clause (a) of sub-regulation (1) shall instead of being credited in leave account be kept separately and first adjusted against the earned leave that the employee takes during that half year and the balance, if any, shall be credited to the leave account at the close of the half-year, subject to the condition that balance of such earned leave plus leave already at credit do not exceed the maximum limit of 300 days.

- (2) Subject to the provisions of Regulations-6 and 32 and sub-regulations (1) and (3) of this Regulations, the maximum earned leave that may be granted at a time to an employee in India shall be 180 days.
- (3) Earned leave may be granted to an employee in Class-I or Class-II service for a period exceeding 180 days but not exceeding 300 days if the entire leave so granted or any portion thereof is spent outside India.

Provided that where earned leave exceeding a period of 120 days is granted under this sub-regulation, the period of such leave spent in India shall not in the aggregate exceed the aforesaid limits.
- (4) A period spent in Foreign Service shall count as duty for purposes of this regulation, if contribution towards leave salary is paid on account of such period.

25. CALCULATION OF EARNED LEAVE:

1. Earned leave shall be credited to the leave account of an employee at the rate of 2 ½ 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.
2. (a) The credit for the half year in which an employee is due to retire or resigns from the service shall be afforded only at the rate of 2 ½ days per completed calendar month up to the date of retirement or resignation.

(b) When an employee is removed or dismissed from service or dies while in service, credit of earned leave shall be allowed at the rate of 2 ½ days per completed calendar month upto the end of the calendar month preceding the calendar month in which he is removed or dismissed from service or dies in service.
3. If an employee has availed of extra-ordinary leave and / or some period of absence has been treated as dias-non 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 1/10th of the period of such leave and / or dias-non, subject to maximum of 15 days.
4. While affording credit of earned leave, fractions of a day shall be rounded off to the nearest day".

26. HALF PAY LEAVE:

1. The half pay leave account of every employee shall be credited with half pay leave in advance, in two installments of 10 days each on the first day of January and July of every calendar year.
2. (a) The leave shall be credited to the said leave account at the rate of 5/3 days for each completed calendar month of service which he is likely to render in the half year of the calendar year in which he is appointed.
- (b) The credit for the half year in which an employee is due to retire or resigns from service shall be allowed at the rate of 5/3 days per completed calendar month upto the date of retirement or resignation.
- (c) When an employee is removed or dismissed from service or dies while in service, credit of half pay leave shall be allowed at the rate of 5/3 days per completed calendar month upto the end of calendar month proceeding the calendar month in which he is removed or dismissed from service or dies in service.
- (d) Where a period of absence or suspension of employee has been treated as "dias-non" in a half year, the credit to be afforded to his half pay leave account at the commencement of next half year, shall be reduced by one eighteenth of the period of "dies-non", subject to a maximum of ten days.
3. The leave under this regulation may be granted on medical certificate or on private affairs.
4. while affording credit of half pay leave, fraction of a day shall be rounded off to the nearest day:

Provided that in the case of an employee not in permanent employee no half pay leave shall be granted unless the authority competent to grant leave has reasons to believe that the employee will return to duty on its expiry, except in the case of an employee who has been declared completely and permanently incapacitated for further service by a medical authority.

27. COMMUTED LEAVE:

- 1) Commuted leave not exceeding half the amount of half pay leave due may be granted on medical certificate to an employee, subject to the following conditions.

- a) The authority competent to grant leave is satisfied that there is reasonable prospect of the employee returning to duty on its expiry;
 - b) when commuted leave is granted, twice the amount of such leave shall be debited against the half pay leave due.
- 2) Half pay leave upto a maximum of 180 days may be allowed to be commuted during the entire service (without production of medical certificate) where such leave is utilized for an approved course of study certified to be in the Board's interest by the leave sanctioning authority.
- 3) Where an employee who has been granted commuted leave resigns from service or at his request is permitted to retire voluntarily without returning to duty, the commuted leave shall be treated as half-pay leave and the difference between the leave salary in respect of commuted leave and half pay leave shall be recovered.

Provided that no such recovery shall be made if the retirement is by further service or in the event of his death, employee for further service or in the event of his death.

NOTE: Commuted leave may be granted at the request of employee even when earned leave is due to him.

28. LEAVE NOT DUE:

- (1) Save in the case of leave preparatory to retirement, leave not due may be granted to an employee in permanent employee limited to a maximum of 360 days during the entire service on medical certificate subject to the following conditions.
- (a) The authority competent to grant leave is satisfied that there is reasonable prospect of the employee returning to duty on its expiry;
- (b) Leave not due shall be limited to the half pay leave, he is likely to earn thereafter;
- (c) Leave not due shall be debited against the half pay leave, the employee may earn subsequently.
- (2) 'Leave not due' may also be granted to such of the temporary employees as are suffering from Tuberculosis, Leprosy, cancer or mental illness for a period not exceeding 360 days during the entire service subject to the fulfillment of the conditions in clauses (a) to (c) of sub-regulation (1) and also subject to the following further conditions;

- (i) The employee has put in a minimum of one year's service
 - (ii) The post from which the employee proceeds on leave is likely to last till his return to duty; and
 - (iii) The request for grant of such leave is supported by a medical certificate.
- (3) (a) Where an employee who has been granted leave not due resigns from service or at his request permitted to retire voluntarily without returning to duty, the leave not due shall be cancelled, his resignation or retirement taking effect from the date on which such leave has commenced, and the leave salary shall be covered.
- (b) Where an employee, who having availed himself of leave not due, returns to duty, but, resigns or retires from service before he has earned such leave, he shall be liable to refund the leave salary to the extent the leave has not been earned subsequently.

Provided that no leave salary shall be recovered under Clause (a) or Clause (b) if the retirement is by reason of ill-health incapacitating the employee for further service or in the event of his death, or he is retired by giving him notice or pay and allowances in lieu of such notice in accordance with the terms and conditions of his service.

29. EXTRAORDINARY LEAVE:

- (1) Extraordinary leave may be granted to an employee, in special circumstances:-
 - (a) When no other leave is admissible;
 - (b) When other leave is admissible, but the employee applies in writing for the grant of extraordinary leave.
- (2) Unless the Board under exceptional circumstances of the case otherwise determines, no employee, who is not in permanent employee shall be granted extraordinary leave on any one occasion in excess of the following limits;
 - (a) Three months;
 - (b) Six months where the employee has completed one year's continuous service on the date of expiry of leave of the kind due and admissible under those regulations including 3 months extraordinary leave under clause (a) and his request for such leave is supported by a medical certificate as required by these regulations.

- (c) Eighteen months on medical certificate where the employee who has completed one year continuous service is undergoing treatment for –
- (i) Pulmonary tuberculosis or pleurisy of tubercular origin, in a recognized sanitarium;

NOTE: The concession of extraordinary leave upto 18 months shall be admissible also to an employee suffering from pulmonary Tuberculosis or pleurisy of tubercular origin who receives treatment at his residence under a Tuberculosis Specialist recognized as such by the State Administrative Medical Officer concerned and produce a certificate signed by that specialist to the effect that he is under his treatment and that he has reasonable chances of recovery on a expiry of the leave recommended.

- (ii) Tuberculosis of any other part of the body by a qualified Tuberculosis Specialist or a Civil Surgeon; or staff surgeon; or
- (iii) Leprosy in "a recognized Leprosy Institution or by a Civil Surgeon or Staff Surgeon or a Specialist in Leprosy Hospital recognized as such by the State Administrative Medical Officer concerned;
- (iv) Cancer or for mental illness in an institution recognized for the treatment of such disease or by a Civil Surgeon or Staff Surgeon or a specialist in such disease"

N O T E: For this purpose "Medical Certificate" include a medical certificate issued by the Chief Medical Officer of the Port Trust Hospital.

- (d) twenty four months, where the leave is required for the purpose of prosecuting studies certified to be in the Board's interest, provided the employee concerned has completed three years continuous service on the date of expiry of leave of the kind due and admissible under these regulations, including three months extra ordinary leave under clause (a).
3. (a) Where an employee is granted extraordinary leave in relaxation of the provisions contained in Clause (d) of sub-regulation (2), shall be required to execute a bond in Form-6 undertaking to refund to the Board the actual amount of

expenditure incurred by the Board during such leave plus that incurred by any other Agency with interest thereon in the event of his not returning to duty on the expiry of such leave or quitting the service before a period of three years after return to duty.

- (b) The Board shall be supported by sureties from the two permanent employees having a status comparable to or higher than that of the employees.
- (c) Employees belonging to the Scheduled castes or the Scheduled Tribes may, for the purpose of attending the pre-examination training course at the centers notified by Government, from time to time, be granted extraordinary leave by the Competent Authority, in relaxation of the provisions of sub-regulation (2).
- (5) Two spells of extraordinary leave, if intervened by any other kind of leave, shall be treated as one continuous spell of extraordinary leave for the purpose of sub-regulation (2).

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

29. (a) LEAVE TO PROBATIONER, A PERSON ON PROBATION AND AN APPRENTICE

- 1.(a) A Probationer shall be entitled to leave under these regulations, if he had held his post substantively otherwise than on probation.
- (b) If for any reason, it is proposed to terminate the services of a probationer, any leave which may be granted to him shall not extend —
 - (i) beyond the date on which the probationary period as already sanctioned or extended expires, or
 - (ii) beyond any earlier date on which his services are terminated by the orders of an authority competent to appoint him.
- 2. A person appointed to a post on probation shall be entitled to leave under these regulations as a temporary or permanent employee according to his appointment is against temporary or permanent post.

Provided that where such person already holds a lien on a permanent post before such appointment, he shall be entitled to leave under these regulations as a permanent employee.

3. An apprentice shall be entitled to:

- a) Leave on medical certificate, on leave salary, equivalent to half pay for a period not exceeding one month on any year of apprenticeship.
- b) Extraordinary leave under Regulation – 29.

30. PERSONS RE-EMPLOYED AFTER RETIREMENT:

In the case of a person re-employed after retirement the provisions of these regulations shall apply, as if, he had entered Board's service for the first time on the date of his re-employment.

31 LEAVE PREPARATORY TO RETIREMENT:

- 1) An employee may be permitted by the authority competent to grant leave to take leave preparatory to retirement to the extent of earned leave due, not exceeding 300 days together with half pay leave due subject to the condition that such leave extends upto and-includes the date of retirement.

NOTE: The leave granted as leave preparatory to retirement shall not include extraordinary leave.

- 2) (a) Where an employee who is on foreign service in or under any local authority or a corporation or company wholly or substantially owned or controlled by the Government or a Body controlled refinanced by the Government (hereinafter referred to the local body) applies for leave preparatory to retirement, the decision to grant or refuse such leave shall be taken by foreign employer with the concurrence of the lending authority.
- (b) the employee on foreign service shall also be allowed to encash earned leave at his credit on the date of retirement in the manner provided in Sub-Regulation (2) of Regulation-32.
- 3) Where an employee is on Foreign Service in or under local body other than the one mentioned in sub-regulation (2) (1) leave preparatory to retirement shall be admissible to him only when he quits duty under the foreign employer;

Provided that where an employee continues in service under such foreign employer, the employee shall not be eligible for grant of cash payment in lieu of leave under Regulation 32.

32. LEAVE/CASH PAYMENT IN LIEU OF LEAVE BEYOND THE DATE OF RETIREMENT / COMPULSORY RETIREMENT OR QUITTING OF SERVICE:

1. No leave shall be granted to an employee –
 - (a) the date of his retirement, or
 - (b) the date of his final cessation of duties, or
 - (c) the date on which he retires by giving notice or he is retired by giving him notice or pay and allowances in lieu of such notice, in accordance with the terms and conditions of his service, of
 - (d) the date of his resignation from service
2. a) where an employee retires on attaining the normal age prescribed for retirement under the terms and conditions governing his service, the authority competent to grant leave shall suomotu issue an order granting cash equivalent of leave salary for (earned) leave, if any, at the credit of the employee on the date of his retirement, subject to a maximum of 300 days.
 - b) The cash equivalent under clause (a) shall be calculated as follows and shall be payable in one lumpsum as a one time settlement. No house rent allowance or city compensatory allowance shall be payable:

Pay admissible on the date of Retirement plus dearness allowance		Number of days of unutilized earned leave at credit on the date of retirement subject to a maximum of 300 days
Admissible on that date	X	
Cash = _____		
Equivalent	30	
3. The authority competent to grant leave may withhold whole or part of cash equivalent of earned leave in the case of an employee who retires from service on attaching the age of retirement while under suspension or while disciplinary or criminal proceedings are pending against him, if in the view of such authority there is a possibility of some money becoming recoverable from him on conclusion of the proceedings against him.

On conclusion of the proceedings, he will become eligible to the amount so with hold after adjustment of dues if any.

4. (a) Where the service of an employee has been extended in the interest of public service beyond the date of his retirement, he may be granted :-
- (i) during the period of extension, any earned leave due in respect of the period of such extension plus the earned leave which was at his credit on the date of his retirement subject to a maximum of 180 days / 300 days, as the case may be, as prescribed in regulation
 - ii) after expiry of the period of extension, cash equivalent in the manner provided in sub-regulation (2) in respect of earned leave at credit on the date of retirement, plus the earned leave earned during the period of extension, reduced by the earned leave availed of during such period, subject to a maximum of 300 days.
- b) The cash equivalent payable under sub-clause (ii) of clause (a) of this sub-regulation shall be calculated in the manner indicate din clause (b) of sub-regulation (2) above.
5. An employee who retires or is retired from service in the mannér mentioned in clause (c) of sub-regulation (1),* may be granted, suomotu by the authority competent to grant leave, cash equivalent of the leave salary in respect of earned leave at his credit subject to a maximum of 300 days and also in respect of all the half pay leave at his credit provided this period does not exceed the period between the date on which he so retires or is retired from service and the date on which he would have retired in the normal course after attaining the age prescribed for retirement under the terms and conditions governing his service. The cash equivalent shall be equal to the leave salary as admissible for earned leave and / or equal to the leave salary as admissible for half pay leave plus dearness allowance admissible on that leave salary for the first 300 days, at the rates in force on the date the employee so retires or is retired from service. The one pension equivalent of other retirement benefits adhoc relief / graded relief on pension shall be deducted from the leave salary paid for the period of the half pay leave, if any, for which the cash equivalent is payable. The amount so calculated shall be paid in and lumpsum is a one time settlement. No house rent allowance or city compensatory allowance shall be payable.

Provided that if leave salary for the half pay leave component falls short of lumpsum and other pensionary benefits cash equivalent of half pay leave shall not be granted.

- 5.(A) "Where an employee is compulsorily, retired as a measure of penalty under the provisions of the VPE (classification, Control and Appeal) Regulations, 1968 and the disciplinary authority has not imposed any reduction in the amount of his pension (including gratuity) as per rules, the authority competent to grant leave shall suomotu issue an order granting cash equivalent of leave salary for earned leave, if any at credit of the employee on the date of such retirement, subject to a maximum of three hundred days in the manner indicated in clause (b) of sub-regulation (2)".
6. (a) (i) Where the service of an employee terminated by notice or by payment of pay and allowances in lieu of notice, or otherwise in accordance with the terms and conditions of his appointment, he may be granted, suomotu, by the authority competent to grant leave, cash equivalent in respect of earned leave, at his credit on the date on which he ceases to be in service subject to a maximum of 300 days.
- (ii) If an employee resigns or quits service, he may be granted, suo motu, by the authority competent to grant leave, cash equivalent in respect of earned leave at his credit on the date of cessation of service, to the extent of half of such leave at his credit, subject to a maximum of (150) days;
- (iii) an employee who is reemployed after retirement may, on termination on his reemployment, be granted suo motu, by the authority competent to grant leave cash equivalent in respect of earned leave at his credit on the date of termination of reemployment subject to a maximum of 300 days, (including the period for which encashment was allowed at the time of retirement).
- (b) The cash equivalent payable under clause (a) shall be calculated in the manner indicated in clause (b) of sub-regulation (2) and for the purpose of computation of cash equivalent under sub-clause (iii) of clause (a), the pay on the date of the termination of reemployment shall be the pay fixed in the scale of post of reemployment before adjustment of pension and pension equivalent of other retirement benefits, and the dearness allowance appropriate to that pay.

33. CASH EQUIVALENT OF LEAVE SALARY IN CASE OF DEATH IN SERVICE:

In case an employee 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 the 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 (in the manner specified in Regulation-35 without any reduction on account of pension equivalent of death – cum – retirement gratuity.

N O T E: In addition to the cash equivalent of leave salary admissible under this regulation the family of the deceased employee shall also be entitled to payment of dearness allowance only as per orders issued in this behalf separately.

34. CASH EQUIVALENT OF LEAVE SALARY IN CASE OF INVALIDATION FROM SERVICE.

An employee who is declared by a medical authority to be completely and permanently incapacitated for further service may be granted, suo motu, by the; authority competent to grant leave, cash equivalent of leave salary in respect of leave due and admissible, on the date of his invalidation from service, provided that the period of leave for which he is granted cash equivalent does not extend beyond the date on which he would have retired in the normal course after attaining the age prescribed for retirement under the terms and conditions. Covering his service, the cash equivalent thus payable shall be equal to the leave salary as calculated under sub-regulations (5) of Regulation-32. An employee not in permanent employee shall not however, be granted cash equivalent of leave salary in respect of half-pay leave standing at his credit on the date of his invalidation from service.

35. PAYMENT OF CASH EQUIVALENT OF LEAVE SALARY IN CASE OF DEATH, ETC., OF EMPLOYEE.

In the event of the death of an employee while in service or after retirement or after final cessation of duties but before actual receipt of its cash equivalent of leave salary payable under Regulations – 32, 33 and 34 such amount shall be payable:

- (i) to the widow, and if there are more widows than one, to the eldest surviving widow if the deceased was a male employee or to the husband, if the deceased was a female employee:

EXPLANATION: The expression "eldest surviving widow" shall be construed with reference to the seniority according to the date of the marriage of the surviving widows and not with reference to their ages;

- ii) failing a widow or husband, as the case may be to the eldest surviving son; or an adopted son;
 - iii) failing (i) and (ii) above, to the eldest surviving unmarried daughter;
 - iv) failing (i) to (iii) above, to the eldest surviving widowed daughter;
 - v) failing (i) to (iv) above, to the father;
 - vi) failing (i) to (v) above, to the mother;
 - vii) failing (i) to (vi) above, to the eldest surviving brother below the age of eighteen years;
 - viii) failing (i) to (vii) above, to the eldest surviving unmarried sister; and
 - ix) failing the above, to the eldest surviving widowed sister.
- "35. (a) Cash equivalent of leave salary in case of permanent absorption in public sector undertaking / autonomous body wholly or substantially owned or controlled by the Central Government / State Government an employee who has been permitted to be absorbed in service or post in or under a corporation or company wholly or substantially owned or controlled by the Central Government or State Government or in or under a body controlled or financed by one or more than one such Government shall, if such absorption is declared by the Government to be in the public interest, be granted suo-motu by the authority competent to grant leave cash equivalent of leave salary in respect of earned leave at his credit on the date of absorption subject to a maximum of 300 days. This will be calculated in the same manner as indicated in clause (b) of sub-regulation 2 of Regulation 32".
36. An employee on his application shall be allowed the encashment of earned leave, under the following terms and conditions.:
- (a) Encashment will be allowed only once in a Calendar year. It will be limited to 50% of the leave standing at the credit of an employee and will be subject to an employee simultaneously availing himself of 7 days leave. The leave account will be debited by the total of leave en-cashed and availed.

- (b) The amount admissible on such encashment shall be the pay and allowances for which he would have been eligible had he actually gone on leave and will be paid in advance.
- (c) The amount paid in lieu of leave shall not count as emoluments for any purposes. It shall not also be subjected to recoveries in respect of loans, advances etc.

37. LEAVE SALARY:

- 1) An employee who proceeds on earned leave is entitled to leave salary equal to the pay drawn immediately before proceeding on earned leave.

NOTE: In respect of any period spent on foreign service out of India, the pay which the employee would have drawn if on duty in India but for foreign service out of India shall be substituted for the pay actually drawn while calculating leave salary.

- 2) An employee on half pay leave or leave not due is entitled to leave salary equal to half the amount specified in (sub-regulation (1)).
- 3) An employee on commuted leave is entitled to leave salary equal to the amount admissible under sub-regulation (1)
- 4) An employee on extraordinary leave is not entitled to any leave salary.
- 5) In the case of any employee who is granted leave earned by him during the period of re-employment the leave salary shall be based on the pay, drawn by him exclusive of the pension and pension equivalent of other retirement benefits.
- 6) a) If, in the case of an employee who retires or resigns from the service, the leave already availed of is more than the credit so due to him necessary adjustment shall be made in respect of leave salary, if any overdrawn.
- b) where the quantum of earned leave already availed of by an employee who is dismissed or removed from service or who dies while in service is in excess of the leave credit under clause (b) of Sub-Regulation (2) of regulation 25, the over payment of leave salary shall be recovered in such cases.

38. DRAWAL OF LEAVE SALARY:

The leave salary payable under these regulations shall be drawn in rupees in India.

39. ADVANCE OF LEAVE SALARY:

An employee including an employee on foreign service, proceeding on leave for a period not less than 30 days may be allowed in advance in lieu of leave salary upto a month's pay subject to the following conditions:-

- i) The amount of the advance shall be restricted to the net amount of leave salary including allowances as well as the 1st month of leave that is clearly admissible after deductions on account of Income tax, provident fund, House rent, repayment of advance etc., so that there is no financial risk involved.
- ii) The advance should be adjusted in full in the leave salary bill in respect of the leave availed. In case where the advance cannot be so adjusted in full, the balance shall be recovered from the next payment of pay or leave salary or both.
- iii) The advance may be sanctioned by the Chairman, Dy. Chairman or the Heads of Department, as the case may be.
- iv) Advances in respect of a temporary employee may be sanctioned without the surety of a permanent employee.
- v) The amount of advance shall be debited to the head of account to which the pay etc. of the employee is debited.
- vi) advance under these regulations shall be sanctioned in whole rupees.

CHAPTER – V

40. MATERNITY LEAVE: Special kinds of leave other than study leave.

- (1) A Female employee (including on apprentice) with less than two surviving children maybe granted maternity leave by an authority competent to grant leave for a period of 135 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.
- (3) Maternity leave not exceeding six weeks may also be granted to a female employee in case of miscarriage, including abortion, (irrespective of No. of surviving children) on production of medical certificate as laid down in Regulation – 17.
- (4) a) Maternity leave may be combined with leave of any other kind.
b) Not withstanding the requirement of production of medical certificate contained in Sub-regulation (1) of Regulation 27 or sub-regulation (1) of Regulation 28, 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-regulation (1).
- (5) The maternity leave shall not be debited against the leave account.
- (6) A male employee (including an apprentice) with less than two surviving children may be granted paternity leave for a period of 15 days during the confinement of his wife. During the period of such leave, he shall be paid leave salary equal to the pay drawn immediately before proceeding on leave. Paternity leave shall not be debited against the leave account and may be combined with any other kind of leave (as in the case of maternity leave). It may not normally be refused under any circumstances".
- (7) A female employee in whose case the period of 90 days of maternity leave has not expired on the date of publication of this notification shall also be entitled to the maternity leave

of 135 days. Similarly, paternity leave to a male employee may also be allowed in case his wife had given birth to the child on a date not prior to 135 days from the date of issue of this notification.

“40(A) Leave to female employee on adoption of a child:

An employee on her adoption of a child, may be granted leave of the kind due and admissible (including leave not due and commuted leave not exceeding 60 days without production of Medical certificate) for a period upto one year or till such time the child is one year old, whichever is earlier. However, this facility will not be admissible in case she is already having two surviving children at the time of adoption.

41. SPECIAL DISABILITY LEAVE FOR INJURY INTENTIONALLY INFLICTED:

(1) The authority competent to grant leave may grant special disability leave to an employee (whether permanent or temporary) 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 bring it to notice;

Provided that the authority competent to grant leave may, if it is satisfied as to the cause of the disability, 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 the Medical Officer of the Board and shall in no case exceed 24 months.

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

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

(6) Since disability leave shall be counted as duty in calculating service for pension and shall not, except the leave granted under the proviso to clause ((b) of sub-regulation (7) be debited against the leave account.

(7) Leave salary during such leave shall, —

a) for the first 120 days of any period of such leave, including a period of such leave granted under sub-regulation (5), be equal to leave salary while on earned leave; and

b) for the remaining period of any such leave be equal to leave salary during half pay leave.

Provided that an employee may, at his option, be allowed leave salary as in sub-regulation (a) for period not exceeding another 120 days, and in that event the period of such leave shall be debited to his half pay leave account.

(8) In case of a person to whom the Workmen Compensation Act, 1923 (8 of 1923) applies, the amount of leave salary payable under this regulation shall be reduced by the amount of compensation payable under clause (d) of sub-section (1) of Section-4 of the said Act.

42. SPECIAL DISABILITY LEAVE FOR ACCIDENTAL INJURY:

(1) The provisions of Regulation-41 shall apply also to an employee whether permanent or temporary, who is disabled by injury accidentally 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 post which he holds.

(2) The grant of special disability leave in such case shall be subject to the further conditions:

(i) That the disability, if due to disease, must be certified by the Medical Officer of the Board to be directly due to the performance of the particular duty;

(ii) that, if the employee has contracted such disability during service otherwise than with a military force, it must be in the opinion of the authority competent to sanction leave, exceptional in character; and

(iii) that the period of absence recommended by the Medical Officer of the Board may be covered in part, by leave under

this regulation and in part by any other kind of leave, and that the amount of special disability leave granted on leave salary equal to that admissible on earned leave shall not exceed 120 days.

43. HOSPITAL LEAVE:

(1) The authority competent to grant leave may grant hospital leave to:-

(a) Class-IV employees and

(b) Such class-III employees whose duties involve the handling of dangerous machinery, explosive materials, poisonous drugs and the like, or the performance of hazardous tasks, while under medical treatment in a hospital or otherwise, for illness or injury if such illness or injury is directly due to risks incurred in the course of their official duties.

(2) Hospital leave shall be granted on the production of medical certificate from the Medical Officer of the Board.

(3) Hospital leave may be granted for such period as the authority granted it may consider necessary, on leave salary.

i) equal to leave salary while on earned leave for the first 120 days of the period of such leave; and

ii) equal to leave salary during half pay leave, for the remaining period of any such leave.

(4) Hospital leave shall not be debited against the leave account and may be combined with any other kind of leave which may be admissible, provided the total period of leave, after such combination, does not exceed 28 months.

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

44. COMPULSORY LEAVE TO MEDICAL OFFICER IN CHARGE OF RADIOLOGY AND RADIOGRAPHER-CUM-DARK ROOM ASSISTANTS:

1) Every Medical Officer in-charge of Radiology and Radiographer-cum-dark room Assistant, shall be granted leave for one month every year compulsorily and out of one month leave, half of the leave shall only be debited to the employee's leave account and the balance shall be borne by the Board.

- 2) An employee who proceeds on special leave mentioned in Sub-Regulation (1) above shall be entitled to leave salary equal to the pay drawn immediately before proceeding on leave for the portion of leave borne by the Board.

CHAPTER-VI (STUDY LEAVE)

45. CONDITIONS FOR GRANT OF STUDY LEAVE:

- 1) Subject to conditions specified in this chapter, study leave may be granted to an employee with due regard to the exigencies of Board's service to enable him to undergo, in or out of India, a special course of study consisting of higher studies or specialized training in a professional or a technical subject having a direct and close connection with the spare of his duty.
- 2) Study leave may also be granted –
 - i) for a course of training or study tour in which the employee may not attend a regular academic or semi academic course if the course of training or the study tour is certified to be of definite advantage to Board from the point of view of public interest and is related to sphere of duties of the employee and;
 - ii) for the purpose of studies connected with the frame work or background of public administration subject to the conditions that –
 - a) the particular study or study tour should be approved by the authority competent to grant leave, and
 - b) the employee should be required to submit, on his return, a full report on the work done by him while on study leave.
 - iii) for the studies which may not be closely or directly connected with the work of an employee, but which are capable or widening his mind in a manner likely [to improve his abilities as an employee and to equip him better to collaborate with those employed on other branches of the public service.

NOTE: application for study leave in cases falling under clause(iii) shall be considered on merits of each case in consultation with the Accounts Department.

3) Study leave shall not be granted unless-

- i) it is certified by the authority competent to grant leave that the proposed course of study or training shall be of definite advantage from the point of view of public interests;
- ii) it is for prosecution of studies in subjects other than academic or literary subject:

Provided that Medical Officer may be granted study leave for prosecuting a course of Post-graduate study in Medical sciences if the Board certified to the effect that such study leave shall be valuable in increasing the efficiency of such medical officer in the performance of his duties;

Provided also that a specialist or a technical person may be granted study leave, on merits of each case for prosecuting a post graduate course of study directly related to the sphere of his duty in case the competent authority certifies that the course of study shall enable the specialist or the technical person, as the case may be, to keep abreast with modern development in the field of his duty, improve his technical standards and competence and thus substantially benefit the Board.

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

Provided that in releasing foreign exchange to employees proceeding on study leave abroad, the Department aforesaid shall satisfy itself whether such employee comply with the minimum educational criteria as specified in the general orders issued by the said department from time to time regulating release of foreign exchange to persons proceeding abroad for higher studies at their expenses.

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

(5) Study leave may be granted to an employee

- i) who has satisfactorily completed period of probation and has rendered not less than five years' regular continuous service including the period of probation under the Board;

- ii) who is not due to reach the age of superannuation from the Board's service within three years from the date on which he is expected to return to duty after the expiry of the leave, and
- iii) who executes a bond as laid down in Regulation 49(3) undertaking to serve the Board for a period of three years after the expiry of the leave)
- 6) Study leave shall not be granted to an employee with such frequency as to remove him from contract with his regular work or to cause cadre difficulties owing to his absence on leave.

46. MAXIMUM AMOUNT OF STUDY LEAVE:

The maximum amount of study leave, which may be granted to an employee shall be –

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

47. AUTHORITY COMPETENT TO SANCTION STUDY LEAVE:

study leave may be granted:

- a) by the Board in the case of employees referred to in clause (a) of sub-section (i) of Section-24 of the Major Port Trusts Act, 1963 (38 of 1963); and
- b) by Chairman or Deputy Chairman as the case may be in all other cases.

48. APPLICATIONS FOR STUDY LEAVE:

- (1) (a) Every application for study leave shall be submitted through proper channel to the authority competent to grant leave;
- (b) The course or courses of study contemplated by the employee and any examination which he proposes to undergo shall be clearly specified in such application.
- (2) Where it is not possible for the employee to give full details in his application, or if, after leaving India, he is to make any change in the programme which has been approved in India, he shall submit the particulars as soon as possible to the Head of the Mission of the authority competent to grant

leave as the case may be, and shall not unless prepared to do so at his own risk, commence the course of study or incur any expenses in connection there with until he receives the approval of the authority competent to grant the study leave for the course.

49. SANCTION OF STUDY LEAVE:

- 1) A report regarding the admissibility of the study leave shall be obtained from the Accounts Department in respect of Class-I & II Officers.

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

- 2) whether the study leave is granted for prosecution of studies abroad, the Head of the Mission concerned shall be informed of the fact by the authority granting the leave through the Central Government.

NOTE: The Head of the Mission shall be contacted by the employee for issue of any letters of introduction or for other similar facilities that may be required.

- (3) (a) Every employee in permanent employee who has been granted study leave or extension of such study leave shall be required to execute a bond in Form-8, as the case may be, before the study leave or extension of such study leave granted to him commences.
 - b) Every employee not in permanent employee who has been granted study leave or extension of such study leave shall be required to execute a bond in form-9 of form-10 as the case may be before the study leave or extension of such study leave granted to him commences.
 - c) The Authority competent to grant leave shall send to the Accounts Department a certificate to the effect that the employee referred to Clause (a) of clause (b) has executed the requisite bond.
- 4) (a) On completion of the course of study, the employee shall submit to the authority which granted him the study leave, the certificates of examinations passed or special courses of study undertaken, indicating the date of commencement and termination of the course with the remarks, if any of the authority in charge of the course of study.

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

50. ACCOUNTING OF STUDY LEAVE AND COMBINATION WITH LEAVE OF OTHER KINDS:

- 1) Study leave shall not be debited against the leave account of the employee.
- 2) Study leave may be combined with other kinds of leave but in no case shall the grant of this leave combination with leave, other than extraordinary leave, involve a total absence of more than 28 months generally and 36 months of the courses leading to Ph.D Degree from regular duties of the employee.

EXPLANATION: The limit of 28 months 36 months of absence prescribed in this regulation includes the period of vacation.

- (3) An employee granted study leave in combination with any other kind of leave may, if he so desires, undertake or commence a course of study during any other kind of leave and subject to the other conditions laid down in Regulation – 53 being satisfied, draw study allowance in respect thereof.

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

51. REGULATION OF STUDY LEAVE EXTENDING BEYOND COURSE OF STUDY:

When the course of study falls short of study leave granted to an employee, he shall resume duty on the conclusion of the course of study, unless the previous sanction of the authority competent to grant leave has been obtained to treat the period of shortfall as ordinary leave.

52. LEAVE SALARY DURING STUDY LEAVE:

- 1) During study leave availed of outside India, an employee shall draw leave salary equal to the pay that the employee while on duty with Board immediately before proceeding on such leave and in addition the dearness allowance, house rent allowance and study allowance as admissible in accordance with the provisions of Regulations 53 to 56.

- 2) a) During study leave availed of in India, an employee shall draw leave salary equal to the pay that the employee drew while on duty with Board immediately before proceeding on such leave and in addition the dearness allowance and house rent allowance as admissible in accordance with the provisions of Regulation 56.
- b) Payment of leave salary at full rate under clause (a) shall be subject to furnishing of a certificate by the employee 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 an employment during the period of study leave as scholarship or stipend or remuneration in respect of any part time employment as envisaged in sub-regulation (2) of Regulation-53 shall be adjusted against the leave salary payable under this sub-regulation 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.
- d) No study allowance shall be paid during study leave for courses of study in India.

53. CONDITIONS FOR GRANT OF STUDY ALLOWANCE:

- (1) A study allowance shall be granted to an employee who has been (granted study leave for studies outside India) for the period spent in prosecuting a definite course of study at a recognized Institution or in any definite tour of inspection of any special class of work, as well as for the period covered by any examination at the end of the course of study.
- 2) Where an employee has been permitted to receive and retain, in addition to his leave salary, any scholarship or stipend that may be awarded to him from a Government or non-government sources, or any other remuneration in respect of any part time employment.
- a) No study allowance shall be admissible in case the net amount of such scholarship or stipend or remuneration (arrived at by deducting the cost of fees, if any, paid by the employee from the value of the scholarship or stipend or remuneration) excess the amount of study allowance otherwise admissible.

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

3) Study allowance shall not be granted for any period during which an employee interrupts his course of study to suit his own convenience;

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

4) Study allowance shall also be allowed for the entire period of vacation during the course of study subject to the conditions that -

a) the employee attends during vacation and special course of study or practical training under the direction of the Board of the Authority competent to grant leave, as the case may be;

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

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

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

54. RATES OF STUDY ALLOWANCE:

1) The rates of study allowance shall be as follows:

<u>Name of the country</u>	<u>Study allowance per diem</u>
AUSTRALIA	1.00 (Sterling)
CONTINENT OF EUROPE	1.65 (Sterling)
NEWZEALAND	1.20 (Sterling)
UNITED STATES OF AMERICA	2.75 (Sterling)
UNITED KINGDOM	2.00 (Sterling)

- 2) The rates of study allowance prescribed in Sub-Regulation (1) may be revised by the Board from time to time.
- 3) The rates of study allowance to be granted to an employee who takes study leave in any country other than the one specified in sub-regulation (1) shall be such as may be specially determined by the Board in each case.

55. PROCEDURE FOR PAYMENT OF STUDY ALLOWANCE:

- 1) Payment of study allowance shall be subject to the furnishing of a certificate by the employee to the effect that he is not in receipt of any scholarship, stipend or any other remuneration in respect of any part time employment
- 2) Study allowance shall be paid at the end of every month provisionally subject to an undertaking in writing being obtained from the employee that he would refund to the Board any over payment consequent on his failure to produce the required certificate of attendance or on his failure to satisfy the authority competent to grant leave about the proper utilization of the time spent for which study allowance is claimed.
- (3) (a) In the case of a definite course of study at a recognized institution, the study allowance shall be payable by the authority competent to grant leave, if the study leave availed of is in a country where there is no Indian Mission, and by the Head of the Mission on other cases, on claims submitted by the employee from time to time, supported by proper certificates of attendance.
- b) The certificate of attendance required to be submitted in support of the claims for study allowance shall be forwarded at the end of the term, if the employee is undergoing study in an educational Institution, or at intervals not exceeding three months if he is undertaking study at any other institution.
- 4) a) When the programme of study approved does not include, or does not consist / entirely of, such a course of study, the employee shall submit to the authority competent to grant leave direct or through the Head of the Mission a diary showing how his time has been spent and a report indicating fully the nature of the methods and operations which have been studied and included suggestions as to the possibility of adopting such methods or operations to conditions obtaining to the Port.

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

56. ADMISSIBILITY OF ALLOWANCES IN ADDITION TO STUDY ALLOWANCE:

- 1) For the first 120 days of the study leave, house rent allowance shall be paid at the rates admissible to the employee from time to time at the station from where he proceeded on study leave. The continuance of payment of house rent allowance beyond 120 days shall be subject to the production of a certificate as prescribed in Para-8(d) of Ministry of Finance O.M. No.2(37)-E.II(B)/64 dated 27.11.1965, as amended from time to time.
- 2) Except for house rent allowance as admissible under Sub-Regulation (1) and the dearness allowance and the study allowance, where admissible, no other allowance shall be paid to an employee in respect of the period of study leave granted to him.

57. TRAVELLING ALLOWANCE DURING STUDY LEAVE:

An employee to whom study leave has been granted shall not ordinarily be paid travelling allowance but the Board may in exceptional circumstance sanction the payment of such allowance.

58. COST OF FEES FOR STUDY:

An employee to whom study leave has been granted shall ordinarily be required to meet the cost of fees paid for the study but in exceptional cases, the Board may sanction the grant of such fees.

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

59. RESIGNATION OR RETIREMENT AFTER STUDY LEAVE OR NON COMPLETION OF THE COURSE OF STUDY:

- 1) If an employee resigns or retires from service or otherwise quits service without returning to duty after a period of study leave or within a period of three years after such return to

duty (or fails to complete course of study and is thus unable to furnish the certificates as required under sub-regulation (4) of Regulation-49) he shall be required to refund

- i) The actual amount of leave salary, study allowance, cost of fees, travelling and other expenses, if any, incurred by the Board; and
- ii) The actual amount, if any, of the cost incurred by other agencies such as Foreign Governments, Foundations and Trusts in connection with the course of study. Together with interest there on at rates for the time being in force on loans given by the Board, from the date of demand, before his resignation is accepted or permission to retire is grant or his quitting service otherwise;

Provided that except in the case of employees who fail to complete the course of study nothing in this regulation shall apply.

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

CHAPTER – VII

MISCELLANEOUS

60. INTERPRETATION:

Where any doubt arises as to the interpretation of these Regulations, it shall be referred to the Board and its decision shall be final.

61. POWER TO RELAX:

Where the Chairman is satisfied that the operation of any of these Regulations causes undue hardship in any particular case, he may be order for reasons to be recorded in writing, dispense with or relax the requirements of the regulation to such extent and subject to such exceptions and conditions as may be considered necessary for dealing with the case in a just and equitable manner.

62. REPEAL AND SAVING:

- 1) On the commencement of these Regulations, the Visakhapatnam Port Employees (Leave) Regulations, 1964 and the Visakhapatnam Port Employees (Study leave Regulations, 1964 in force immediately before such commencement and other provisions regarding regulation of leave contained in the Fundamental Rules and the Supplementary Rules of th Government of India, as far as they are applicable to the employees of the Board, shall, in so far as it provides for any of the matter contained in these regulations, cease to operate.
- 2) Notwithstanding such cesser of operation, anything done or ay action taken or any leave earned by or granted to or accrued to the credit of an employee under the old Regulations/rules shall be deemed to have been done, taken, earned, granted or accrued under the corresponding provisions of these Regulations.

63. CENTRAL GOVERNMENT RULES TO BE FOLLOWED IN THE APPLICATION OF THESE REGULATIONS.

In applying the foregoing regulations and in respect of matters not dealt with in these regulations, the C.C.S. (Leave) Rules, 1972 and the order of Central Government issued there under from time to time, shall be followed in so far as they are not

inconsistent with the provisions of these regulations, subject to such exceptions and modifications as the Board may from time to time determine.

- (2) (a) The study leave availed of by such an employee shall be converted into regular leave standing at his credit on the date on which the study leave commenced, any regular leave taken in continuation of study leave being suitably adjusted for the purpose and the balance of the period of study leave, if any, which cannot be so converted, treated as extraordinary leave.
- (b) In addition to the amount to be refunded by the employee under sub-regulation (2), he shall be required to refund any excess of leave salary actually drawn over the leave salary admissible on conversion of the study leave.
- 3) notwithstanding anything contained in this regulation, the Board may, if it is necessary or expedient to do so, either in public interest or having regard to the peculiar circumstances of the case or class of cases, by order, waive or reduce the amount required to be refunded under sub-regulation (1) by the employee concerned or class of employees.

THE SCHEDULE
(Sec. Reg.3 (k))
FORM-1
(Sec. Reg.13)

APPLICATION FOR LEAVE OR FOR EXTENSION OF LEAVE

1. Name of applicant
2. Post held
3. Department, Office and Section
4. Pay
5. House rent and other compensatory allowance drawn in the present post
6. Sundays, and holidays, if any proposed to be prefixed / suffixed to leave
7. Grounds on which leave is applied for
8. Date of return from last leave, and the nature and period of that leave
9. I propose / do not propose to avail myself of leave travel concession for the Block year _____ during the ensuring leave
10. Address during leave period

SIGNATURE OF APPLICATE (WITH DATE)

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

SIGNATURE (WITH DATE)
DESIGNATION

CERTIFICATE REGARDING ADMISSIBILITY OF LEAVE

13. Certified that _____ (nature of leave) for _____ (period) from _____ to _____ is admissible under Regulation _____ of the V.P.E.(Leave) regulations, 1992.

SIGNATURE (WITH DATE)
DESIGNATION

14. orders of the authority competent to grant leave

SIGNATURE (WITH DATE)
DESIGNATION

FORM-2
(See Regulation-14)

FORM OF LEAVE ACCOUNT
Date of birth

Name of employee:

Date of commencement of continuous service:

Date of permanent employment:

resignation:

Date of retirement /

Particulars of service

HALF PAY LEAVE

EARNED LEAVE

In the half year of a
Calendar

1.	From		
2.	To		
3.	Completed months of service in the half year of a calendar		
4.	E.L. credited at the beginning of half year		
5.	No. of days of E.O.L.(Cl:36) availed of during the previous		
6.	E.L. to be deducted (1/10 th of the period in Col.5)		
7.	Total E.L. at credit in days (Col.4+11-6)		
8.	From	Leave taken	
9.	To		
10.	No. of days		
11.	Balance of E.L. on return from leave (Col.7-10)		
12.	Completed months of service in the half year of a calendar		
13.	H.P.L. credited at the beginning of half year		
14.	No. of days treated as "diesnon" during the previous half year		
15.	HPL to be deducted (1/18 th of the period in Col.14)		
16.	Total HPL at credit in days (Col.35-13-15)		
17.	From	LEAVE Against earnings on half pay.	
18.	To		
19.	No. of days		

(on private affairs & M.C. including commuted leave & leave not due)

Commuted leave on Medical certificate on full pay			Commuted leave W/O M.C. for studies certified to be in Board's interest limited to 180 days (HPL converted into 90 days commuted leave in entire service)			Commuted leave converted into half pay leave (twice of col.22 & 25)	On medical certificate			Otherwise than on M.C. limited to 180 days			Total of leave not due (col.29 & 32)	Total half pay leave taken (Col. 19,26 & 33)	Balance of half pay leave on return from leave (Col 16 - 34)	Other kind of leave
From	To	No. of days	From	To	No. of days		From	To	No. of days	From	To	No. of days				
20.	21.	22.	23.	24.	25.	26.	27.	28.	29.	30.	31.	32.	33.	34.	35.	36.

NOTE: 1) The earned leave due should be expressed in days

NOTE: 2) when an employee is appointed during the course of a half year of a particular calendar year earned leave should be credited at the rate of 2 ½ days for each completed calendar month and the fraction of a day will be rounded to the nearest day.

NOTE: 3) The entries in column 6 should be in complete days. Fraction of a day will be rounded to the nearest day.

NOTE: Period of extraordinary leave should be noted in red ink.

FORM – 3

(See Regulation – 17)

**MEDICAL CERTIFICATE FOR CLASS-I AND II OFFICERS
RECOMMENDED LEAVE OR EXTENSION OR LEAVE OR
COMMUTATION OF LEAVE.**

...

Signature of the employee_____

I, _____ after careful personal examination
of the case hereby certify that Shri Shrimati/ Kum.
_____ 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 / her health

CMO/DY.CMO/RMO/SMO/MO

PORT HOSPITAL

Dated:_____

Note: 1. This form should be adhered to as closely as possible and should be filled in after the signature of the employee has been taken. The certifying officer is not at liberty to certify that the employee 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 an applicant should go before a CMO/Dy.CMO/RMO/SMO/MO to decide the question of his/ her fitness for service:

Note: 2. No recommendation contained in this certificate shall be evidence of a claim to any leave not admissible to the employee.

F O R M - 4

(See Regulation - 17)

**MEDICAL CERTIFICATE FOR LEAVE OR EXTENSION OF LEAVE
OR COMMUTATION OF LEAVE**

Signature of the employee_____

I, _____ after careful personal examination of the case hereby certify that Shri / srimati / Kum. _____ whose signature is given above, is suffering from _____ and I consider that a period of absence from date of _____ with effect from _____ is absolutely necessary for the restoration of his/her health.

CMO/DY.CMO/RMO/SMO/MO

Dated:_____

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 employee has been taken. The certifying officer is not at liberty to certify that the employee 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 an application on such grounds has been made to him whether the applicant should go before a CMO/DY.CMO/RMO/SMO to decide the question of his/her fitness for service.

Note.3: Should a second medical opinion be required, the authority competent to grant leave should arrange for the second medical examination to be made at the earliest possible date by a Medical Officer not below the rank of C.M.O., who shall express an opinion both as regards the facts of illness and as regards the necessity for the amount of leave recommended and for this purpose he may after require the employee to appear before himself or before a medical officer nominated by himself.

Note.4: No recommendation contained in this certificate shall be evidence of a claim to any leave not admissible to the employee.

F O R M - 5

(See Regulation-22(3))

MEDICAL CERTIFICATE OF FITNESS TO RETURN TO DUTY

Signature of employee_____

We, the members of medical board

I, _____ Chief Medical Officer /
Dy.Chief Medical Officer/ Registered Medical Officer / Senior Medical
Officer / Medical Officer/ Registered Medical Practitioner

Do hereby certify that we / I have carefully examined Shri / Shrimati /
Kumari _____ whose signature is given above,
and find that he / she recovered from his / her illness and is now fit
to resume duties in Board's 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 these into
consideration in arriving at our / my decision.

Members of the Medical Board

1) _____

2) _____

3) _____

Chief Medical Officer / Dy.Chief Medical Officer/
Registered Medical Officer / Senior Medical Officer
/ Medical Officer/ Registered Medical Practitioner

Dated:_____

Note: The original medical certificates(s) and statement(s) of the case
on which the leave was originally granted or extended shall be
produced before the authority required to issue the above
certificate. For this purpose, the original certificate(s) and
statement(s) of the case should be prepared in duplicate, one
copy being retained by the employee concerned.

FORM - 6

(See Regulation-29 (3))

BOND FOR TEMPORARY EMPLOYEE GRANTED EXTRA ORDINARY LEAVE IN RELAXATION OF REGULATION 29 (2) (d)

Know all men by these presents that we, _____ residents of _____ in the District of _____ at present employed as _____ in the office of _____ (hereinafter called "the obligor") and Shri / Shrimathi/Kumari _____ son / daughter of _____ of _____ hereafter called "the sureties") do hereby jointly and severally bind ourselves and our respective heirs, executors and administrators, to pay to the Board of Trustees its successors and assigns (hereinafter called the "Board") on demand the sum of Rs. _____ (Rupees _____) together with interest thereon from the date of demand at Board rates for the time being in force on Board 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 at the official rate of exchange between that country and India and together with all costs between the attorney and client and all charges and expenses that shall or may have been incurred by the Board.

WHEREAS, the Board has at the request of the above bounden Shri/shrimati/kumari _____ employed as a _____ granted him/ or regular leave, followed by extra ordinary leave without pay and allowances, for a period of ____ months ____ days with effect from _____ in order to enable his / her to study at _____.

AND WHEREAS for the better protection of the Board the obligor has agreed to execute this bond with two sureties with such condition as hereunder written:

AND WHEREAS the said sureties have agreed to execute this bond as sureties on behalf of the bounden.

NOW THE CONDITION OF THE ABOVE WRITTEN OBLIGATION IS THAT in the event of the above bounden Shri/Smt/ Kumari _____ failing to rejoin on the expiry of the period of extraordinary leave, the post originally held by him / her and

serve the Board after rejoining for such period not exceeding a period of _____ years as the Board may require or refusing to serve the Board in any other capacity as maybe required by the Board on a salary to which he/she would be entitled under the regulations, the said Shri/Smt/Kumari _____ or his / her executors and administrators shall forthwith pay to the Board on demand the said sum of Rs. _____ together with interest thereon from the date of demand at Board rates for the time being in force on Board loans.

AND upon the obliger Shri / Smt. / Kum. _____ and, of Shri / Smt. / Kum. _____ the sureties aforesaid making such payment the above written obligation shall be void and of no effect, otherwise it shall be and remain in force and virtue.

PROVIDED always that the liability of the sureties hereunder shall not be impaired or discharged by reason of time being granted or by any for bearance, act or omission of the Board or any person authorized by them (whether with or without the consent or knowledge of the sureties) nor shall it be necessary for the Board to sue the obligor before suing the sureties Shri/smt./Kumari _____ and Shri/Smt./Kum. _____ or any of them for amounts due hereunder.

The Bond shall in all respects be governed by the laws of India for the time being in force and the rights and liabilities hereunder shall where necessary be accordingly determined by the appropriate courts in India.

The employees has agreed to bear the stamp duty payable on this bond.

Signed and dated this _____ day of _____ one thousand nine hundred and _____.

Signed and delivered by the obliger

Above named Shri/Smt/Kum

_____ in the presence of _____

witness 1. _____

2. _____

signed and delivered by the surety
above named Shri/Smt./Kum

in the presence of _____

witness 1. _____

2. _____

signed and delivered by the surety
above named shri/smt./kum.

in the presence of _____

witness 1. _____

2. _____

ACCEPTED

For and on behalf of the
Board of Trustees.

FORM - 7

'See Regulation 49(3))

BOND TO BE EXECUTED BY AN EMPLOYEE IN PERMANENT EMPLOY. WHEN PROCEEDING ON STUDY LEAVE

...

KNOW all men by these presents that I, resident of in the District of at present employee as in the office of do hereby bind myself and my heirs, executors and administrators to pay to the Board of Trustees (hereinafter called the Board) on demand the sum of Rs. (Rupees only) together with interest thereon from the date of demand at Board's rates for the time being in force on Boards 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 Board.

WHEREAS I, am granted study leave by board.

AND WHEREAS for the better protection of the Board I have 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 my failing to resume duty, or resigning or retiring from service or otherwise quitting service) without returning to duty after the expiry or termination of the period of study leave or failing to complete the course of study) or at any time within a period of three years after my return to duty. I shall forthwith pay to the Board or as may be directed by the Board on demand the said sum of Rs. (Rupees only) together with interest thereon from the date of demand at Board rates for the time being in force on Board loans.

AND upon my making such payment the above written obligations shall be void and of no effect, otherwise it shall be and remain in full force and virtue.

The Bond shall in all respects be governed by the laws of India for the time being in force and the rights and liabilities hereunder shall, where necessary, be accordingly determined by the appropriate courts in India.

The employee has agreed to bear the stamp duty payable on this bond.

Signed and dated this day of one thousand and nine hundred and Signed and delivered by

.....

in the presence of

Witnesses : 1.

2.

Accepted
for and on behalf of the
Board of Trustees

FORM - 8

(See Regulation 49(3))

**BOND TO BE EXECUTED BY AN EMPLOYEE IN PERMANENT
EMPLOYMENT WHEN PROCEEDING WHEN GRANTED
EXTENSION OF STUDY LEAVE**

...

KNOW ALL MEN BY THESE PRESENTS THAT I, _____
resident of _____ in the district of _____
at present employee as _____ in the office of
_____ do hereby bind myself and my heirs, executors
and administrators to pay to the Board of Trustees (hereinafter called
"the Board" on demand the sum of Rs. _____ (Rupees
_____ only) together with interest
thereon from the date of demand at Board's rates for the time being
in force on Boards loans, or if payment is made in a county 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
Board.

WHEREAS I, _____ was granted study leave
by Board for the period from _____ to _____ in consideration
of which I executed a bond, dated _____ for Rs. _____ (Rupees
_____ only) in favour of the Board of Trustees.

NOW WHEREAS for the better protection of the Board granted
to me at my request until _____.

AND WHEREAS for the better protection of the Board I have
agreed to execute this bond with such conditions as hereunder are
written.

NOW THE CONDITION OF THE ABOVE WRITTEN
OBLIGATION IS THAT (in the event of my failing to resume duty, or
resigning or resigning or retiring from service or otherwise quitting
service) without returning to duty after the expiry or termination of the
period of study leave so extended (or failing to complete the course
of study) or any time within a period of three years after my return to
duty. I shall forthwith pay to the Board or as may be directed by the
Board on demand the said sum of Rs. _____ (Rupees
_____ only) together with interest

thereon from the date of demand at Board rates for the time being in force on Board loans.

AND upon my making such payment the above written obligations shall be void and of no effect, otherwise it shall be void and of no effect otherwise it shall be and remain in full force and virtue.

The bond shall in all respects be governed by the laws of India for the time being in force and the rights and liabilities hereunder shall, where necessary, be accordingly determined by the appropriate courts in India.

The employee has agreed to bear the stamp duty payable on this bond.

Signed and dated this _____ day of _____ one thousand and nine hundred and _____

Signed and delivered by _____

in the presence of _____

Witness 1. _____

2. _____

ACCEPTED

For and on behalf of the
Board of Trustees

FORM-9

(See Regulation-49(3))

BOND TO BE EXECUTED BY AN EMPLOYEE NOT IN
PERMANENT EMPLOY, WHEN PROCEEDING ON DUTY LEAVE.

...

KNOW ALL MEN BY THESE PRESENTS THAT WE,
_____ RESIDENTS OF _____ IN THE DISTRICT
OF _____ at present employee as _____ in the office
or _____ (hereinafter called "the obligor") and Shri /Smt./
Kumari _____ son/daughter of _____
and Shri/Shmt./Kum. _____ Son/daughter of
_____ and Shri/Smt./Kum _____
son / daughter of _____ of _____ (hereinafter
called "the sureties") do hereby jointly and severally bind ourselves and
our respective heirs, executors and administrators to pay to the Board
of Trustees (hereinafter called "the Board") on demand the sum of
Rs. _____ (Rupees _____ only) together
with interest thereon from the date of demand at the Board rates for
the time being in force on Board loans or, of 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 Board.

Whereas the obligor is granted study leave by the Board.

AND WHEREAS for the better protection of the Board, the obligor
has agreed to execute this bond with such condition as hereunder is
written.

AHD WHEREAS THE said sureties have agreed to execute this
bond as sureties on behalf of the above bounden _____

NOW THE CONDITION OF THE ABOVE WRITTEN
OBLIGATIONS IS THAT in the event of the obligor Shri/Smt./Kum
_____ (failing to resume duty, or resigning from
service or otherwise quitting service) without returning to duty after the
expiry or termination of the period of study leave or failing to complete
the course of study) or at any time within a period of three years after
his return to duty, the obliger and the sureties) shall forthwith pay to the

Board or as may be directed by the Board on demand the said sum of Rs. _____ (Rupees _____ only) together with interest thereon from the date of demand at the Board rates for the time being in force on Board loans.

AND upon the obligor Shri / Smt./ Kumari _____ and or Shri/Smt./Kum. _____ and or Shri / Smt. / Kum. _____ 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 of time being granted or by any forbearance, act or omission of the Board or any person authorized by them (whether with or without the consent or knowledge of the sureties) nor shall it be necessary for the Board to sum the obliger before suing the sureties Shri/Smt./Kum. _____ and Shri/Smt./Kum. _____ or any of them for amount due hereunder.

The Bond shall in all respects be governed by the laws of India for the time being in force and the rights and liabilities hereunder shall where necessary be accordingly determined by the appropriate Courts in India.

The employee has agreed to bear the stamp duty payable on this bond.

Signed and dated this _____ day of _____ one thousand nine hundred and _____.

Signed and delivered by the obliger

Above named Shri/Smt/Kum

in the presence of _____

witness 1. _____

2. _____

Signed and delivered by the surety
above named Shri/Smt./Kum

in the presence of _____

witness 1. _____

2. _____

Signed and delivered by the surety
above named shri/smt./kum.

in the presence of _____

witness 1. _____

2. _____

ACCEPTED

For and on behalf of the
Board of Trustees.

FORM-10

(See Regulation-49(3))

BOND TO BE EXECUTED BY AN EMPLOYEE NOT IN
PERMANENT EMPLOY, WHEN GRANTED EXTENSION OF
STUDY LEAVE.

...

KNOW ALL MEN BY THESE PRESENTS THAT WE, _____
RESIDENTS OF _____ IN THE DISTRICT OF _____
at present employee as _____ in the office or _____
(hereinafter called "the obligor") and Shri /Smt./Kumari _____
son/daughter of _____ and Shri/Shmt./Kum. _____
Son/daughter of _____ and Shri/Smt./Kum _____
son / daughter of _____ of _____ (hereinafter
called 'the sureties') do hereby jointly and severally bind ourselves and
our respective heirs, executors and administrators to pay to the Board
of Trustees (hereinafter called "the Board") on demand the sum of
Rs. _____ (Rupees _____ only) together
with interest thereon from the date of demand at the Board rates for
the time being in force on Board loans or, of 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 Board.

Whereas the obligor is granted study leave by the Board for the
period from _____ to _____ in consideration of which
he executed bond, dated _____ for Rs. _____ (Rupees
_____ only) in favour of Board.

AND WHEREAS the extension of study leave has been granted
to the obligor at his request until _____ AND WHEREAS for
the better protection of the Board, the obligor has agreed to execute
this bond with such condition as hereunder is written.

AHD WHEREAS THE said sureties have agreed to execute this
bond as sureties on behalf of the above bounden _____

NOW THE CONDITON OF THE ABOVE WRITTEN
OBLIGATIONS IS THAT in the event of the obligor Shri/Smt./Kum
_____ (failing to resume duty, or resigning from

service or otherwise quitting service) without returning to duty after the expiry or termination of the period of study leave or failing to complete the course of study) or at any time within a period of three years after his return to duty, the obliger and the sureties) shall forthwith pay to the Board or as may be directed by the Board on demand the said sum of Rs. _____ (Rupees _____ only) together with interest thereon from the date of demand at the Board rates for the time being in force on Board loans.

AND upon the obligor Shri / Smt./ Kumari _____ and or Shri/Smt./Kum. _____ and or Shri / Smt. / Kum. _____ 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 of time being granted or by any forbearance, act or omission of the Board or any person authorized by them (whether with or without the consent or knowledge of the sureties) nor shall it be necessary for the Board to sum the obliger before suing the sureties Shri/Smt./Kum. _____ and Shri/Smt./Kum. _____ or any of them for amount due hereunder.

The Bond shall in all respects be governed by the laws of India for the time being in force and the rights and liabilities hereunder shall where necessary be accordingly determined by the appropriate Courts in India.

The employee has agreed to bear the stamp duty payable on this bond.

Signed and dated this _____ day of _____ one thousand nine hundred and _____.

Signed and delivered by the obliger
Above named Shri/Smt/Kum

in the presence of _____
witness 1. _____
2. _____

Signed and delivered by the surety
above named Shri/Smt./Kum

in the presence of _____

witness 1. _____

2. _____

Signed and delivered by the surety
above named shri/smt./kum.

in the presence of _____

witness 1. _____

2. _____

ACCEPTED

For and on behalf of the
Board of Trustees.