

LEAVE RULES

Since beginning of Railways at different times different leave rules had been introduced.

- i. Company Leave Rules,
- ii. Fundamental Leave Rules,
- iii. State Railways Leave Rules,
- iv. Liberalized Leave Rules/CPC Leave Rules

Since 1949, we are governed by this leave rules, time to time has been modified.

Basically, different leaves can be divided as Non-Recorded leaves and Recorded leaves.

Those leaves which are maintained only for the year and not continued for the entire service are non-recorded leaves, such as-

Casual leave, Spl Casual Leave, Restricted holidays, Compensatory leave(CR).

And recorded leaves, which are recorded for the entire service, such as-

LAP, LHAP, Commuted Leave, Study Leave, CCL, Maternity Leave, Paternity Leave, Child Adoption Leave, LND, EOL, LWP and WRIIL(work related illness and injury leave) etc.

Casual Leave:- those who enjoy public holidays and 02 days Restricted holidays, are entitled for 08 days CL and other than those enjoy 10 days CL. CL can't be combined with any other leave.

Spl CL:- to participate in the sports, competitions, to union meeting, to attend co-operative society, to participate scout, trekking etc are sanctioned Special CL.

Upto 30 days Spl CL, DRM is empowered to sanction.

Upto 90 days GM is empowered to sanction,

Above 90 days Rail Board's sanction is required.

LAP and LHAP are known as earned leave.

Every year we earn by serving, 30 days LAP @ two and half days per month. And 20 days LHAP.

These leaves are given to the leave account twice in a year in advance, 15 days LAP and 10 days LHAP on 1st.January, which is called first part, and similarly 15 days LAP and 10 days LHAP on 1st.July(second part) of every year.

Important features-

- For every 10 days LWP, one day LAP is deducted from the earning.
- Maximum 300 days LAP can be credited.
- After 300 days LAP in balance, each half of the year gives 15 days LAP which is lapsed on the end of the half. So maximum LAP in leave account can be shown as 300/15 days.
- Maximum 180 days LAP can be sanctioned in a spell.
- LHAP is credited unlimited throughout the entire service.
- LHAP is credited @10 days in each half of the year.
- Maximum 24 months LHAP can be sanctioned in a spell for the medical ground.
- Other than medical ground LHAP can be sanctioned without commuted the period.

- Both LAP and LHAP are sanctioned in a continuous spell, hence, it can't be parted or combined with casual leave.

STUDY LEAVE:- Study leave shall be granted to a Rly Servant-

- With due regard to the exigencies for the public service to enable the railway servant to undergo within India or abroad a special course of study consisting of higher studies or technical subjects having a direct and close connection with the sphere of duties.
- For a course of training or study tour if the course is certified to be the definite advantage of the Govt. in regard to public interest , and is related to the sphere of duty.
- Who has completed satisfactorily the period of probations and has rendered minimum five years regular service including the probation period.
- Who is not due to reach the age of superannuation within three years after expiry of study leave and returning to duty.

- Who executed the bond undertaking to serve Govt. for a period of three years after expiry of study leave.
- Study leave may not be sanctioned for studies in academic and literary subjects.
- For aboard study leave may be granted when the Ministry of Finance agrees to release of foreign exchange involved in the grant of leave.
- Study leave may be granted to a Medical officer for prosecuting a course of post graduate study in medical science in India when the head of Medical Department certifies. For aboard, study leave shall be granted by the Director General of Rely Health Services in Ministry of Railways.
- Study leave for super specialization in subjects leading to Ph.D which are of the advantage of Railways shall be granted with the personal approval of the General Manager subject to following restrictions.
 - ➔ No leave shall be granted to Junior Scale and Senior Scale Officers(Gr A) including IRMS.

- ➔ The Grant of study leave will not involve any grant of study allowance in foreign exchange.
- ➔ Study leave in aboard shall not be granted for prosecution of studies in subjects for which sufficient facilities exist in India.

- The maximum quantum of study leave, which may be granted to a railway servant, shall ordinarily be 12 months in a spell and during entire service not more than 24 months in all.
- In respect of Medical officer study leave may be granted upto 36 months for acquiring post graduate qualification, provided such medical officer shall execute bond to serve the railways for a period of five years.
- The limit of 24 months of study leave has been increased upto 36 months, in which 24 months study leave and 12 months other kind of leave with leave salary excluding EOL to Railway employees for prosecuting studies leading to PhD degree. This order also takes effect for the Medical officers during Post Graduate courses.

- The authority competent to grant study leave –
 - ➔ Ministry of Railways in all cases of study leave within India/Outside India.
 - ➔ GM in all cases of study leave within India.
 - ➔ HOD and DRM in cases of Gr-C and Gr-D for study leave within India.

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CHILD CARE LEAVE (RBE 158/2008)

- This leave has been introduced in Railway w.e.f 1.9.2008 in 6th.PC.

- The female railway employees may be granted 730 days CCL in entire service for rearing two eldest children upto their age of attaining 18 years. And for disabled (40%) child without any age limit.
 - i. For the purpose of illness of the child
 - ii. For examination purpose.
 - iii. For look after the child at home.
- Maximum three spells may be availed in a calendar year.
- In terms of RBE No 64/2019, single male railway servant is also entitled to avail CCL for the same purpose.
- In case of a single female railway servant, maximum six spells of CCL in a year is admissible.
- Ordinarily CCL shall not be granted to a probationer, but in case of certain extreme situation leave sanctioning authority may grant CCL.
- During the period of CCL shall be paid 100% of leave salary for first 365 days and for subsequent periods of CCL leave salary of 80% shall be paid.

- Child care leave shall not be debited against the leave account.
- Single male railway servant means unmarried or widower or divorcee.

WORK RELATED ILLNESS AND INJURY LEAVE(WRIIL)

- WRIIL has replaced the concept of Hospital Leave and is introduced in Railway w.e.f 14.12.2018.
- All railway servants (gazetted or non gazetted) may be granted WRIIL, who suffers illness that is attributable to or aggravated in the performance of his official duty or in consequences of his official position.

- Full pay and allowances shall be granted to all employees during hospitalization on account of WRIIL.
- Beyond hospitalization, a railway servant (other than RPF/RPSF) shall be paid full pay and allowances for the six months following the hospitalization.
- Thereafter if continues the injuries, half pay for the next twelve months, but this half pay period may be commuted into full pay by providing the similar number of LHAP from the leave account of the person.
- For Officers(RPF/RPSF) full pay and allowances for six months immediately following the hospitalization and full pay only for the next twelve months.
- For personnel below the rank of officer of RPF/RPSF, full pay and allowances with no limit of WRIIL period.
- In the case of whom Workmen's compensation Act'1923 applies, the amount of leave salary payable under WRIIL shall be reduced by the amount of compensation under this Act.

- No LAP or LHAP shall be credited during the WRIIL period.

LEAVE NOT DUE(LND)

- LND on half average pay is granted to a permanent railway servant and also temporary railway servant with three years rly service for a period not exceeding 360 days in entire service on medical ground when there is no leave due at the credit of the rly servant.
- This leave is granted where there are reasonable prospect of his returning to duty after expiry of the leave and thereafter earning such leave.

- Leave not due period shall be debited against half pay leave, the employee is likely to earn after joining duty.
- Where the rly servant, who has been granted LND resigns from service or at his request permitted to retire voluntarily without returning duty, the LND shall be cancelled, his resignation or retirement taking effect from the date on which the LND had commenced and leave salary already paid shall be recovered.
- Where the rly servant who is having availed the LND returns to duty but resigns or retires from service before recovery of the LND period shall be liable to refund leave salary to the extent that has yet to be earned.
- In case of retirement is compulsory thrust upon him by reason of ill health incapacitating the rly servant for further service or if he is retired compulsorily on disciplinary ground or relating to the provision of compulsory retirement on rendering 30 years service or in case of death, no leave salary towards sanctioned LND shall be recovered.

MATERNITY LEAVE

- A female rly servant irrespective of permanent/temporary/or apprentice having less than two surviving children may be granted a continuous spell of 180 days maternity leave by an authority competent to grant such leave from the date of commencement of pregnancy or thereafter but not beyond the age of six months of the baby (live or dead) for the recovery of health.
- During such maternity leave she shall be paid leave salary of full pay equal to the pay drawn immediately before proceeding on leave(RBE 158/2008).

- Maternity leave may also be granted in case of miscarriage including abortion, subject to :- a) leave does not exceed six weeks. b) Certificate from authorized medical attendant is required to be produced. The total period of maternity leave in case of miscarriage /abortion is restricted to 45 days in entire service.
- In case of longer period of rest, maternity leave may be combined with any kind of leave except casual leave.
- Maternity leave followed by any other kind of leave upto two years does not warrant medical certificate to produce. But in case of exceeding two years medical certificate from a registered medical practitioner is mandatory.
- EOL taken without medical certificate in continuation of maternity leave would not count for qualifying service and for the purpose of granting increments and pension.
- Maternity leave would be admissible :-
 - ➔ In case of still born baby.
 - ➔ In case of unmarried female rly servant

- ➔ In case of female rly servant who has married a widower with children of his earlier wife.

PATERNITY LEAVE

- Male rly servants having less than two surviving children are admissible for 15 days paternity leave for look after his ailing wife and new born baby.
- The paternity leave to be granted in one spell and admissible upto the six months age of the baby from fifteen days prior the date of delivery.
- During paternity leave the rly servant shall be paid full pay as last drawn before proceeding on leave.

CHILD ADOPTION LEAVE(CAL)

- An adoptive mother in the railways with less than two surviving children may be granted

180 days as Child Adoption Leave on adoption of a child upto one year of age.

- During the period of CAL she shall be paid leave salary equal to the last pay drawn before proceeding on leave.
- In continuation of CAL, adoptive mother may also be granted, if applied for leave of any kind admissible to her(including LND and commuted leave upto 60 days) without production of medical certificate for a period upto 01 year of age of the adoptive child.
- If the age of the adopted child is less than one month on the date of adoption, mother is entitled for CAL upto one year.
- If the age is six months and < than seven months , six months CAL is granted.
- If the age is nine months and < than ten months, three months CAL is granted.
- Child Adoption Leave is not debited from Leave Account (RBE 166/2009)

EXTRA ORDINARY LEAVE(E.O.L)

- Extra ordinary leave is granted when generally no other kind of leave is admissible.
- When other leave is admissible but the rly servant applies in writing for the grant of EOL.
- Leave sanctioning authority may sanction EOL, but all kind of leave including EOL may not exceed 5 years in a spell.
- For more than five years continuous period of leave or absent, only President is empowered to grant the EOL.
- 24 months EOL is granted for the purpose of prosecuting studies in the public interest, provided the rly servant has completed three years of continuous service on the date of expiry of leave of a kind due and admissible to him including three months of EOL.