

- (11) Mother-tongue.
- (12) Personal marks of identification.
- (13) Signature of Government servant.
- (14) Signature and designation of head of the office or other attesting officer.

Note.—The entries in this page should be renewed or re-attested at least every five years, and the signature in lines (13) and (14) should be dated.

The remaining folios of the Service Book should be divided into fifteen columns, viz.:—

- (1) Name of appointment.
- (2) Whether substantive or officiating and whether permanent or temporary.
- (3) If officiating, state—
 - (i) substantive appointment, or
 - (ii) whether the officiating service prior to confirmation was continuous and if so, it counts for pension under Article 368. Civil Service Regulations.
- (4) Pay and scale of pay in the substantive appointment.
- (5) Additional pay for officiating (the scale of pay of officiating post to be indicated).
- (6) Other emoluments falling under the term "Pay".
- (7) Date of appointment.
- (8) Signature of Government servant.
- (9) Signature and designation of the head of the office or other attesting officer in attestation of columns (1) to (8).
- (10) Date of termination of appointment.

- (11) Reason of termination (such as promotion, transfer, dismissal, etc.)
- (12) Signature of the head of office or other attesting officer.
- (13) —

Nature and duration of leave taken.

Allocation of periods of leave on average pay up to four months for which leave-salary is debitable to another Government.

Period.

Government to which debitable.

- (14) Signature of the head of the office or other attesting officer.
- (15) Reference to any recorded punishment or reward of the Government servant.

ANNEXURE III.

The Tamil Nadu Leave Rules, 1933.

SECTION I—PRELIMINARY AND GENERAL.

1. These rules may be called the Tamil Nadu Leave Rules, 1933.
2. They shall apply to the holders of all posts under the rule making control of Government, whether for the time being in foreign service or not—
 - (a) who, before the 4th September 1933, were neither the holders of posts under such control in a substantive, officiating or temporary capacity nor probationers for such posts; or

(b) who, before the said date, were either the holders of such posts in such capacity or probationers therefor and who elect within six months from the said date to come under these rules.

(c) who being employees of the erstwhile States merged in the State of Tamil Nadu elect to come under these rules:

Provided that nothing contained in these rules shall apply to members of any establishment who would not have been eligible for leave under the Fundamental Rules had they continued in force in respect of the matters dealt with in these rules.

Explanation.—(1) These rules shall apply in their entirety to every person who elects under clause (b) to come under these rules.

(2) Such election, when once made, shall be final.

Exception.—Persons who entered service as Local Fund Assistant Engineers before the 4th September 1933, and were eligible for leave under the Fundamental Rules will continue to be eligible for leave under those rules when they are subsequently appointed as District Board Engineers. Persons who entered service as Local Fund Assistant Engineers on or after the 4th September 1933, and were eligible for leave under the Fundamental Rules shall, on appointment as District Board Engineers, be eligible for leave under the Tamil Nadu Leave Rules, 1933, but they shall retain in their leave account any leave at their credit on the date of their appointment as District Board Engineer.

RULINGS.

(1) *Scope of Rule 2.*—Government servants, who before the 4th September 1933, were holders of posts in a substantive, officiating or temporary capacity or were probationers for such posts, are eligible for leave under the Fundamental Rules unless they have elected the Tamil Nadu Leave Rules, 1933, irrespective of any break in their service before or after 4th September 1933.

(Finance Memo. No. 21987-1-C.S.R., dated 15th July 1934.)

Note.—If the break in the service of such a Government servant was however, due to his resignation from public service, he will on re-employment to Government service, be eligible for leave only under the Tamil Nadu Leave Rules, 1933.

(Finance Memo. No. 38089-C.S.R-3, dated 11th June 1953.)

(2) The employees of the erstwhile States merged with the Tamil Nadu State shall continue to be governed by the State Leave Rules till they are absorbed in Government service. On absorption in Government service, they shall be allowed the option either to continue under the State Leave Rules or to elect the Tamil Nadu Leave Rules, 1933. Such option shall be exercised within a period of six months from the date of absorption in Government service and once exercised shall be final. Those who elect to come under the Tamil Nadu Leave Rules shall be subject to those rules from the date of absorption in Government service.

The leave account of every person who elects to come under the Tamil Nadu Leave Rules, shall—

(i) in regard to earned leave, be credited with the amount of privilege leave or leave on average pay to his credit on the date on which he so elects, subject to the maximum prescribed in rules 8, 17 or 20 of the Tamil Nadu Leave Rules as the case may be, and

(ii) in regard to unearned leave, be debited with the amount of furlough or similar kinds of leave on half average pay whether with or without medical certificate already taken by him before the said date, either as leave on private affairs or as leave on medical certificate as the case may require. In such cases, if the leave taken under the State Leave Rules exceeds the limits prescribed in the Tamil Nadu Leave Rules for leave on private affairs and leave on medical certificates, no further unearned leave shall be granted to the employees concerned, but the leave already granted shall not be affected.

(G.O. Ms. No. 217, Finance, dated 25th February 1950.)

(3) Municipal Engineers who were governed by the leave rules under the Fundamental Rules or the Tamil Nadu Leave Rules, 1933, as the case may be prior to 1st January 1952 and who have been absorbed in the Tamil Nadu Municipal Engineering Service or the Tamil Nadu Municipal Engineering Subordinate Service as regular Engineers without any break in service will retain the benefits of leave

under the Fundamental Rules or the Tamil Nadu Leave Rules, 1933, as the case may be, and count for leave in Government service their previous service under the old Tamil Nadu Municipal Engineering Service subject to the condition that the leave earned by the Engineers prior to the constitution of the Central Fund under the old service should be the liability of the municipal council concerned.

(Finance Memorandum No.1212-A/C.S.R.-2, dated 6th February 1956.)

(3A) The employees of the Government Press governed by the Industrial Employees Leave Rules on transfer to a post not governed by these leave rules will be governed by the Tamil Nadu Leave Rules, 1933. Such an employee will be permitted to carry forward the earned leave at his credit on that date of his transfer, subject to a maximum of 90 days; and the unearned leave availed of by him under the Industrial Leave Rules will be counted against the corresponding unearned leave admissible under the Tamil Nadu Leave Rules.

(Finance Memo.No.51729/F.R./56-4, dated 9th April 1957.)

(4) Consequent on the transfer of the administration of the Employment Exchanges to the Tamil Nadu Government the staff taken over and absorbed in the National Employment Organisation from 1st November 1956 will be allowed to count their service prior to 1st November 1956 under the Government of India for the purpose of leave under the Tamil Nadu Leave Rules. They will be permitted to carry forward the earned leave accumulated prior to 1st November 1956 under the Government of India subject to the limits fixed for accumulation of earned leave in the Tamil Nadu Leave Rules, 1933. In respect of the unearned leave, they will be eligible for leave as for Government servants governed by the Tamil Nadu Leave Rules, 1933, and the leave already availed of by them up to 31st October 1956 in this regard under the Government of India will be counted against the unearned leave admissible under these Rules.

(Finance Memorandum No.35634/F.R./57-2, dated 27th April 1957.)

(5) The personnel allotted to the Tamil Nadu State from the former Travancore-Cochin State who elect to come under the Tamil Nadu Leave Rules, 1933, shall be subject to those rules from 1st November 1956.

The leave account of every person who elects to come under the Tamil Nadu Leave Rules shall—

(i) In regard to earned leave, be credited with the amount of privilege leave or leave on average pay to his credit on the date, on which he so elects subject to the maxima prescribed in rules 8, 17 or 20 of the Tamil Nadu Leave Rules, as the case may be; and

(ii) In regard to unearned leave, be debited with the amount of furlough or similar kinds of leave on half average pay, whether with or without medical certificate, already taken by him before the said date, either as leave on private affairs or as leave on medical certificate, as the case may require. In such cases, if the leave taken under the Travancore Service Rules exceeds the limits prescribed in the Tamil Nadu Leave Rules for leave on private affairs and leave on medical certificate, no further unearned leave shall be granted to the employees concerned, but the leave already granted shall not be affected.

(Finance Memorandum No.28331/F.R.59-1, dated 22nd September 1959.)

(6) In the case of personnel allotted to the Tamil Nadu State from the former Travancore-Cochin State who elected to remain under the leave rules under the Travancore Service Regulations, the rules as they stood on 31st October 1956 alone, shall apply and the amendments issued by the Government of Kerala after 1st November 1956 to those rules shall not be applied.

(Finance Memorandum No. 65221/F.R./65-3, dated 5th August 1965.)

3. These rules shall come into force on the 4th September 1933.

4. In these rules unless there is anything repugnant in the subject or context—

(a) “duty” does not include any period of absence on any leave admissible under these rules or under the Fundamental Rules read with Rule 5 of these rules but includes—

(i) any period of absence on casual leave during a continuous period spent on duty;

(ii) any period of absence on gazetted holidays or other days declared to be holidays by a competent authority, during a continuous period spent on duty;

(iii) any period of absence on gazetted holidays when permitted to be prefixed or affixed to leave;

(iv) any period of absence during vacation either during a continuous period spent on duty or when permitted to be prefixed or affixed to leave;

(v) any period spent on foreign service, if contribution towards leave-salary is paid on account of such period;

(vi) joining time; and

(vii) all periods declared to be duty under Fundamental Rule 9(6) (b) and the instructions made thereunder;

(b) (i) "Government servant" means any person to whom these rules apply;

(ii) "permanent Government servant" means a Government servant who holds substantively a permanent post in superior or Basic Service or who holds a lien on such a post or would hold such a lien had it not been suspended;

(iii) "non-permanent Government servant" means a Government servant who is not a permanent Government servant;

(c) "Government" means the Government of Tamil Nadu; and

(d) (i) "pay" means the greater of the amounts specified below:—

(a) the substantive pay *plus* special pay, personal pay and any other emoluments classed as pay, on the date before for the leave commences, or

(b) the average monthly pay *plus* special pay, personal pay and any other emoluments classed as pay, earned during the twelve complete months preceding the month in which the leave commences;

Exception.—In the case of Basic Government servant the pay—as defined in Fundamental Rule 9 (21) (a)—on the last day of duty period prior to the commencement of leave, shall be taken for the purpose of item (b) instead of the average pay as contained therein.

(ii) "half pay" means half the amount specified in item (a) or (b) above whichever is greater.

Explanation.—(1) In respect of any period spent on foreign service out of India, the pay which the Government servant 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 average pay.

(2) For the purpose of calculating leave salary in respect of leave availed of at any time after reversion from foreign service out of India, the period of leave availed of by such Government servants while on foreign service shall be treated as leave and not as duty.

(3) The fixed remuneration of Rs.40 per mensem drawn by temporary section writers in the Registration Department shall be treated as pay.

(4) The deputation allowance in nature of special pay drawn by Government servant while on deputation to other Government shall be treated as pay.

†(5) In the case of sanction of increments to Government Servants while they are on leave, on the due dates of increment the monetary benefit of the increment shall be computed for payment of leave salary, from the date of accrual of the increment. The term 'leave' shall include all kinds of leave admissible to a Government servant which count for increment under the Fundamental Rules".

†[G.O. Ms. No. 90, P&AR (FRV) dt.28-3-1995 MB. from (18-12-1992)]

RULINGS.

(1) The pay drawn by a Government servant in foreign service in excess of that admissible under the Government shall be classified as special pay.

(Finance Memo. No.76777/C.S.R./56-2, dated 8th December 1956.)

(2) Stipend payable to the Forest Apprentices shall be treated as "pay" for regulating their leave salary.

(G.O. No. 486, Finance, dated 16th March 1955.)

(3) The term “substantive pay” in clause (d) of this rule includes the pay drawn by a Government Servant in a post on which he holds a provisional lien under Fundamental Rule 14(d).

(Finance Memorandum No.89212/C.S.R./4, dated 7th February 1956.)

5. The Fundamental Rules as issued and amended from time to time by Government shall, in so far as they are not inconsistent with these rules apply *mutatis mutandis* to all persons to whom these rules apply in respect of matters not dealt with in these rules.

6. Subject to the restrictions in Rule 14, any kind of leave admissible under these rules may be granted in combination with any other kind of leave so admissible on in continuation of leave already taken whether of the same or of any other kind.

RULING.

Treatment of overstayal of leave under the Tamil Nadu Leave Rules, 1933.

In the case of a Government servant governed by the Tamil Nadu Leave Rules, 1933, who remains absent after the end of his leave the period of such overstayal of leave should, unless the leave is extended by the competent authority, be treated as follows:—

(a) If the officer is in superior service—

(i) as leave on private affairs to the extent such leave is due, unless the overstayal is supported by a medical certificate.

(ii) as leave on medical certificate to the extent such leave is due, if the overstayal is supported by a medical certificate; and

(iii) as extraordinary leave to the extent the period of leave due on private affairs and or medical certificates falls short of the period of overstayal.

(b) If the officer is in Basic Service—as in (a) (ii) and (iii) above *mutatis mutandis*.

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

(G.O. Ms. No. 128, Finance, dated 17th July 1943 and Finance Memo. No. 21684-C.S.R.-1, dated 30th July 1943.)

7. (i) Leave at the credit of a Government servant in his leave account, other than earned leave and leave on private affairs shall lapse on the date of retirement or on the date of termination of the extension of service, as the case may be. The competent authority (leave sanctioning authority) shall suo motu draw and disburse the cash benefits of encashment of earned leave and leave on private affairs at the credit of the Government servants in Groups B , C and D without formal sanction orders on the date of retirement or on the date of termination of extension of service, as the case may be, or on the next working day, following the date of retirement or the date of termination of extension of service, if the date of retirement or the date of termination of extension of service happens to be a holiday. In respect of Group A Officers, the Accountant General or Pay and Accounts Officer, as the case may be, shall, suo motu issue the pay slips for encashment of earned leave and leave on private affairs, as aforesaid, at the credit of the Government servants without formal sanction orders, on the date of retirement or on the date of termination of extension of service, as the case may be, or on the next working day, following the date of retirement or the date of termination of extension of service if the date of retirement or the date of termination of extension of service happens to be a holiday.

(ii) The benefit of encashment of earned leave at the credit of a Government servant on the date of retirement or on the date of termination of extension of service, as the case may be, shall be subject to a maximum of 240 days and shall be eligible for cash equivalent of

full leave salary which shall be based on Pay, Dearness Allowance, House Rent Allowance and City Compensatory Allowance for the entire period of leave at credit.

(iii) The benefit of encashment of leave on private affairs on the date of retirement or on the date of termination of extension of service, as the case may be, shall be subject to 50 per cent of the leave on private affairs standing to the credit of the Government servant on such date subject to a maximum of 90 days, with full leave salary in cash which shall be based on Pay, Dearness Allowance, House Rent Allowance and City Compensatory Allowance. While calculating the leave on private affairs for the above purpose, the fraction of half-a-day shall be rounded off to one day."

(vide G.O.Ms.No.324, P&AR (FR.IV) Dept., dt. 18.8.2004, w.e.f. 01.04.2003')

Explanation:—

For the purpose of encashment of earned leave and leave on private affairs provided in this rule, the Govt. Servants of the following categories shall also be eligible.

(i) cases where the services of a Government servant has been extended, in the interest of public service beyond the date of superannuation;

(ii) voluntary or premature retirement;

(iii) where the services of a Govt. Servant are 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;

(iv) in the case of death of a Govt. Servant, while in service, to the family of the deceased;

(v) in the case of leave preparatory to retirement;

(vi) in cases where the Govt. Servant has been compulsorily retired from service as a measure of punishment under rule 8 of the T.N.C.S. (CCA) Rules.

(vii) in cases where the Govt. Servant has been retired on medical invalidation;

[Vide G.O. Ms. No. 345, P&AR (FR.SPL.) dt. 31-7-90, w.e.f. 30-10-87.]

(viii) the Government servants who are discharged owing to abolition of a permanent post or retransferred due to the abolition of a Government Department or scheme.

[Vide G.O. Ms. No. 345, P&AR (FR.SPL.) dt. 31-7-90, w.e.f. 29-5-89.]

SECTION II—GRANT OF LEAVE

A.—PERMANENT GOVERNMENT SERVANTS IN SUPERIOR SERVICE.

Earned Leave

"8(a) The leave account of every permanent Government servant, including approved probationer, who is serving in a department other than vacation department, shall be credited with earned leave in advance in two installments of fifteen days each on the first day of January and July of every calendar year.

(b) The leave at the credit of a permanent Government servant, including approved probationer, 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 due for the half-year does not exceed the maximum limit of 240 days:

Provided that the earned leave at the credit of a Government servant as on the last day of December or June is 240 days or less but more than 225 days, the advance credit of 15 days earned leave on the first day of January or July to be afforded shall, instead of being credited in the leave account, be kept separately and first adjusted against the earned leave that the Government Servant, takes or surrenders, 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 the balance of such earned leave plus leave already at credit does not exceed the maximum limit of 240 days:

Provided further that the earned leave shall be credited to the leave account of a permanent Government servant, including approved probationer, at the rate of 2½ 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:

Provided also that the earned leave shall be credited to the leave account of a permanent Government servant, including approved probationer, who is due to retire or resign from the service at the rate of 2½ days per completed calendar month upto the date of retirement or resignation, as the case may be:

Provided also that when a permanent Government servant including approved probationer is removed or dismissed from service or dies while in service, earned leave shall be credited at the rate of 2½ 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 while in service, as the case may be:

Provided also that if a permanent Government servant including approved probationer has availed of extra-ordinary leave (with or without Medical Certificate) or some period of absence has been treated as dies-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 one-tenth of the period of such leave or dies-non, subject to a maximum of 15 days:

Provided also that in respect of permanent Government Servant including approved probationer in superior service, the earned leave shall be worked out at one-eleventh of duty period and in respect of non-permanent Government servant namely, Probationer or temporary, in superior service and permanent Government servant not in superior service and Government servant, in Basic Service who have not completed five years regular service, the earned leave shall be worked out at one-twenty second of duty period upto 30th June 1994 and the balance number of days shall lapse."

[G.O. Ms. No. 156, P&AR(FRIV) Dept. dt. 06-09-1999.]

[G.O. Ms. No. 24, P&AR dt. 09-02-2001.]

Explanation.—For the purpose of crediting earned leave.—

(i) fractions of a day shall be rounded off to the nearest day;

(ii) if a Government servant is on leave on the last day of any particular half of a calendar year, earned leave shall be credited on the first of the succeeding half-year, provided that the authority competent to grant leave has reason to believe that the Government servant will return to duty on the expiry of leave."

[G.O. Ms. No. 156, P&AR (FR IV) dept dt. 6-4-99, with effect from 1-7-1994.]

9. (a) If a permanent Government servant in superior service is in a vacation department, his earned leave shall, for each year of duty in which he has availed himself of the vacation, be reduced by 30 days. If a part only of the vacation has been availed of in any year, the period by which the earned leave shall be reduced shall be fraction which bears to thirty days the same proportion as the part of the vacation availed bears to the full period of the vacation.

“(b) (i) If a permanent Government servant in superior service is in the X-Ray or Radium Department of Government Medical Institutions and is actually exposed to the risk of radiation or if a permanent Medical Officer, a Nursing Superintendent, a Head Nurse, a Nurse, an Auxiliary Nurse, Midwife or a Health Visitor is in a Government Tuberculosis Institution or Sanatorium or Tuberculosis Department of the Government Medical Institutions, he should be granted compulsory leave of 30 days after 11 months of duty, subject to the conditions that accumulation of this leave for the succeeding years shall not be permissible.

(ii) Compulsory Leave of 30 days shall be granted each year to the Laboratory Technicians, the Sweepers and the Lasears who have actually worked for 11 months excluding earned leave availed of during the period in the District Tuberculosis Centers and Tuberculosis Chest

Clinics attached to the Government Medical Institutions, when they are only engaged thoughtout in the Collection of Sputum slides, cleaning and sterilising them, subject to the condition that accumulation of this leave for the succeeding years shall not be permissible”

[G.O. Ms. No. 182, P & A.R. (FR.V) dept, dt. 5-6-1995.] (w.e.f. 6th May Rulings.

(1) The compulsory leave referred to in rule (b) will be granted only after every eleven months of duty in the X-ray or Radium department of a Government Medical Institution or in a Government Tuberculosis Institution, or Sanatorium or Tuberculosis departments of the Government Medical Institutions. Broken periods of duty may be taken into account for the purpose of eleven months of duty provided the interruption on account of leave or otherwise does not exceed a period of fifteen days.

The period of joining time being not actual duty should not be taken into account as in interruption for calculating fifteen days limit.

*(G.O. Ms. No. 277, Finance, dated 17th February 1956.)
(Memo. No. 57946/F.R./64-1, dated 23rd June 1964.)*

(2) The officers who are deputed for short-term training in Radiology and for D.M.R. Course and who are posted to full-time X-ray posts after the completion of the short-term training of deputation and officers deputed for the T.D.D. Course or training at the National Tuberculosis Institute, Bangalore and who are posted to the Tuberculosis institutes or clinics after the completion of the deputation shall be allowed to count for the purpose of grant of compulsory leave under Rule 9 (b) the period of their short-term training or deputation, as the case may be. Such officers may be granted compulsory leave during the period of training itself, after they have undergone training for a period of eleven months for the D.M.R. or the T.D.D. Course or training at the National Tuberculosis Institute, Bangalore. The period of training may be taken into account in reckoning the period of eleven months in the case of an officer who is posted to the X-ray department (full-time post) within a period of fifteen days after the completion of training. The instructions in ruling (1) will apply in the case of an officer whose training or deputation is interrupted by leave.

(Finance Memo. No. 111126/F.R.58-4, dated 23rd February 1959.)

(3) When a Government servant, subject to the Tamil Nadu Leave Rules, 1933 and serving in a vacation department proceeds on leave before completing a full year of duty, the earned leave admissible to him will be calculated not with reference to the vacation which falls during the period of actual duty rendered before proceeding on leave but with reference to the vacation that falls during the year commencing from the date following the date on which he completed the previous year of duty.

In cases where (i) no vacation falls between the date of officers' proceeding on leave and the date of completion of last year of duty and (ii) if any vacation falls it has been enjoyed in full, no credit is to be afforded in respect of the incomplete year of duty rendered before proceeding on leave. Where however vacation falls between the date of proceeding on leave and the date of completion of last year of duty and has been enjoyed only partly, credit is to be afforded in respect of the incomplete year of duty on the analogy of ruling (3) under rule 82 of the Fundamental Rules.

The term "each year of duty" and "in any year" should be held to be exclusive of leave.

(Finance Memo No. 67940/F.R./60-5, dated 29th October 1960 and No. 181219/F.R./60-3, dated 31st January 1961.)

10. The amount of leave due is the amount of earned leave diminished by (a) the amount of earned leave which has been taken and (b) one half of the amount of special disability leave taken on full pay under Fundamental Rule 83 (7) (b).

11. A permanent Government servant in superior service may at any time granted the whole or any part of the leave due to him subject to a maximum of 180 days.

12. Earned leave may be combined with vacation but the combined period of such leave and vacation shall not exceed the limit up to which leave may be accumulated by the officer concerned under rule 8.

RULINGS.

(1) Unearned leave including commuted unearned leave on full pay may be combined with vacation or sandwiched between two periods of vacation.

(G.O. Ms. No. 58, Finance, dated 12th January 1953.)

(2) Where a Government servant is granted earned leave and commuted leave on full pay in combination with periods of vacations or sandwiched between two periods of vacations, the restriction regarding the limitations of leave to the maximum accumulation of earned leave permissible under the rules is not applicable. It is applicable only when earned leave is combined with vacation. Unearned leave on private affairs or on medical certificate including commuted unearned leave on full pay may be granted in combination with period of vacations or sandwiched between two periods of vacations, subject to the restrictive provisions of Rule 14 of the Tamil Nadu Leave Rules 1933.

(Finance Memo No. 67634/F.R./59-2, dated 11th August 1959 and No. 125599/F.R./59-3, dated 8th March 1960.)

Unearned Leave.

(i) Leave on private affairs.

13. Leave on private affairs may be granted to a permanent Government servant in superior service for six months in all and up to a maximum of three months at a time for the first ten years of service which may be carried forward beyond ten years when alone he shall be eligible for the full period of six months.

14. Leave on private affairs may be combined with earned leave, but the total amount of leave so combined, admissible at any one time, shall be limited to six months.

(ii) Leave on medical certificate.

15. Leave on medical certificate may be granted to a permanent Government servant in superior service for eighteen months in all, only on production of a certificate from such medical authority as the Government may, by general or special order, prescribe and for a period not exceeding the period of leave recommended in the certificate with reference to the period of service specified in column (1) of the Table below subject to the restriction of the period of leave specified in the corresponding entry in column (2) thereof.

T h e T a b l e .	
<i>Period of service.</i>	<i>Period of leave.</i>
<i>Upto and inclusive of 5 years</i>	<i>3 months</i>
<i>More than 5 years but up to and inclusive of 10 years</i>	<i>6 months</i>
<i>More than 10 years but up to and inclusive of 15 years</i>	<i>9 months</i>
<i>More than 15 years but up to and inclusive of 20 years</i>	<i>12 months</i>
<i>More than 20 years</i>	<i>18 months</i>

“Provided that the period of leave referred to in column (2) of the Table above shall be reduced by the period of leave, if any, already availed of:

Provided further that the restriction of the period of leave with reference to the period of service referred to in the Table above shall not apply in the case of treatment of tuberculosis or leprosy or cancer or hansen’s disease:

Provided also that with effect on and from the 10th October 1988, an approved probationer or a permanent Government servant who undergo coronary surgery, Kidney transplantation or Retina transplantation shall also be permitted to avail Unearned leave on Medical certificate without the restriction stipulated in this rule for the period for which a certificate is given by a recognised institution, where the Government servant undergo such treatment”.

[G.O. Ms. No. 595, Personnel and Administrative Reforms (FR-II) Department, dated 3rd November 1989 — with effect from 10th October 1988.]

15A. Unearned leave with allowances may, in no case be granted, unless the sanctioning authority is satisfied, that as far as can be reasonably foreseen, the Government servant will return to duty, provided that such leave may be granted preparatory to retirement. Government servants may, however, be granted such leave in cases where they die or are invalidated on medical grounds before or after sanction of such leave for the period of absence till the date of death or invalidation, as the case may be.

[G.O. Ms. No. 795, Finance (F.R.-I), dated 22nd July 1976.]

RULINGS.

(1) Government servants may be granted "leave not due" under the Fundamental Rules and unearned leave on medical certificate under the Tamil Nadu Leave Rules for the treatment of tuberculosis, subject to the following conditions:—

(i) This concession will be limited only to permanent Government servants and approved probationers in the various services.

(ii) A medical certificate, from the Government servants authorized medical attendant or the medical officer in charge of a recognized sanatorium in the case of those undergoing treatment in a recognised sanatorium, should be produced. The prospect of returning to duty on the expiry of the leave should be assessed on the basis of the certificate given by appropriate medical authority.

(iii) In the case of leave not due granted under the Fundamental Rules, the Government servant concerned should have enough service after his return to duty within which he would be able to wipe off the debit balance before reaching the age of superannuation.

(Finance Memo. No.85539, C.S.R.2, dated 28th November 1953.)

(2) The instructions in ruling (1) will be extended to the case of Government servants suffering from leprosy and undergoing treatment either under a recognised medical attendant or in a leprosy institutions.

(Finance Memo. No.32405, C.S.R.2, dated 28th April 1954.)

(3) In cases where the second period of unearned leave on private affairs preparatory to retirement is taken within a month of duty and the competent authorities are of the view that it is done in order to evade the operation of rule 15-A of the Tamil Nadu Leave Rules, the two periods of leave shall be treated as one and the leave already sanctioned revised in accordance with rule 15-A the excess leave salary, if any, being recovered from the Government servant concerned.

(Memo. No. 22375/F.R./58-2, dated 14th March 1958.)

(4) The authority sanctioning leave shall get, from the Government servant, who applies for unearned leave with allowance, an undertaking that he will refund the leave salary for the period of unearned leave in case he does not return to duty after expiry of leave. In the case of Government servant who dies while on unearned leave on Medical Certificate or is invalidated on medical grounds on the expiry of such leave or during the course of leave, the refund of leave salary drawn till date of death/invalidation shall not arise.

[G.O. Ms. No. 795, Finance (F.R.I), dated 22nd July 1976.]

15-B. Deleted.

(5) The production of the certificate from the Medical Officer regarding the reasonable prospect of the Government servant returning to duty on the completion of his treatment for tuberculosis or leprosy or cancer or hansen's disease[@] or Coronary Surgery or Kidney Transplantation or Retina Transplantation shall be dispensed with for the entire period of eighteen months of unearned leave on medical certificate on full pay.

[G.O. Ms. No. 421, Finance (F.R.I), dated 27th March 1974.]

[@]*[G.O. Ms. No. 596, Personnel and Administrative Reforms (FR.II) Department, dated 3rd November 1989 — with effect from 10th October 1988.]*

(iii) Extraordinary leave.

16. Extraordinary leave may be granted to a permanent Government servant in superior service in special circumstances—

- (i) when no other leave is admissible under these rules, or**
- (ii) when, other leave being admissible, the Government servant concerned applies in writing for the grant of extraordinary leave.**

B.—PERMANENT GOVERNMENT SERVANTS IN BASIC SERVICE.

Earned Leave.

17(1) “The leave account of every Government servant in the Basic Service shall be credited with earned leave as provided in sub-rules (a) and (b) of rule 8 on completion of five year of regular service. In case he has put in less than five years of regular service, earned leave shall be credited to the leave account at the rate of 2 1/2 days for every two completed calendar months of service which he is likely to render in a half-year of the calendar year subject to a maximum of thirty days.”

[G.O. Ms. No. 156, P & AR (FR IV) Dept., Dt. 6-9-1999. with effect from 1-7-1994.]

If the Government servant is in a vacation department, his earned leave shall be reduced by fifteen days, if he has not completed five years of regular service and by thirty days, if he has completed five years of regular service, for each year of duty in which the Government servant has availed himself of the vacation. If a part of the vacation has been availed of in any year the period by which the earned leave shall be reduced shall be a fraction of fifteen days or thirty days, as the case may be, equal to the proportion which the part of vacation availed of bears to the full period of the vacation.

(G.O. Ms. No. 507, Personnel and Administrative Reforms, dated 27th May 1983.)

(2) The amount of leave due is the amount of earned leave diminished by (a) the amount of earned leave which has been taken and (b) one half of the special disability leave taken on full pay under Fundamental Rule 83 (7) (b).

(3) A permanent Government servant in basic service may at any time be granted the whole or any part of the leave due to him.

(4) Earned leave may be combined with vacation but the combined period of such leave and vacation shall not exceed 60 days.

RULINGS.

(1) Please see ruling (1) under Rule 12.

(2) Where a Government servant is granted earned leave and commuted leave on full pay in combination with periods of vacation or sandwiched between two periods of vacations, the restriction regarding the limitation of leave to the maximum accumulation of earned leave permissible under the rules is not applicable. It is applicable only when earned leave is combined with vacation. Unearned leave on medical certificate including commuted unearned leave on full pay may be granted in combination with periods of vacation or sandwiched between two periods of vacations.

(Finance Memo. No. 12559/F.R./59-3, dated 8th March 1960.)

(3) When a Government servant subject to the Tamil Nadu Leave Rules, 1933 and serving in a vacation department, proceeds on leave before completing a full year duty, the earned leave admissible to him will be calculated not with reference to the vacation which falls during the period of actual duty rendered before proceeding on leave but with reference to the vacation that falls during the year commencing from the date following the date on which he completed the previous year of duty.

In cases where (i) no vacation falls between the date of the officers proceeding on leave and the date of completion of last year of duty and (ii) if any vacation falls it has been enjoyed in full no credit is to be afforded in respect of the incomplete year of duty rendered before proceeding on leave. Where, however vacation falls between the date of proceeding on leave and the date of completion of last year of duty and has been enjoyed only *partly*, credit is to be afforded in respect of the incomplete year of duty on the analogy of ruling (3) under Rule 82 of the Fundamental Rules.

The term "each year of duty" and "in any year" should be held to be exclusive of leave.
(Finance Memo. No.67940/F.R./60-5, dated 29th October 1960 and No.131213/F.R./60-3, dated 31st January 1961.)

Unearned Leave.

18.A permanent Government servant in basic service may be granted leave on medical certificate for six months in all:

Provided that the maximum period of leave admissible under this rule shall be extended to eighteen months if the Government servant concerned is undergoing treatment for tuberculosis, leprosy, cancer or hansen's disease @coronary surgery, kidney transplantation or Retina transplantation subject to the production of a medical certificate from the medical officer in-charge of a recognised medical institution of his having undergone regular treatment during the period of such leave.

[G.O. Ms. No. 1286, Finance (F.R.I.), dated 16th October 1973.]

@ [G.O. Ms. No. 596, P. & A.R. (FR. II) Dept., dt. 3-11-1989.]

18-A. Unearned leave with allowances may in no case be granted unless the sanctioning authority is satisfied that, as far as can be reasonably foreseen the Government servant will return to duty.

RULINGS.

(1) Please see ruling (1) under Rule 15-A.

(2) Please see ruling (2) under Rule 15-A.

(3) Please see ruling (4) under Rule 15-A.

18-B. Deleted.

19.Extraordinary leave may be granted to a permanent Government servant in basic service on the same terms as for a permanent Government servant in superior service.

19-A. Government servants in Tamil Nadu Basic Service who have put in a service for a period of not less than fifteen years shall be entitled for leave benefits as applicable to Government servants in superior service under these rules.

[G.O. Ms. No. 1057, Personnel and Administrative Reforms (F.R.I), dated 19th September 1979.]
(w.e.f.8.2.1971)

Provided that the earned leave shall be regulated in accordance with rule 17.

[G.O. Ms. No. 926, Personnel and Administrative Reforms (F.R.III) Department, dated 23rd September 1982.]

RULING.

The condition in rule 19-A shall be deemed to be satisfied only if the Government servant concerned has served in a post in regular capacity for a total period of 15 years. Service under rule 7 (a) of the Tamil Nadu Basic Service prior to date of regularisation, if any, shall be ignored in reckoning the period of 15 years of service.

[G.O. Ms. No. 45, Personnel and Administrative Reforms (F.R.III) Department, dated 20th January 1982.]

C.—NON-PERMANENT GOVERNMENT SERVANTS IN SUPERIOR OR BASIC SERVICE.

20. In the case of a non-permanent Government servant (probationer and temporary) in superior service or a Government servant in the Basic service who has put in less than five years of regular service, earned leave shall be credited at the rate of 2 1/2 days for every two completed calendar months of service which he is likely to render in a half year of the calendar year subject to a maximum of thirty days:

Provided that in the case of a non-permanent Government servant employed in the X-ray or Radium department of the Government Medical Institute or employed as Medical Officer in a Government Tuberculosis Institution of Sanatorium or in the Tuberculosis departments of the Government hospitals, earned leave shall be credited as provided in sub-rules (a) and (b) of rule 8.

[G.O. Ms. No. 156, P & AR (FR.IV) Dept. dt. 6-9-1999, with effect from 1-7-1994.]

21. The amount of leave due is the amount of earned leave diminished by (a) the amount of earned leave which has been taken and (b) one half of the amount of special disability leave taken on full pay under Fundamental Rule 83 (7) (b).

22. A non-permanent Government servant in superior service may be granted the whole or any part of the leave due to him.

22A. Earned leave may be combined with vacation, but the combined period of such leave and vacation shall not exceed thirty days.

RULINGS.

(1) Please see ruling (1) under Rule 12.

(2) Please see ruling (3) under Rule 17.

23. (a) A non-permanent Government servant in superior service may also be granted—

(i) if he has completed two years of regular service, leave on medical certificate for not exceeding one hundred and eighty days in all, subject to the restriction of ninety days for the first five years of service which may be carried forward beyond five years of service.

(ii) extraordinary leave not exceeding six months at any one time:

Provided that the leave for a longer period of twenty four months may be granted to a Government servant, if he has been in continuous service for a period exceeding one year and if he is undergoing treatment for tuberculosis or leprosy in a recognised Sanatorium or suffering from pulmonary tuberculosis and undergoing treatment at his residence under the care of tuberculosis or leprosy specialist, as the case may be recognised as such by the state Administrative Medical Officer concerned and produces a certificate signed by that Specialist and that he has reasonable chances of recovery on the expiry of the leave recommended:

Provided further that the period of absence exceeding the period of eligible leave under clause (ii) may be treated as “non-duty” in cases where exceptional circumstances exist which rule out the possibility of relaxation of this rule or removal from service as provided in General Rule 10 (a) (v) in Part-II of the Tamil Nadu State and Subordinate Services Rules or removal from service under the Tamil Nadu Civil Services Classification, Centor and Appeal as the case may be. Such absence without leave shall constitute an interruption of service and the past service shall not count for the purpose of leave. The leave earned prior to such absence shall also lapse.

(iii) “There shall be an interval of a period of three years between two spells of the maximum leave so granted”.

[G.O. Ms. No. 478, P. & A.R. (FR. Spl.) Dept., dated the 21st November 1990.]

(w.e.f. 13th November 1987)

(b) A non-permanent Government servant in basic service may be granted extraordinary leave as in clause (ii) of sub-rule (a).

(c) A non-permanent Government servant in basic service, who has completed one year's continuous service, may be granted leave on medical certificate for a maximum period calculated at ten days for every completed year of his service less the amount of leave taken under this rule. If he is appointed substantively to a permanent post without interruption of his service, any leave so granted shall be reckoned as leave on medical certificate for the purpose of rule 18. An approved probationer may, however be granted leave for eighteen months in all less the amount of leave taken under this rule, for the treatment of tuberculosis, leprosy, cancer or Hansen's disease @coronary surgery, kidney transplantation or retina transplantation subject to the production of a medical certificate from the medical officer in-charge of a recognised medical institution of his having undergone regular treatment during the period of such leave.

[G.O. Ms. No. 807 (F.R.), dated 24th July 1976.]

@(G.O. Ms. No. 596, P. & A.R. Dept., dt. 3-11-1989 come into force w.e.f. 10-10-1988.)

Note.—Notwithstanding the provisions of the above rule, all heads of departments are empowered to grant leave as follows to a Government servant of a subordinate service who is on probation and whose probation has been terminated but who has been subsequently reinstated on appeal to cover the period of non-employment:—

- (1) earned leave at his credit on the day of termination of probation; and
- (2) extraordinary leave to the extent necessary.

(d) Non-permanent Government servants governed by the Tamil Nadu Leave Rules may also be granted special disability leave under the terms and conditions applicable to permanent Government servants (See Note under Fundamental Rule 83).

RULINGS.

(1) Method of calculation of leave admissible to Government servants on promotion from "Basic" to "Superior" service under Tamil Nadu Leave Rules, 1933—

A Government servant in basic service may become eligible for leave in accordance with the rules applicable to permanent Government servants in superior service. In such case, the earned leave due to the Government servant should be calculated at 1/22 of the period spent on duty in basic service and at 1/11 of the period spent on duty in superior service subject to the condition that the maximum is applied in both the cases separately. In other words, the earned leave due to the Government servant in basic service should first be calculated at 1/22 of duty and the limit of sixty days applied. The balance of earned leave should then be carried over and added to the account of earned leave admissible from the date on which he became eligible for leave at 1/11 of duty as for other Government servants in superior service the total amount of earned leave being restricted to 180 days.

(G.O. No. 409, Finance, dated 24th November 1937.)

A non-permanent Government servant, who has held without a break first a superior post and again alternatively basic and superior posts, should be allowed leave to the same extent as a person promoted from basic to superior service.

(Finance Memo No. 67237/C.S.R. 1, dated 24th September 1951.)

The leave earned by a Government servant in a superior post will be allowed to be carried forward on reversion to a post in a basic service provided that the maximum permissible leave in the latter class of post is not exceeded. Any balance of leave earned in a superior post, which it has thus not been possible to carry forward on reversion to a post in basic service, will be credited to his leave account, if and when the Government servant concerned is again promoted to superior post. If a Government servant gets a reversion or promotion while on leave, his leave account shall be revised with effect from that date according as the Government servant is basic servant or a superior servant.

(G.O. Ms. No. 1573, Finance, dated 25th September 1956.)

(2) The condition in rule 23 (a) (i) should be deemed to be satisfied only if the Government servant concerned has served in a post in a regular capacity for a continuous period of two years. Service under rule 10 (a) (i) of the general rules, prior to the date of regularizations, if any should be ignored, in reckoning the period of service of two years.

(Finance Memo No. 7534-C.S.R. 2, dated 9th February 1954.)

The condition in rule 23 (c) should be deemed to be satisfied only if the Government servant concerned has served in post in a regular capacity for total period of one year. Service under rule 7 (a) of the Tamil Nadu Basic Service Rules prior to the date of regularization, if any should be ignored in reckoning the period of service of one year.

(Finance Memo No. 91805-C.S.R.-A, dated 12th November 1956.)

(3) The grant of extraordinary leave to temporary Government servants undergoing treatment for tuberculosis or leprosy in a recognised sanatorium is subject to the following conditions:—

(i) the post from which the Government servant proceeds on leave is likely to last till his return to duty; and

(ii) a certificate from the medical officer in-charge of the sanatorium specifying the period for which leave is recommended should be produced.

(G.O. Ms. No. 229, Finance, dated 3rd November 1943.)

Extraordinary leave up to twelve months may be granted also to temporary Government servants suffering from tuberculosis of any part of the body on the production of a certificate by a qualified Tuberculosis Specialist or a Civil Surgeon.

(Finance Memo No. 25174-C.S.R.-1, dated 2nd June 1945.)

(4) Please see ruling (1) under Rule 12.

(5) Please see ruling (1) under Rule 15-A.

(6) Please see ruling (2) under Rule 15-A.

(7) The benefit of unearned leave on medical certificate under Rule 23 (a) (i) of the Tamil Nadu Leave Rules, 1933, may be extended to re-employed pensioners, if they have put in a continuous service of not less than two years on re-employment terms.

(Finance Memo No. 61718-C.S.R.2, dated 21st June 1954 and No. 52090-F.R.59-2, dated 9th July 1959.)

(8) (a) Non-Permanent Group A and B Government servants on extraordinary leave, suffering from pulmonary tuberculosis or Tuberculosis of any other part of the body, on resuming duty should produce a fitness certificate from a Medical Committee as laid down in Rule 11 under Section III of Annexure II of Fundamental Rules. A Tuberculosis Specialist should also be co-opted as member of the Medical Committee.

(b) Non-Permanent Group C and D Government servants on extraordinary leave, suffering from pulmonary tuberculosis on resuming duty should produce a certificate of fitness either from the Medical Officer-in-charge of a recognized sanatorium or from a Tuberculosis Specialist recognized by the Government, while such a Government servant suffering from tuberculosis of any other part of the body should produce a certificate from a qualified Tuberculosis Specialist or a Civil Surgeon.

(Finance Memo No. 24392-A/F.R./58/2, dated 5th April 1958.)

(9) Non-permanent Government servants governed by the Tamil Nadu Leave Rules who have not completed probation, can be given full pay during special disability leave only for the first thirty days of the leave, the maximum period for which they can accumulate earned leave at a time.

(Finance Memo No. 36950/F.R.2, dated 22nd May 1959.)

(10) A non-permanent Government servant in superior service who has proceeded on leave prior to the completion of two years of service may be granted leave on Medical Certificate during any period after the completion of two years of service. This leave may be availed of during the course of a spell of leave or during an extension thereof if by that time he has completed two years of service.

(G.O. Ms. No. 688, Finance, dated 6th August 1968.)

(11) Please see ruling (4) under Rule 15-A.

[G.O. Ms. No. 1331, Finance (F.R.), dated 3rd October 1972.]

24.If an interruption of duty other than leave occurs in the service on a non-permanent Government servant, the earned leave to his credit shall lapse.

25.Notwithstanding anything contained in rules 20, 23 and 24, a probationer in superior service who has completed or is deemed to have completed his period of probation satisfactorily shall be eligible for such leave as would be admissible to him if he held his post substantively but, if at any time he ceases to be a Government servant for want of a vacancy and is subsequently re-appointed, his leave account shall—

(i) be credited with the amount of earned leave due to him on the day when he last ceased to be a Government servant; and

(ii) be credited with the amount of all unearned leave taken by him prior to such date.

Notes.—(1) The concession specified in rule 9 (b) will apply to approved probationers in superior service who are employed in X-ray and Radium department of Government medical institutions.

(2) Non-permanent workers of the Government Press, Madras, who come within the purview of Chapter IV-A of the Factories Act, 1934 and who have completed a period of twelve months continuous service, within the meaning of the Explanation to section 49-B of the said Act, shall be deemed to have completed their probation satisfactorily for purposes of earning leave.

RULINGS.

Scope of Rule 25.

(1) Government have decided that though rule 25 enables an approved probationer, who is awaiting substantive appointment to a permanent post to earn and be granted leave as a permanent Government servant, it does not authorize the re-calculation of his leave account in respect of his previous duty. Such a re-calculation should be made only after the Government servant is substantively appointed to a permanent post.

(G.O. Ms. No. 380, Finance, dated 21st November 1939.)

(2) The benefit of rule 25 will also apply to approved probationers in categories in which there are no permanent posts and who consequently have no chance of confirmation.

(Finance Memo. No. 110629-C.S.R.-2, dated 19th January 1956.)

(3) The incumbents of the temporary posts under the Rural Welfare Scheme who had put in a satisfactory service of two years within a continuous period of three years shall be deemed to have completed their probation to enable them to earn leave as permanent Government servants. They shall be treated as approved probationers for purpose of grant of leave under the Tamil Nadu Leave Rules even after their transfer to other departments or from one cadre to another.

(Finance Memo . No. 33987, F.R. 60-2, dated 19th April 1960.)

26.The grant of leave to a non-permanent Government servant shall be subject to the condition that, but for the grant of the leave, he would have continued to hold a post in Government service until the expiry of the leave.

*Note.—*A re-employed Government servant may be granted on the termination of his appointment the amount of leave earned by him during the period of employment but subject to a maximum of 30 days provided that he had formally applied for the leave in sufficient time and been refused it on administrative grounds.

RULING.

Government servants who are re-employed after retirement for more than one term may be permitted to carry forward the periods of leave earned in the earlier spells of re-employment to subsequent spells irrespective of the number of such extension subject to the provisions of Tamil Nadu Leave Rule 26 and of the note there under, provided that the re-employment is continuous.

(Finance Memo No. 75698-C.S.R.-1, dated 13th August 1954.)

27. If a non-permanent Government servant is substantively appointed to a permanent post, his leave account shall—

(i) be credited with the amount of earned leave which would have been admissible to him if he had been a permanent Government servant in respect of his previous duty, diminished by (a) amount of earned leave, which had been taken, and (b) one-half of special disability leave taken on full pay-under Fundamental Rule 83 (7) (b); and

(ii) be debited with the amount of all unearned leave taken by him prior to the date of his substantive appointment.

Explanation.—“Previous duty” in this rule means—

(a) duty before the date on which probation is completed or is deemed to have been completed satisfactorily, uninterrupted otherwise than by leave; and

(b) duty on and after the said date.

Note.—The benefits of the above rule shall be extended to all approved probationers who have put in a total service of five years,

RULINGS.

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

(G.O. No. 400, Finance, dated 5th September 1936.)

(2) Extraordinary leave granted during probation, where there was no earned leave at credit, cannot, however, be commuted retrospectively into earned leave. The additional credit in the leave account arising on confirmation due to the re-casting of the leave account under rule 27 can be utilized only for leave taken subsequent to such confirmation.

(Finance Memo. No. 10877-1, C.S.R., dated 11th April 1940.)

(3) It is not permissible to commute extraordinary leave granted to a probationer into earned leave when the latter becomes available consequent upon the re-calculation of his leave account with reference to rule 27. The intention of the rule is to provide only for a retrospective calculation of the leave at credit on the date of confirmation with a reduction on account of the earned leave already taken. Except for the carryforward of the re-calculated credit on confirmation, leave earned and taken should be a closed chapter at that point and no re-adjustment of any leave taken is automatically permissible as a consequence of such re-calculation. The closed chapter may, however, properly be re-opened, for instance, to correct a miscalculation of leave earned or taken or to readjust leave earned and taken when confirmation is ordered with retrospective effect or at the discretion of the sanctioning authority, to convert leave of any one kind already taken into leave due of any other kind admissible ‘at the time leave was originally taken’. Except in the above cases the commutation of extraordinary leave taken during temporary service when no other leave was due into earned leave on confirmation will be irregular and not in accordance with rules.

(G.O. No. 51, Finance, dated 24th February 1942.)

(4) A question was raised whether a Government servant confirmed with retrospective effect could be allowed to commute the extraordinary leave taken during the period of retrospective confirmation, into earned leave to which he was entitled as a result of the recalculation of the leave account with reference to rule 27. The intention is that all persons should, from the date of their confirmation, whether ordered with retrospective effect or not, get the leave benefits admissible to permanent Government servants. Commutation of extraordinary leave into earned leave will be permissible if such leave taken falls *subsequent* to the date of confirmation, no readjustment or commutation of leave taken prior to the date of confirmation will, however, be permissible.

(G.O. Ms. No. 335, Finance, dated 20th March 1950.)

(5) When a Government servant is declared to have satisfactorily completed his probation with retrospective effect, his leave account should be recast with effect from the date of completion of probation and the leave already availed of between that date and the date of issue of orders regarding completion of probation may be altered to the advantage of the Government servant at his option.

(G.O. Ms. No. 118, Finance, dated 14th February 1968.)

(6) Service rendered in respect of an appointment under Emergency provisions is not a regular service as contemplated in the Tamil Nadu State Service Rules: Such service should not therefore be treated either as "previous duty" for the purpose of Rule 27 or included in the total service of 5 years for the purpose of note under that Rule.

(Finance Department Memo. No. 38020/C.S.R.-1, dated 14th June 1952.)

SECTION II-A-LEAVE FOR EMPLOYMENT ABROAD

Notwithstanding anything contained in the provision under the Tamil Nadu Leave Rules or under Fundamental Rules 18, Government servants may be sanctioned extraordinary leave without allowance for employment abroad, subject to the following conditions, namely:—

(1) Government Servants who seek employment abroad either through Overseas Manpower Corporation Limited or other available sources may be sanctioned extraordinary leave without pay and allowances for a maximum period of five years, after verifying the genuineness of employment abroad by way of appointment order or visa or other documents.

(2) The initial period of such leave shall be limited to the initial period of employment offered by the employer abroad, or in the absence of orders of appointment, such leave may be sanctioned initially for a period of one year, based on the Visa obtained, and further extension of the leave may be granted on production of evidence that he continues or continued to be in the same job or is or was employed by another genuine employer abroad.

(3) The period of absence on leave for employment abroad shall be counted as service for the purpose of pension only, if necessary pension contribution are paid by the Government servant to the Accountant General, Tamil Nadu from time to time, with appropriate interest for belated payments, if any.

(4) Employment with United Nations Organisations or any other foreign assignment through the Government of India shall not fall under the purview of leave for employment abroad.

(5) The period of leave for employment abroad shall neither count as service nor shall it be taken into account for calculation of accrued leave. The employee shall settle his terms of leave and leave salary with the employer abroad.

[G.O. Ms. No. 173, Personnel and Administrative Reforms (FR.IV) Department, dated 28-3-1996-with effect from 12th August 1994.]

SECTION III—LEAVE-SALARY.

28. A Government servant in superior service—

(a) while on earned leave, or on unearned leave on medical certificate is entitled to leave-salary equal to his pay;

(b) while on leave on private affairs is entitled to leave-salary equal to half pay.

[G.O. Ms. No. 807, Finance (F.R.I.), dated 24th July 1976.]

(c) while on extraordinary leave, is not entitled to any leave.

Note 1.—In the case of a re-employed Government servant, leave salary equal to Full pay is admissible only upto the maximum period prescribed for non-permanent Government servant under rule 20.

Note 2.—Medical Officers and physicists in the Radiology Department shall draw during the period of their compulsory earned leave, their X-ray special pay for a period of not exceeding one month every year.

Note 3.—A Government servant governed by these rules who is granted study leave shall not be eligible for the benefit of the minimum leave-salary prescribed in Rule 90 of the Fundamental Rules. He will draw during such leave half-pay, subject to the limits prescribed in clause (b) of this rule.

@Note 4.—“While on extraordinary leave for the treatment of Tuberculosis, Leprosy, Cancer or Hansen’s disease, a Government servant is entitled to an exgratia allowance equal to half his basic pay subject to a maximum of Rs. 250 (Rupees two hundred and fifty only) per mensem and a minimum of Rs. 125 (Rupees one hundred and twenty five only) per mensem”.

@(G.O. 539, dated 17th October 1989 w.e.f. 26-10-87.)

Note 5.—The Assistant Surgeons who are granted study leave for undergoing the Diploma in Radiology Course are eligible for the X-ray Special Pay of Rs. 50 per mensem for the period of study leave and also for the period of earned leave and unearned leave, where such leave at the credit of the Assistant Surgeons is combined with study leave.

Note 6.—In the case of a person to whom the Employee’s State Insurance Act, 1948 (Central Act XXXIV of 1948) applies leave salary admissible during leave other than earned leave shall be reduced by the amount of benefit admissible under the said Act, for the corresponding period.

(G.O. Ms. No. 934, Finance, dated 26th August 1965.)

Note 7.—Omitted.

[G.O. Ms. No. 844, P. & A.R. (F.R.3.) Dept., dt. 2-9-1985, w.e.f. 23-11-1979.]

RULINGS.

1. The leave salary of a non-permanent Government servant in superior service, who completed the period of probation, should be regulated under Rule 4 (d) (i) (b), though under Rule 25 he is allowed a concession to earn leave as admissible to a permanent Government servant.

(Finance Memo. No. 79699/C.S.R.-7, dated 1st April 1955.)

2. The competent authority should insist upon the production of a Medical Certificate before sanctioning extraordinary leave for the treatment of tuberculosis and leprosy. The ex-gratia allowance will be admissible only when the Government servant is not eligible for any other leave with allowances and the Medical Officer certifies that there is a reasonable prospect of the Government servant concerned becoming fit to resume his duties after the completion of his treatment. The Drawing Officer shall record on the bill claiming the ex-gratia allowance, a certificate to the effect the according to the Medical opinion there is a reasonable prospect of the Government servant returning to duty at the completion of treatment:

Provided that the certificate from Medical Officer regarding the reasonable prospect of the Government servant returning to duty at the completion of his treatment may be dispensed with in respect of the first spell of extraordinary leave of one year.

(G.O. Ms. No. 961, Finance, dated 30th July 1970.)

“Provided that the above ex-gratia allowance shall be allowed to a Government servant as long as he remains as inpatient in any Government Hospital for any length of period and to others for a maximum period of two years”.

(G.O. No. 539, dated 17-10-88 w.e.f. 26-10-87.)

The ruling will also apply to the Basic Government servant.

(Finance Memo. No. 12954/F.R./64-4, dated 28th October 1965.)

3. A Government servant whose pension is drawn separately during re-employment and who proceeds on earned leave, or half pay leave, or commuted leave will be entitled to leave salary based on the net re-employed pay (i.e. exclusive of the pension and or pension equivalent of gratuity) and will continue to draw the pension separately in addition. A Government servant whose pension has been held in abeyance will draw the leave-salary based on the net re-employed pay (i.e., pay minus the amount of the uncommuted pension and/or pension equivalent of gratuity) and in addition an amount equivalent to the pension which was held in abeyance. In either case, the leave-salary

(exclusive of the pension or the amount equivalent to pension which was held in abeyance and/or the amount equivalent of gratuity) Admissible during half pay leave or commuted leave will be subject to the monthly maximum of Rs. 750 and Rs. 1,500 respectively.

A Government servant, whose pension has been held in abeyance will be allowed to draw during the period of extraordinary leave, only an amount equivalent to the pension which was held in abeyance. Where the pension is drawn separately, it will continue to be so drawn during the period of extraordinary leave also.

The leave-salary in respect of earned leave, half pay leave and commuted leave of officers, who were governed by the contributory provident fund system prior to retirement will be based on their net re-employed pay. They will not draw any leave salary during the period of extraordinary leave.

(Finance Memo. No. 120508/F.R./58-1, dated 19th November 1958.)

29(a) A Government servant in last grade service on earned leave or on unearned on medical certificate is entitled to have salary equal to his pay.

[G.O. Ms. No. 807, Finance (F.R.I.) dated 24th July 1976.]

(b) Deleted.

(c) A Government servant in basic service on extraordinary leave is not entitled to any leave-salary.

Note:—† Omitted.

†“(d) While on extraordinary leave for the treatment of Tuberculosis, Leprosy, Cancer or Hansen’s disease, a Government servant in the Tamil Nadu Basic Service is entitled to an ex-gratia allowance equal to half his basic pay subject to a maximum of Rs. 250 per mensem and a minimum of Rs. 125 per mensem as long as he remains as inpatient in any Government Hospital for any length of period and to others for a maximum period of two years”.

†(G.O. Ms. No. 539, Personnel and Administrative Reforms Department, dated 17th October 1988, with effect from 26th October, 1987.)

30. Notwithstanding anything contained in rules 13, 14, 15, 20 and 23 , where a military officer on deputation with the State Government as an *Aide-de-Camp* to the Governor, has elected to draw civil rates of pay, his leave shall be regulated as follows:—

(a) (i) instead of annual leave, under the leave rules of Armed forces, he may be granted earned leave calculated under rule 8 from the beginning of the calendar year following that in which he becomes subject to this rule, his leave account being initially credited with the earned leave equal to the number of days of annual leave which on the date of which he becomes subject to this rule, it would be permissible to grant him under the leave rules of the Armed Forces:

Provided that, if the annual leave under the leave rules of the Armed Forces is not admissible in respect of the calendar year of transfer, duty counting for earned leave shall commence on the date on which he becomes subject to this rule;

(ii) he may also be granted any leave, other than annual leave admissible under the leave rules of the Armed Forces either alone or in combination with earned leave;

(b) the total period of leave shall be regulated by the limits in force under the leave rules of the Armed Forces to which Military Officer is subject to;

(c) leave may be retrospectively commuted by authority which granted it into any other kind of leave which was admissible to the Military Officer concerned at the time it was granted.

(G.O. Ms. No. 969, Finance, dated 16th October 1967.)

(i) One hundred and eighty days in the case of Government servants coming under instruction (3) (a) above;

Basic service

(ii) Sixty days in the case of permanent Government servants and approved probationers with less than 5 years of regular service, one hundred and eighty days in the case of those with more than 5 years of regular service, and thirty days in the case of non permanent Government servants in the Tamil Nadu Basic Service coming under Instructions (3) (b) above.

(iii) Thirty days in the case of Non-permanent Government servants in Superior service.

(5) In making entries in column (6), fractions shall not be rounded off but the balance of the duty period shall be carried over and added to the subsequent duty period and the eligibility shall be calculated. In the case of retiring Government servants, who are eligible for encashment of earned leave upto a maximum of one hundred and eighty days the fractions of half and more shall be reckoned as one day in the calculation of Earned Leave and the fractions below half shall be ignored.”;

(3) For the expression “one hundred and eighty days” occurring in instructions 4(i) and (5) so substituted, the expression “two hundred and forty days” shall be substituted; and

In the said Fundamental Rules, in Appendix-I, in annexure-III, under the heading “FORM OF LEAVE ACCOUNT (Tamil Nadu Leave Rules, 1933)”

(i) for the Form, the following form shall be substituted namely:—

“Leave Account of Thiru.....
 Date of Retirement

Part-I—Earned leave.

Date of commencement of Service :
 Date of Contract, if any :
 Place of retirement :

Duty		Leave Earned			
Date	Period	Number of	Balance	1/11	
From	To	duty period	duty	or	
(1)	(2)	taken into	period.	1/22 of	
		account.	(5)	Col.4.	
		(4)		(6)	

LEAVE TAKEN.

Leave at credit	Date		Number of	Balance on	Authority with
columns.	From	To	days.	return from	Attestation
(6) + (11)	(8)	(9)	(10)	leave Col-	of Head
(7)				umn (7)-(10)	of office.
				(11)	(12)

Under the Sub-heading “Instructions” under “Part-I—earned Leave”,—

(i) in Instruction 2, for the expression “column (7)” occurring therein, the expression “column (10)” shall be substituted.

In Instruction 3, for the expression “column (4)” occurring therein, the expression “column (6)” shall be substituted.

In Instruction 4, for the expression “column (5)” and “columns (4) plus (8)” occurring therein, the expression “column (7)” and “column (6) plus (11)” shall be substituted.

In instruction 5, for the expression “column (4)”, the expression “column (6)” shall be substituted.

[Vide G.O. Ms. No. 6368, P & AR (FR.SPL) dated 17th August 1990—w.e.f. 14-10-86.]

Under the heading “Instructions” in instruction 3, after item (b) the following item shall be added, namely;—

“(c) One twenty second of the period spent on duty in the case of Government servants in the T.N. Basic Service with less than five years of service”.

[Vide G.O.Ms.No. 368, P & AR (FR. SPL.) dated 17th August 1990—w.e.f. 14-10-86.]

In the said F.Rs., in Appendix-I, in Annexure III, under the heading “Form of Leave Account” (Tamil Nadu Leave Rules, 1933)

For the Form under the heading “Part-I—Earned Leave”, the following form shall be substituted, namely:

Leave Account of Thiru/Tmt..... date of retirement

PART-I—EARNED LEAVE

Date of commencement of Service :

Date of Contract, if any :

Place of recruitment :

<i>Duty</i>			<i>Leave Earned</i>		
<i>Date</i>		<i>Period</i>	<i>Number of</i>	<i>Balance</i>	<i>1/11</i>
<i>From</i>	<i>To</i>	<i>(in days)</i>	<i>duty period</i>	<i>duty</i>	<i>or</i>
			<i>taken into</i>	<i>period.</i>	<i>1/22 of</i>
			<i>account.</i>		<i>Col.4.</i>
(1)	(2)	(3)	(4)	(5)	(6)

LEAVE TAKEN.

<i>Leave at credit</i>	<i>Date</i>		<i>Number of</i>	<i>Balance on</i>	<i>Authority with</i>
<i>columns.</i>	<i>From</i>	<i>To</i>	<i>days.</i>	<i>return from</i>	<i>Attestation</i>
<i>(6) + (11)</i>				<i>leave Col-</i>	<i>of Head</i>
<i>(7)</i>	<i>(8)</i>	<i>(9)</i>	<i>(10)</i>	<i>umn (7)-(10)</i>	<i>of office.</i>
				<i>(11)</i>	<i>(12)</i>

(DAYS)

(DAYS)

[Vide G.O. Ms. No. 368, P & AR (FR. SPL.) dated 17th August 1990, w.e.f. 14-10-1986.]

FORM OF LEAVE ACCOUNT
(Tamil Nadu Leave Rules, 1933.)

Leave account of Thiru

Date of retirement.

Part I.—Earned Leave.

Date of commencement of service.

Date of contract, if any.

Place of recruitment.

1	Duty		4	5	6	7	8	9
	From 2	To 3						
Government served under			Period in days	Leave earned – 1/11 or 1/22 of Column (3)	Leave at credit Column (4)+(8)	Leave taken Period	Balance on return from leave column (5)-(7)	Remarks

Instructions.

(1) Columns (1) to (5) should be filled in at the time a Government servant applies for and proceeds on leave and columns (6) to (8) on return from leave.

(2) The periods of duty in terms of days, column (3) and of leave taken column (7), should be worked out with reference to the actual number of days in each month and not on the basis of 30 days a month.

(3) *Column (4).—Leave earned.*—The fraction of column (3) to be credited in this column is as below:—

(a) One-eleventh in the case of permanent Government servants in superior service (Rule 8).

(b) One twenty-second in the case of Government servants in Basic Service and non-permanent Government servants in superior service [Rule 17 (1) and (20)].

In the case of Vacation Departments and X-ray and Radium Departments of Government Medical Institutions, the credit should be reduced as indicated in rules 9 and 17 (1).

(4) *Column (5)—Leave at credit.*—The entry in this column on any date [columns (4) plus (8)] should be limited to—

(i) one hundred and eighty days in the case of Government servants coming under instruction (3) (a) above.

(ii) sixty days in the case of permanent Government servants and approved probationers in the Tamil Nadu Basic Service and thirty days in the case of non-permanent Government servants in superior service and non-permanent Government servants' excluding approved probationers in the basic service coming under instruction (3) (b) above.

(5) In making entries in column (4), fractions of half and over should be rounded as one day and fractions less than half omitted.

For the Form under the heading "Part II-Unearned Leave", and the instructions thereunder the following Forms and Instructions shall be substituted, namely:—

YMD YMD YMD YMD YMD YMD YMD

In the said Fundamental Rules, in APPENDIX I, in ANNEXURE III, under the heading “The Tamil Nadu Leave Rules, 1933”, after the Form under the heading “FORM OF LEAVE ACCOUNT”, the following Form shall be added, namely:-

Application Form for leave or for extension of leave (Other than Casual Leave).

1. Name of applicant :
2. Designation :
3. Department, Office, Section. :
4. Pay :
5. (i) Nature of leave applied for. :
- (ii) Period and date from which required. :
- (iii) In case of Unearned Leave, Extra ordinary Leave on Medical Certificate whether Medical Certificate is enclosed. :
6. Grounds on which leave is applied for. :
7. Sundays and holidays if any proposed to be prefixed or suffixed to leave. :
8. Date of return or expiry of last spell of leave and nature and period of that leave. :
9. Address during leave period :
10. Whether an undertaking with reference to ruling (4) under rule 15-A of the Tamil Nadu Leave Rules, 1933 is enclosed. :

Signature of the Applicant with date.

Certificate regarding the admissibility of leave

11. Certified that applied for the
(nature of leave)

Thiru / Tmt.....

.....for.....
(Designation)

days fromto..... (Both days inclusive) is admissible under rule.....of Fundamental Rules / Tamil Nadu Leave Rules, 1933.

Signature (with date)
Designation :
(Audit) / (Bills).

12. Certified that under F.R.26 (bb) he / she would have continued to act as but for his / her going on leave.
13. Orders of the Sanctioning Authority.

O.P.No: _____ Date: _____
Signature (With date)
Designation: _____
(Leave Sanctioning Authority)

விடுப்பு அல்லது விடுப்பு நீட்டிப்பு விண்ணப்பம் (தற்செயல் விடுப்புத் தவிர்த்து)

1. விண்ணப்பதாரர் பெயர் :
2. பதவியின் பெயர் :
3. பணிபுரியும் துறை/ அலுவலகம் / பிரிவு :
4. ஊதியம் :
5. (1) விண்ணப்பிக்கும் விடுப்பின் தன்மை :
(2) விண்ணப்பிக்கும் விடுப்பின் கால அளவு மற்றும் விடுப்பில் செல்லும் நாள் :
- (3) மருத்துவச் சான்றின் அடிப்படையில் விடுப்பு விண்ணப்பிக்கப்பட்டிருப்பின் மருத்துவச் சான்று இணைக்கப்பட்டுள்ளதா ? :
6. விடுப்பில் செல்லக் காரணம் :
7. ஞாயிறு மற்றும் அரசு விடுமுறைகளை முன்னிணைக்க அல்லது பின்னிணைக்க உத்தேசிக்கப்பட்டுள்ளதா ? :
8. இதற்கு முன் விடுப்பு விண்ணப்பித்திருந்தால் (அ) அவ்விடுப்பின் தன்மை, விடுப்புக் கால அளவு மற்றும் விடுப்பு முடிந்து பணியில் சேரும் நாள் :
9. விடுப்பில் இருக்கும்போது முகவரி :
10. தமிழ்நாடு விடுப்பு விதிகளில் விதி 15-ஏ :
யின் கீழ் உள்ள விதிமுறை (4) – ன் படி உறுதிமொழி இணைக்கப்பட்டுள்ளதா ? :

விண்ணப்பதாரரின் கையொப்பமும் தேதியும்

விடுப்பு அனுமதிக்கான பரிந்துரை

11) முதல் வரை நாட்களுக்கு
(இரு நாட்கள் உட்பட) திரு/திருமதி ஆல் (பதவியின் பெயர்)
விண்ணப்பிக்கப்பட்ட விடுப்பை

(விடுப்பின் தன்மை)

அடிப்படை விதி / தமிழ்நாடு விடுப்பு விதிகள் 1933, விதி.....ன்படி
அனுமதிக்கலாம் எனச் சான்றளிக்கப்படுகிறது.

கையொப்பம் / தேதி

பதவியின் பெயர்:

(குணிக்கை) / (பட்டியல்) பிரிவு

12) அடிப்படை விதி 26 (பிபி)-ன்படி திரு / திருமதி
.....விடுப்பில் செல்லாமலிருந்தால்
ஆகத் தொடர்ந்து பணியாற்றியிருப்பார்.

13) விடுப்பு அனுமதி அளிக்கும் ஆணை எண்..... நாள்

கையொப்பம் / நாள்

பதவியின் பெயர்:

(விடுப்பு அனுமதி அளிக்கும் அலுவலர்)

(vide G.O.Ms.No.28, P&AR(FR.IV) Department, dated 16.03.2009)

Instructions.

The balance of leave on private affairs and leave on medical certificate available on any date should be arrived at by deducting the progressive total in columns (3) and (7) respectively, from the maximum prescribed in each case in rules 13, 15, 18 and 23. The balance of leave on medical certificate that could be commuted into leave on full pay will be arrived at by deducting the total in column (6), from the maximum prescribed in Rules 15-B, 18-B and 23.

RULINGS (GENERAL).

Application of the Fundamental rules to personnel coming under the Tamil Nadu Leave Rules, 1933.

I. The instructions issued by Government in regard to the application of the Fundamental rules to persons coming under the Tamil Nadu Leave Rules, 1933, are reproduced below:—

The leave rules in the Fundamental Rules fall under the following three categories:—

(i) General rules relating to leave on average pay, half average pay and quarter average pay and extraordinary leave;

(ii) Rules permitting certain additional kinds of leave in special circumstances, e.g., Special Disability Leave (Fundamental Rules 83 and 83-A); Maternity Leave [Under Fundamental Rules 101 (a)] and Hospital Leave [under Fundamental Rules 101 (b)]; and

(iii) Special rules relating to the grant of leave to persons belonging to a special department or rendering a special kind of service, e.g., leave earned by part-time service [under Fundamental Rules 103 (b)].

The rules in category (i) correspond to the Tamil Nadu Leave Rules, 1933, and they are therefore wholly superseded by these rules. The rules in category (ii) as well as the leave procedure rules contained in the Fundamental Rules issued and amended by Government from time to time and rules relating to travelling allowance to Government servants taking short leave before joining a new posts are "other rules" mentioned in paragraph 1 of G.O.No. 251, Finance, dated the 23rd April 1934. The special rules referred to in category (iii) above remain in force and persons governed by them do not come under the Tamil Nadu Leave Rules, 1933, except to the extent indicate below.

II. The Government have considered the question of the difficulties that are likely to arise in the application of categories (ii) and (iii) of the rules mentioned above to persons governed by the Tamil Nadu Leave Rules and have decided to issue the following detailed instructions to meet such difficulties:—

1. *Cases falling under category (iii) in paragraph 1 above—Leave earned by part-time service.*—Fundamental Rule 103 (b) regulates the grant of leave to Law Officers and other part-time Government servants. Under these rules subject to condition that no extra cost is caused to Government, the above officers and Government servants may be granted leave not exceeding that admissible to full-time Government servants. The amount of leave admissible to persons appointed to these posts on or after 4th September 1933 will be that admissible to full-time Government servants under the Tamil Nadu Leave Rules, 1933, subject to the existing condition that no extra cost is caused to Government by the grant of such leave. In such cases, the leave-salary will be governed by Rule 28 of the Tamil Nadu Leave Rules, 1933.

2. *Cases falling under category (ii) in paragraph 1 above—(1) Maternity Leave.*—Under Fundamental Rule 101 (a)—(a) The term "leave on average pay" in instruction 1 shall be taken to mean "leave on full pay".

(b) Instruction 2 provides for the grant of any other kind of leave in continuation of maternity leave if the request for its grant is supported by a medical certificate. Similarly, in the case of persons coming under the Tamil Nadu Leave Rules, 1933, the requirements of a medical certificate should be satisfied before leave is granted in continuation of maternity leave. There shall be no limit for combining earned leave or vacation with maternity leave provided that in cases where a Government servant is required to attend office during vacation immediately following maternity leave but is unable to attend, a medical certificate may be insisted at the discretion of the sanctioning authority.

(2) *Hospital leave—Fundamental Rule 101 (b).*—Under instruction 3 under Fundamental Rule 101 (b), the leave salary during the hospital leave is "half-average pay". In the application of these rules to persons coming under the Tamil Nadu Leave Rules. "leave on half-average pay" shall be taken to mean "leave on half pay".

(3) *Special disability leave—Fundamental Rules 83 and 83-A—(a) Fundamental Rule 83.*—The limit of four months laid down in sub-clause (a) of clause (7) of the rule shall be taken to mean "120 or 60 or 30 days" as the case may be "and the term" "average pay" shall be taken to mean "full pay".

In sub-clause (b) of clause 7 of the said rule, the terms "half average pay" and "average pay" shall be taken to mean "half pay" and "full pay" respectively and the "period of average pay" to mean "earned leave". Half the amount of leave on full pay under the sub-clause shall be counted as earned leave taken for the purpose of Fundamental Rule 78 (b).

(b) *Fundamental Rule 83-A.*—The term "four months" in clause (iii) of this rule shall be taken to mean "120 or 60 or 30 days as the case may be" and the term "average pay" to mean "full pay".

III. The following further instructions may be observed in regard to other rules in the Fundamental Rules mentioned below:—

(1) *Instruction 4 (b) under Fundamental Rule 44.*—The limit of four months laid down in this rule is based on the maximum limit of leave on average pay which can be taken under the ordinary leave rules in the Fundamental Rules. Earned leave under the Tamil Nadu Leave Rules is subject to the maximum of 120 or 60 or 30 days and this limit should be substituted for the limit of four months in applying this rule to persons governed by the Tamil Nadu Leave Rules.

(2) *Leave to apprentices.*—Instructions 3 under Fundamental Rule 104 regulates the grant of leave to apprentices. In the application of this rule to persons coming under the Tamil Nadu Leave Rules, 1933—

(a) The term leave on leave-salary equivalent to “half average pay” shall be taken to mean “leave on half Pay”

(b) The term “Fundamental Rule 85” instruction 3 (b) shall be taken to mean “Tamil Nadu Leave Rules, 1933”

(3) *Fundamental Rules 89 and 90.*—Under the Tamil Nadu Leave Rules, 1933, a maximum limit has been imposed as regards leave salary drawn during leave on private affairs or on medical certificate—*Vide* rule 28 (b) and maximum limits on leave-salary for earned leave exceeding 180 or 30 days, as the case may be. It has been considered unnecessary to give the benefit of a minimum leave-salary in regard to any kind of leave.

(4) *Fundamental Rule 105 (b) (i) and instruction 9 under Fundamental Rule 106.*—The term “leave on average pay of not more than six months’ duration”, in these rules shall be taken to mean “earned leave not exceeding 180 or 60 or 30 days as the case may be”.

(5) *Fundamental Rule 128.*—The words “Chapter I to XI of these rules”, in this rules shall be taken to mean “Chapters I to IX and XI of these rules and the Tamil Nadu Leave Rules, 1933”.

(6) *Note 1 under Rule 4 under Funded Rule 45.*—The term “leave on average pay not exceeding six months”, mentioned in this note shall be taken to mean “earned leave not exceeding 180 or 60 or 30 days as the case may be”.

(7) *Travelling Allowance, Rule 77.*—The term “leave on average pay for a period not exceeding six months”, shall be taken to mean “earned leave for a period not exceeding 180 or 60 or 30 days as the case may be”.

(G.O. Ms. No. 74, Finance, dated 7th February 1935.)

[Finance Memo. No. 79699-C.S.R.-7, dated 1st April 1955.]

(8) A Government servant governed by the Tamil Nadu Leave Rules first elected to have his medical leave commuted into leave on full pay and after availing himself of the leave wished to have it changed into leave on half pay because he stood to gain by way of leave-salary and allowances, such as dearness allowance, etc., of the entire period of medical leave had been granted on half pay. The Government have decided that it is not desirable to allow such revision of leave already availed of and that the option once exercised in such cases shall be final.

(G.O. No. 1303, Finance, dated 14th December 1949.)

**ANNEXURE V.
Leave Calculator.**

[See ruling (2) under Fundamental Rule 77.]
Equivalent of 2/11th of the units in column (1).

Units	Years				Months		Days
	Y.	m.	d.	m.	d.	d.	
1	0	2	5.45	0	5.45	0.18	
2	0	4	10.90	0	10.90	0.36	
3	0	6	16.36	0	16.36	0.54	
4	0	8	21.81	0	21.81	0.72	
5	0	10	27.27	0	27.27	0.90	
6	1	1	2.72	1	2.72	1.09	
7	1	3	8.18	1	8.18	1.27	
8	1	5	13.63	1	13.63	1.45	
9	1	7	19.09	1	19.09	1.63	
10	1	9	24.54	1	24.54	1.81	
11	2	0	0.00	2	0.00	2.00	

12	2	2	5.45	2	5.45	2.18
13	2	4	10.90	..	..	2.36
14	2	6	16.36	..	..	2.54
15	2	8	21.81	..	..	2.72
16	2	10	27.27	..	..	2.90]
17	3	1	2.72	..	..	3.09
18	3	3	8.18	..	..	3.27
19	3	5	13.63	..	..	3.45
20	2	7	19.09	..	..	3.63
21	3	9	24.54	..	..	3.81
22	4	0	0.00	..	..	4.00
23	4	2	5.45	..	..	4.18
24	4	4	10.90	..	..	4.36
25	4	6	16.36	..	..	4.54
26	4	8	21.81	..	..	4.72
27	4	10	27.27	..	..	4.90
28	5	1	2.72	..	..	5.09
29	5	3	8.18	..	..	5.27
30	5	5	13.63	..	..	5.45

Examples.—To find leave earned by duty of 5 years, 9 months and 17 days—

		y.	m.	d.
2/11ths	5 y	0	10	27.27
	9m	0	1	19.09
	17 d	0	0	3.09
Total:	1 0	19.45 or 1 y.	0m.	19 d.

1/11th—Half of above, i.e., y. 6m. 10 d.

N.B.—Fraction of a day if less than one-half should be omitted and one-half or more should be rounded off to one day.

ANNEXURE V-A.

Omitted—G.O. Ms. No. 157, P. & A.R. (FR.IV) Dept., dt. 6-9-1999.

ANNEXURE VI.

[See ruling under Rule 59.]

Model leave terms for officers engaged on contract.

Rules issued by the Tamil Nadu Government for grant of leave to officers engaged on contract after 5th July 1935.

Leave terms for Contract Officers.

1. When the contract is for two years or less, leave on full pay limited to one-twenty-second of the period spent on duty.

If the officers serves in a vacation department no leave will be admissible but he may be granted, if absolutely necessary, leave on medical certificate on full pay to the extent of one-twenty-second of the period spent on duty.

2. When the contract is for more than two years, but not more than five years, leave may be allowed as follows:—

(i) Leave on full pay limited to one-eleventh of the period spent on duty and leave on full pay on medical certificate limited to 15 days for every year of the period of contract. Three months' extraordinary leave without pay may also be granted in addition.

(ii) If the officer is in a vacation department, leave on full pay shall be inadmissible. Such leave may, however, be allowed in respect of any year in which he has not availed himself of any part of a vacation and if a part only of the vacation has been taken in any year, the period of leave on full pay will be reduced by a fraction of a month equal to the proportion which the part of the vacation taken bears to the full period of the vacation.

3. Where the contract is for a longer term than five years or an original contract for five years or less is extended so as to make the total period of contract longer than five years, leave admissible to a permanent Government servant under the Tamil Nadu Leave Rules, 1933, may be allowed subject to the following restrictions:—

(a) Leave on half average pay on private affairs will not be granted to an officer on contract whose total service under Government does not exceed ten years. Such leave may be granted upto three months in all to an officer whose total service is more than ten years and up to six months in all to an officer whose total service is more than twenty years.

(b) Leave on full pay on medical certificate will be subject to a limit calculated at fifteen days for every year of the period of contract.

In the case of extension of contract to a period longer than five years, the officer will be credited with the earned leave that would have been admissible had the contract been initially one of more than five years diminished by any earned leave already taken and leave on medical certificate if any already taken will count against the periods of leave against the limit prescribed in (b) above.

In the case of an officer who, on the completion of his original contract for whatever term, is taken into permanent employment and becomes subject to the Tamil Nadu Leave Rules, 1933, the leave already taken by him will count against the periods of leave admissible to him under the Tamil Nadu Leave Rules, 1933.

4. Leave may be granted after the expire of the contract only where it has been applied for during the period of contract and refused by the prescribed or competent authority owing to the exigencies of the public service.

An officer whose services are dispensed with on grounds of ill health shall be permitted to take all earned leave due to him before his service is terminated.

(G.O. Ms. No. 423, Finance, dated 5th July 1935.)

5. The leave salary of an officer, who is permitted under Fundamental Rule, 69 to take up employment under another Government or a private employer during leave on the expiry of which he is not expected to return to duty, shall be restricted to the amount of leave salary admissible in respect of leave on half average pay.

RULINGS.

(1) An officer whose contract is for two years or less shall cease to earn leave while he has to his credit leave amounting to 30 days. In the case of an officer whose contract is for more than two years but not more than five years, he can earn leave upto the limit of 90 days. In a case where the original contract is for two years or less and is later on extended as to make it more than two years but not more than five years, the officer shall be credited with the earned leave that would have been admissible had the contract been initially one of more than two years but not more than five years diminished by any earned leave already taken.

(2) Where an officer, whose contract exceeds two years, is appointed as a regular probationer in a state service, the leave at credit shall be worked out at the rate of 1/22nd of duty from the date from which he is appointed as a probationer in Government service even though he may have been allowed to earn leave at 1/11th of duty up to the date of regular appointment.

There is however, no restriction in regard to the amount leave on half pay on medical certificate that can be granted to a contract officer at any one time.

(3) When a contract Officer, is appointed as a regular probationer in Government service, the earned leave to his credit on the last day of his contract period shall be credited to his leave account, subject to a maximum of thirty days.

(Finance Memo. No. 15792, C.S.R.-56-2, dated 19th March 1956.)

ANNEXURE VII.

Executive Instructions regarding Casual Leave.

[See ruling (3) under Rule 85.]

ORDINARY CASUAL LEAVE.

1. Casual leave is not provided for in the Fundamental Rules and is a concession to enable Government servants in special circumstances to be absent from duty for short periods without such absence being treated as leave under the Fundamental Rules or the Tamil Nadu Leave Rules, 1933.

2. No Government servant may, in any case, be absent on casual leave for more than @twelve days in the course of one calendar year. Casual leave may be combined with compensatory leave, Sundays, or other authorized holidays provided that the resulting period of absence from duty does not exceed ten days. The fact that a maximum has been fixed for the amount of casual leave which may be taken within a year, does not mean that an officer is entitled to take the full amount of casual leave as a matter of course. †If the eleventh and subsequent days are incidentally declared as holidays on account of natural calamities, death of national leaders, bandhs, strikes, a change in the date of the festival as per the announcements made by religious heads during religious occasions, etc., a Government servant who is on casual leave or compensatory leave may avail himself of those days also eventhough the period of absence exceeds ten days.

@*[G.O. Ms. No. 704, P. & A.R. (FR 3), Dept., dt 8-7-1985, w.e.f. 1-6-1985.]*

†*[G.O. Ms. No. 309, P. & A.R. (DO II) Dept., dt. 16-8-1993.]*

Note (1).—In the case of Government servants appointed under emergency provision and who are likely to be ousted at any time, their eligibility for casual leave shall be calculated with reference to the period actually spent on duty and shall be Proportionately limited. As a working principle, they may be granted two days casual leave for every two months service and such leave may be combined with holidays subject to the maximum prescribed in the above instructions.

(G.O. Ms. No. 1122, Finance, dated 26th November 1959.)

Note (2).—Casual leave may be granted for half-a-day at a time on application. In such cases, the half-a-day period should be either three hours from the commencement or before the closure of office hours.

(G.O. Ms. No. 907, Finance, dated 21st July 1970.)

3. Heads of departments should intimate their intension or taking casual leave to Government in the department concerned.

4. A register of casual leave taken should be maintained in every office.

5. Omitted.

6. Omitted.

[G.O. Ms. No. 802, P. & A.R. (FR. 3), Dept., dt. 14-8-85.]

II. SPECIAL CASUAL LEAVE.

7. (a). Special casual leave not counting against ordinary casual leave may be granted to a Government servant in the following circumstances:—

(i) When he is detained in a plague camp on the way to rejoin duty.

(ii) When he is ordered by the head of his office to absent himself from duty on the certificate of a medical officer on account of the presence of infectious disease in his house, provided no substitute is appointed and no extra cost to Government is involved. If, however, a substitute is necessary, ordinary leave debitable to the leave account of the Government servant should be granted. The grant of special casual leave involving the appointment of substitute in all other cases requires the sanction of Government which will be accorded only when the absence is for less than 30 days and the subordinate concerned draws a pay of less than Rs. 100 per mensem, and has no ordinary leave to his credit.

Note.—1. When the Government servant himself catches the infection, regular leave under the Fundamental Rules must be taken for the period of absence.

2. The diseases “ Rabies” is treated as infectious diseases for the purpose of the grant of special casual leave.

[G.O. Ms. No. 223, F & AR (FR. IV) Dept., dated 9-9-1998, w.e.f. 3-6-1997.]

Leave under this head shall not ordinarily be granted for a period exceeding 21 days, but in exceptional cases, it may be granted upto thirty days.

(G.O. No. 225, dated 6th April 1936, M.G. Finance, Memo. No. 26125—C.S.R.2, dated 31st October 1936.)

3. Omitted.

[G.O. Ms. No. 223, P. & A.R. (FR IV) Dept., dt. 9-9-98 w.e.f. 3-6-1997.]

4. Power has been delegated to the District Medical officer, Civil surgeons in-charge of independent stations, Superintendents of hospitals and Principals of Medical Colleges, Director of King Institute, Guindy and Chemical Examiner to grant special casual leave in respect of non-medical staff under their control.

(G.O. Ms. No. 75, P.H., dated 8th January 1946.)

5. Omitted.

[G.O. No. 223, P. & A.R. (FR. IV) Dept, dt. 9-9-1998, w.e.f. 3-6-1997.]

6. If a member of the work-charged establishment of the public Works Department in Irrigation Projects is precluded from attending to his normal work by the health and medical authorities, on account of infectious disease in his house, the period of absence shall be debited to his leave account, if any, and the balance shall be treated as special casual leave with wages.

(G.O. Ms. No. 1205, Finance, dated 31st October 1960.)

(iii) When he is summoned to serve as an assessor to give evidence while on duty or on leave, before a Court or a Court Martial in the Indian Union or Foreign Territory as a witness in civil and criminal cases, in which his private interests are not in issue or at departmental enquiries.

(G.O. Ms. No. 1630, Finance, dated 28th December 1957.)

Note.—The cases of Government servants on leave preparatory to retirement or leave refused under Fundamental Rule 86 or leave on medical certificate will however be considered on merits as and when each such case arises.

(G.O. Ms. No. 1185, Finance, dated 27th October 1958.)

(iv) When, with the permission of the director of medical Services, a medical officer is absent from his headquarters for a period up to a limit of ten days at a time on business connected with the Universities, the leave to cover the total period of absence necessary.

(G.O. Ms. No. 870, Finance, dated 18th November 1926.)

(G.O. No. 920, P.H., dated 5th April 1934 and G.O. No. 2090, P & H., dated 5th September 1934.)

Note.—In the case of medical officers serving on their own accord as examiners in the Universities of other States, the period of their absence from duty should be treated as regular leave and not as special casual leave.

This does not apply to medical officers who at the special request of the Government of India or State Government are deputed by the Government to undertake work on behalf of Universities outside the State.

(G.O. No. 812, P.H., dated 4th April 1930.)

(2) The period during which medical officers are absent with the permission of the Director of medical Services from their headquarters in order to attend the meetings of the Madras Medical Council should be treated as special casual leave.

[G.O. No. 110, P.H. (L.S.G.), dated 16th January 1934.]

Note.—The piece work establishment in the government Press, Madras are not ordinarily entitled to wages for the days on which they do not work. The following are however, exceptions to this rule:—

(i) Payment and leave allowances to the extent provided for in the rules issued with G.O.No. 310, Finance, dated 10th May 1934.

(ii) Average wages during the period of special casual leave.

(Finance Memo. No. 23163-pen-1, dated 15th August 1935 and No. 3880, Pen-1, dated 29th November 1935.)

(vi) In case he is a member of the Indian Institute of Public Administration, New Delhi or its Branches and is desirous of participating in the authorised meetings or seminars of the Institute or of its Regional branches, leave not exceeding six working days in each calendar year plus the minimum period required for the to and fro journeys.

(G.O. Ms. No. 688, Finance, dated 19th June 1969.)

(vii) When, with the permission of the Director of Public Health a medical officer including an Assistant Director of Public Health or a Health Officer is absent from his headquarters on business connected with a university the leave to cover total period of absence necessary.

(G.O. Ms. No. 1041, Finance, dated 19th August 1963.)

(b) In the cases coming under clauses (i) to (iv) above when the absence from duty exceeds the period which may reasonably be treated as casual leave under the discretion vested in the head of the office, the Government servant may be granted for the entire period of absence such regular leave with leave-salary as may be due to him and thereafter extraordinary leave. In the case coming under clause (v) the excess over one month of the period of absence should be treated as regular leave and debited to the leave account.

(c) (1) Special casual leave may be allowed to a government servant participating in sporting events for a period not exceeding 30 days in a calendar year. The period of absence in excess of 30 days shall be treated as regular leave of the kind admissible under the relevant rules applicable to the persons concerned. For this purpose, Government servants may, as a special case, be permitted to combine special casual leave with regular leave but not with regular casual leave.

He may be permitted to prefix or suffix or both, the government holidays with Special Casual Leave.

(G.O. Ms. No. 216, Personnel and Administrative Reforms, dated 14th March 1983—With effect from 8th October 1982.)

(2) The purposes for which and the conditions under which special casual leave may be granted are indicated below. The special casual leave may be allowed only—

(a) for participating in sporting events of national or international importance; and

(b) when the Government servant concerned is selected for such participation—

(i) in respect of international sporting events by way National Sports Federation or association recognised by All-India Council of Sports and approved by the Ministry of Education;

Or

(ii) in respect of events of national importance when the sporting event, in which participation takes place, is held on an Inter-state, Inter-Zonal or Inter-Circle basis, and the Government servant concerned takes part in the event in a team as a duly nominated representative on behalf of the State, Zone or Circle, as the case may be.

Note.—The Heads of Departments may grant special casual leave to non-gazetted Government servants under their control and by the respective administrative departments of the Secretariat in other cases for participation in sporting events for a period not exceeding 30 days.

(G.O. Ms. No. 1206, Finance, dated 31st October 1960.)

(3) The concession shall not be allowed for participation either in a national or international sporting event which the Government servant concerned participates in his personal capacity and not in a representative capacity.

(Finance Memo. No. 37987-C.S.R.-2, dated 23rd May 1955.)

(4) The concession of granting special casual leave for a period not exceeding 30 days in a calendar year may be extended to.—

(i) those Government servants whose services are utilised by the National Sports Federation/Associations and recognized by the All-India Council of Sports and approved by the Ministry of Education, for the coaching or administration of teams participating in sports events of national or International importance, and

(ii) those Government servants who are selected or sponsored by such Federation/Association for attending any All-India coaching or training Scheme such as the coaching or Training Course at the national Institute of Sports, Patiala.

[G.O. Ms. No. 1268, Pub. (Gen-M.), dated 8th August 1963.]

(d) (i) The period of absence from duty of Government servants occasioned by their interview, medical examination, etc., in connection with their joining the Army, Air force Reserve, Indian Fleet Reserve, Territorial Army, Indian Naval Reserve and Indian naval Volunteer Reserve, Auxiliary Air Force or Air Defence Reserve, as the case may be shall be, treated as special casual leave:

Provided that this concession shall be admissible only in cases where it may not be possible for the Government servants concerned to attend to their duties after the said interview, medical examination, as the case may be:

Provided further that, if a Government servant withdraws his candidature at the interview or medical examination aforesaid he shall not be entitled to any special casual leave.

(ii) A Special casual leave not exceeding 15 days to ex-servicemen boarded out of service on medical grounds and re-employed as civilians for appearing before the Resurvey Medical Boards inclusive of transit period in both ways for reassessment of the disabilities shall be granted and a certificate to the effect that they have actually appeared before the Resurvey Medical Board should later be obtained from each member of such ex-servicemen and filled in the casual leave account of the individual concerned.

[G.O. Ms. No. 937, Finance (F.R.I.), dated 24th August 1976. w.e.f. 17.7.1975]

8. Casual leave cannot ordinarily be taken in combination with any leave recognized by the Fundamental Rules, with joining time or the vacation. Heads of departments may, however, sanction such combination in special cases provided there is no evasion of the rules for instance, when an officer, obliged to be absent owing to the prevalence of infectious disease in his house and placed on special casual leave, himself contracts the illness and has to be granted regular leave in continuation.

(G.O. No. 406, Finance, dated 7th May 1923 and G.O. No. 51, Finance, dated 19th January 1926.)

Note 1.—When a period of special casual leave is recommended by the Health Officer and it intervenes two spells of leave under the Fundamental Rules, special casual leave may be combined with the regular leave.

(Home department memo. No. 45561-A-45-2, dated 2nd January 1946.)

Note 2.—In cases where a Government servant takes regular leave in continuation of special casual leave granted under instruction 7(a) (ii) he should hand over charge on the fore-noon of the date of commencement of regular leave. If special casual leave is availed of in continuation of regular leave, the individual should take over charge of his post on the expiry of the special casual leave, subject to the Audit Officer being informed in the case of Group A and B Officers that he was granted special casual leave in continuation of regular leave. If the special casual leave is sandwiched between two spells of regular leave, the charge should be handed over on the forenoon of the date of commencement of the first spell of regular leave and the Government servant should take over charge of the post on the expiry of the second spell of the regular leave subject to the Audit Officer being informed in the case of Group A and B Officers that he was granted special casual leave in continuation of the first spell of regular leave.

(G.O. Ms. No. 864, Finance, dated 4th August 1965.)

9. The grant to a Government servant of casual leave other than special casual leave or of permission to avail himself of holidays should not ordinarily result in any appreciable extra expenditure to the Government. Care should be taken to see that no Government servant is allowed to proceed on casual leave or avail himself of holidays frequently if he has actually to be relieved on such occasions and the payment of travelling allowance to another office thereby becomes necessary.

(G.O. No. 104, Finance, dt. 11th April 1940.)

10. Probationary sub-Inspectors of Police should be allowed as a special case special casual leave not exceeding six days in addition to the usual casual leave admissible to them during their training year before they proceed to join the district in which they have to serve. This extra casual leave should not be debited to their ordinary casual leave account.

(G.O. No. 1014, Home, dated 29th March 1945.)

11. Special Casual Leave not exceeding eight days may be granted to men Government servants who undergo sterilisation operation and twenty days to married women Government servants, who undergo non-puerperal sterilisation operation during ordinary time, i.e., not immediately after confinement in any hospital in this state.

[G.O. Ms. No. 702, Finance, (F.R.), dated 5th June 1973.]

Special Casual Leave for a period of six days may be granted to those employees of Government and Local Bodies including those employed in the aided educational institutions and also those covered by the provincialised work charged establishment who undergo vasectomy operation for the second time, in the event of failure of sterilisation operation, on production of Medical certificate to the effect that the first operation was a failure and that a second operation was actually performed.

[G.O. Ms. No. 323, Finance (F.R.-I), dated 20th March 1976.]

The leave to be sanctioned under this rule may be prefixed or suffixed or sandwiched with any kind of regular leave.

[G.O. Ms. 1356, Finance (F.R.-I), dated 22nd October 1974.]

Special Casual Leave not exceeding twenty days may be granted to married women Government servants who are appointed temporarily and who have not completed the period of one year service, when they undergo puerperal sterilisation operation.

[G.O. Ms. No. 229, Personnel and Administrative Reforms (F.R. III) Department, dated 10th March 1982—With effect from 14th September 1981.]

“Special Casual Leave not exceeding seven days shall be granted to a Government servant whose wife undergoes puerperal or non-puerperal sterilisation operation. This leave shall be

granted only on the production of a medical certificate from the Medical Officer who performs of the Government servant is essential to look after his wife during her convalescence after such operation”.

[Vide G.O. Ms. No. 470, P&AR (FR.SPL), dated 14-11-1990 w.e.f. 20-1-1977.]

“Special Casual Leave not exceeding seven days shall be granted to a Government servant whose spouse undergone sterilisation operation for a second time in the event of the failure of the first operation.

(ii) The Special Casual Leave shall commence from the date following the date of such operation.”

[Vide G.O. Ms. No. 470, P&AR (FR.SPL) dated 14-11-1990 w.e.f. 16-3-1988.]

“(iii) The Special Casual Leave shall be granted by the Heads of Departments or as the case may be, the subordinate authorities who are competent to sanction regular leave”.

(Vide G.O. Ms. No. 264, P&AR (FR.SPL.), dated 24-7-1991 w.e.f. 22-2-1982.]

12. Special Casual Leave for one day may be granted to married women Government servants, on written application for the Intra Uterine Contraceptive Device insertion.

The special casual leave shall be sanctioned for the day of insertion of the Device.

(G.O. Ms. No. 105, Finance, dated 9th February 1968.)

13. The entire period of absence of Government servants called out for Home Guard duties shall be treated as Special Casual Leave.

(G.O. Ms. No. 289, Personnel and Administrative Reforms, dated 29th March 1984—with effect from 2nd November 1983.)

ANNEXURE VIII.

Statutory Service Rules.

1. Wherever a continuous period of duty is prescribed as probation in the service rules framed by the Tamil Nadu Government, leave taken by a probationer constitutes a break in the continuity of probation.

2. The period of joining time availed of by a probationer on return from leave should be counted towards the prescribed period of probation if but for the leave, he would have continued to officiate in the post to which he was appointed.

[G.O. No. 1443, Public (Services), dated 10th July 1941.]

Note.—The absence on gazetted holidays and no compensatory leave which are permitted to be affixed and prefixed to any kind of leave other than casual leave cannot be counted as duty for purpose of probation.

(G.O. Ms. No. 1182, Finance, dated 10th September 1957.)

3. In connection with a question which arose as to how the imposition of the penalty of reduction to a lower post or time-scale specified in rule 8 (iv) of the Tamil Nadu Civil Services (Classification, Control and Appeal) Rules would affect the seniority, etc., of the punished Government servant on repromotion to the original post or time-scale, the Government of India have decided as follows:—

(1) While reduction of seniority as an independent penalty not provided for in the rules, cannot be imposed as such, the loss of seniority as a result of an order of reduction to a lower post or time-scale being inherent in the order of reduction, cannot be avoided;