

**NATIONAL SCHEDULED CASTES AND SCHEDULED TRIBES FINANCE AND
DEVELOPMENT CORPORATION**

NSFDC (REVISION OF LEAVE) RULES, 1995

1. **OBJECTIVE**

To regulate grant of various kinds of leave to the employee of the Corporation.

2. **APPLICABILITY**

These Rules apply to all regular/whole-time employee of the Corporation other the Corporation other than those :

- (a) Engaged on daily rates of wages, casual, temporary, part-time basis, appointed on probation :
- (b) Engaged on contract/adhoc basis where the terms of contract/appointment provide otherwise or exclude the benefit of leave:
- (c) engaged as Apprentices/Management Trainees/Executive Trainees: and
- (d) Deputationists from the Government/Public Sector Undertakings who have joined the Corporation, to lien holders who have been allowed to retain their lien in their parent organization and remains subject to the Leave Rules of their parent organization.

Such employees will, however, be governed by the provisions regarding Casual Leave contained in these rules.

3. **DISCRETION TO GRANT/REFUSE LEAVE**

- (a) Leave cannot be claimed as a matter of right. Discretion is reserved by the authority empowered to sanction leave, to refuse or revoke leave, at any time according to the exigencies of Corporation's work.
- (b) Alterations in the leave due and applied for cannot be affected by the Competent Authority except at the written request of the employee concerned. Such conversion/commutation of one kind of leave into any other kind of leave cannot be done after the employee ceases to be in the service of the Corporation.

4. **DEFINITIONS**

Under these rules :

- (a) 'CORPORATION' means NSFDC, its Headquarters, Zonal Offices/Regional Offices/Branch Offices etc.
- (b) 'DUTY' includes
 - (i) Joining time;
 - (ii) Period of work at the Headquarters;
 - (iii) on tour and
 - (iv) in another organization

where the employee has proceeded on deputation provide leave salary contribution is paid on account of this period by the borrowing organization.

- (c) 'LEAVE' means permission obtained by an employee from his/her employer relieving him/her from attending work and includes Earned Leave, Casual Leave, Medical/Half-Pay Leave, Maternity Leave, Extraordinary Leave, without Pay Leave not due and Half Pay Leave.
- (d) 'COMPETENT AUTHORITY' means the officer delegated with the power to sanction, refuse, revoke leave of the employees as per the delegation of powers.
- (e) 'AUTHORISED MEDICAL ATTENDANT' means the doctor appointed by the Corporation as its own employee or a doctor employed as a General Duty Medical Officer in any hospital as defined under NSFDC medical Attendance Rules, 1993 or any Registered Medical Practitioner of the Allopathic System of medicine with minimum qualification of MBBS/BDS or equivalent.
- (f) 'YEAR' means calendar year January to December.

5. **EARNED LEAVE**

- (a) An Employee's leave account will be credited with 30 days' Earned Leave in a year in two half-yearly instalments of 15 days i.e. on the 1st of January and 1st of July respectively-2^{1/2} days per completed calendar month, fractions of the day being rounded off to the nearest day. Earned Leave exceeding 240 days or to the extent of ceiling as may be fixed by DPE shall lapse and not be credited. Earned Leave upto a maximum of 120 days shall be granted at one time.
- (b) Employees to whom these rules apply shall be entitled to avail earned leave only on completion of one year service. Employees shall be entitled to avail Earned Leave not more than four times a calendar year.
- (c) An Employee who is appointed in the middle of a half-year, will be eligible for Earned Leave for the completed calendar months of service, he/she is likely to render in that half year. Entitlement of leave will be worked out pro-rata on the basis of the applicable rate and credited to the leave account of the employee from the date of his/her appointment.

- (d) An employee who resigns, retires on attaining the age of superannuation or whose service is terminated in the middle of a half year, will be eligible for Earned Leave for the completed months of service he/she has rendered in that half year (any broken month's service being ignored). Entitlement of leave will be worked out pro-rata on the basis of the applicable rate and necessary adjustments carried out in the leave account on the date of resignation/retirement/termination.
- (e) Credit of Earned Leave will not be admissible for the period of leave without pay ; necessary reduction in credit will be made in the leave account at the end of the half-year or on termination of the employment, whichever is earlier. For this purpose, the total period of leave without pay availed of during the half-year will be divided by 30 to arrive at completed months, any fraction of a month being ignored and in respect of such completed months, deduction will be made pro-rata on the basis of the applicable rate.
- (f) In a case involving termination of employment, if sufficient credit of Earned Leave is not available for carrying out adjustment on account of deduction of credit, the over payment of leave salary will be recovered.
- (g) Earned Leave at the credit of an employee at the close of previous half year will be carried forward to the next half year subject to the condition that the total of the leave carried forward, the credit for the next half-year and any addition to the credit does not exceed 240 days.
- (h) In the case of an Employee who has proceeded to another Organization on deputation, the rate of entitlement of Earned Leave during the period of deputation will continue to be same as on the date of his relief from the Corporation.
- (i) Transfer of Earned Leave in respect of persons joining the Corporation from Public Sector Undertakings will be regulated as under :
 - (i) Persons who join the Corporation on deputation, foreign service terms after retaining their lien in their parent office or on absorption in the Corporation or subsequent resignation from Corporation or subsequent resignation from Corporation may be allowed the benefit of carry forward of their Earned Leave ; provided that the employee joined the Corporation with the concert of his/her previous parent organization.
 - (ii) The Organization from which he/she comes, agrees for transfer of such carry forward leave salary to the Corporation, in respect of such employees.

- (iii) In no case, the total of Earned Leave credited under these rules and the transfer from the previous Organization shall exceed the ceiling laid down under the Leave Rules i.e.
- (iv) The carried forward leave in respect of an employee from his previous Organization will be credited to the Earned Leave account being maintained by the Corporation under these rules.
- (j) To the extent that an employee is obliged to take leave without pay on medical grounds there being to leave with pay due to him/her, Earned Leave may be allowed to be used against subsequent credit (on Jan. 1/July 1).

6. **MEDICAL /HALF-PAY LEAVE**

- (a) Application for Medical/Half-Pay Leave for more than one day in one spell must be accompanied by a Medical Certificate from an Authorized Medical Attendance, any fee payable for the Medical Certificate being borne by the employee concerned. The certificate must define clearly the nature and probable duration of illness but not recommend the grant of leave in any case.
- (b) An Employee's leave account will be credited with 10/20 days Medical/Half-Pay Leave in a year in two half-yearly instalments of 5 days (commuted) i.e. on the 1st of January and 1st of July respectively.
- (c) Employees to who these rules apply shall be entitled to avail Medical/Half-Pay Leave only on completion of on year service.
- (d) An Employee who is appointed in the middle of a half-year will be eligible for Medical/Half-Pay Leave for the completed calendar months of service, he/she is likely to render in that half year. Entitlement of leave will be worked out pro-rata on the basis of the applicable rate and credited to the leave account of the employee from the date of his/her appointment.
- (e) An Employee who resigns, retires on attaining the age of superannuation or whose service is terminated in the middle of a half year, will be eligible for medical/Half-Pay Leave for the completed months of service he has rendered in that half year (any broken month's service being ignored). Entitlement of leave will be worked out pro-rata on the basis of the applicable rate and necessary adjustments carried out in the leave account on the date of resignation/retirement/termination.
- (f) Credit of Medical/Half-Pay Leave will not be admissible for the period of leave without pay necessary reduction in credit will be made in the leave account at the end of the half-year or on termination of the half-year or on termination of the employments, whichever is earlier. For this

purpose, the total period of leave without pay availed of during the half-year will be divided by 30 to arrive at completed months, any fraction of a month being ignored and in respect of such completed months, deduction will be made pro-rata on the basis of the application rate.

- (g) In a case involving termination of employment, if sufficient credit of Medical/Half Pay Leave is not available for carrying out adjustment on account of deduction of credit, the over payment of leave salary will be recovered.
- (h) To the extent that an Employee is obliged to take leave without pay on medical grounds there being no leave with pay due to him/her, Medical/Half-Pay Leave may be allowed to be used half yearly against subsequent credit (on 1st January/1st July) or on the date of termination of employment as the case may be at his applying for the same.
- (i) An Employment who is granted leave on the basis of a Medical Certificate (of unfitness) will be required to produce a Medical Certificate of fitness from an Authorised Medical Attendant before he/she resumes duty.
- (j) The Corporation may as its discretion require an Employee who applied for leave on medical grounds or who reports for duty after such leave for more than 3 days with a medical certificate in support of sickness of fitness, as the case may be, to appear before an Authorised Medical Attendant nominated by it for the following purposes :
 - (i) To have the employee medically examined and obtain medical opinion :
 - both as regards the facts of illness and or regards the amount of leave applied for ;
 - as regards the employee's fitness for resuming duty ;
 - (ii) To have the Medical Certificate reviewed and commented upon.
- (k) Transfer of Medical/Half-Pay Leave in respect of persons joining the Corporation from Public Sector Undertakings will be regulated as under:
 - (i) Persons who join the Corporation on deputation foreign service terms after retaining their lien in their parent office or on absorption or subsequent resignation may be allowed the benefit of carry forward of their Medical/Half-Pay Leave provided that the employee joined the Corporation with the consent of his/her previous/parent organization.

- (ii) The organization from which he/she comes, agrees for transfer of such carry forward leave and makes payment of leave salary to the Corporation in respect of such employees.
- (iii) The carried forward leave in respect of an employee from his previous organization will be credited to the Medical/Half-Pay Leave account being maintained by the Corporation under these rules.

7. **CASUAL LEAVE**

Casual leave is leave intended for urgent business of unforeseen nature.

- (a) Employees to whom these rules apply will be eligible for 2 days Casual Leave in a calendar year. Any Casual Leave not availed of during one year before December 31 will lapse.
- (b) Casual Leave will not be granted in combination with any other kind of leave with pay.
- (c) Casual Leave maybe granted for the working day, involved, any Saturday/Sunday, weekly off, Gazetted/Restricted holiday, which intervenes not being counted towards leave.
- (d) Casual Leave may be taken in terms of half-day, for the first or second half of a day, the first half ending with the conclusion of the lunch interval and the second half beginning with the commencement of lunch interval.
- (e) The entitlement of Casual Leave to a new employee who joins the service of the corporation during the first year of his employment, will be determined pro-rata to the period of service from the date of his joining.
- (f) Casual Leave may be taken while on tour for which no Daily Allowance will be admissible.
- (g) Since Casual Leave is essentially intended for short periods, it should not normally be granted for more than eight days at any one time.

8. **MATERNITY LEAVE**

- (a) A Female employee (with less than 2 surviving children) who has satisfactorily completed the period of probation and to whom these rules apply shall be granted Maternity Leave for a period of 90 days from the date of its commencement. During the period of maternity leave, she shall be paid leave salary equal to the pay drawn by her immediately before proceeding on such leave.
- (b) Maternity leave shall also be granted in case of miscarriage including abortion and induced abortion subject to the condition that (i) the

leave does not exceed 45 days from the date of miscarriage/abortion/induced abortion as certified by the Authorised Medical Attendant, (ii) the application for leave is supported by a Medical Certificate from an Authorised Medical Attendant.

- (c) Maternity Leave may be combined with leave of any other kind except Casual Leave but any leave applied for in continuation/combination with the former would be granted only if it is supported by a Medical Certificate from an Authorised Medical Attendant.
- (d) Regular leave in continuation of maternity leave may also be granted in case of illness of the new born baby, subject to the female employee producing a medical certificate to the effect that the condition of the ailing baby warrants the mother's personal attention and presence by the baby.

A female employee shall, either before proceeding on Maternity Leave or within three days of proceeding on such leave, apply for grant of Maternity Leave and furnish a medical certificate from an authorized Medical Attendant to this effect. The employee shall be required to follow this procedure for availing regular leave in continuation of the said Maternity Leave.

- (e) The Maternity Leave combined with EL Medical/HPL and EOL shall, however, not exceed twelve months.
- (f) The total number of occasions on which maternity leave is admissible to a female employee during her entire service will be as follows :
 - (i) In case of delivery of a living child not more than two occasions ;
 - (ii) In case of miscarriage/abortion/induced abortion not more than one occasion.

9. **EXTRA ORDINARY LEAVE WITHOUT PAY**

- (a) Under special circumstances, when no other kind of leave is due or when it is specifically applied for by the employee, extra ordinary leave without pay may be granted to those employees who have been in continuous service of the Corporation for a period exceeding one year. Such leave shall, however, be restricted to the following extents ;
 - (i) Upto 3 months on any one occasion other than grounds of illness ;
 - (ii) Upto 6 months on any occasion on medical grounds duly supported by a medical certificate from an authorized medical attendant ; and

- (iii) Upto 18 months on any occasion in case of disease like TB, Leprosy, mental illness, Cancer, etc.
- (b) Leave without pay will not count towards service qualifying for increment, promotion and earning leave of any kind. Besides above the authority competent to grant leave may commute retrospectively for the period of absence without leave into Extra Ordinary Leave without Pay.

10. **COMPENSATORY LEAVE**

- (a) Compensatory leave is the leave granted to an employee in compensation of the overtime work of a special or urgent nature performed by them under specific orders of the Competent Authority.
- (b) Employees who are required to perform duty for the full prescribed hours of work on Saturdays/Sundays/Public Holidays may be granted compensatory leave in lieu of such work. In case, where an employee is required to work for a half day, 2 such half days should be treated as one day for this purpose, where necessary, half day compensatory leave may also be given.
- (c) Compensatory leave will not be admissible when an employee attends office of his own accord. While applying for compensatory leave in the prescribed proforma, the employee must specifically mention the day/date on which he/she worked overtime duly certified by the Reporting Officer/ Competent Authority to avail compensatory leave.

11. **QUARANTINE LEAVE**

Where in consequence of the presence of an infectious disease i.e. Cholera, Small Pox, Plague, Diphtheria, Typhus Fever, Chicken Pox and Cerebrospinal Meningitis in the family or household of an employee, at his place of duty, residence or sojourn, his attendance at the office is considered hazardous to the health of other employees, such employee may be granted Quarantine Leave by the Competent Authority on the certificate of an authorized medical attendant for a period not exceeding 21 days or, in exceptional circumstances 30 days, any period in excess of this period being regularized by the grant of any other kind of leave (other than Casual Leave) admissible and due.

12. **STUDY LEAVE**

- (a) For Undertaking, in India or abroad, higher studies and/or specialized training in a professional or technical subject, employees may be granted study leave which will be without pay, provided :
 - (i) The subject has relevance to the sphere of duties of the employees concerned ;

- (ii) The proposed course of study/training would be of distinct advantage from the point of view of the Corporation's interest and would enhance significantly the efficiency of the employee ; and
 - (iii) The exigencies of the Company's work permit release of the employee for the period involved.
 - (iii) The exigencies of the Company's work permit release of the employee for the period involved.
- (b) It will be granted to those employees who have completed at least 5 years regular/continuous service in the Corporation ; it will not be granted to an employee (a) who has joined the Corporation on deputation or lien basis or (b) against whom disciplinary proceedings are in progress or are intended to be initiated ; and (c) who has less than 3 years superannuate from the date on which he is expected to return to duty after expiry of the leave.
- (c) The period of leave will depend upon the course of study to be undertaken but will not exceed 3 years in the entire service of an employee and may be taken in different/broken spells. Earned Leave due to the employee may be granted over and above the study leave. Study leave shall, however not be granted to such frequency as to remove the employee from contract with his/her regular work.
- (d) The employee who has been granted study leave shall execute a Bond/give an undertaking, before he proceeds on the study leave, to serve the Corporation for a period of 3 years from the date of rejoining duty after the completion of study leave.
- (e) The Corporation will not have any financial liability in connection with the study/training for which study leave is granted.
- (f) The period of study leave will not be considered for promotion or merit award. However, the employee may be considered for these purposes after he rejoins the Corporation in accordance with the policy then in force. Such period of study leave will however, count for seniority in the employee's existing grade. Normal increment falling due within the period of study leave may be granted at the discretion of the Competent Authority and benefit of payment of such increment may be allowed from the date from which the employee rejoins the Corporation after the completion of study leave, provided he has satisfactorily completed the course of study undertaken.
- (g) These provisions will not apply to cases in which employees are deputed/sponsored by the Corporation for a course of study/training.

- (h) Study leave will be granted by the Chairman-cum-Managing Director and/or any other officer specifically authorized by him in this behalf. Sanctioning of the leave shall, however, be at the sole discretion of the Corporation.

13. **SPECIAL DISABILITY LEAVE**

- (a) Special disability leave shall be granted to an employee who is disabled by an injury intentionally inflicted or caused in, or in consequence of the due performance of his/her official duties or in consequence of his official position or is accidentally inflicted.
- (b) Such leave shall not be granted unless the disability manifests itself within three months of the occurrence to which it is attributed and the person disabled acted with due promptitude in bringing it to the notice of the Competent Authority.
- (c) The period of leave granted shall in no case exceed 24 months and shall be granted on the basis of a certificate issued by an authorized medical attendant which shall consist of complete details of the nature and duration of the disability.
- (d) Special disability leave may be combined with leave of any other kind and shall not be debited against the leave account.
- (e) Leave salary during the period of special disability leave shall for the first 120 days of such leave salary while on Earned Leave and for the remaining period of any such leave be equal to leave salary during Medical/Half-Pay leave.

14. **LEAVE SALARY**

For the period of any leave other than leave without pay granted to an employee, the leave salary payable will be the salary which he/she would have drawn from time to time while on duty. Conveyance Allowance/Transport Subsidy and reimbursement of Refreshment Expenses for the said period shall be paid proportionately.

15. **ADVANCE OF LEAVE SALARY**

An Employee proceeding on leave for a period of 30 days or more may be allowed an advance equal to leave salary due for the first month of the leave and such allowances as may be admissible on that leave salary subject to normal deductions.

16. **COMBINATION OF HOLIDAYS WITH LEAVE**

- (a) When the day, immediately preceding the day on which an employee's leave (other than leave on medical grounds) begins or immediately

following the day on which his/her leave expires is a holiday or one of series of holidays, the employee shall be deemed to have been permitted (except in cases where for admissible reasons permission for prefixing/suffixing holidays to leave specially withheld) to leave his/her station at the close of the day before, or return to it on the day following such holiday or series of holidays subject to the normal provisions.

- (b) In case of leave on medical grounds, when an employee is certified medically unfit to attend office, holiday(s), if any, immediately preceding the day he is so certified shall be allowed to be prefixed to leave and the holiday(s), if any, immediately succeeding the day he is so certified (including that day) shall be treated as part of the leave and when an employee is certified medically fit for joining duty holiday(s), if any, succeeding the day he is so certified (including that day) shall automatically be allowed to be suffixed to the leave and holiday(s), if any, preceding the day he is so certified shall be treated as part of the leave.

17. **PROCEDURE FOR GRANT OF LEAVE AND MAINTENANCE OF LEAVE RECORDS**

- (a) The Earned Leave/Medical Leave account in respect of all employees of the Corporation, shall be maintained by the Personnel and Administration Department, Headquarters.
- (b) The Casual Leave record in respect of employees posted in the Headquarters will be maintained by the Personnel and Administration Department, Headquarters, and by the Zonal Manager/Deputy Zonal Manager/Assistant Zonal Manager in respect of all employees posted in the Zonal Offices.
- (c) Any application for leave, Earned/Medical/Casual/Study/Quarantine/Maternity, etc. shall be made in the prescribed proforma through the concerned reporting officer who shall in turn forward such application without any delay, to the authority competent to grant leave. Prior to submission of the leave application for Earned/Medical/Maternity, the employees posted at the Headquarters will be required to have its admissibility ascertained/confirmed in writing from the Personnel and Administration Department. In case of employees, posted at the Zonal Offices, the order sanctioning leave (Medical/Earned/Maternity) would indicate the balance leave at the credit of the employee on the basis of which leave would be recommended/sanctioned by the Zonal Officer Incharge, in future.
- (d) In case of all employees including those who have resigned, retired or whose services have been terminated by the Corporation, the Personnel and Administration Department will maintain their leave record i.e. Earned/Medical leave for a maximum period of three years.

- (e) For availing Casual Leave upto a period of three days, an employee shall be required to either seek prior permission or send prior intimation to the Competent Authority. In case of Casual Leave exceeding three days, an employee shall be required to seek prior permission for availing such leave. However, in case of compelling circumstances beyond the control of the employee, the Competent Authority may sanction Casual Leave exceeding three days after the employee returns from leave and applies for sanction of the same.
- (f) For availing Earned Leave, an employee shall be required to apply for such leave at least seven days prior to the date of commencement of the Earned Leave and shall be permitted to proceed on Earned Leave only after issue of the leave sanction order. If the leave is sanctioned or refused or postponed, the fact of such sanction/refusal/postponement will be intimated to the employee concerned within 3 days of receipt of leave application to P & A Department from the Competent Authority.

If an employee after proceeding on leave desires an extension thereof, he/she shall send an application in writing to the sanctioning authority through his/her reporting officer, sufficiently in advance before the expiry of the leave already sanctioned giving reasons for seeking such an extension. A written reply either for grant or refusal of extension of leave will be sent to the employee at the address given by him and if no such address is given then at the address available with the Corporation. Such communication shall be deemed to have been conveyed to him. No extension of leave could be deemed to have been granted unless an order to that effect has been issued to the employee concerned.

- (g) In case, Earned Leave is availed by an employee in broken spells, ranging between 1-3 days, in circumstances when no other kind of leave is due prior permission would also be necessary unless for circumstances beyond the control of the employee, the same cannot be done, the Competent Authority may, under such exceptional circumstances, sanction Earned Leave after the employee resumes duty and applies for the same (restriction of four times in a calendar year will apply).
- (h) An employee who proceeds on leave on grounds of illness shall within three days of such leave, send an application for the required/requisite period of leave accompanied by a certificate from an Authorised Medical Attendant. On expiry of the said leave, he/she shall be permitted to resume duty only if he/she produces a fitness certificate from an Authorised Medical Attendant. In case, he/she prefers an application for grant of extension of leave on medical grounds, the same must be accompanied by a medical certificate and such extension of leave shall be

duly communicated on him/her before the expiry of the original leave period.

- (1) An employee, except in case of Casual Leave on Restricted Holiday, shall submit a joining report on resuming his/her duty to the reporting officer who in turn shall forward it to the authority competent to sanction leave. A Copy of the said report must be sent to the Personnel and Administration Department for the purpose of their records.
 - (i) An employee who absents from duty without proper leave or who does not resume his/her duty immediately after the expiry of sanctioned leave to him/her will be treated as absent without leave and shall not be entitled to any pay or leave salary, besides rendering himself/herself liable for disciplinary action.
 - (j) Any leave matter which does not fall within the admit of normal grant of Earned Leave/Medical Leave under these rules will be referred to the chair-cum-Managing Director/Managing Director whose decision in the matter will be final and binding.

18. **UNAUTHORISED ABSENCE FROM DUTY**

- (a) When an employee attends office late or leaves office early without permission and the late attendance/early leaving, as the case may be, is not condoned/permitted by the Competent Authority, each such occasion of the attendance/early going shall be treated as unauthorized absence from duty and deduction from pay proportionate to the period of absence on account of late attendance/early going shall be made in accordance with provision 9 of the payment of wages Act, 1936 and orders issued by the Corporation on the subject from time to time.
- (b) An employee who absents from duty unauthorisedly without proper leave or who does not resume his/her duty immediately after the expiry of leave originally granted or subsequently extended, he/she will be treated as absent without leave and shall not be entitled to any pay, allowances or leave salary for such period besides rendering himself/herself liable for disciplinary action under the Conduct, Discipline and Appeal Rules of the Corporation. The period of such absence from duty, not covered by grant of regular leave, shall be treated as dies non for all purposes including increment, promotion, leave and gratuity.

19. **GENERAL**

- (a) CMD or MD may, for reasons to be recorded in writing, at his discretion relax these Rules in respect of an employee.

- (b) An employee while on leave shall not take up any service or employment elsewhere including setting up of a private professional practice.
- (c) In case an employee is recalled for duty before the expiry of his/her leave, such recall to duty shall be treated as compulsory in all cases and the employee shall be entitled to be treated as on duty from the date on which he starts for the station of recall and to draw :
 - (i) Travelling allowance under the Rules made in the behalf for the journey ;
 - (ii) Leave salary until he joins duty (at the same rate) at which he would have drawn it but for the recall to duty.

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